For More Information, Contact:
Colene Rivera, CSR
City of Winter Garden
300 West Plant Street
Winter Garden, FL 34787
407.656.4111 ext. 2021
crivera@cwgdn.com

PLANNING & ZONING BOARD AGENDA

BOARD MEMBERS: Chairman Will Hawthorne, Vice-Chairman Chris Lee, Steve Ambielli, Joseph Dunn, Jr., Henry Haddock, Mark Hide, and Gabriel Kotch

OTHER ATTENDEES: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Attorney Dan Langley, Planning Consultant Ed Williams, Community Development Director Stephen Pash, Urban Designer Kelly Carson, Senior Planner Shane Friedman, and Planner I Soraya Karimi

Agenda for July 6, 2020 at 6:30 PM

City Hall Commission Chambers
300 W. Plant Street, Winter Garden, Florida

1. CALL TO ORDER
Determination of Quorum, Moment of Silence and Pledge of Allegiance

2. APPROVAL OF MINUTES FROM THE JUNE 1, 2020 MEETING

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

3. 543 S Lakeview Avenue - (Robbi & Co) Rezoning & FLUA

PRELIMINARY PLAT / FINAL PLAT / LOT SPLIT

4. 340 & 370 Lakeview Road – (Jane Lee Property) Lot Split
5. 1288 N West Crown Point Road - (Medina Residences) Lot Split

SPECIAL EXCEPTION PERMIT (PUBLIC HEARING)

6. 14955 Sunridge Blvd - (OCPS Signage) Special Exception Permit
7. 1200 W Bay Street - (OCPS Signage) Special Exception Permit

VARIANCE (PUBLIC HEARING)

8. 14955 Sunridge Blvd - (OCPS Signage) Variance
9. 1200 W Bay Street - (OCPS Signage) Variance
10. 14146 Jomatt Loop - (Samuel Property) Variance
11. 14230 Sunridge Blvd - (Hollingsworth Addition) Variance
12. 403 S Lakeview Avenue - (Carl Jacobs Builders, LLC) Variance
13. 361 N Boyd Street - (Tree House) Variance
14. 1288 N West Crown Point Road - (Medina Residence) Variance

ADJOURN to the next regular Planning and Zoning Board meeting on Monday, **August 3, 2020** at **6:30 p.m.** in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida

POSTED: JUNE 26, 2020

PLEASE NOTE: IN ACCORDANCE WITH FLORIDA STATUES 286.0105: ANY PERSON WHO DESIRES TO APPEAL ANY DECISION AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND FOR THIS PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED, WHICH SUCH WRITTEN RECORD IS NOT PROVIDED BY THE CITY OF WINTER GARDEN.

PLEASE NOTE: IN ACCORDANCE WITH FLORIDA STATUTE 286.26: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT COLENE RIVERA, 300 WEST PLANT STREET, WINTER GARDEN, FL 34787, (407) 656-4111, EXT 2021 - 48 HOURS IN ADVANCE OF THE MEETING.

PLANNING AND ZONING BOARD
REGULAR MEETING MINUTES
JUNE 1, 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.

Present: Chairman Will Hawthorne, Vice-Chairman Chris Lee, and Board Members: Steve Ambielli, Joseph Dunn, Jr., Henry Haddock and Mark Hide.

Absent: Gabe Kotch (excused).

Staff Present: City Attorney Kurt Ardaman, Community Development Director Steve Pash, Urban Designer Kelly Carson, Senior Planner Shane Friedman, Planner I Soraya Karimi, and recording secretaries Colene Rivera and Edlyn Gonzalez.

2. APPROVAL OF MINUTES

Motion by Mark Hide to approve the regular meeting minutes of March 2, 2020. Seconded by Chris Lee and carried unanimously 6 – 0.

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

3. 199 S. Main Street & 158 S Woodland Street; Smith Luxury Studios PUD Rezoning

Urban Designer Carson presented a request to rezone 199 S. Main Street & 158 S. Woodland Street to PUD to permit the development of a two/three-story building, which will feature 38 apartment dwelling units and a small commercial use. Staff would recommend approval of Ordinance 20-19.

Board Member Hide inquired since he had been on the Architectural Review Board when this project was approved, did he need to recuse himself from this project? Attorney Ardaman stated he did not and will need to vote on this item.

Various board members inquired about specifics related to this project including: maximum height of building in the downtown area; underground storm water chambers; parking concerns; community meetings; tree removal; rental value of these units? Ms. Carson replied maximum height in the downtown area is three stories or could be four stories with step back aspect. Director Pash stated this type of underground storm water chamber system is used elsewhere in the city. Ms. Carson replied there is off-site parking on street and in parking garage; yes there were several items that the applicants revised as a result of multiple community meetings; Ms. Carson invited applicant to come forward to speak on the rental rates of this project. Applicant, Franco Scala discussed that the rental fees have not been determined but stated they would be on the high, high end of the scale.

Phil Baker, 125 W Smith Street – spoke in opposition of this request.

Richard Sederland, 155 S. Main Street – asked for clarity on the three-story aspect of proposed building design.

Ron Mueller, 709 Lake Cove Pointe Circle – spoke in opposition of this request.

Discussion between the board members continued regarding their concerns about this project including by having the property with a PUD zoning, this limits the uses allowed. Ms. Carson confirmed.

Applicant then asked if project could be tabled. Board was in agreement to table until further notice.

Motion by Will Hawthorne to table to a future date as determined by staff. Seconded by Steve Ambielli and carried unanimously 6 – 0.

4. **14120 thru 14230 W Colonial Drive (West Market fka Gardenia Plaza) PCD Amendment**

Senior Planner Friedman presented a request for approval of a PCD Amendment for the address of 14120 through 14230 W. Colonial Drive which is the West Market PCD. Staff recommends approval of Ordinance 20-23 subject to conditions outlined in the ordinance.

Various board members inquired about the following: specific change of uses; design criteria and bay locations and signing in the area. Mr. Friedman stated only the additional uses of automotive service center and bank with drive-thru would be allowed in addition to the previously approved uses; the bays would be in the interior back of the building for the automotive service center and signage would follow the design manual criteria which remains the same.

Motion by Steve Ambielli to approve. Seconded by Henry Haddock and carried unanimously 6 – 0.

VARIANCE (PUBLIC HEARING)

5. **16068 Black Hickory Drive (Jason Thornton) Variance**

Planner I Karimi presented a request for a variance to allow for a 600 square foot screen enclosure with a solid roof at 16068 Black Hickory Drive. The neighbor had signed a petition stating he had no objections to construction of this screen enclosure and was included in the staff report. Staff recommends approval of the variance subject to the condition outlined in the Staff Report.

Various inquiries were made by the board members regarding: other properties in subdivision with similar variance; if there are any restrictions on this variance and if planner would summarize the neighbor letter? Ms. Karimi responded there are not any other variances in this community for this type of variance; no restrictions on this variance and she explained the neighbor behind this property agreed to support this variance.

Motion by Will Hawthorne to approve variance with staff conditions and add a condition that no air-conditioning or heating allowed in the living space. Seconded by Henry Haddock and carried 4-2 (with Chris Lee and Mark Hide opposed).

6. **50 E Palmetto Street (Rafael Garcia) Variance**
Planner I Karimi presented a request for a variance to the side yard setback on the property located at 50 E. Palmetto Street. Staff recommends approval of variance subject to the conditions outlined in the staff report.

Board Members inquired about a history of these variances with other homes in the area; width of lot; if a vacant lot along with variance on both side of the house? Director Pash stated that the home owner had demolished a home on the site and is planning to build a new home in its place. Ms. Karimi stated this property is currently vacant and is planning to build a 50-foot wide home which would require a variance on both sides of the new house.

Rossario Rossetti, -30 E Palmetto Street - spoke in support of this variance.

Motion by Chris Lee to approve variance at 50 E. Palmetto Street. Seconded by Henry Haddock and carried unanimously 6-0.

7. **428 S Main Street (Torrez) Variance**
Senior Planner Friedman presented a request for a variance to the rear and side yard setbacks of the property located 428 S Main Street. This is a cleanup item requesting a variance for an already existing porch that has been there for decades. This porch will beautify the structure while maintaining the character of the neighbor. Staff recommends approval of the variance subject to the conditions outlined in the Staff Report.

Motion by Mark Hide to approve variance on 428 S Main Street. Seconded by Chris Lee and carried unanimously 6-0.

8. **537 S Lakeview Avenue & 39 W Story Road (Robbie & Co) Variance**
Urban Designer Carson presented a request for multiple variances to allow a lot split/reconfiguration of the subject property – no additional structures or building additions are proposed for the property located 537 S Lakeview Avenue and 39 W Story Road. Applicants intend to change the zoning on the southern parcel to allow for hair salon at a future date. Staff recommends approval of the variances subject to the conditions outlined in the Staff Report.

Various Board Members inquired about current property having two single family homes on a single lot; bring these items into conformity and approval of hair salon. Ms. Carson confirmed these variances would bring the properties into conformity and stated the hair salon would be at a future meeting.

Motion by Steve Ambielli to approve all variances. Seconded by Joseph Dunn, Jr. and carried unanimously 6-0.

PRELIMINARY PLAT / FINAL PLAT / LOT SPLIT

9. **537 S Lakeview Avenue & 39 W Story Road (Robbie & Co) Lot Split**
Urban Designer Carson presented a request to reconfigure the existing lot lines of the two existing lots at the address of 537 S Lakeview Avenue & 39 W Story Road to create two similarly-sized parcels. Staff recommends approval of the lot split subject to the conditions outlined in the Staff Report.

Motion by Chris Lee to approve lot split request at 537 S Lakeview Avenue & 39 W Story Road with staff conditions (as provided in the agenda packet). Seconded by Mark Haddock and carried unanimously 6-0.

10. <u>14908 & 14950 Tilden Road (Tilden Road PrePlat) Pre-Plat</u>

Senior Planner Friedman presented a request for approval of the Preliminary Plat at the address of 14908 & 14950 Tilden Road to subdivide the property into 55 single family residential lots. Staff recommends approval of the Preliminary Plat subject with the conditions in the staff report.

Board Members inquired about: left turn lane right-of-way on Tilden Road; applicants being aware of this turn lane under review, minimum protection of the wet land buffer on the north side of this development? Mr. Friedman stated that the left turn lane will not be expanded under this project but this roadway is under review through Orange County and applicants are aware. Mr. Friedman stated there was an environmental impact study was performed on the site and will have a 25- foot minimum buffer area required on the north side. Community Development Director Pash also stated there is an environmental swale along the backyards to prevent nutrient drainage into the wetlands.

Applicant's project engineer, Dave Kelley was in attendance for any questions or specifics from the board regarding this project. No additional questions were presented.

Motion by Henry Haddock to recommend approval of the Preliminary Plat. Seconded by Mark Hide and carried unanimously 6 – 0.

11. <u>12301 W Colonial Drive (People's Plaza) Pre-Plat</u>

Planner I Karimi presented a request for the Preliminary Plat for People's Plaza at the address of 12301 W. Colonial Drive, to subdivide the property into four commercial lots for development of a hotel, a gas station, and additional commercial buildings yet to be proposed. Staff recommends approval of the Preliminary Plat subject to the condition outlined in the staff report.

Various board member inquired about: site development for the proposed lots; clarification of what this board already reviewed and approved on this site and road work for the already proposed sites at this time? Ms. Karimi affirmed these uses were part of the PCD amendment site plan review and Mr. Pash clarified that road work is reviewed and considered during the construction plans phase.

Motion by Will Hawthorne to recommend approval of the Preliminary Plat of People's Plaza at 12301 W Colonial Drive. Seconded by Chris Lee and carried unanimously 6 – 0.

<u>ADJOURNMENT</u>

There being no further business, the meeting was adjourned at 7:49 p.m. to the next meeting scheduled for July 6, 2020 at 6:30 p.m.

ATTEST: **APPROVED:**

Recording Secretary Colene Rivera **Chairman Will Hawthorne**

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 3

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 543 S. Lakeview Avenue (Rezone-FLUA)
Project Name: 543 S. Lakeview Avenue
Parcel ID: 23-22-27-2468-00-680
Issue: The applicant is requesting amendment of the Future Land Use Map and rezoning.

Supplemental Material / Analysis:

Owner / Applicant: Robbie & Thelma Robinson
Current Zoning: R-2 (City)
Proposed Zoning: RNC (City)
Current FLU: LR Low Density Residential
Proposed FLU: NC Residential Neighborhood Commercial

Summary: The applicant is requesting amendment to the Future Land Use Map of the City's Comprehensive Plan to designate the property as City Residential Neighborhood Commercial, and assigned zoning designation of RNC.

Staff Recommendation(s):
Staff recommends approval of the rezoning and Future Land Use Amendment subject to the condition outlined in the Staff Report.

Next Step(s): Follow all City regulations and apply for permits.

Attachment(s): Location Map
Staff Report
Ordinances 20-27 & 20-28

LOCATION MAP

543 S. Lakeview Avenue

<u>FLUA & Rezoning</u>

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: Soraya Karimi, Planner I
DATE: July 6, 2020
SUBJECT: FLU—ZONING
543 S Lakeview Avenue (0.26 +/- ACRES)
PARCEL ID # 23-22-27-2468-00-680

APPLICANT: Robbie & Thelma Robinson

INTRODUCTION

The purpose of this report is to evaluate the proposed project for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property, located at 543 S Lakeview Avenue, is approximately 0.26 ± acres. A lot split/lot reconfiguration for 537 S Lakeview Avenue & 39 W Story Road was approved by the Planning and Zoning Board on 06/01/20, and 543 S Lakeview Avenue was a resulting parcel from the split..

The map below depicts the proximity of the subject property within the City of Winter Garden municipal limits. Please see the attached site plan for the approved configuration of 543 S Lakeview Avenue.

Please note that this parcel does not have an official address, and it has not been added to the Orange County Property Appraiser Map yet. The address of 543 S Lakeview Avenue is pending review from various Orange County departments. Multiple variances were approved on 06/01/20 by the Planning and Zoning Board as well to address nonconformities created by the new lot split/reconfiguration

The applicant has requested amendment to the Future Land Use Map (FLUM) of the City's Comprehensive Plan to designate the property as Residential Neighborhood Commercial (NC), and assigned zoning designation of Residential-Neighborhood Commercial (RNC) District.

In accordance with the City's Comprehensive Plan, Properties designated with the Residential Neighborhood Commercial use category are required to be developed at a gross residential density no greater than 6 dwelling units per acre and will be identified on the Future Land Use Map only in areas that are either similar in nature (i.e. have the same type of density of existing neighborhoods) or where environmental factors require residential neighborhood commercial densities. Factors in determining this land use category included proximity to natural resources and urban services, availability of public facilities, and the characteristics of nearby existing and future neighborhoods. The zoning classifications that are consistent with the Residential Neighborhood Commercial classification are R-NC, RNC-2, PUD, R-1A, R-1B, R-1, R-2, R-3, R-4, R-5, C-1, C-2, C-3, and C-4.

EXISTING USE

543 S Lakeview Avenue contains one single story residence, one garage, and one single story accessory building. The property is currently zoned R-2 and is designated Low Density Residential (LR) on the Future Land Use Map of the City's Comprehensive Plan.

ADJACENT LAND USE AND ZONING

The properties to the north, east and west of the subject property are developed with single-family residences, are zoned R-2, and are within the City of Winter Garden's Municipal limits. The properties to the south of the subject property are a duplex and single family residences, all of which are zoned R-2 and are within the City of Winter Garden's Municipal limits.

PROPOSED USE

The applicant is intending to convert the existing garage building on the property into a hair salon. The rezoning and amendment to the Future Land Use will allow the proposed land use. A special exception permit and site plan approval will be required to convert the current use into a hair salon.

SUMMARY

City Staff recommends approval of Ordinances 20-27 and 20-28.

ATTACHMENTS

- Address Notification Map
- Site Plan of 543 S. Lakeview Avenue
- Aerial Photo
- Future Land Use Map
- Zoning Map

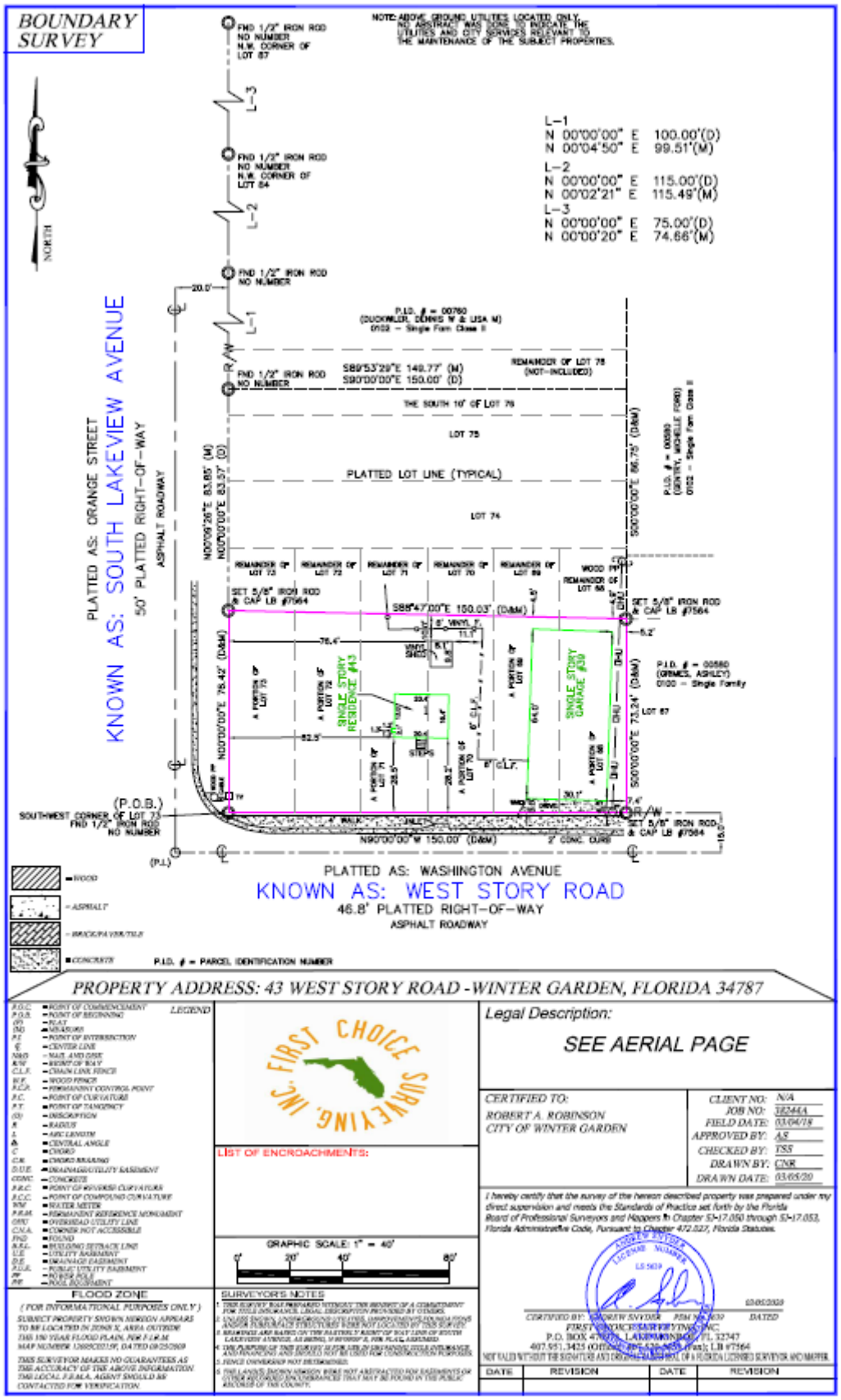
ADDRESS NOTIFICATION MAP
543 S. Lakeview Avenue

WINTER GARDEN

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING DIVISION
300 WEST PLANT STREET
WINTER GARDEN, FLORIDA 34787

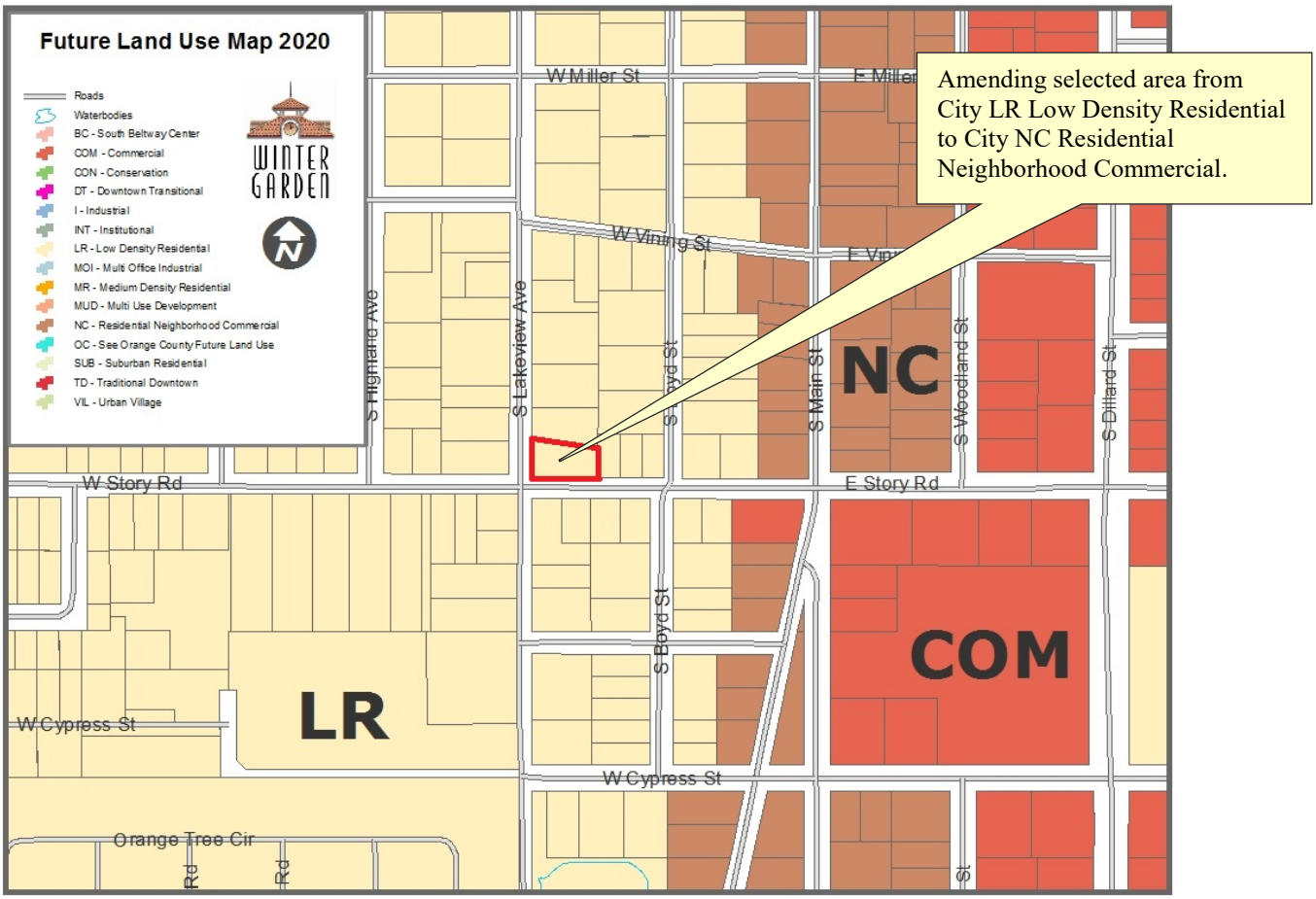
P: 407.656.4111
F: 407.654.1258
WWW. WINTERGARDEN-FL.GOV

Site Plan
543 S. Lakeview Avenue

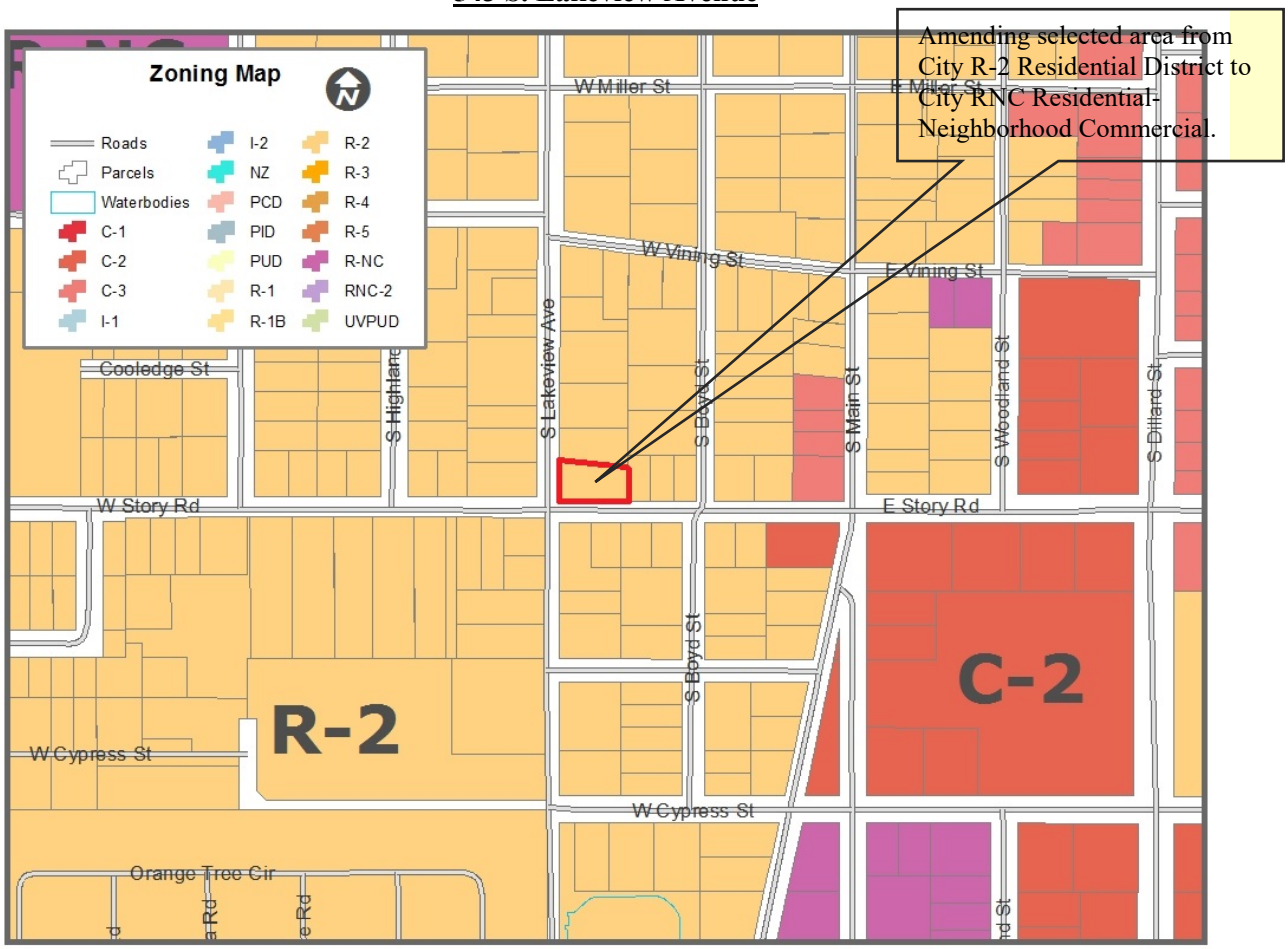


AERIAL PHOTO
543 S. Lakeview Avenue

Future Land Use Map
543 S. Lakeview Avenue



Zoning Map
543 S. Lakeview Avenue



END OF STAFF REPORT

ORDINANCE 20-27

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 0.26 ± ACRES OF LAND LOCATED AT 543 S. LAKEVIEW AVENUE; NORTH OF W. STORY ROAD, EAST OF S. LAKEVIEW AVENUE, AND WEST OF S. BOYD STREET FROM CITY LOW DENSITY RESIDENTIAL TO CITY RESIDENTIAL NEIGHBORHOOD COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 13th of June, 1991, the City Commission of the City of Winter Garden adopted Ordinance 91-16 which adopted a new Comprehensive Plan for the City of Winter Garden, and on the 24th of June, 2010, the City Commission of the City of Winter Garden adopted Ordinance 10-19 readopting and amending the Comprehensive Plan for the City of Winter Garden;

WHEREAS, the owner of that certain real property generally described as 0.26 ± acres of land located at 543 S. Lakeview Avenue; north of W. Story Road, east of S. Lakeview Avenue, and west of S. Boyd Street, and legally described in ATTACHMENT "A" (the "Property") has petitioned the City to amend the Winter Garden Comprehensive Plan to change the Future Land Use classification from City Low Density Residential to City Residential Neighborhood Commercial; and

WHEREAS, the City of Winter Garden's Local Planning Agency and City Commission have conducted the prerequisite advertised public hearings pursuant to Chapter 163, Florida Statutes, regarding the adoption of this ordinance; now, therefore,

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I. *FLUM Amendment.* The City of Winter Garden hereby amends the Future Land Use Map of the City of Winter Garden Comprehensive Plan by designating the aforesaid Property to City Residential Neighborhood Commercial as set forth in ATTACHMENT "B".

SECTION II. *Effective Date.* This Ordinance shall become effective 31 days after adoption, unless the Ordinance is timely challenged pursuant to § 163.3187(5), Fla. Stat., in which case, the Ordinance shall not be effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining that the adopted Ordinance is in compliance.

SECTION III. *Severability.* Should any portion of this Ordinance be held invalid, then such portions as are not declared invalid shall remain in full force and effect.

FIRST READING AND PUBLIC HEARING: _____ , 2020.

SECOND READING AND PUBLIC HEARING: _____ , 2020.

ADOPTED this _____ day of _____, 2020, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

_____
JOHN REES, Mayor/Commissioner

ATTEST:

_____
ANGELA GRIMMAGE, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

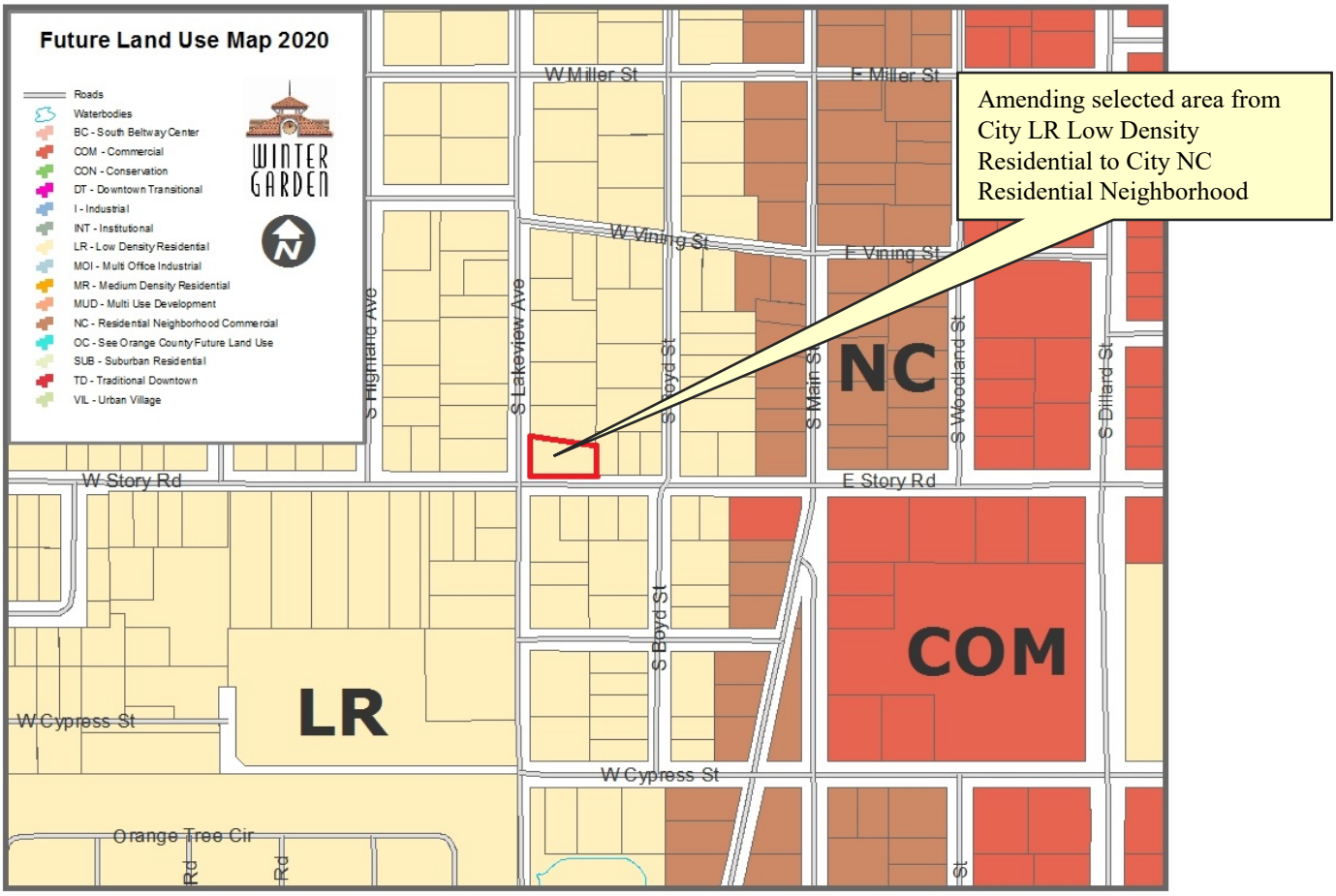
Parcel ID # 23-22-27-2468-00-680

A PORTION OF LOTS 68 THROUGH 76, OF ELLMAN PARK, AS RECORDED IN PLAT BOOK J, PAGE 43, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 73, OF ELLMAN PARK, AS RECORDED IN PLAT BOOK J, PAGE 43, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH, ALONG THE EAST RIGHT OF WAY LINE OF SOUTH LAKEVIEW DRIVE, A DISTANCE OF 76.42 FEET; THENCE RUN SOUTH 88°47’00” EAST, A DISTANCE OF 150.03 FEET TO THE EAST LINE OF SAID LOT 68; THENCE SOUTH, ALONG SAID EAST LINE, A DISTANCE OF 73.24 FEET; THENCE WEST ALONG THE NORTH LINE OF WEST STORY ROAD, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

ATTACHMENT "B"

FUTURE LAND USE MAP

543 S. Lakeview Avenue



ORDINANCE 20-28

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.26 ± ACRES LOCATED AT 543 S. LAKEVIEW AVENUE; NORTH OF W. STORY ROAD, EAST OF S. LAKEVIEW AVENUE, AND WEST OF S. BOYD STREET; FROM CITY R-2 RESIDENTIAL DISTRICT TO CITY R-NC RESIDENTIAL-NEIGHBORHOOD COMMERCIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of that certain real property generally described as approximately 0.26 ± acres located at 543 S. Lakeview Avenue north of W. Story Road, east of S. Lakeview Avenue, and west of S. Boyd Street, and legally described in ATTACHMENT "A" of this ordinance has petitioned the City to rezone said property from City R-2 Residential District to the City R-NC Residential-Neighborhood Commercial District zoning classification, therefore; and

WHEREAS, after public notice and due consideration of public comment, the City Commission of the City of Winter Garden hereby finds and declares the rezoning approved by this Ordinance is consistent with the City of Winter Garden Comprehensive Plan; and

WHEREAS, further, the City Commission finds that based on competent, substantial evidence in the record, the rezoning approved by this Ordinance meets all applicable criteria for rezoning the Property to R-NC Residential-Neighborhood Commercial District contained within the City of Winter Garden Comprehensive Plan and the Code of Ordinances.

BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA:

SECTION I: *Rezoning.* The above "Whereas" clauses constitute findings by the City Commission. After due notice and public hearing, the zoning classification of real property legally described on ATTACHMENT "A," is hereby rezoned from City R-2 Residential District to City R-NC Residential-Neighborhood Commercial in the City of Winter Garden, Florida.

SECTION II: *Zoning Map.* The City Planner is hereby authorized and directed to amend the Official Winter Garden Zoning Map in accordance with the provisions of this ordinance.

SECTION III: *Non-Severability.* Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

SECTION IV: *Effective Date.* This Ordinance shall become effective simultaneously upon the effective date of Ordinance 20-27 which is an amendment to the Future Land Use Map of the City of Winter Garden Comprehensive Plan that allows the property described herein to be zoned as provided in this Ordinance.

FIRST READING AND PUBLIC HEARING: _____ , 2020.

SECOND READING AND PUBLIC HEARING: _____ , 2020.

ADOPTED this _____ day of _____, 2020, by the City Commission of the City of Winter Garden, Florida.

APPROVED:

_____
JOHN REES, Mayor/Commissioner

ATTEST:

_____
ANGLEA GRIMMAGE, City Clerk

ATTACHMENT "A"

LEGAL DESCRIPTION

Parcel ID # 23-22-27-2468-00-680

A PORTION OF LOTS 68 THROUGH 76, OF ELLMAN PARK, AS RECORDED IN PLAT BOOK J, PAGE 43, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 73, OF ELLMAN PARK, AS RECORDED IN PLAT BOOK J, PAGE 43, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH, ALONG THE EAST RIGHT OF WAY LINE OF SOUTH LAKEVIEW DRIVE, A DISTANCE OF 76.42 FEET; THENCE RUN SOUTH 88°47’00” EAST, A DISTANCE OF 150.03 FEET TO THE EAST LINE OF SAID LOT 68; THENCE SOUTH, ALONG SAID EAST LINE, A DISTANCE OF 73.24 FEET; THENCE WEST ALONG THE NORTH LINE OF WEST STORY ROAD, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 4

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 340 & 370 Lakeview Road (Lot Split)
Project Name: 340 & 370 Lakeview Road
Parcel ID: 22-22-27-0000-00-036; 22-22-27-0000-00-088; 22-22-27-0000-00-115
Issue: The applicant is requesting a lot split/reconfiguration for the property located at 340 & 370 Lakeview Road.

Supplemental Material / Analysis:

Owner / Applicant: Jane & Richard Lee
Current Zoning: R-1
Proposed Zoning: N/A
Current FLU: LR Low Density Residential
Proposed FLU: N/A

Summary: The applicant is requesting to split the vacant property located north of 340 & 370 Lakeview Road, and then combine the new parcels with 340 & 370 Lakeview Road. No additional lots will be created by this request. The lot split/reconfiguration will result in two similarly-sized parcels. After the reconfiguration, the eastern parcel will be +/- 0.78 acres in size and the western parcel will be +/- 0.83 acres in size (See Staff Report).

Staff Recommendation(s):
Staff recommends approval of the lot split subject to the conditions outlined in the Staff Report.

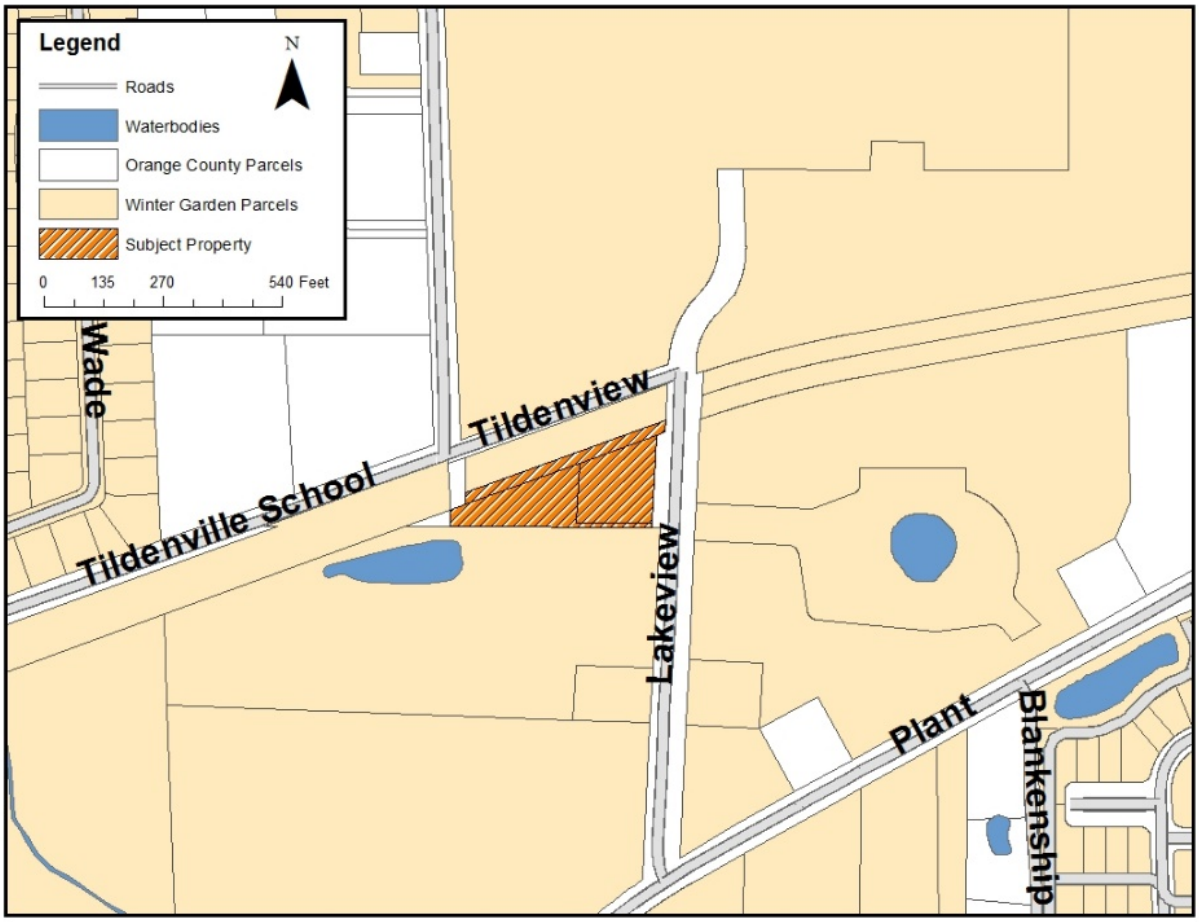
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

340 & 370 Lakeview Road

<u>Lot Split/ Lot Reconfiguration</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

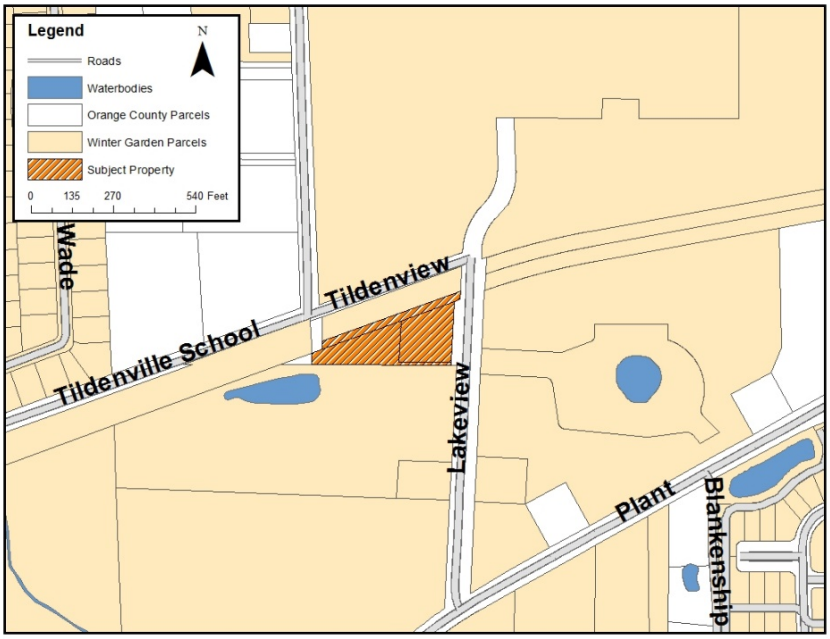
TO: PLANNING AND ZONING BOARD
PREPARED BY: Soraya Karimi, Planner I
DATE: July 6th, 2020
SUBJECT: LOT SPLIT
340 & 370 Lakeview Road
PARCEL ID, 340 Lakeview Road # 22-22-27-0000-00-036
PARCEL ID, 370 Lakeview Road # 22-22-27-0000-00-088
PARCEL ID, Vacant # 22-22-27-0000-00-115

APPLICANTS: Jane and Richard Lee

INTRODUCTION

The purpose of this report is to evaluate the request to allow a lot split of property located north of 340 and 370 Lakeview Road, and lot reconfigurations following the lot split, for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan. Once the property to be split is split into two new parcels, they are to be combined with 340 and 370 Lakeview Road; the eastern parcel is to be combined with 340 Lakeview Road and the western parcel is to be combined with 370 Lakeview Road.

The subject properties are located at the southwest corner of Tildenview Road and Lakeview Road. The map below depicts the location of the subject properties within the City of Winter Garden municipal limits.



340 Lakeview Road is approximately ± 0.65 acres. 370 Lakeview Road is approximately ± 0.65 acres. The vacant lot located north of 340 and 370 Lakeview Road is approximately ± 0.28 acres. The vacant lot was annexed into the city, assigned a zoning designation of R-1, and designated Low Density Residential on the Future Land Use Map on 10/24/2019.

CURRENT USE AND ZONING

The subject properties are located in the R-1 zoning district, are designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan, and consist of three lots. The structures on 340 & 3740 Lakeview Road were demolished earlier this year—this included a single family home and pool over 340 Lakeview Road and a single family home and shed over 370 Lakeview Road. These lots are currently vacant. The lot to the north of 340 and 370 Lakeview Road is vacant as well.

ADJACENT USE AND ZONING

The properties to the north of the subject properties are beyond West Orange Trail and Tildenview Road, and consist of a school zoned R-2, Winter Garden municipal buildings zoned R-1, and are located within the City of Winter Garden municipal limits. The property to the east of the subject properties is beyond Lakeview Road and West Orange Trail, and is a single family residence, zoned R-1, and is located within the City of Winter Garden municipal limits. The property to the south of the subject property is a retirement community, zoned R-2 and is located within the City of Winter Garden municipal limits. The properties to the west of the subject properties are vacant residential, zoned County A-1, and single family residence, zoned County A-1, and are located in Unincorporated Orange County.

PROPOSED USE

After the lot split of the vacant lot located north of 340 & 370 Lakeview Road and subsequent lot reconfigurations, the proposed western parcel will be a flag lot configuration. The proposed eastern parcel will be trapezoidal in shape.

After the eastern parcel is combined with 340 Lakeview Road, the reconfigured lot (Parcel 2 on the proposed survey) will be +/- 33,976 square feet or 0.78 acres.

After the western parcel is combined with 370 Lakeview Road, the reconfigured lot (Parcel 1 on the proposed survey) will be +/- 36,165 square feet or 0.83 acres.

After the lot reconfigurations, both Parcel 1 and Parcel 2 will conform to the minimum lot requirements for the R-1 zoning district and will be consistent with the sizes of other lots found in the surrounding area and off of Lakeview Road.

Two new single family residences, one on 340 and one on 370, are proposed to be constructed.

CODE REFERENCE

Sec. 118-306. - Minimum lot requirements.

In the R-1 single-family residential district, the minimum lot requirements are as follows:

(1) Single-family residences.

a. Width: 85 feet at building front setback line;

b. Depth: 100 feet;

c. Area: not less than 10,000 square feet; and

d. Lot width at the curb on a cul-de-sac: 35 feet.

Sec. 110-96. Proposed subdivision of existing lot.

(a) Whenever a proposed subdivision is a proposal for the division of a single existing lot into two lots, in lieu of complying with division 3 of this article, the subdivider may conform to the procedural requirements set out in this division or he may comply with the procedure for subdivision or resubdivision contained in this chapter at the applicant's option. This procedure shall not apply to a subdivision into more than two lots or additional lot splits on contiguous land or within the same existing subdivision. The intention being that this procedure may only be used once as it pertains to all or any portion of the lands involved in or previously utilizing or subject to this procedure.

(b) A subdivider shall apply to the city manager on an application form, promulgated by the director of planning, for the subdivision of a single existing lot into two lots, stating the subdivider's plans for development with the following minimum criteria:

(1) A sketch showing the lot size, location of proposed buildings, location of easements, names of bordering streets, building setbacks, names and locations of all bodies of water, marshlands, drain fields, and all other waterways and watercourses abutting or encroaching upon subject property. This sketch must also show existing buildings and lot dimensions.

(2) A brief description of all utilities and city services, including sewers, potable water facilities, and fire hydrants electric and telephone poles, streetlights, storm drains and any other utilities or services relevant to the maintenance of subject properties.

(3) A listing of the names and addresses of the record owners abutting subject property.

(4) A boundary survey of the lands subject to this procedure, as existing (i.e., prior to the proposed lot split) and as proposed (i.e., after the proposed lot split), performed and prepared under the responsible direction and supervision of a professional surveyor and mapper shall be certified to and submitted to the city. Said surveys shall include the depiction of existing improvements thereon.

(c) Lot split procedure. Once the application is determined to be complete, the city staff shall review the request for compliance with the code (e.g. compliance with lot dimensions requirements, setbacks for existing buildings etc.).

Upon review by the city staff, with or without conditions or restrictions, the application, together with the recommendations, conditions and restrictions, shall be presented to the planning and zoning board at its next regular meeting or session, following action by the city staff, for approval or disapproval. The planning and zoning board may take the following actions:

(1) Approve the application as recommended by the city staff.

(2) Approve the application, deleting or supplementing the conditions and restrictions of the city staff.

(3) Approve the application, adding conditions and restrictions as determined by the planning and zoning board.

(4) Disapprove the application.

The planning and zoning board shall have the option to take such action as it deems necessary and proper upon one hearing.

SUMMARY

The applicant has submitted a request for a lot split to divide the property located north of 340 and 370 Lakeview Road into two new parcels. Once the property to be split is split into two new parcels, they are to be combined with 340 and 370 Lakeview Road; the eastern parcel is to be combined with 340 Lakeview Road and the western parcel is to be combined with 370 Lakeview Road. This is considered a lot reconfiguration because there will be no new lots created. A driveway and a utility easement has been signed and provided by the applicant, to provide for access to each parcel and to utilities upon completion of this lot split.

STAFF RECOMMENDATION

Staff recommends approval of the proposed lot split and lot reconfigurations with the following conditions:

1. The proposed development shall adhere to all other code requirements for development in the R-1 zoning district including setbacks, impervious surface ratios, etc.

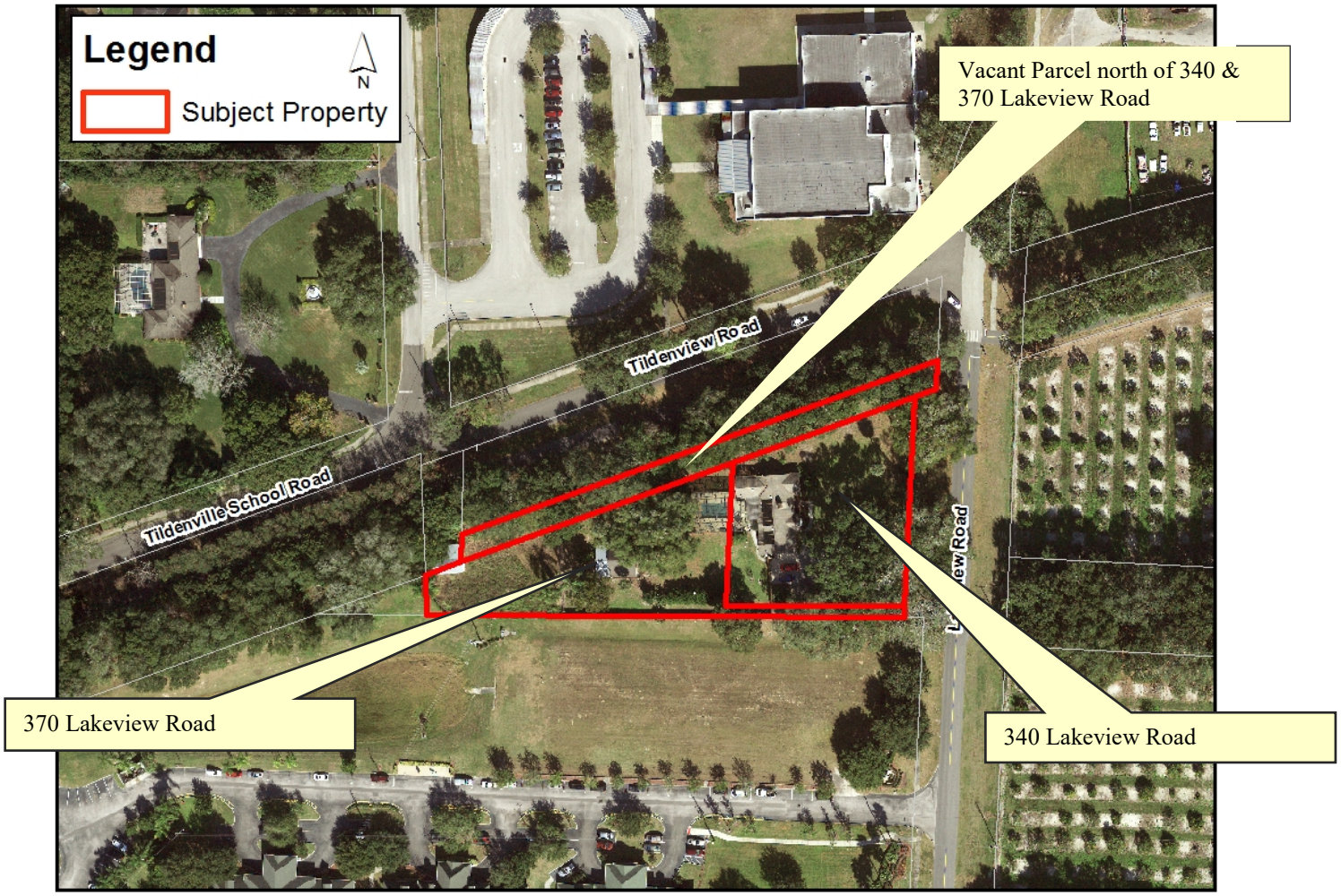
NEXT STEP

If Planning and Zoning Board approves, file with the Orange County Property Appraiser's Office and Office of Public Records.

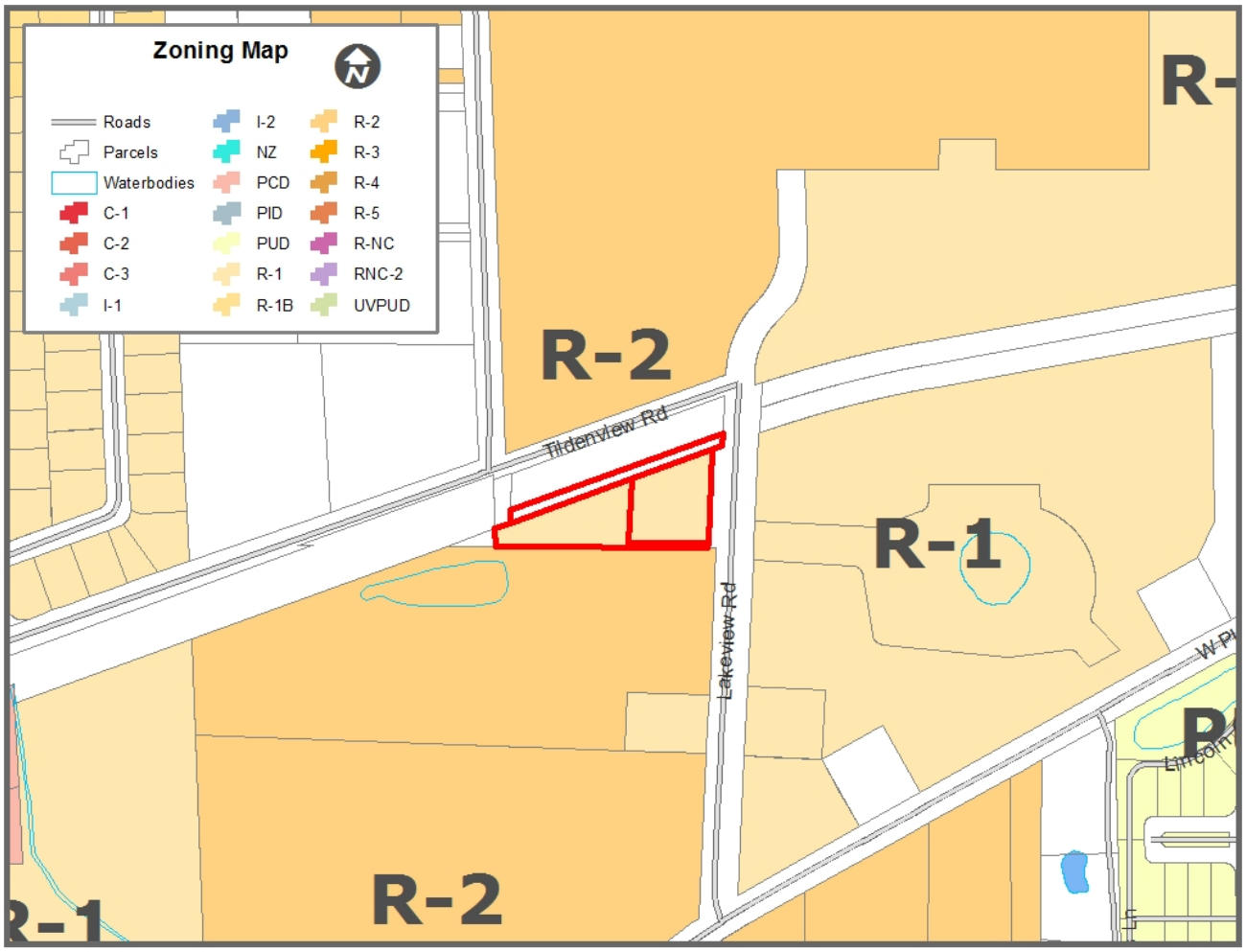
ATTACHMENTS

- Aerial Photo
- Zoning Map
- Future Land Use Map
- Current Survey
- Proposed Survey
- Proposed Site Plan

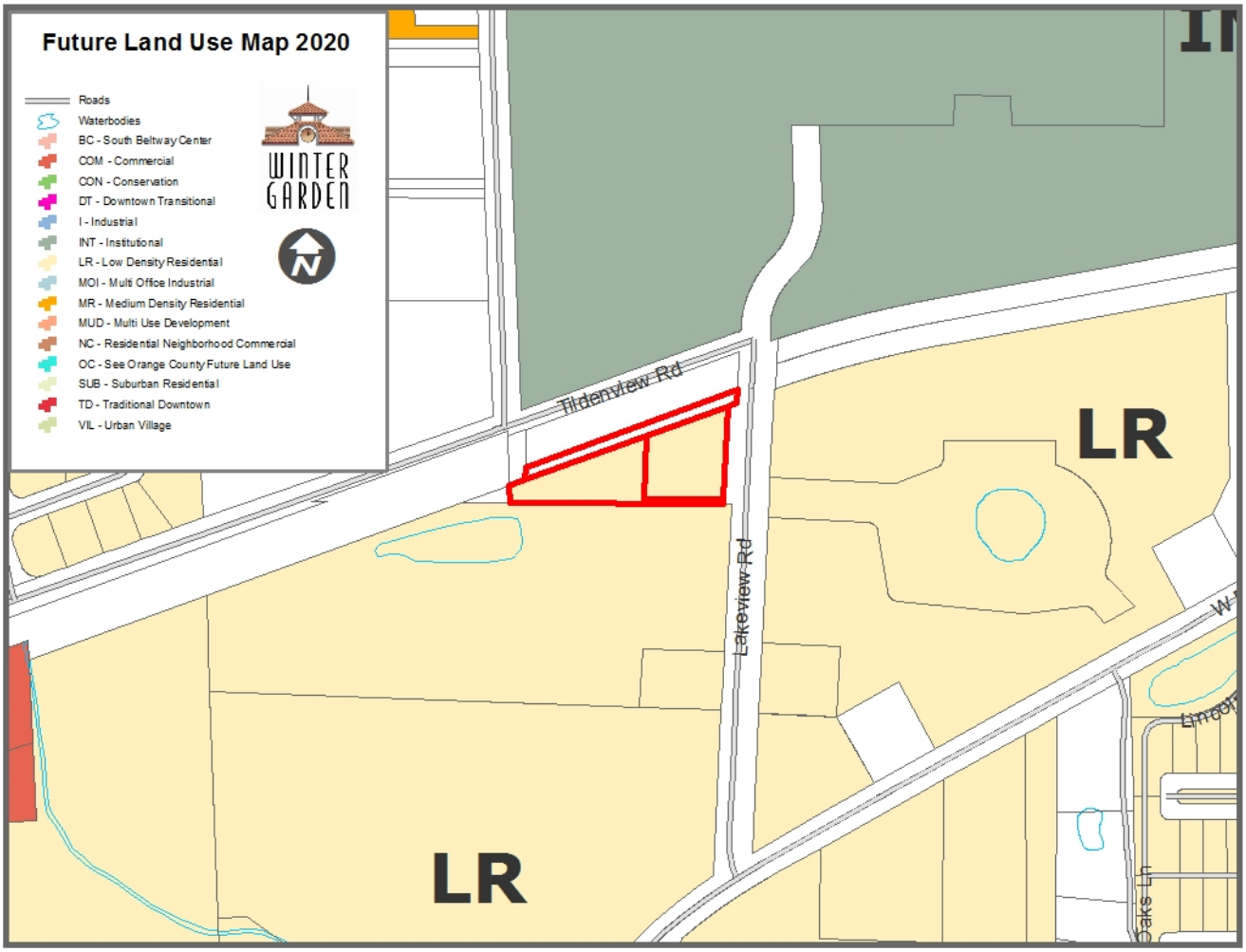
AERIAL PHOTO
340 & 370 Lakeview Road



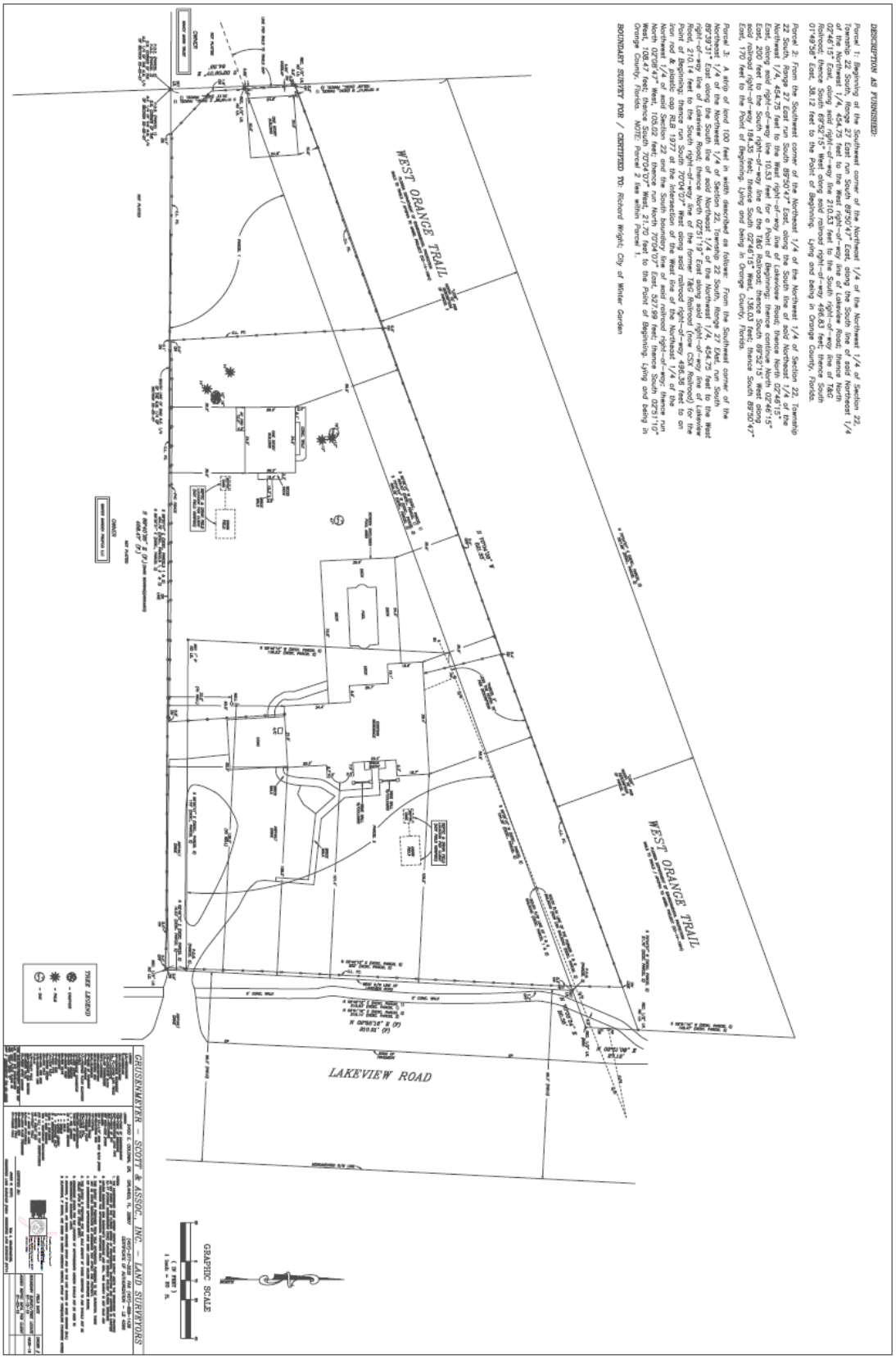
ZONING MAP
<u>340 & 370 Lakeview Road</u>



FUTURE LAND USE MAP
<u>340 & 370 Lakeview Road</u>



SURVEY (CURRENT)
340 & 370 Lakeview Road



SURVEY (PROPOSED)
340 & 370 Lakeview Road

SKETCH AND DESCRIPTION

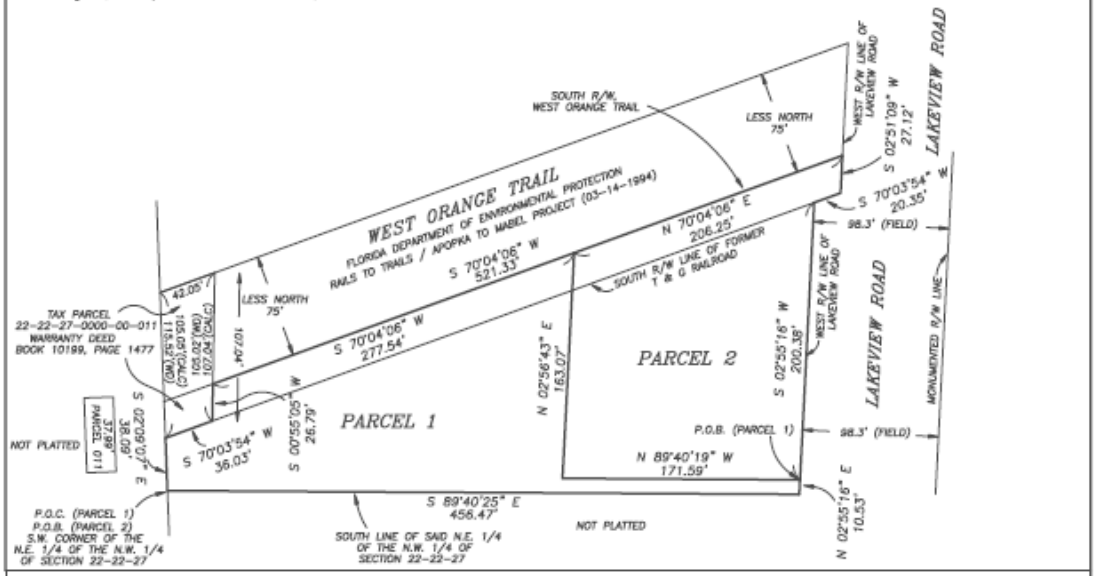
NOT A BOUNDARY SURVEY

PARCEL 1

Begin at the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 22, Township 22 South, Range 27 East, Orange County, Florida; thence S.89°40'25"E., along the South line of said Northeast 1/4 of the Northwest 1/4, a distance of 456.47 feet to the West right-of-way line of Lakeview Road; thence N.02°55'16"E., along said right-of-way, a distance of 10.53 feet; thence N.89°40'19"W., a distance of 171.59 feet; thence N.02°56'43"E., a distance of 163.07 feet to the South right-of-way line of West Orange Trail ; thence S.70°04'06"W., along said South right-of-way, a distance of 277.54 feet; thence S.00°55'05"W., a distance of 26.79 feet; thence S.70°03'54"W., a distance of 36.03 feet; thence S.02°09'07"E., a distance of 38.09 feet to the POINT OF BEGINNING.
Containing 35,244 square feet or 0.81 acres, more or less.

PARCEL 2

Commence at the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 22, Township 22 South, Range 27 East, Orange County, Florida; thence S.89°40'25"E., along the South line of said Northeast 1/4 of the Northwest 1/4, a distance of 456.47 feet to the West right-of-way line of Lakeview Road; thence N.02°55'16"E., along said West right-of-way, a distance of 10.53 feet to the POINT OF BEGINNING; thence N.89°40'19"W., a distance of 171.59 feet; thence N.02°56'43"E., a distance of 163.07 feet to the South right-of-way line of West Orange Trail; thence N.70°04'06"E., along said South right-of-way, a distance of 206.25 feet to said West right-of-way line; thence S.02°51'09"W., along said West right-of-way line, a distance of 27.12 feet to the South right-of-way line of former T & G Railroad; thence S.70°03'54"W., along said former South right-of-way line, a distance of 20.35 feet to said West right-of-way line; thence S.02°55'16"W., along said West right-of-way line, a distance of 200.38 feet to the POINT OF BEGINNING.
Containing 33,976 square feet or 0.78 acres, more or less.



GRUSENMEYER – SCOTT & ASSOC., INC. – LAND SURVEYORS

5400 E. COLONIAL DR. ORLANDO, FL. 32807 (407)-277-3232 FAX (407)-658-1436
CERTIFICATE OF AUTHORIZATION – LB 4596

LEGEND –

P	= PLAT
F	= FIELD
I.P.	= IRON PIPE
I.R.	= IRON ROD
C.M.	= CONCRETE MONUMENT
SET I.R.	= 1/2" I.R. w/#LB 4596
REC.	= RECOVERED
P.O.B.	= POINT OF BEGINNING
P.O.C.	= POINT OF COMMENCEMENT
℄	= CENTERLINE
N&D	= NAIL & DISK
R/W	= RIGHT-OF-WAY
ESMT.	= EASEMENT
DRAIN.	= DRAINAGE
UTIL.	= UTILITY
CL.FC.	= CHAIN LINK FENCE
WD.FC.	= WOOD FENCE
C/B	= CONCRETE BLOCK
P.C.	= POINT OF CURVATURE
P.T.	= POINT OF TANGENCY
DESC.	= DESCRIPTION

LEGEND –

R	= RADIUS
L	= ARC LENGTH
D	= DELTA
C	= CHORD
C.B.	= CHORD BEARING
P.O.L.	= POINT ON LINE
TYP.	= TYPICAL
P.R.C.	= POINT OF REVERSE CURVATURE
P.C.C.	= POINT OF COMPOUND CURVATURE
RAD.	= RADIAL
N.R.	= NON-RADIAL
W.P.	= WITNESS POINT
CALC.	= CALCULATED
P.R.M.	= PERMANENT REFERENCE MONUMENT
F.F.	= FINISHED FLOOR ELEVATION
B.S.L.	= BUILDING SETBACK LINE
B.M.	= BENCHMARK
B.B.	= BASE BEARING
CONC.	= CONCRETE
FIRM	= FLOOD INSURANCE RATE MAP
I.D.	= IDENTIFICATION
WD	= WARRANTY DEED BOOK 10199, PAGE 1477

NOTES:
1. THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.
2. UNLESS EMBOSSED WITH SURVEYOR'S SIGNATURE AND SEAL, THIS SKETCH IS NOT VALID AND IS PRESENTED FOR INFORMATIONAL PURPOSES ONLY.
3. THIS SKETCH WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR EASEMENTS THAT AFFECT THIS PROPERTY.
4. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
5. THIS SKETCH IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
6. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
7. BEARINGS, IF SHOWN, ARE BASED ASSUMED DATUM AND ON THE LINE SHOWN AS BASE BEARING (B.B.)
8. ELEVATIONS, IF SHOWN, ARE BASED ON NGVD 1929, UNLESS OTHERWISE NOTED.

SCALE: 1" = 100'
NORTH

CERTIFIED BY:

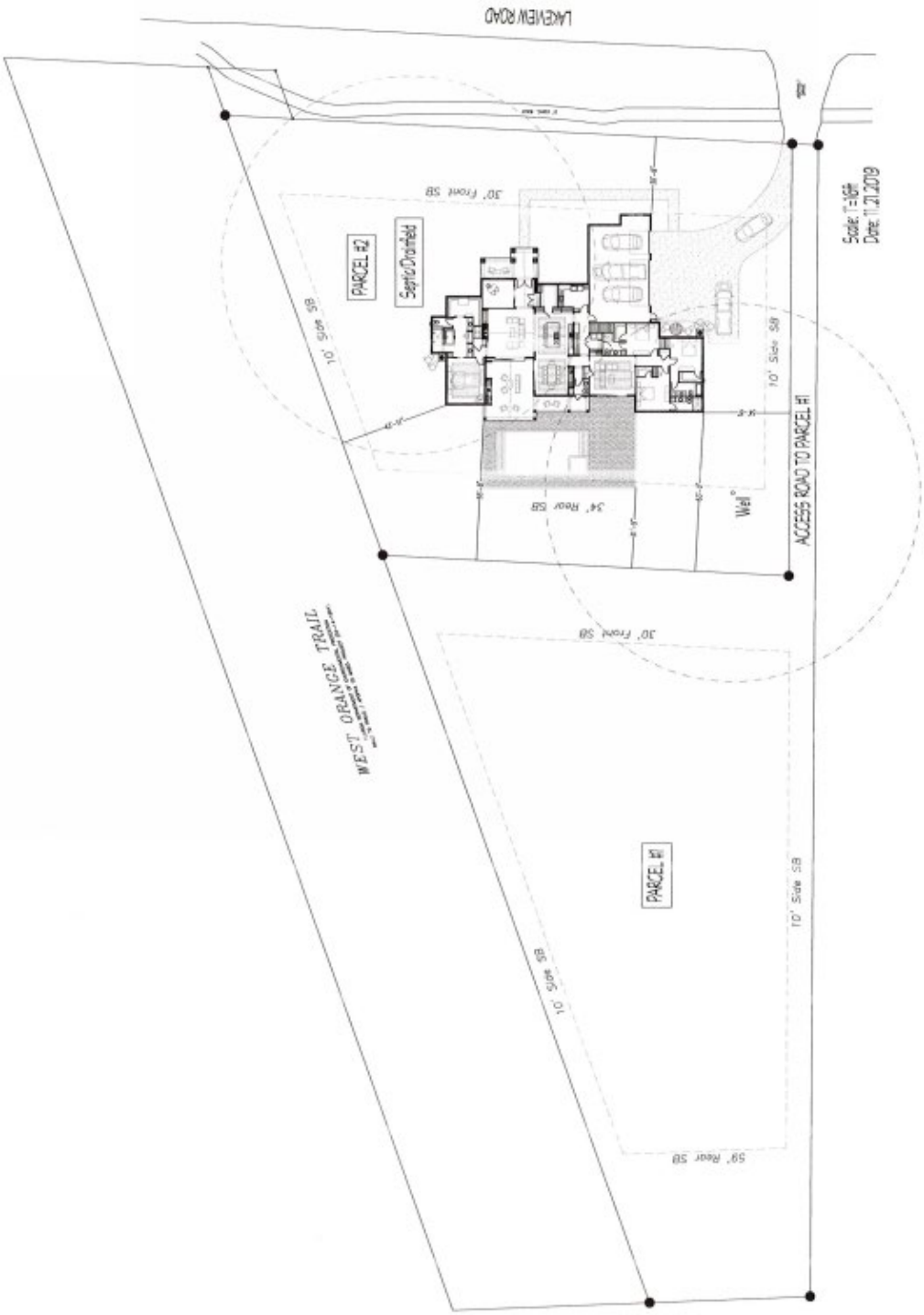
R.L.S. #

JAMES W. SCOTT, R.L.S # 4801 TOM X. GRUSENMEYER, R.L.S. # 4714

SKETCH AND DESCRIPTION FOR/CERTIFIED TO: RICHARD WRIGHT
CITY OF WINTER GARDEN

DATE	ORDER #
12-03-2019	7395-19
FLIPPED PARCEL #S 02-17-2020	
REVISE PARCEL 1 03-06-2020	

SITE PLAN (PROPOSED)
<u>340 & 370 Lakeview Road</u>



END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 5

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 1288 N West Crown Point Road (Lot Split)
Project Name: 1288 N West Crown Point Road
Parcel ID: 12-22-27-1840-24-010
Issue: The applicant is requesting a lot split for the property located at 1288 N West Crown Point Road.

Supplemental Material / Analysis:

Owner / Applicant: Medina Property
Current Zoning: R-1
Proposed Zoning: N/A
Current FLU: LR Low Density Residential
Proposed FLU: N/A

Summary: The applicant is requesting a lot split for a 1.00 ± acre property located 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 (See Staff Report).

Staff Recommendation(s):
Staff recommends approval of the lot split subject to the condition(s) outlined in the Staff Report.

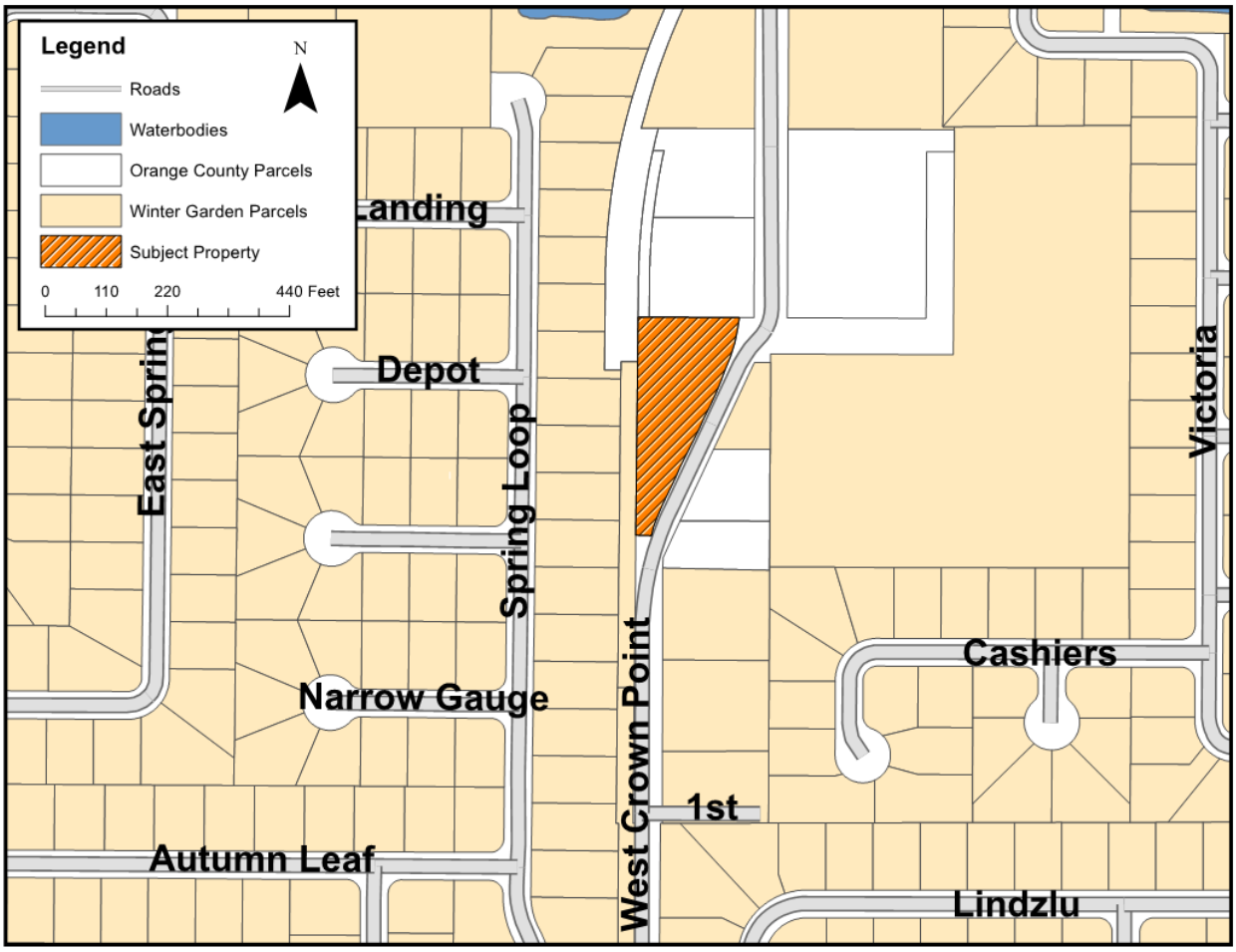
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

1288 N West Crown Point Road

<u>Lot Split</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

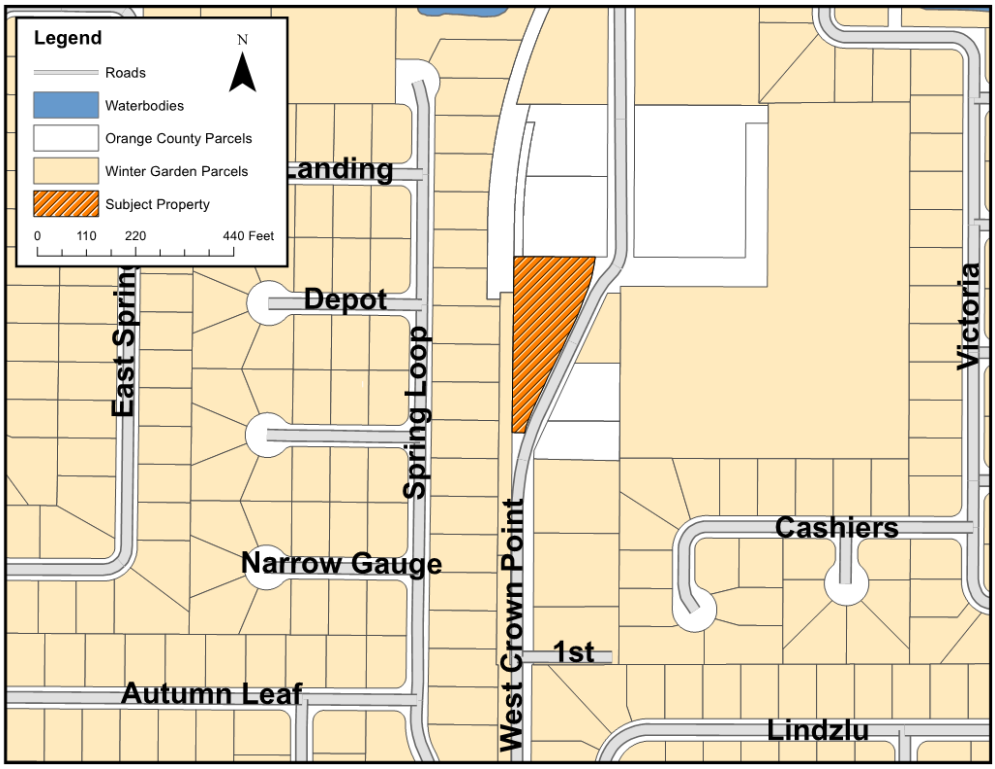
TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Senior Planner
DATE: July 6, 2020
SUBJECT: Lot Split
1288 N West Crown Point Road (1.00 ± Acres)
Parcel ID #12-22-27-1840-24-010

APPLICANT: Medina Residence

INTRODUCTION

The purpose of this report is to evaluate the request to allow a lot split on the property located at 1288 N West Crown Point Road for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The property located at 1288 N West Crown Point Road is an approximately 1.00 ± acre lot. The map below depicts the location of the subject properties within the City of Winter Garden's municipal limits:



The subject properties carry the zoning designation R-1 (Residential District) and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The property located 1288 N West Crown Point Road is vacant. The property recently went through a demolition removing several homes and accessory buildings this year.

ADJACENT LAND USE AND ZONING

The property abuts the West Orange Trail to the west. The homes west of the West Orange Trail are developed with single-family homes, are zoned R-1 (Residential District) are within the City's municipal limits. The property to the north is vacant, zoned R-1 (Residential District) and is within the City's municipal limits. Two properties to the east are developed with single-family homes, are in un-incorporated Orange County, and zoned A-1 (Citrus Rural District). One property to the east is not developed, zoned R-1 (Residential District), and is within the City's municipal limits.

PROPOSED USE

The applicant, located at 1288 N West Crown Point Road, is requesting to split the parcel described in the boundary survey as Parcel ID# 12-22-27-1840-24-010 into Parcel "1" and Parcel "2" respectively. Parcel "1" will consist of 0.50 ± acres and Parcel "2" will consist of 0.50 ± acres. The owner is proposing to build a single-family home on each lot. Parcel "1" is proposed to be a 4,600 square foot home and Parcel "2" is proposed to be a 4,400 square foot home. Both properties are intended to be owned and occupied by the applicants. The proposed home on Parcel "2" will require a variance approval for the front and rear setbacks.

CODE REFERENCE

Sec. 110-96. - Proposed subdivision of existing lot.

(a) Whenever a proposed subdivision is a proposal for the division of a single existing lot into two lots, in lieu of complying with division 3 of this article, the subdivider may conform to the procedural requirements set out in this division or he may comply with the procedure for subdivision or resubdivision contained in this chapter at the applicant's option. This procedure shall not apply to a subdivision into more than two lots or additional lot splits on contiguous land or within the same existing subdivision. The intention being that this procedure may only be used once as it pertains to all or any portion of the lands involved in or previously utilizing or subject to this procedure.

(b) A subdivider shall apply to the city manager on an application form, promulgated by the director of planning, for the subdivision of a single existing lot into two lots, stating the subdivider's plans for development with the following minimum criteria:

(1) A sketch showing the lot size, location of proposed buildings, location of easements, names of bordering streets, building setbacks, names and locations of all bodies of water, marshlands, drain fields, and all other waterways and watercourses abutting or encroaching upon subject property. This sketch must also show existing buildings and lot dimensions.

(2) A brief description of all utilities and city services, including sewers, potable water facilities, and fire hydrants electric and telephone poles, streetlights, storm drains and any other utilities or services relevant to the maintenance of subject properties.

(3) A listing of the names and addresses of the record owners abutting subject property.

(4) A boundary survey of the lands subject to this procedure, as existing (i.e., prior to the proposed lot split) and as proposed (i.e., after the proposed lot split), performed and prepared under the responsible direction and supervision of a professional surveyor and mapper shall be certified to and submitted to the city. Said surveys shall include the depiction of existing improvements thereon.

(c) Lot split procedure. Once the application is determined to be complete, the city staff shall review the request for compliance with the code (e.g. compliance with lot dimensions requirements, setbacks for existing buildings etc.).

Upon review by the city staff, with or without conditions or restrictions, the application, together with the recommendations, conditions and restrictions, shall be presented to the planning and zoning board at its next regular meeting or session, following action by the city staff, for approval or disapproval. The planning and zoning board may take the following actions:

(1) Approve the application as recommended by the city staff.
(2) Approve the application, deleting or supplementing the conditions and restrictions of the city staff.
(3) Approve the application, adding conditions and restrictions as determined by the planning and zoning board.
(4) Disapprove the application.

Sec. 118-306. - Minimum lot requirements.

In the R-1 single-family residential district, the minimum lot requirements are as follows:

(1) Single-family residences.

a. Width: 85 feet at building front setback line;

b. Depth: 100 feet;

c. Area: not less than 10,000 square feet; and

d. Lot width at the curb on a cul-de-sac: 35 feet.

The planning and zoning board shall have the option to take such action as it deems necessary and proper upon one hearing.

SUMMARY

The applicant has submitted a request for a lot split , as described in the survey, into Parcel "1" and Parcel "2". Based on the property's R-1 zoning and Future Land Use designation of LR, the applicant meets the criteria to obtain a lot split.

STAFF RECOMMENDATION

Staff recommends approval of the proposed lot split subject to the following conditions:

1) The concrete driveway that is encroaching onto both properties, as shown on the survey, must be removed prior to any Certificates of Occupancy (CO) being issued for Parcel "1" and Parcel "2".
2) The proposed home on Parcel "2" will require variance approval.

NEXT STEP

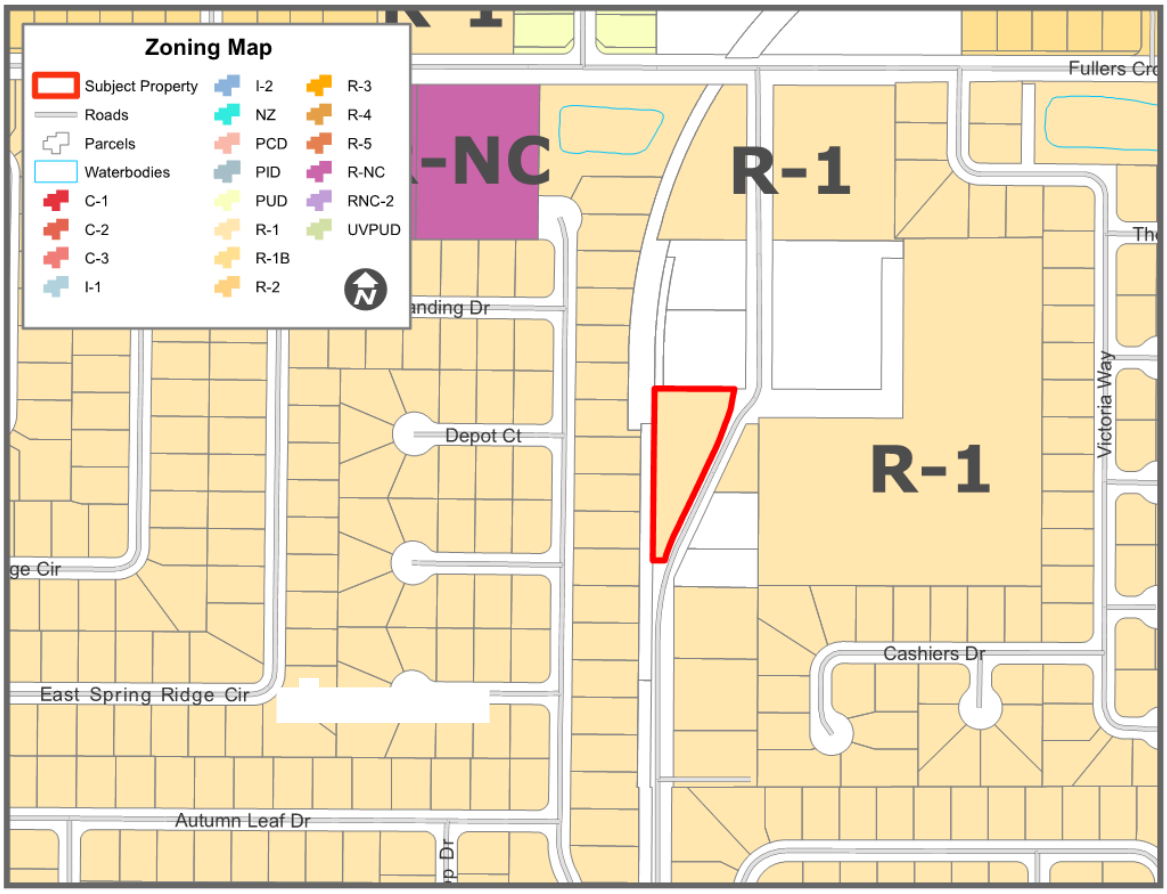
If the Planning and Zoning Board approves, file with the Orange County Property Appraiser's Office and Office of Public Records.

ATTACHMENTS

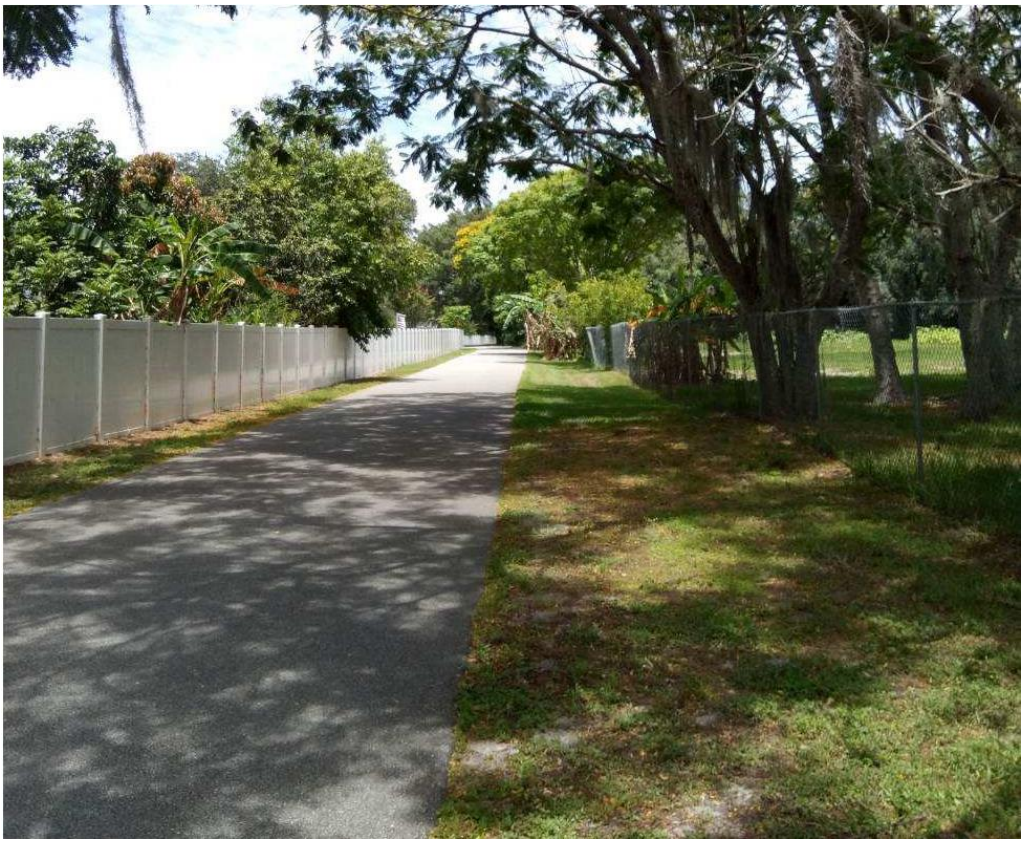
- Aerial Photo
- Zoning map
- Site Photos
- Survey
- Parcel 1 Survey and Legal Description
- Parcel 2 Survey and Legal Description

Aerial Photo
<u>1288 N West Crown Point Road</u>

Zoning Map
<u>1288 N West Crown Point Road</u>



SITE PHOTOS
1288 N West Crown Point Road



END OF STAFF REPORT

Boundary & Topographic Survey

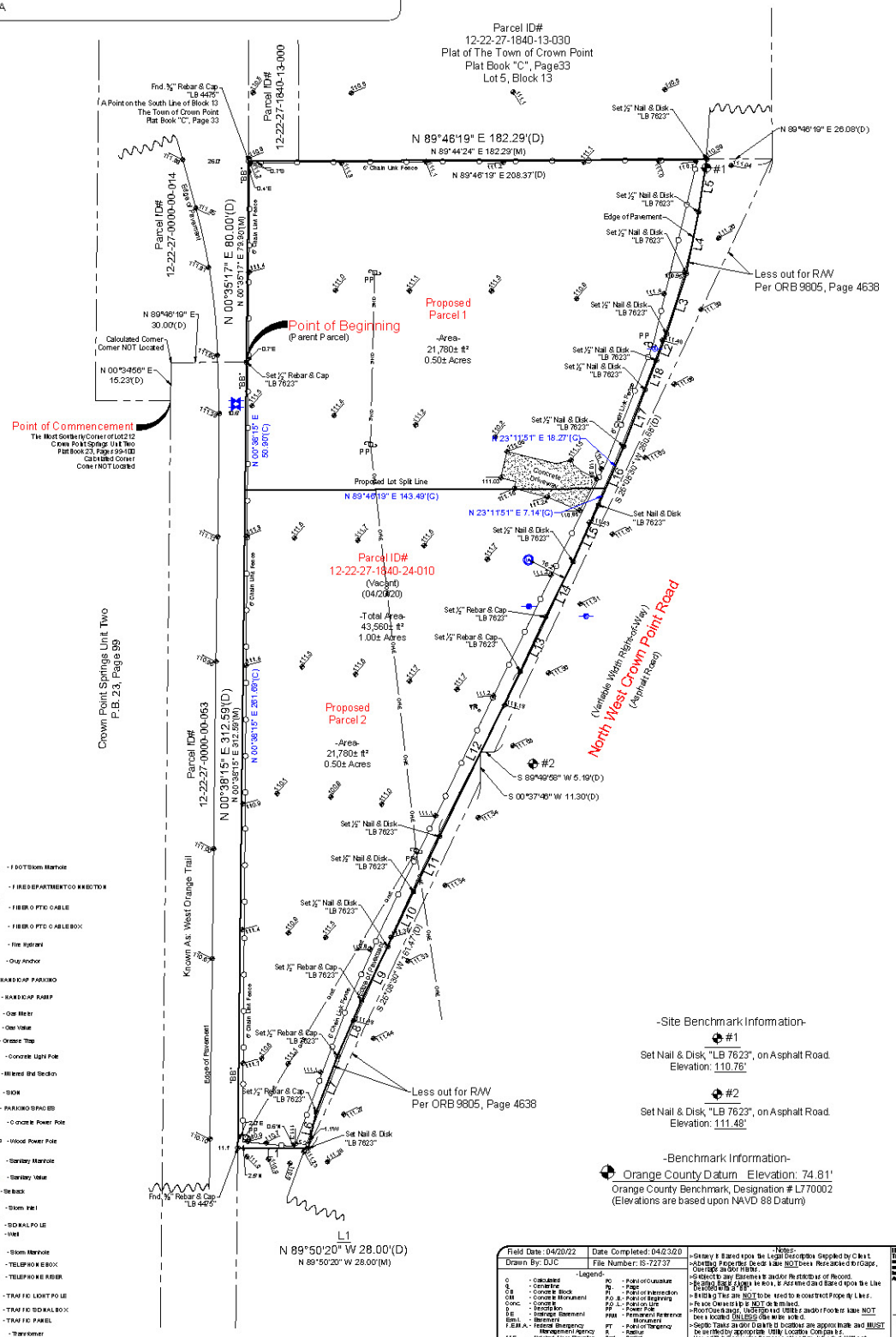
Legal Description:

Commence at the most Southeasterly corner of Lot 212, Crown Point Springs Unit Two, as recorded in Plat Book 23, Pages 99 and 100, Public Records of Orange County, Florida; thence run North 00 degrees 36 minutes 56 seconds East, along the East line of said Lot 212, a distance of 15.23 feet; thence North 89 degrees 46 minutes 19 seconds East, a distance of 30.00 feet to the East boundary line of the"West Orange Trail", for a Point of Beginning; thence North 00 degrees 35 minutes 27 seconds East, along said East boundary line, a distance of 80.00 feet, to a point on the South line of Block 13,The Town of Crown Point, as recorded in Plat Book "C", Page 33, Public Records of Orange County, Florida; thence North 89 degrees 46 minutes 19 seconds East, along said South line, a distance of 208.37 feet, to the West right-of-way line of 6th Street; thence South 25 degrees 08 minutes 30 seconds West, a distance of 260.68 feet; thence South 89 degrees 49 minutes 58 seconds West, a distance of 5.19 feet; thence South 00 degrees 37 minutes 46 seconds West, a distance of 11.30 feet; thence South 25 degrees 08 minutes 30 seconds West, a distance of 161.47 feet; thence North 89 degrees 50 minutes 20 seconds West, a distance of 28.00 feet to said East boundary line of the "West Orange Trail"; thence North 00 degrees 36 minutes 56 seconds East, along said East boundary line, a distance of 312.58 feet, to the Point of Beginning.

Less and Except that portion conveyed to Orange County for road right-of-way pursuant to that certain Warranty Deed recorded in Official Records Book 9805, Page 4638, of the Public Records of Orange County, Florida

Flood Disclaimer:
By performing a search with the local governing municipality or www.fema.gov, the property appears to be located in zone X. This Property was found in Orange County, community number 120179, dated 9/25/2009.

CERTIFIED TO: FERNANDO MEDINA



L2
N 20°59'51" E 11.18'(D)
N 20°59'51" E 11.18'(M)

L3
N 18°03'56" E 25.38'(D)
N 18°03'56" E 25.38'(M)

L4
N 11°25'50" E 24.84'(D)
N 11°25'50" E 24.84'(M)

L5
N 08°32'12" E 21.30'(D)
N 08°32'12" E 21.30'(M)

L6
N 12°43'17" E 14.63'(C)
N 12°43'17" E 14.63'(M)

L7
N 20°50'35" E 23.78'(D)
N 20°50'35" E 23.78'(M)

L8
N 23°20'31" E 24.11'(D)
N 23°20'31" E 24.11'(M)

L9
N 25°43'16" E 23.91'(D)
N 25°43'16" E 23.91'(M)

L10
N 25°19'00" E 24.16'(D)
N 25°19'00" E 24.16'(M)

L11
N 25°17'28" E 24.21'(D)
N 25°17'28" E 24.21'(M)

L12
N 26°03'33" E 73.14'(D)
N 26°03'33" E 73.14'(M)

L13
N 24°59'19" E 24.00'(D)
N 24°59'19" E 24.00'(M)

L14
N 26°29'17" E 24.40'(D)
N 26°29'17" E 24.40'(M)

L15
N 24°13'05" E 24.74'(D)
N 24°13'05" E 24.74'(M)

L16
N 23°11'51" E 25.41'(D)
N 23°11'51" E 25.41'(M)

L17
N 20°43'19" E 24.00'(D)
N 20°43'19" E 24.00'(M)

L18
N 21°00'24" E 12.66'(D)
N 21°00'24" E 12.66'(M)

-Site Benchmark Information-

#1
Set Nail & Disk "LB 7623", on Asphalt Road.
Elevation: 110.76'

#2
Set Nail & Disk "LB 7623", on Asphalt Road.
Elevation: 111.48'

-Benchmark Information-

Orange County Datum Elevation: 74.81'
Orange County Benchmark, Designation # L770002
(Elevations are based upon NAVD 88 Datum)

-Legend-

- BOLLARD
- C - Calculated
- ℄ - Centerline
- CB - Concrete Block
- CM - Concrete Monument
- Conc. - Concrete
- D - Description
- DE - Drainage Easement
- Easm't. - Easement
- F.E.M.A. - Federal Emergency Management Agency
- FFE - Finished Floor Elevation
- Fnd. - Found
- IP - Iron Pipe
- L - Length (Arc)
- M - Measured
- N&D - Nail & Disk
- R.R. - Iron Rebar
- ORB - Official Records Book
- P - Plat
- P.B. - Plat Book
- Wood Fence
- PC - Point of Curvature
- Pg. - Page
- PI - Point of Intersection
- P.O.B. - Point of Beginning
- P.O.L. - Point on Line
- PP - Power Pole
- PRM - Permanent Reference Monument
- PT - Point of Tangency
- R - Radius
- Rad. - Radial
- R&C - Rebar & Cap
- R.S. - Rooted Soil
- Rec. - Recovered
- Rdl. - Rooted
- Set - Set ½" Rebar & Cap "LB 7623"
- SP - Screened Porch
- Typ. - Typical
- UE - Utility Easement
- Δ - Delta (Central Angle)
- Chain Link Fence
- Back Flow Preventer
- CB - Concrete Block
- Cable Riser
- Cleanout
- Crosswalk Point
- Curb Inlet
- DOT INLET
- DP - Dumpster Pad
- ELECTRIC BOX
- ELECTRIC METER
- Air Release Manhole
- R/W - Right-of-Way
- F.D.O.T. Storm Manhole
- FIRE DEPARTMENT CONNECTION
- FIBER OPTIC CABLE
- FOCB - FIBER OPTIC CABLE BOX
- Fire Hydrant
- Guy Anchor
- HANDICAP PARKING
- HR - HANDICAP RAMP
- Gas Meter
- Gas Value
- GT - Grease Trap
- Concrete Light Pole
- Mitered End Section
- SIGN
- PS - PARKING SPACES
- Concrete Power Pole
- FP - Wood Power Pole
- Sanitary Manhole
- Sanitary Value
- SB - Setback
- Storm Inlet
- SIGNAL POLE
- Well
- Storm Manhole
- TB - TELEPHONE BOX
- TR - TELEPHONE RISER
- TLP - TRAFFIC LIGHT POLE
- TSB - TRAFFIC SIGNAL BOX
- TSP - TRAFFIC PANEL
- Transformer
- Gas Marker
- Water Value
- Water Meter
- SIGNAL JUNCTION BOX

Graphic Scale
0' 15' 30' 60'
Scale: 1"=30'

Field Date: 04/20/22	Date Completed: 04/23/20
Drawn By: DJC	File Number: IS-72737

-Legend-

C	- Calculated	PC	- Point of Curvature
℄	- Centerline	Pg.	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
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F.E.M.A.	- Federal Emergency Management Agency	R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rdl.	- Rooted
M	- Measured	Set	- Set ½" Rebar & Cap "LB 7623"
N&D	- Nail & Disk	Typ.	- Typical
R.R.	- Iron Rebar	UE	- Utility Easement
ORB	- Official Records Book	WM	- Water Meter
P	- Plat	Δ	- Delta (Central Angle)
P.B.	- Plat Book		- Chain Link Fence
	- Wood Fence		

-Notes-

- >Survey is Based upon the Legal Description Supplied by Client.
- >Abutting Properties Deed Lines NOT Been Researched for Gaps, Overlaps and/or Hiatus.
- >Subject to any Easements and/or Restrictions of Record.
- >Bearing Basis (Angle) is from, or Assumed and Based upon the Line Described as a "B".
- >Building Ties are NOT to be intended to construct Property Lines.
- >Fence Ownership is NOT determined.
- >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- >Septic Tanks and/or Drainfields locations are approximate and MUST be verified by appropriate Utility Location Company.
- >Use of This Survey for Purposes other than Intended, Without Written Verification, Witness at the User of Such, Risk and Without Liability to the Surveyor. Nothing Herein Shall Be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.
- >Flood Zone Determination Shown Hereon is Based on a Cursory, and is Subject to, Flood Approval by F.E.M.A. This Determination may be affected by Flood Notices and/or other information NEITHER is Given by NOR Implied by this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying Inc. and the undersigned surveyor assume NO Liability for the Accuracy of this Determination.

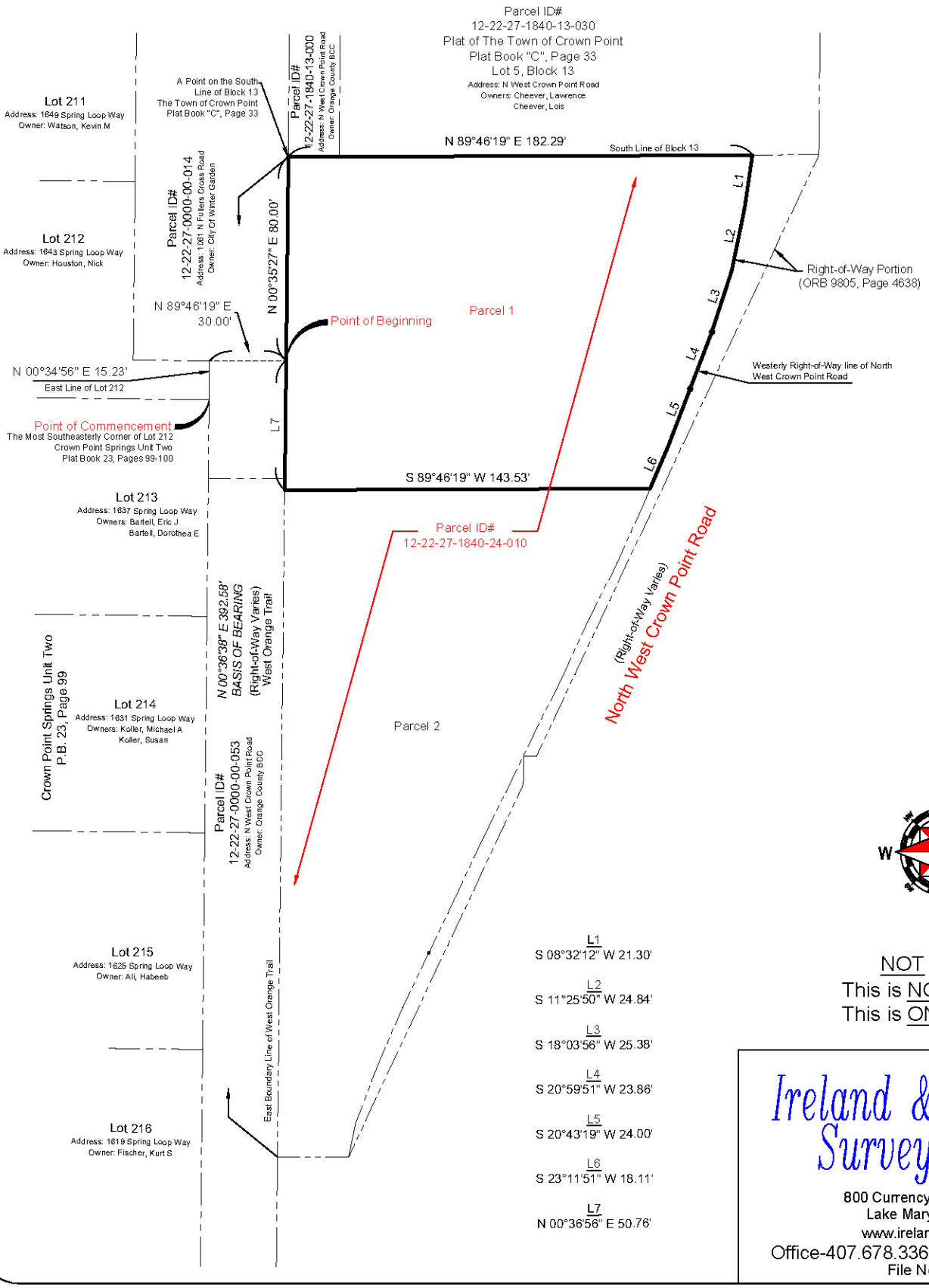
I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as prepared by me or under my Direction on the Date Shown. Based on information furnished to me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland
FOR THE FIRM
Patrick K. Ireland Reg. # 5306937 LB 7623

This Survey is Intended to Be for the Use of Said Certified Parties. This Survey NOT VALID Without the Original and Embossed Surveyor's Seal.

Ireland & Associates Surveying, Inc.
800 Currency Circle, Suite 1020
Lake Mary, FL 32746
www.irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165

Sketch of Description



L1	S 08°32'12" W 21.30'
L2	S 11°25'50" W 24.84'
L3	S 18°03'56" W 25.38'
L4	S 20°59'51" W 23.86'
L5	S 20°43'19" W 24.00'
L6	S 23°11'51" W 18.11'
L7	N 00°36'56" E 50.76'

NOT To Scale
This is NOT a Survey.
This is ONLY a Sketch.

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File No. IS-72737

Description Of Sketch

Legal Description: Parcel 1

A Portion of Land located in Section 12, Township 22 South, Range 27 East, Orange County, Florida, lying North and Westerly of North West Crown Point Road, described as follows:

Commence at the most Southeasterly corner of Lot 212, Crown Point Springs Unit Two, as recorded in Plat Book 23, Pages 99 and 100, Public Records of Orange County, Florida, thence run North 00°34'56" East, along the East line of said Lot 212,15.23 feet; thence departing said East line, run North 89°46'19" East, 30.00 feet, to a point on the East line of West Orange Trail, also being the Point of Beginning.

Thence run North 00°35'27" East, along the East line of said West Orange Trail, 80.00 feet, to a point on the South line of Block 13, The Town of Crown Point, as recorded in Plat Book "C", Page 33, Public Records of Orange County, Florida; thence run North 89°46'19" East, along the South line of said Block 13, 182.29 feet, to a point on the West Right-of-Way line of North West Crown Point Road; thence departing said South line, run the following (6) courses along the Westerly Right-of-Way line of said North West Crown Point Road: South 08°32'12" West, 21.30 feet; South 11°25'50" West, 24.84 feet; South 18°03'56" West, 25.38 feet; South 20°59'51" West, 23.86 feet; South 20°43'19" West, 24.00 feet; South 23°11'51" West, 18.11 feet; thence departing said West Right-of-Way line, run South 89°46'19" West, 143.53 feet, to a Point on the East line of West Orange Trail; thence run North 00°36'56" East, along the East line of said West Orange Trail, 50.76 feet, to the Point of Beginning.

Containing 21,762 Sq Ft or 0.50 Acres, more or less.

This is NOT a Survey.
This is ONLY a Sketch.

Sketch Date: 06/24/20	Sketch of Description Certified To:
Drawn By: BMJ	FERNANDO MEDINA; CITY OF WINTER GARDEN
Approved By: PKI	
Field: N/A	

-Legend-

C	- Calculated	PC	- Point of Curvature
℄	- Centerline	Pg.	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement	PT	- Point of Tangency
F.E.M.A.	- Federal Emergency Management Agency	R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rfd.	- Roofed
M	- Measured	Set Rebar	- Set ½" Rebar & Cap "LB 7623"
N&D	- Nail & Disk	Typ.	- Typical
N.R.	- Non-Radial	UE	- Utility Easement
ORB	- Official Records Book	WM	- Water Meter
P	- Plat	Δ	- Delta (Central Angle)
P.B.	- Plat Book	-X-	- Chain Link Fence
-▫-	- Wood Fence		

Ireland & Associates Surveying, Inc.
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-Notes-

>Sketch is Based upon the Legal Description Supplied by Client.
>Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.
>Subject to any Easements and/or Restrictions of Record.
>Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
>Building Ties are NOT to be used to reconstruct Property Lines.
>Fence Ownership is NOT determined.
>Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
>Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
>Use of This Sketch for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

I hereby Certify that this Sketch of Description of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

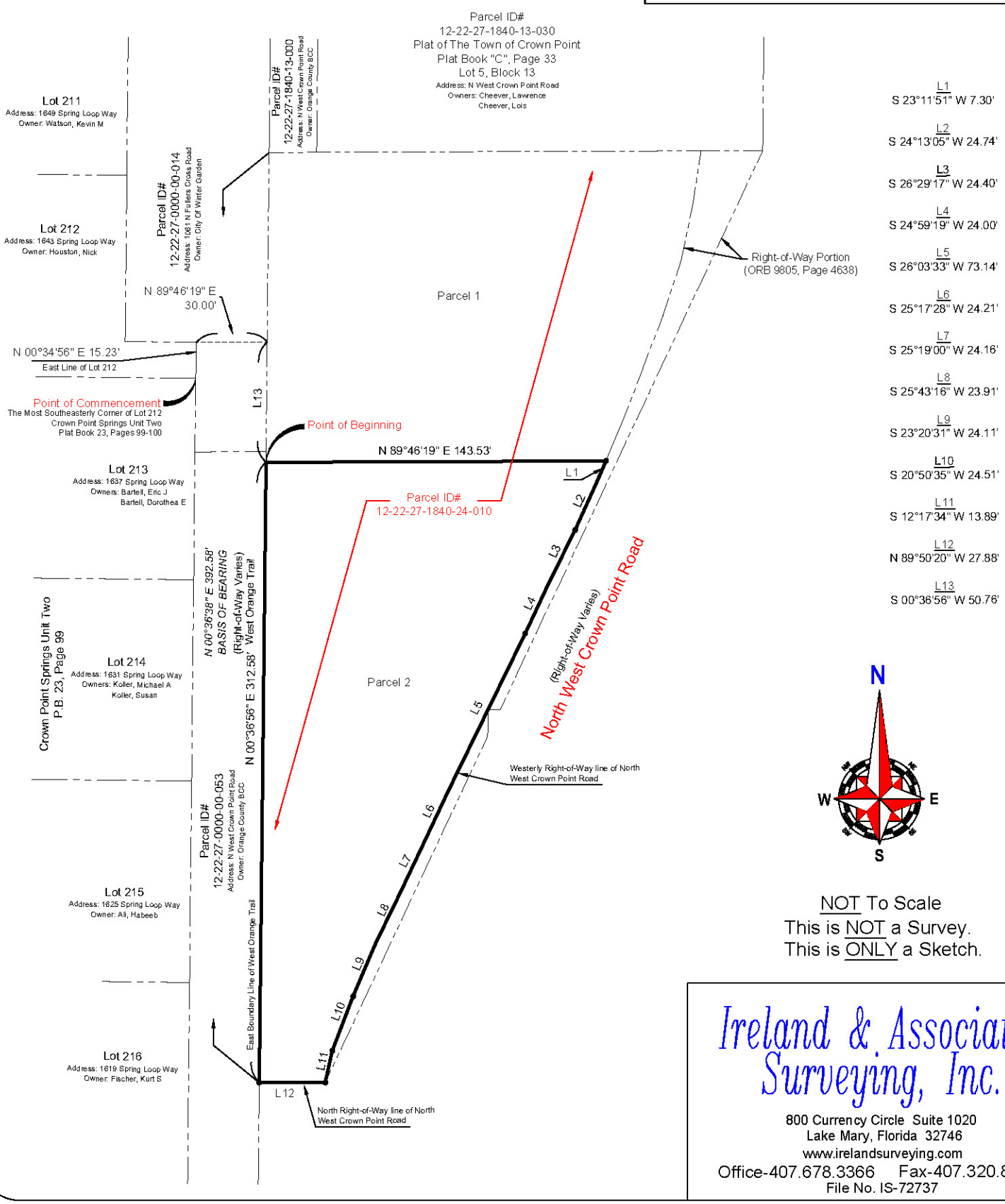
Patrick K. Ireland — PSM 6637 — LB 7623 — FOR THE FIRM

Date Signed: 06/24/20

This Sketch is intended ONLY for the use of Said Certified Parties.
This Sketch NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.

File No. IS-72737

Sketch of Description



NOT To Scale
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File No. IS-72737

Description Of Sketch

Legal Description: Parcel 2

A Portion of Land located in Section 12, Township 22 South, Range 27 East, Orange County, Florida, lying North and Westerly of North West Crown Point Road, described as follows:

Commence at the most Southeasterly corner of Lot 212, Crown Point Springs Unit Two, as recorded in Plat Book 23, Pages 99 and 100, Public Records of Orange County, Florida, thence run North 00°34'56" East, along the East line of said Lot 212,15.23 feet; thence departing said East line, run North 89°46'19" East, 30.00 feet, to a point on the East line of West Orange Trail; thence run South 00°36'56" West, along the East line of said West Orange Trail, 50.76 feet, to the Point of Beginning.

Thence departing said East line, run North 89°46'19" East, 143.53 feet, to a point on the West Right-of-Way line of North West Crown Point Road; thence run the following (12) courses along the North and Westerly Right-of-Way line of said North West Crown Point Road, to a point on the East line of West Orange Trail: South 23°11'51" West, 7.30 feet; South 24°13'05" West, 24.74 feet; South 26°29'17" West, 24.40 feet; South 24°59'19" West, 24.00 feet; South 26°03'33" West, 73.14 feet; South 25°17'28" West, 24.21 feet; South 25°19'00" West, 24.16 feet; South 25°43'16" West, 23.91 feet; South 23°20'31" West, 24.11 feet; South 20°50'35" West, 24.51 feet; South 12°17'34" West, 13.89 feet; North 89°50'20" West, 27.88 feet; thence run North 00°36'56" East, along the East line of said West Orange Trail, 312.58 feet, to the Point of Beginning.

Containing 21,761 Sq Ft or 0.50 Acres, more or less.

This is NOT a Survey.
This is ONLY a Sketch.

Sketch Date: 06/24/20	Sketch of Description Certified To:
Drawn By: BMJ	FERNANDO MEDINA; CITY OF WINTER GARDEN
Approved By: PKI	
Field: N/A	

-Legend-

C	- Calculated	PC	- Point of Curvature
℄	- Centerline	Pg.	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement		
F.E.M.A.	- Federal Emergency Management Agency	PT	- Point of Tangency
		R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rfd.	- Roofed
M	- Measured	Set Rebar	- Set ½" Rebar & Cap "LB 7623"
N&D	- Nail & Disk		
N.R.	- Non-Radial	Typ.	- Typical
ORB	- Official Records Book	UE	- Utility Easement
P	- Plat	WM	- Water Meter
P.B.	- Plat Book	Δ	- Delta (Central Angle)
-o-	- Wood Fence	-X-	- Chain Link Fence

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I hereby Certify that this Sketch of Description of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland FOR THE FIRM

Patrick K. Ireland PSM 6637 LB 7623

Date Signed: 06/24/20

This Sketch is intended ONLY for the use of Said Certified Parties.
This Sketch NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.
File No. IS-72737

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 6

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 14955 Sunridge Blvd (Special Exception Permit)
Project Name: 14955 Sunridge Blvd (SunRidge Middle School)
Parcel ID: 27-22-27-0000-00-143
Issue: The applicant is requesting a special exception for the property located at 14955 Sunridge Blvd.

Supplemental Material / Analysis:

Owner / Applicant: Medina Property
Current Zoning: R-2
Proposed Zoning: N/A
Current FLU: INT - Institutional
Proposed FLU: N/A

Summary: The applicant is requesting a Special Exception Permit in order to allow an electronic message center (EMC) sign for the property located at 14955 Sunridge Blvd. If approved the special exception will allow an EMC on the SunRidge Middle School monument sign in a residential district (See Staff Report).

Staff Recommendation(s):
Staff recommends approval of the Special Exception Permit subject to the condition(s) outlined in the Staff Report.

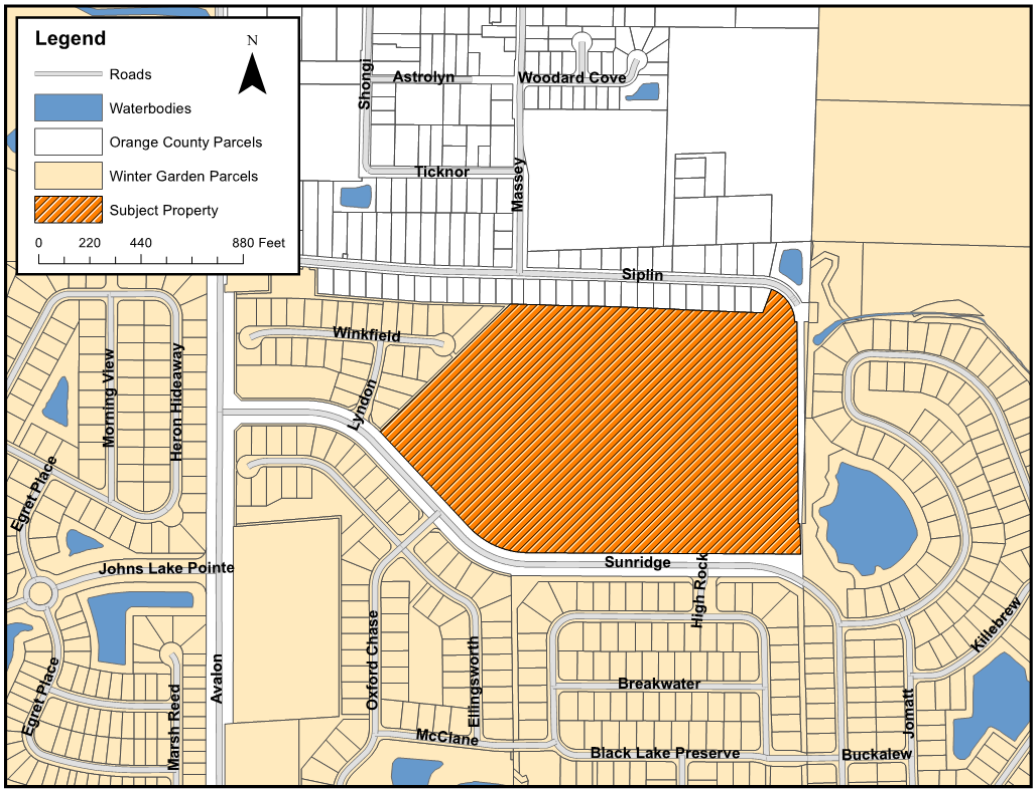
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

14955 Sunridge Blvd

<u>Special Exception Permit</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

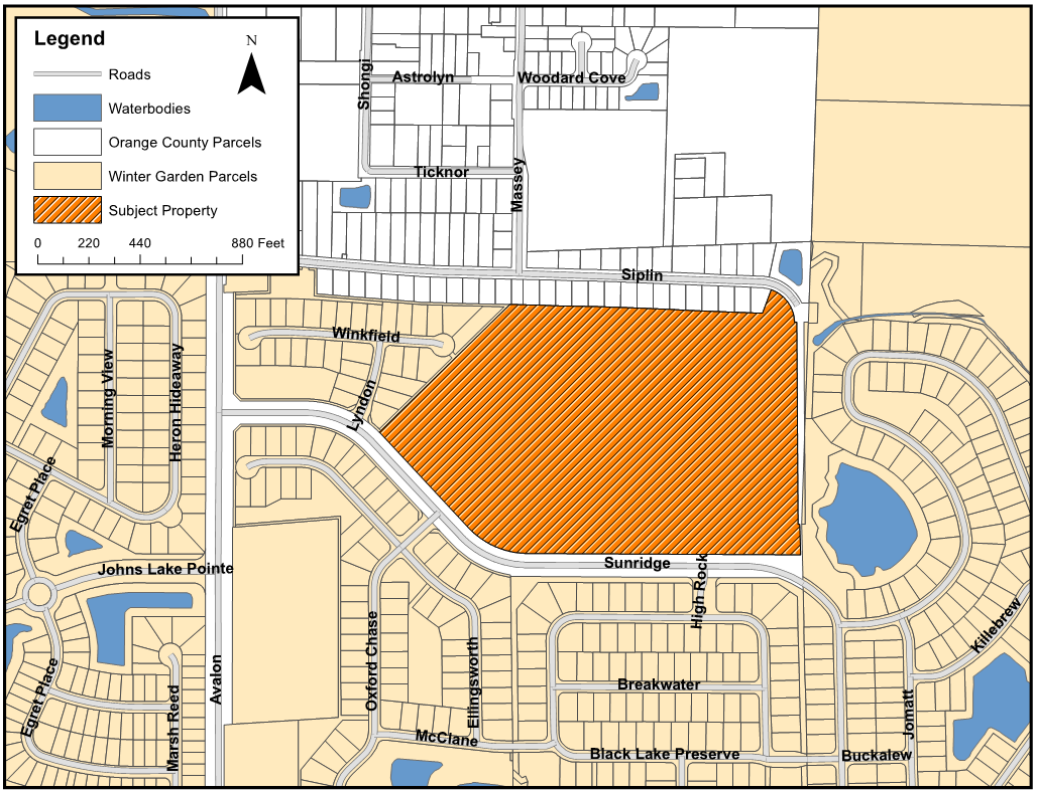
TO: PLANNING AND ZONING BOARD
PREPARED BY: SHANE FRIEDMAN, SENIOR PLANNER
DATE: JULY 6, 2020
SUBJECT: SPECIAL EXCEPTION PERMIT – SunRidge Middle School
14955 Sunridge Blvd (37.57 ±ACRES)
PARCEL ID # 27-22-27-0000-00-143

APPLICANT: Orange County Public Schools

INTRODUCTION

The purpose of this report is to evaluate the proposed Special Exception Permit for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 14955 Sunridge Blvd and is approximately 37.57 ± acres in size. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The applicant is requesting a Special Exception Permit in order to allow an electronic message center (EMC) sign in a residential district. The subject property is located within the City of Winter Garden's municipal limits, carries the zoning designation of R-2 (Residential District), and is designated INT (Institutional) on the Future Land Use Map of the Comprehensive Plan.

CURRENT USE

The subject property is a public middle and elementary school campus. The property consists of several large and small buildings for classroom, audatorium, and administrative purposes. The property also has a large athletic field with a track and basketball courts.

ADJACENT LAND USE AND ZONING

The properties to north are residential lots, developed with single-family homes, are zoned R-1 and are located in un-incorporated Orange County. The properties to the west, south, and east are residential lots developed with single-family homes, are zoned PUD (Planned Unit Development), and are all within the City's municipal limits.

PROPOSED USE

The applicant is proposing to retrofit the existing school monument sign with an electronic message center (EMC) sign. The allowable square footage for a monument sign in a residential district is 36 square feet. With special exception approval a monument sign can have 30 percent of the copy dedicated to an EMC. This would be a total 10'-9" square feet. The proposed sign will have 24 square feet of the copy area dedicated to the EMC which is 66 percent of the copy area. The applicant does have a variance request for the EMC running concurrently with the special exception request in order to have a larger EMC area.

ANALYSIS

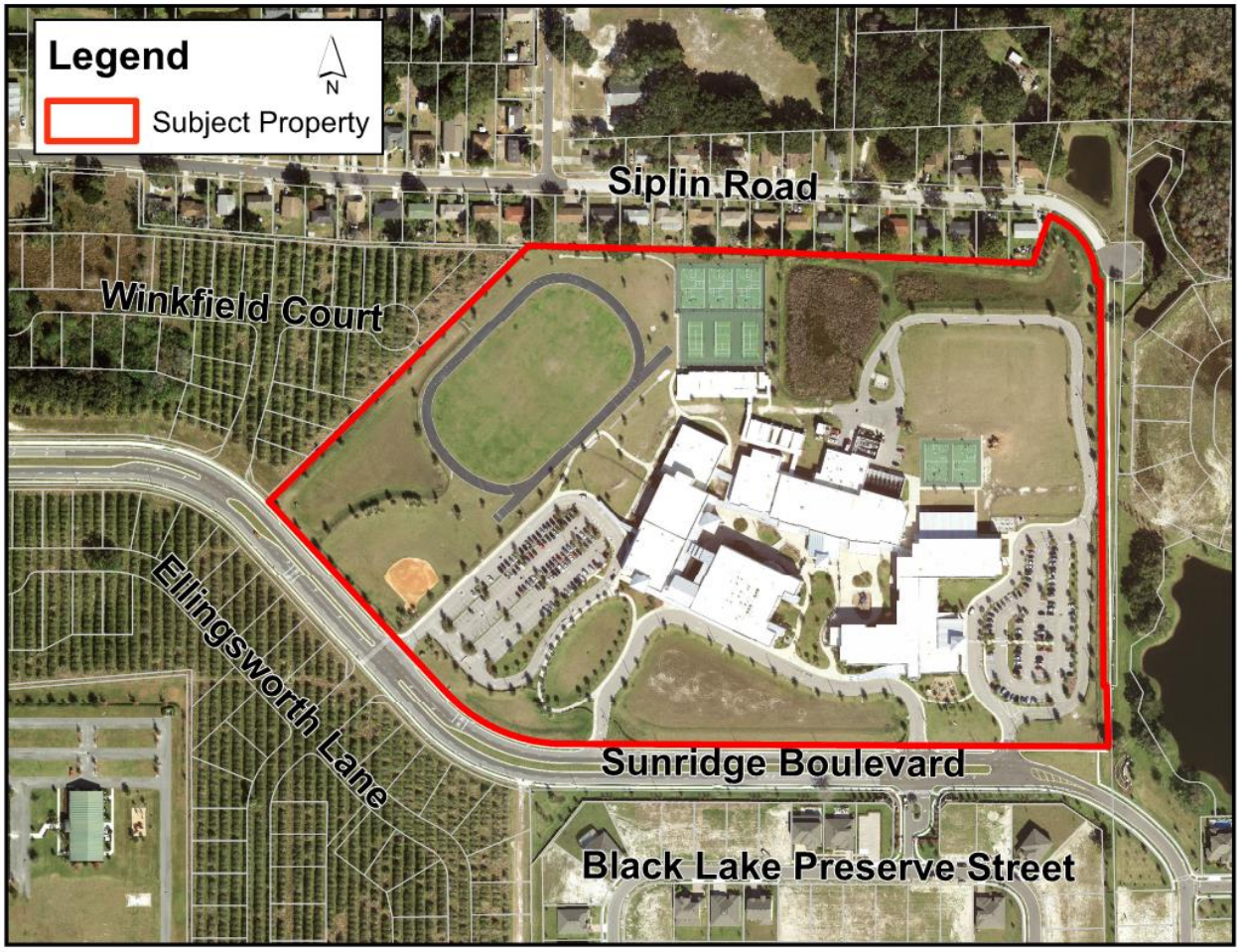
The monument sign is already existing, however in order to have an EMC within a residential district the applicant must apply for a special exception permit according to the Winter Garden City Code of Ordinances Section 102-126. Many of the public schools are transitioning to EMCs in order to provide update information to the public.

SUMMARY

City Staff recommends approval of the proposed special exception permit to allow an electronic message center (EMC) in a residential district subject to the following conditions:

1) The electronic message center (EMC) is allowed only for the signs and sign locations as described in the sign package provided by the applicant.
2) The proposed sign in the special exception request with an EMC greater than 30 percent of the copy area will require a variance approval.

AERIAL PHOTO
14955 Sunridge Blvd



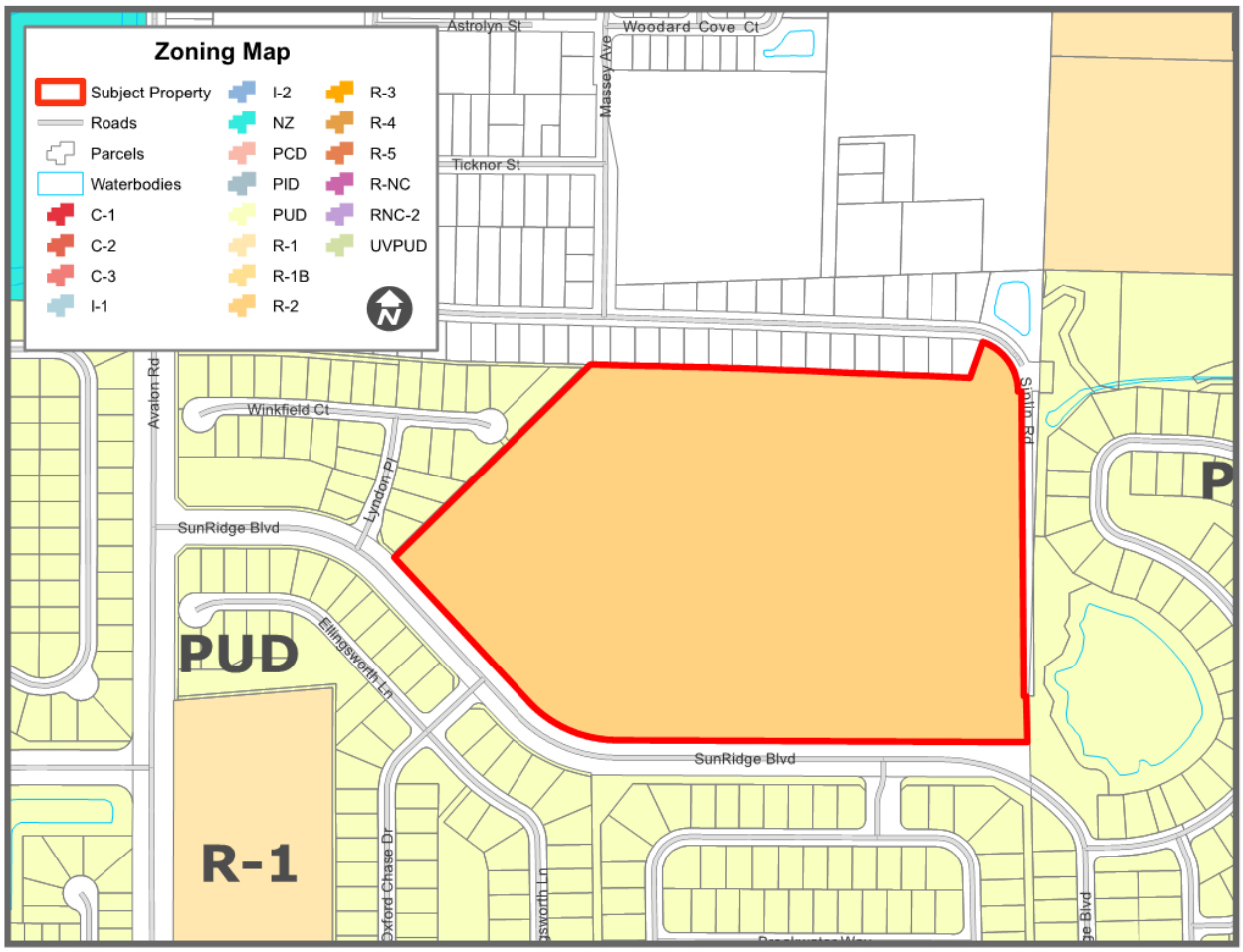
SITE PLAN
14955 Sunridge Blvd

ORANGE COUNTY PUBLIC SCHOOLS
Facilities & Construction Contracting
6501 Magic Way, Bldg. 100B, Orlando, Florida 32809 Telephone 407.317.3700 Fax 407.317.3765

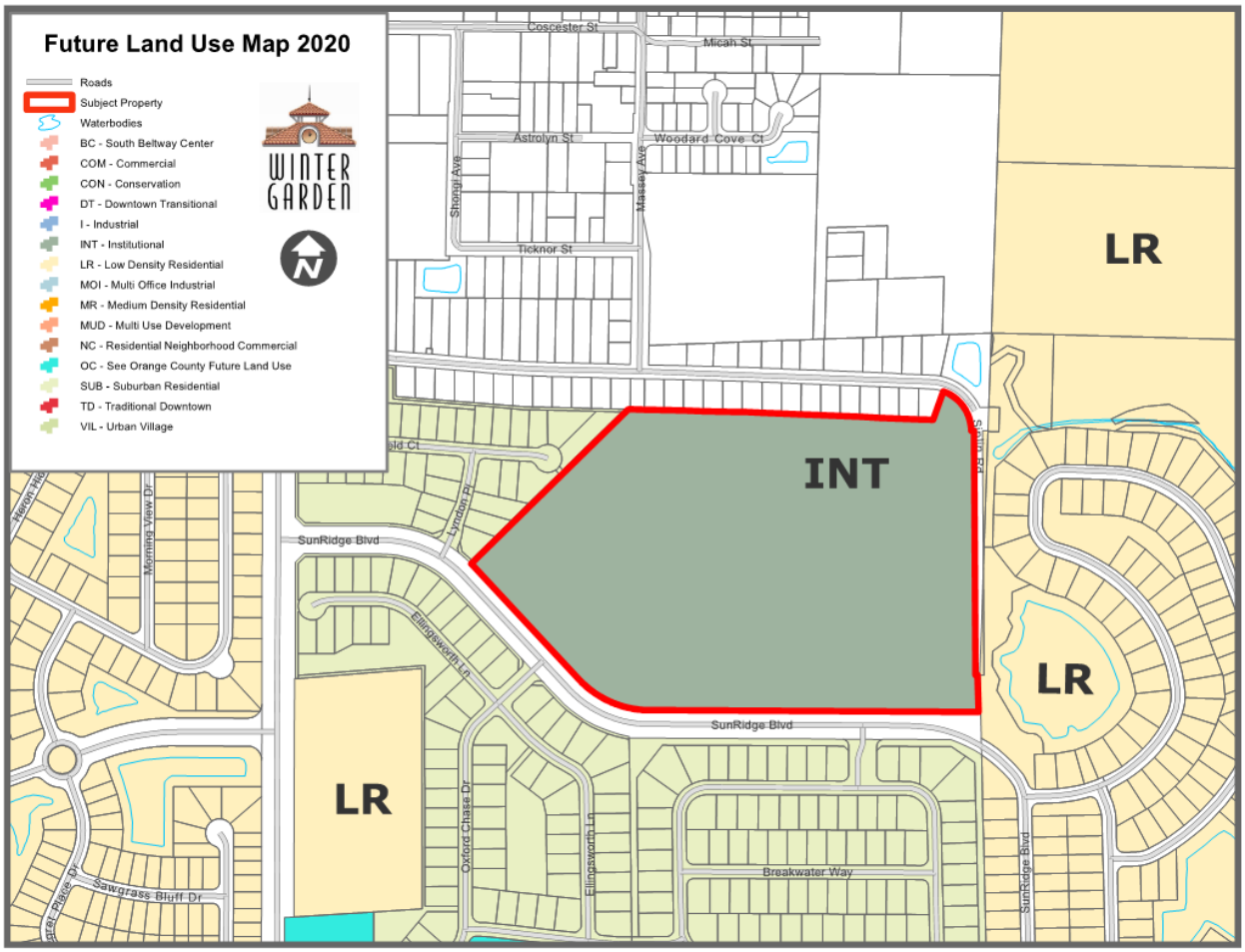
EXISTING SIGN
14955 SUNRIDGE BLVD

PROPOSED SIGN
14955 SUNRIDGE BLVD

ZONING MAP
14955 Sunridge Blvd



FUTURE LAND USE MAP
14955 Sunridge Blvd



Site Photo
14955 Sunridge Blvd

END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 7

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 1200 W Bay Street (Special Exception Permit)
Project Name: 1200 W Bay Street (Lakeview Middle School)
Parcel ID: 22-22-27-0000-00-003
Issue: The applicant is requesting a special exception for the property located at 1200 W Bay Street.

Supplemental Material / Analysis:

Owner / Applicant: Medina Property
Current Zoning: R-2
Proposed Zoning: N/A
Current FLU: INT - Institutional
Proposed FLU: N/A

Summary: The applicant is requesting a Special Exception Permit in order to allow an electronic message center (EMC) sign for the property located at 1200 W Bay Street. If approved the special exception will allow an EMC on the Lakeview Middle School monument sign in a residential district (See Staff Report).

Staff Recommendation(s):
Staff recommends approval of the Special Exception Permit subject to the condition(s) outlined in the Staff Report.

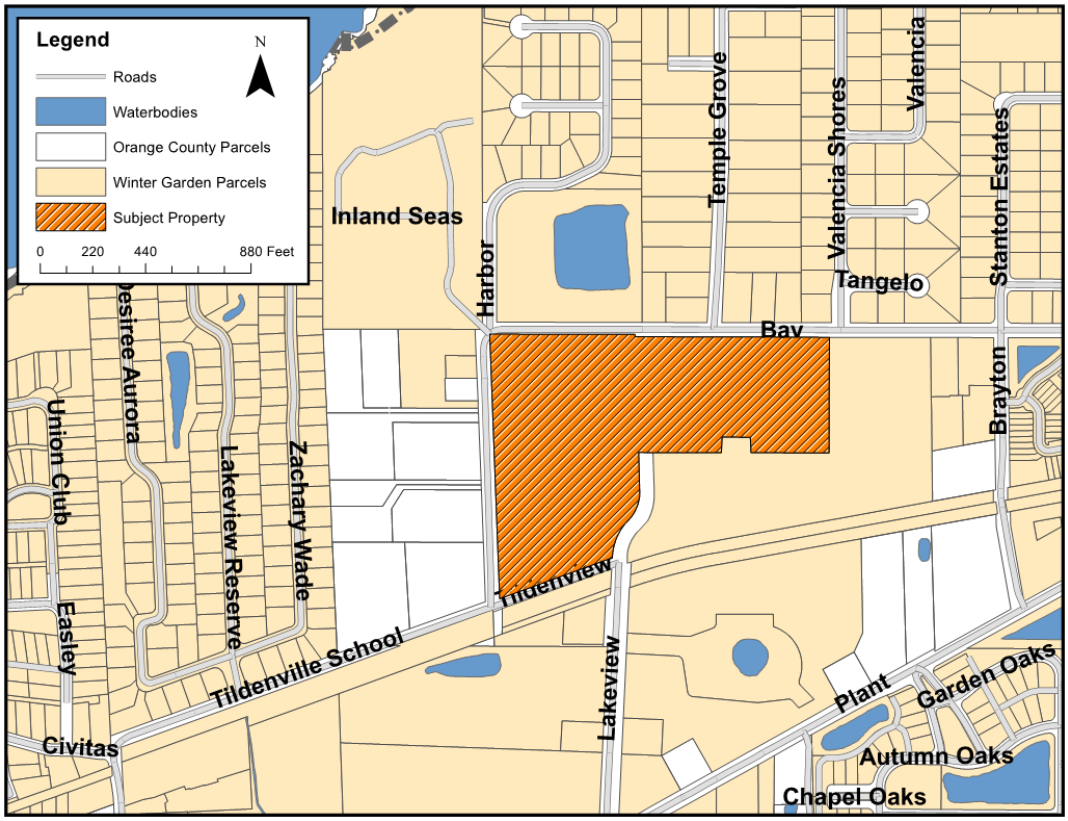
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

1200 W Bay Street

<u>Special Exception Permit</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

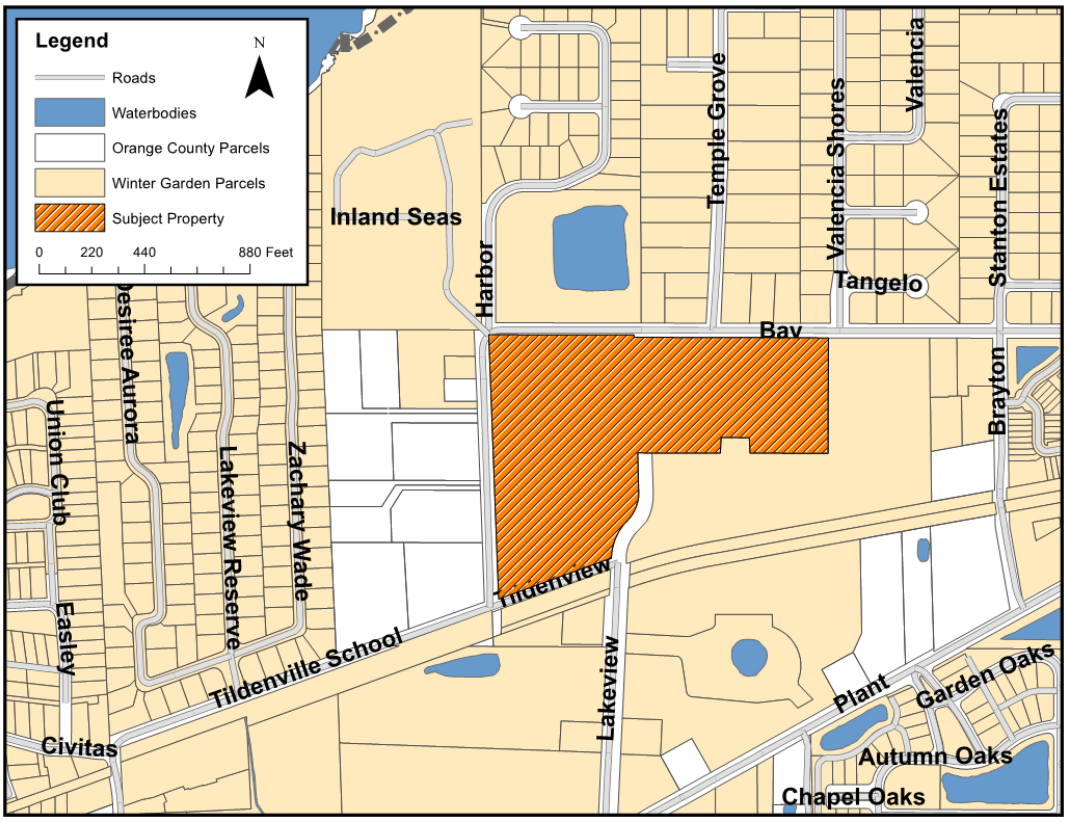
TO: PLANNING AND ZONING BOARD
PREPARED BY: SHANE FRIEDMAN, SENIOR PLANNER
DATE: JULY 6, 2020
SUBJECT: SPECIAL EXCEPTION PERMIT – Lakeview Middle School
1200 W Bay Street (22.16 ±ACRES)
PARCEL ID # 22-22-27-0000-00-003

APPLICANT: Orange County Public Schools

INTRODUCTION

The purpose of this report is to evaluate the proposed Special Exception Permit for compliance with the City of Winter Garden Code of Ordinances and Comprehensive Plan.

The subject property is located at 1200 W Bay Street and is approximately 22.16 ± acres in size. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The applicant is requesting a Special Exception Permit in order to allow an electronic message center (EMC) sign in a residential district. The subject property is located within the City of Winter Garden's municipal limits, carries the zoning designation of R-2 (Residential District), and is designated INT (Institutional) on the Future Land Use Map of the Comprehensive Plan.

CURRENT USE

The subject property is a public middle school campus. The property consists of several large and small buildings for classroom and administrative purposes. The property also has a large athletic field with a track and basketball courts.

ADJACENT LAND USE AND ZONING

Property to the north of subject property is owned by Orange County Public Schools, is zoned R-2, and is used for parking and stormwater. To the north there are also residential lots developed with single-family homes and zoned R-1. The properties to the north are all within the City's municipal limits. To the east of the subject property is the City of Winter Garden Public Works property which is zoned R-1. To the south are several properties developed with single-family homes, zoned R-1, and are also within the City's municipal limits. To the west of the subject property are residential lots, zoned A-1, and are located within un-incorporated Orange County.

PROPOSED USE

The applicant is proposing to retrofit the existing school monument sign with an electronic message center (EMC) sign. The allowable square footage for a monument sign in a residential district is 36 square feet. With special exception approval a monument sign can have 30 percent of the copy dedicated to an EMC. This would be a total 10'-9" square feet. The proposed sign will have 24 square feet of the copy area dedicated to the EMC which is 66 percent of the copy area. The applicant does have a variance request for the EMC running concurrently with the special exception request in order to have a larger EMC area.

ANALYSIS

The monument sign is already existing, however in order to have an EMC within a residential district the applicant must apply for a special exception permit according to the Winter Garden City Code of Ordinances Section 102-126. Many of the public schools are transitioning to EMCs in order to provide update information to the public.

SUMMARY

City Staff recommends approval of the proposed special exception permit to allow an electronic message center (EMC) in a residential district subject to the following conditions:

1) The electronic message center (EMC) is allowed only for the signs and sign locations as described in the sign package provided by the applicant.
2) The proposed sign in the special exception request with an EMC greater than 30 percent of the copy area will require a variance approval.

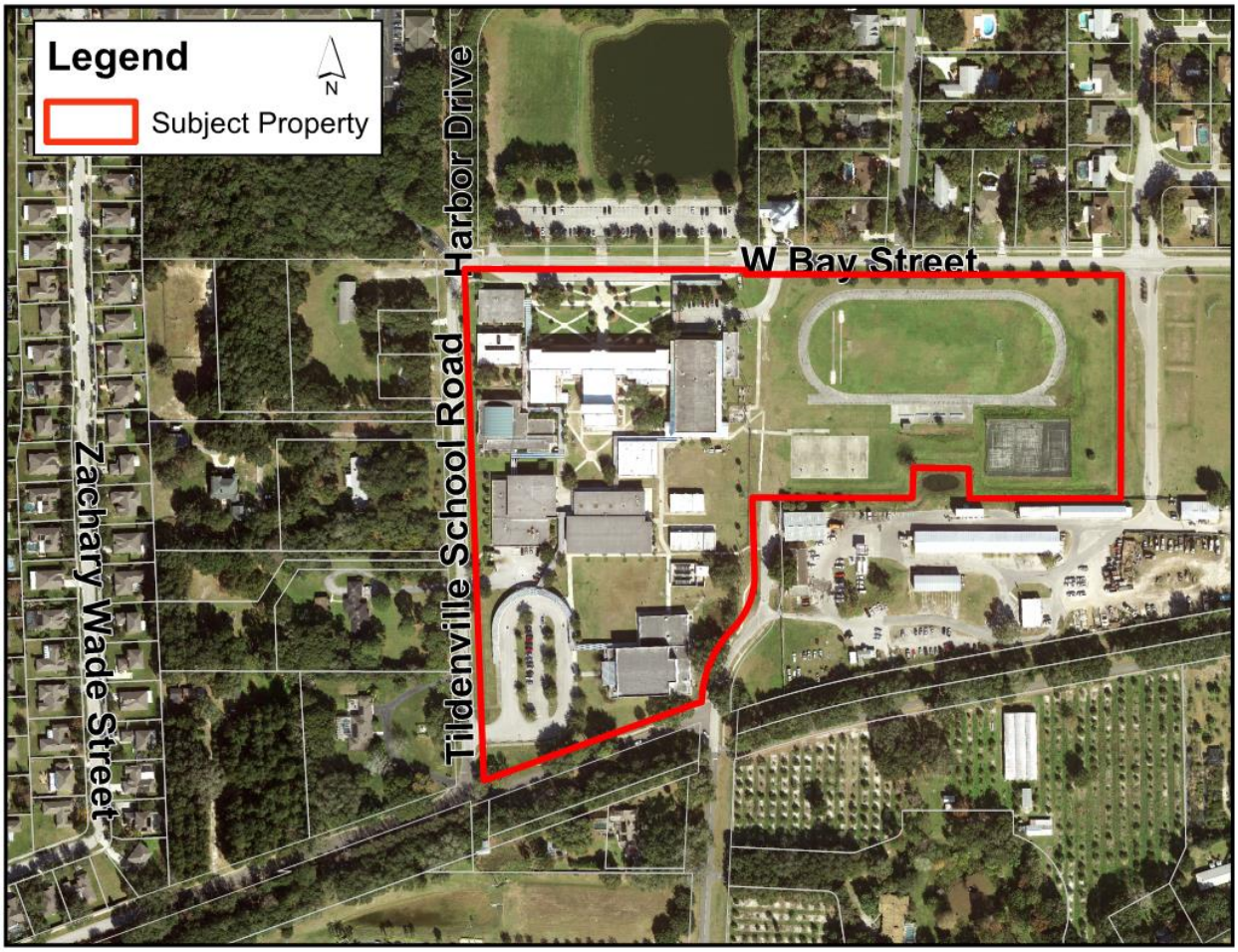
NEXT STEP

Follow all City regulations and apply for building permits.

ATTACHMENTS

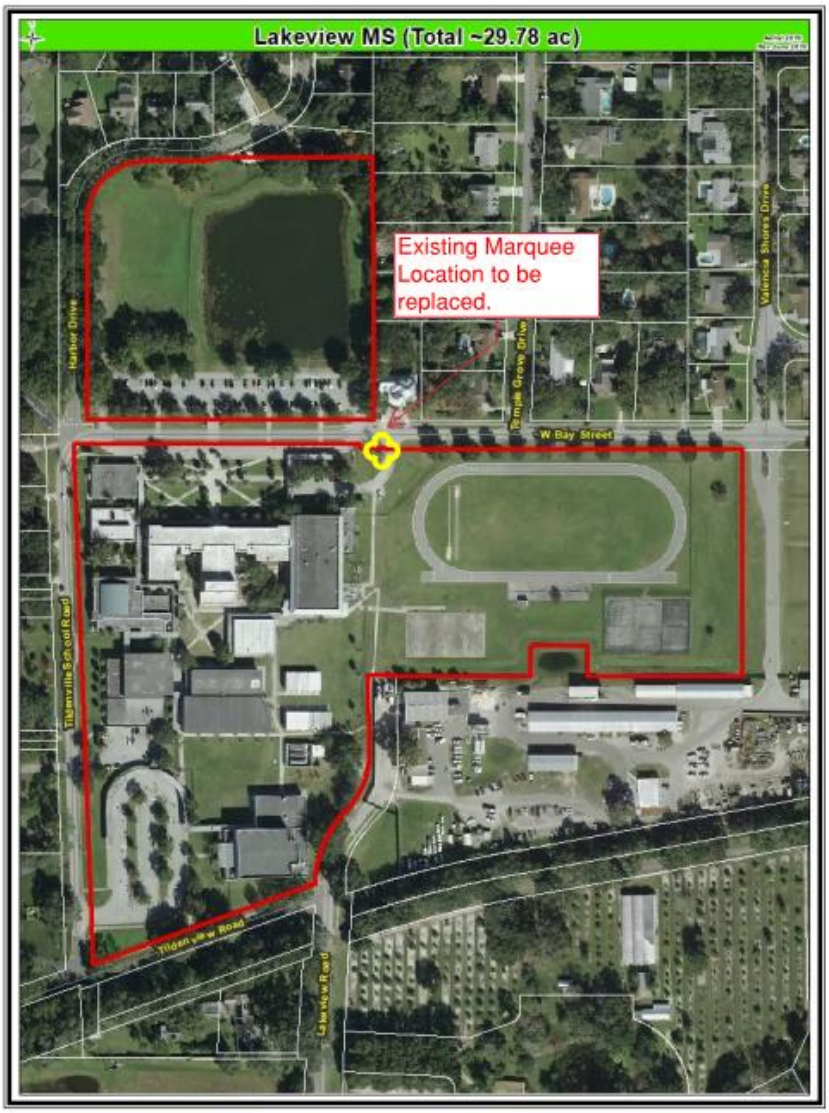
- Aerial Photo
- Site Plan
- Sign Elevations
- Zoning and FLU Maps
- Site Photos

AERIAL PHOTO
1200 W Bay Street



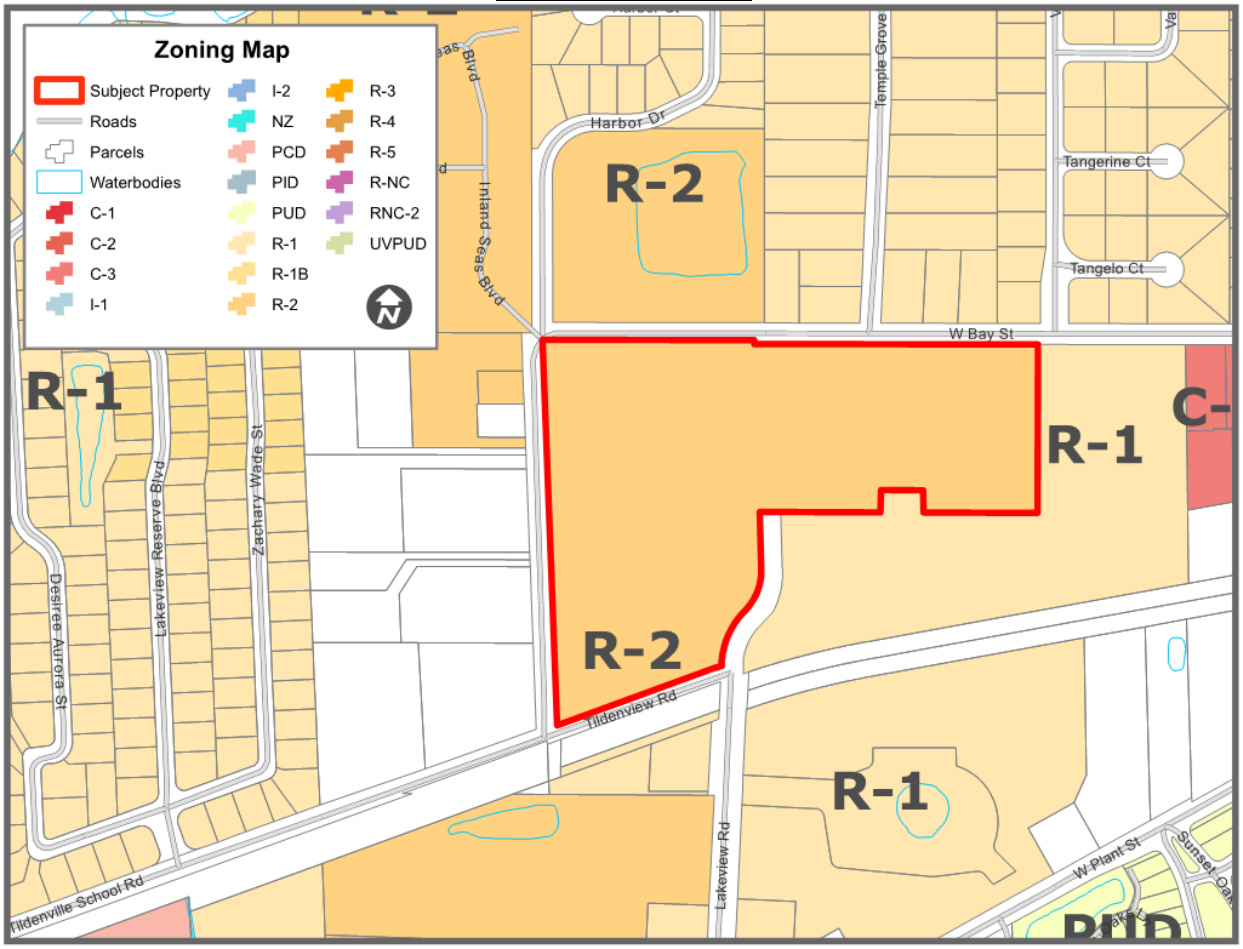
SITE PLAN
1200 W Bay Street

ORANGE COUNTY PUBLIC SCHOOLS
Facilities & Construction Contracting
6501 Magic Way, Bldg. 100B, Orlando, Florida 32809 Telephone 407.317.3700 Fax 407.317.3765

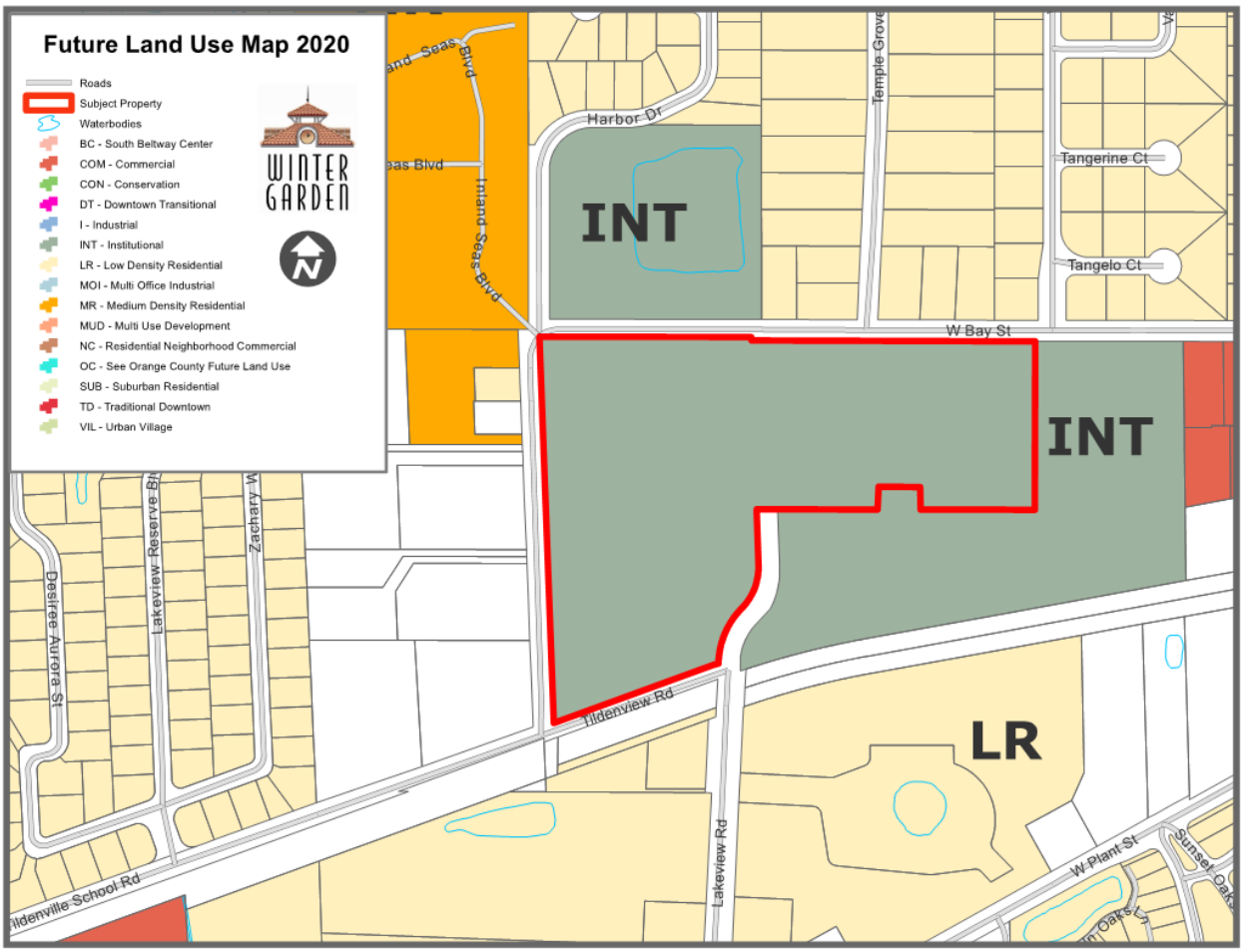


PROPOSED SIGN
1200 W BAY STREET

ZONING MAP
1200 W Bay Street



FUTURE LAND USE MAP
1200 W Bay Street



Site Photo
1200 W Bay Street

END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 8

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 14955 Sunridge Blvd (Variance)
Project Name: 14955 Sunridge Blvd (SunRidge Middle School)
Parcel ID: 27-22-27-0000-00-143
Issue: The applicant is requesting a variance for the property located at 14955 Sunridge Blvd.

Supplemental Material / Analysis:

Owner / Applicant: Medina Property
Current Zoning: R-2
Proposed Zoning: N/A
Current FLU: INT - Institutional
Proposed FLU: N/A

Summary: The applicant is requesting 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. 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 SunRidge Middle School monument sign (See Staff Report).

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

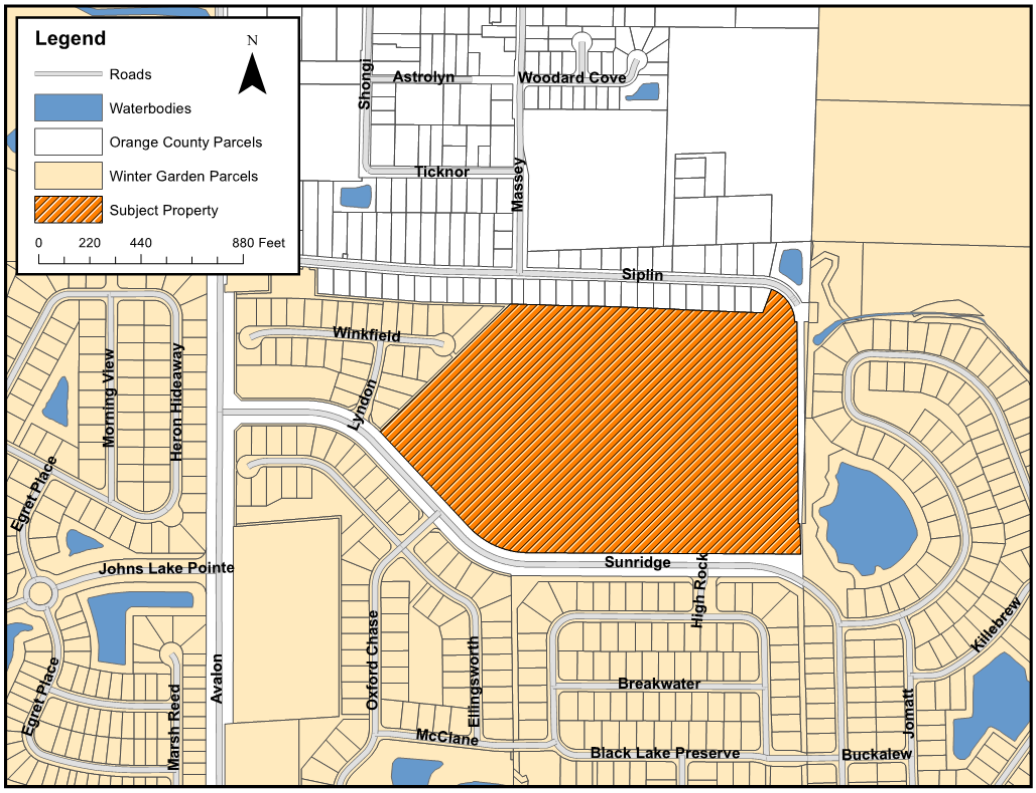
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

14955 Sunridge Blvd

<u>Variance</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

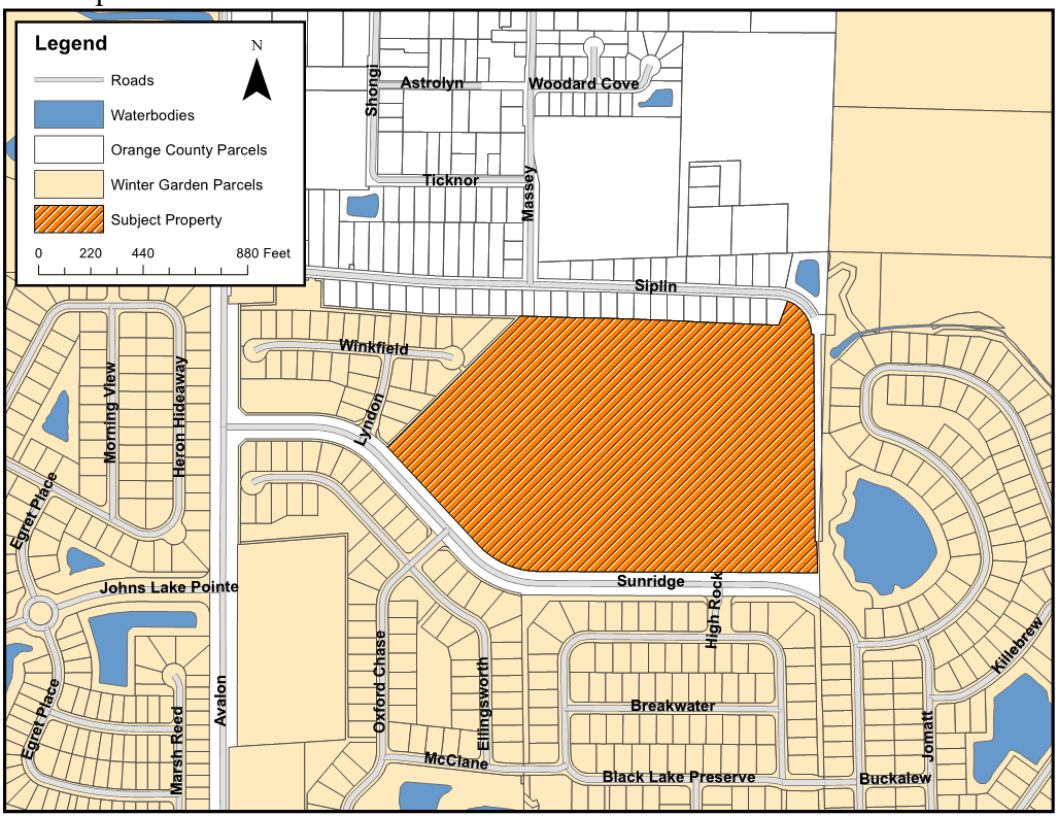
TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Senior Planner
DATE: June 26, 2020
SUBJECT: VARIANCE – SunRidge Middle School
14955 Sunridge Blvd (37.57 ±ACRES)
PARCEL ID # 27-22-27-0000-00-143

APPLICANT: Orange County Public Schools

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 14955 Sunridge Blvd in Winter Garden, Florida. The request is to allow an electronic message center (EMC) to be 24 square feet in area in lieu of the required 10'-9" square feet.

The subject property is located at 14955 Sunridge Blvd and is approximately 37.57 ± acres in size. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The subject property carries the zoning designation R-2 (Residential District) and is designated INT (Institutional) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The subject property is a public elementary middle school campus. The property consists of several large and small buildings for classroom and administrative purposes. The property also has a large athletic field with a track and basketball courts.

ADJACENT LAND USE AND ZONING

The properties to north are residential lots, developed with single-family homes, are zoned R-1 and are located in un-incorporated Orange County. The properties to the west, south, and east are residential lots developed with single-family homes, are zoned PUD (Planned Unit Development), and are all within the City's municipal limits.

PROPOSED USE

The applicant is proposing to retrofit the existing school monument sign with an electronic message center (EMC) sign. The allowable square footage for a monument sign in a residential district is 36 square feet. With special exception approval a monument sign can have 30 percent of the copy dedicated to an EMC. This would be a total 10'-9" square feet. The proposed sign will have 24 square feet of the copy area dedicated to the EMC which is 66 percent of the copy area. The applicant does have a special exception request for the EMC running concurrently with the variance request.

CODE REFERENCE

Sec. 102-161. of the City Code of Ordinances addresses electronic message center signs. This section states,

e. One electronic message center is permitted for each freestanding sign located within a commercial or industrial district. Electronic message centers may not account for more than 30 percent of the sign copy area amounts specified in Table 2 below.

   1. All electronic message centers shall be equipped with technology that automatically dims the electronic message center according to the ambient light conditions.

   2. All electronic message centers shall be limited to a maximum illuminance of 0.3 foot candles at a distance of 25 feet from the face of the sign.

   3. All transitions from one frame to another frame on an electronic message center shall be achieved by one of the following modes of message transition: Fade or dissolve.

   4. Each frame on an electronic message center shall be displayed for not less than ten seconds before beginning transition to another frame.

Sec. 102-126. of the City Code of Ordinances addresses signs permitted in residential and planned unit developments. This section states,

(f) Electronic message centers. EMC's are allowed, by special exception only, on properties with permitted nonresidential uses in a residential district. They are prohibited on single family residential properties and on subdivision, apartment, multi-family dwellings and condominium properties.

(1) All electronic message centers shall be equipped with technology that automatically dims the electronic message center according to the ambient light conditions.

(2) All electronic message centers shall be limited to a maximum illuminance of 0.3 foot candles at a distance of 25 feet from the face of the sign.

(3) All transitions from one frame to another frame on an electronic message center shall be achieved by one of the following modes of message transition: Fade or dissolve.

The applicant is seeking a variance to sign code in order to install an electronic message center.

CODE REQUIREMENTS / CRITERIA

Section 118-131 of the City Code that relates to the review criteria states that, "A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue." The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
The EMC is on the school property not directly abutting any residential properties. The closest home is across a four (4) lane road separated by a six (6) foot high brick wall. The wall should block the sign 100 percent. Furthermore, the sign will still be subject to the EMC regulations that requires dimming, maximum illuminance, and timing of the light between messages. Therefore, the variance should have little if any negative impacts to adjacent property owners.

(2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;
The school is an institutional use and the EMC will allow the school to provide important information to the public more efficiently which is a reasonable use on the property. Many schools which are located in residential districts are already utilizing EMCs and it is becoming standard practice.

(3) In the context presented, strict compliance with the land development regulation will not

further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;
Strict compliance with the City's land development regulations will not further any legitimate City objective.

(4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to institutional character.

(5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*
The variance requested is the minimum variance that allows the most efficient way to convey important school district information to the public. Strictly adhering to the code in this instance would be ineffective, as it would require the copy area of the EMC to constantly be scrolling in order to convey important messages. Which it cannot do due to the time restraints of EMCs that must maintain a minimum of ten seconds between messages. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to the Winter Garden Code of Ordinances Section 102-161(c)(1)(iv.)(e). If approved this will allow an EMC that is 24 square feet in area in lieu of the required 10'-9" square feet, subject to the following conditions:

1) The electronic message center (EMC) is allowed only for the signs and sign locations as described in the sign package provided by the applicant.
2) A EMC in a residential district will require special exception permit approval.

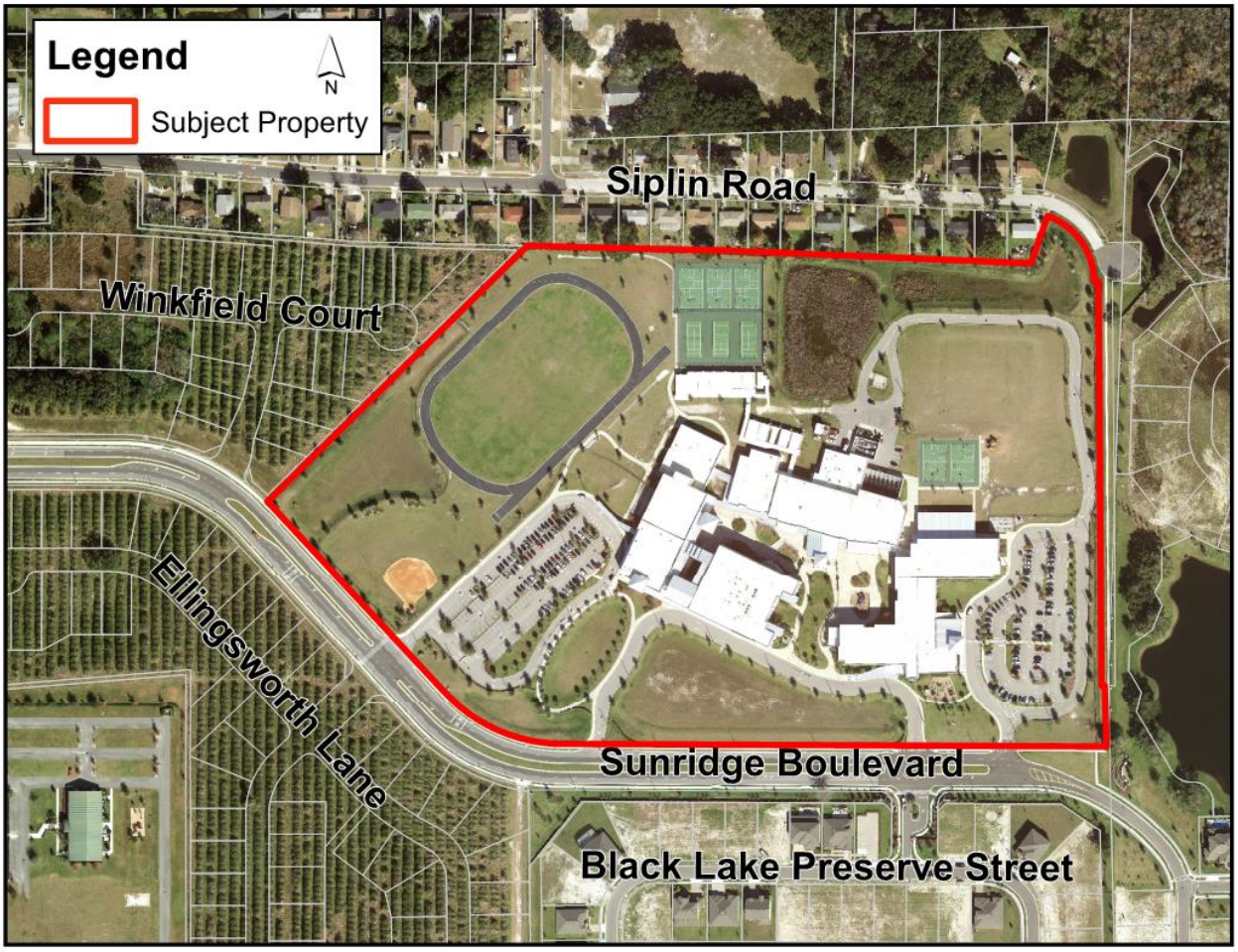
NEXT STEP

Follow all City regulations and apply for building permits.

ATTACHMENTS

- Aerial Photo
- Survey
- Site Photos

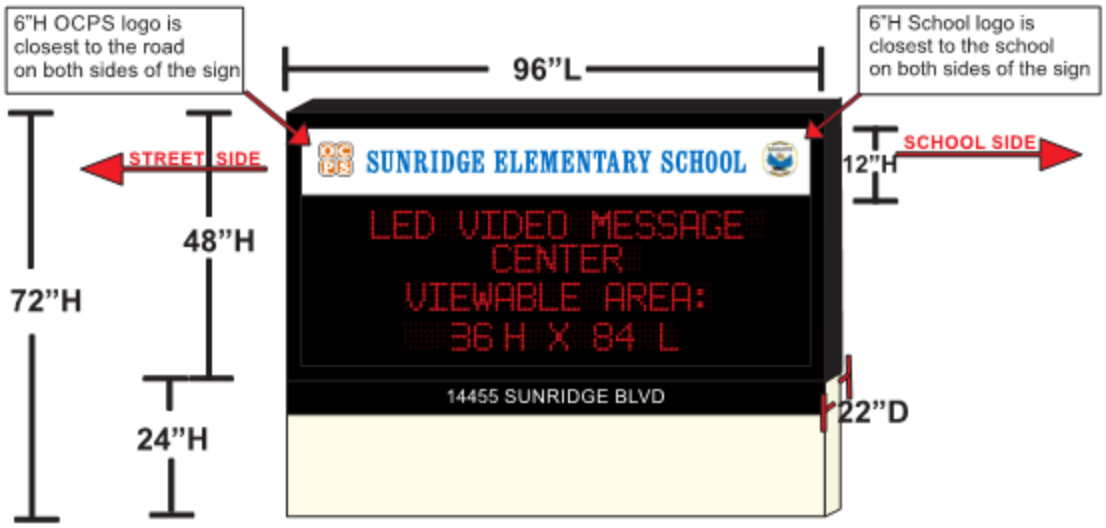
AERIAL PHOTO
14955 Sunridge Blvd



SITE PLAN
14955 Sunridge Blvd

ORANGE COUNTY PUBLIC SCHOOLS
Facilities & Construction Contracting
6501 Magic Way, Bldg. 100B, Orlando, Florida 32809 Telephone 407.317.3700 Fax 407.317.3765

PROPOSED SIGN
14955 SUNRIDGE BLVD



Site Photo
14955 Sunridge Blvd

END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 9

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 1200 W Bay Street (Variance)
Project Name: 1200 W Bay Street (Lakeview Middle School)
Parcel ID: 22-22-27-0000-00-003
Issue: The applicant is requesting a variance for the property located at 1200 W Bay Street.

Supplemental Material / Analysis:

Owner / Applicant: Orange County Public Schools
Current Zoning: R-2
Proposed Zoning: N/A
Current FLU: INT - Institutional
Proposed FLU: N/A

Summary: The applicant is requesting 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 Recommendation(s):
Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report.

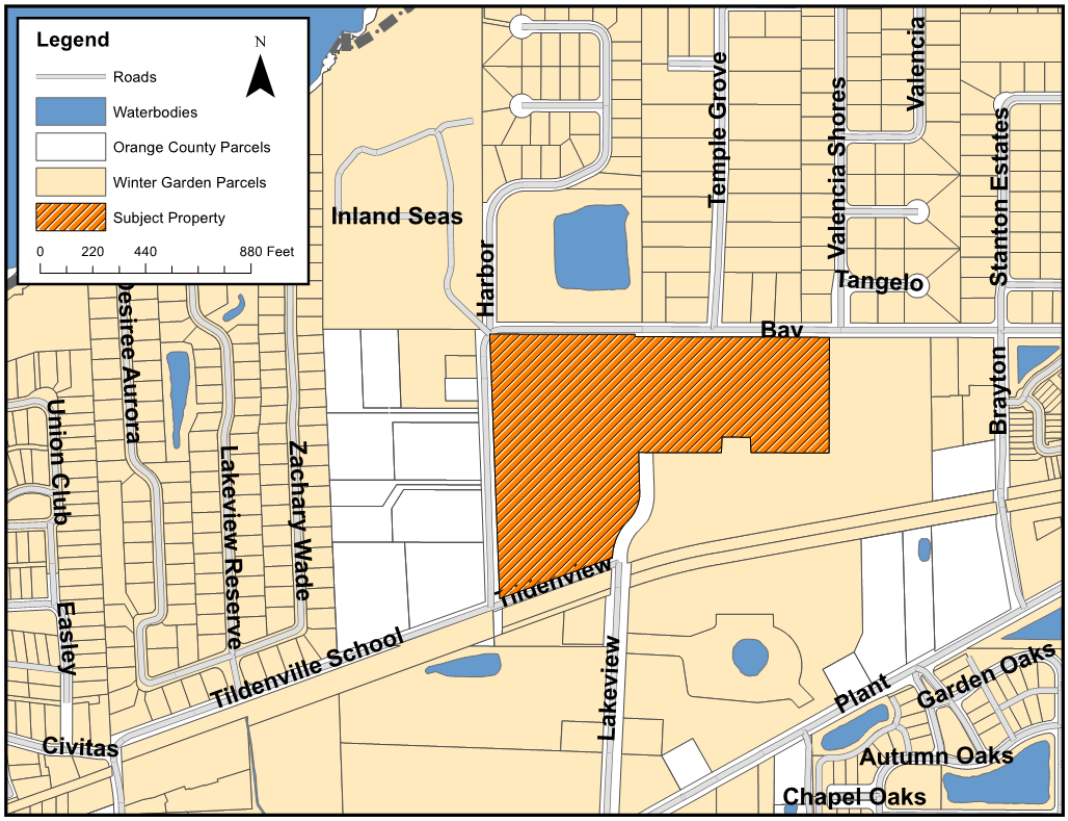
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

1200 W Bay Street

<u>Variance</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

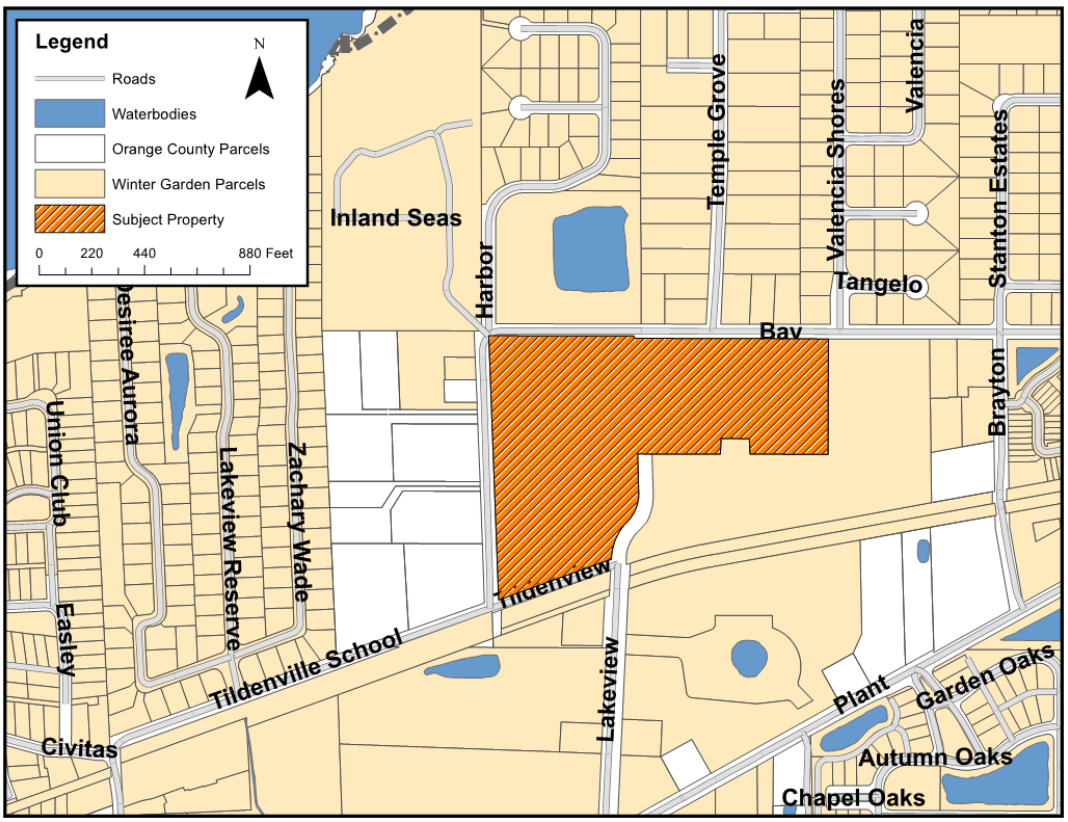
TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Senior Planner
DATE: June 26, 2020
SUBJECT: VARIANCE – Lakeview Middle School
1200 W Bay Street (22.16 ±Acres)
Parcel ID # 22-22-27-0000-00-003

APPLICANT: Orange County Public Schools

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 1200 W Bay Street in Winter Garden, Florida. The request is to allow an electronic message center (EMC) to be 24 square feet in area in lieu of the maximum required 10'-9" square feet.

The subject property is located at 1200 W Bay Street and is approximately 22.16 ± acres in size. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



The subject property carries the zoning designation R-2 (Residential District) and is designated INT (Institutional) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The subject property is a public middle school campus. The property consists of several large and small buildings for classroom and administrative purposes. The property also has a large athletic field with a track and basketball courts.

ADJACENT LAND USE AND ZONING

The property to the north of subject property is owned by Orange County Public Schools, is zoned R-2, and is used for parking and stormwater. To the north there are also residential lots developed with single-family homes and zoned R-1. The properties to the north are all within the City's municipal limits. To the east of the subject property is the City of Winter Garden Public Works property, which is, zoned R-1. To the south are several properties developed with single-family homes, zoned R-1, and are also within the City's municipal limits. To the west of the subject property are residential lots, zoned A-1, and are located within un-incorporated Orange County.

PROPOSED USE

The applicant is proposing to retrofit the existing school monument sign with an electronic message center (EMC) sign. The allowable square footage for a monument sign in a residential district is 36 square feet. With special exception approval a monument sign can have 30 percent of the copy dedicated to an EMC. This would be a total 10'-9" square feet. The proposed sign will have 24 square feet of the copy area dedicated to the EMC which is 66 percent of the copy area. The applicant does have a special exception request for the EMC running concurrently with the variance request.

CODE REFERENCE

Sec. 102-161. of the City Code of Ordinances addresses electronic message center signs. This section states,

e. One electronic message center is permitted for each freestanding sign located within a commercial or industrial district. Electronic message centers may not account for more than 30 percent of the sign copy area amounts specified in Table 2 below.

1. All electronic message centers shall be equipped with technology that automatically dims the electronic message center according to the ambient light conditions.

2. All electronic message centers shall be limited to a maximum illuminance of 0.3 foot candles at a distance of 25 feet from the face of the sign.

3. All transitions from one frame to another frame on an electronic message center shall be achieved by one of the following modes of message transition: Fade or dissolve.

4. Each frame on an electronic message center shall be displayed for not less than ten seconds

before beginning transition to another frame.

Sec. 102-126. of the City Code of Ordinances addresses signs permitted in residential and planned unit developments. This section states,

(f) Electronic message centers. EMC's are allowed, by special exception only, on properties with permitted nonresidential uses in a residential district. They are prohibited on single family residential properties and on subdivision, apartment, multi-family dwellings and condominium properties.

(1) All electronic message centers shall be equipped with technology that automatically dims the electronic message center according to the ambient light conditions.

(2) All electronic message centers shall be limited to a maximum illuminance of 0.3 foot candles at a distance of 25 feet from the face of the sign.

(3) All transitions from one frame to another frame on an electronic message center shall be achieved by one of the following modes of message transition: Fade or dissolve.

The applicant is seeking a variance to sign code in order to install an electronic message center.

CODE REQUIREMENTS / CRITERIA

Section 118-131 of the City Code that relates to the review criteria states that, "A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue." The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
The EMC is abutting a single-family home to the north, however the sign will still be subject to the EMC regulations that requires dimming, maximum illuminance, and timing of the light between messages. The sign is also angled, as to not be directly facing the home. The variance should have little if any negative impacts to adjacent property owners.

(2) The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;
The school is an institutional use and the EMC will allow the school to provide important information to the public more efficiently which is a reasonable use on the property. Many schools which are located in residential districts are already utilizing EMCs and it is becoming standard practice.

(3) In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other

variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;
Strict compliance with the City's land development regulations will not further any legitimate City objective.

(4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to institutional character.

(5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*
The variance requested is the minimum variance that allows the most efficient way to convey important school district information to the public. Strictly adhering to the code in this instance would be ineffective, as it would require the copy area of the EMC to constantly be scrolling in order to convey important messages. Which it cannot do due to the time restraints of EMCs that must maintain a minimum of ten seconds between messages. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to the Winter Garden Code of Ordinances Section 102-161(c)(1)(iv.)(e). If approved this will allow an EMC that is 24 square feet in area in lieu of the required 10'-9" square feet, subject to the following conditions:

1) The electronic message center (EMC) is allowed only for the signs and sign locations as described in the sign package provided by the applicant.
2) A EMC in a residential district will require special exception permit approval.

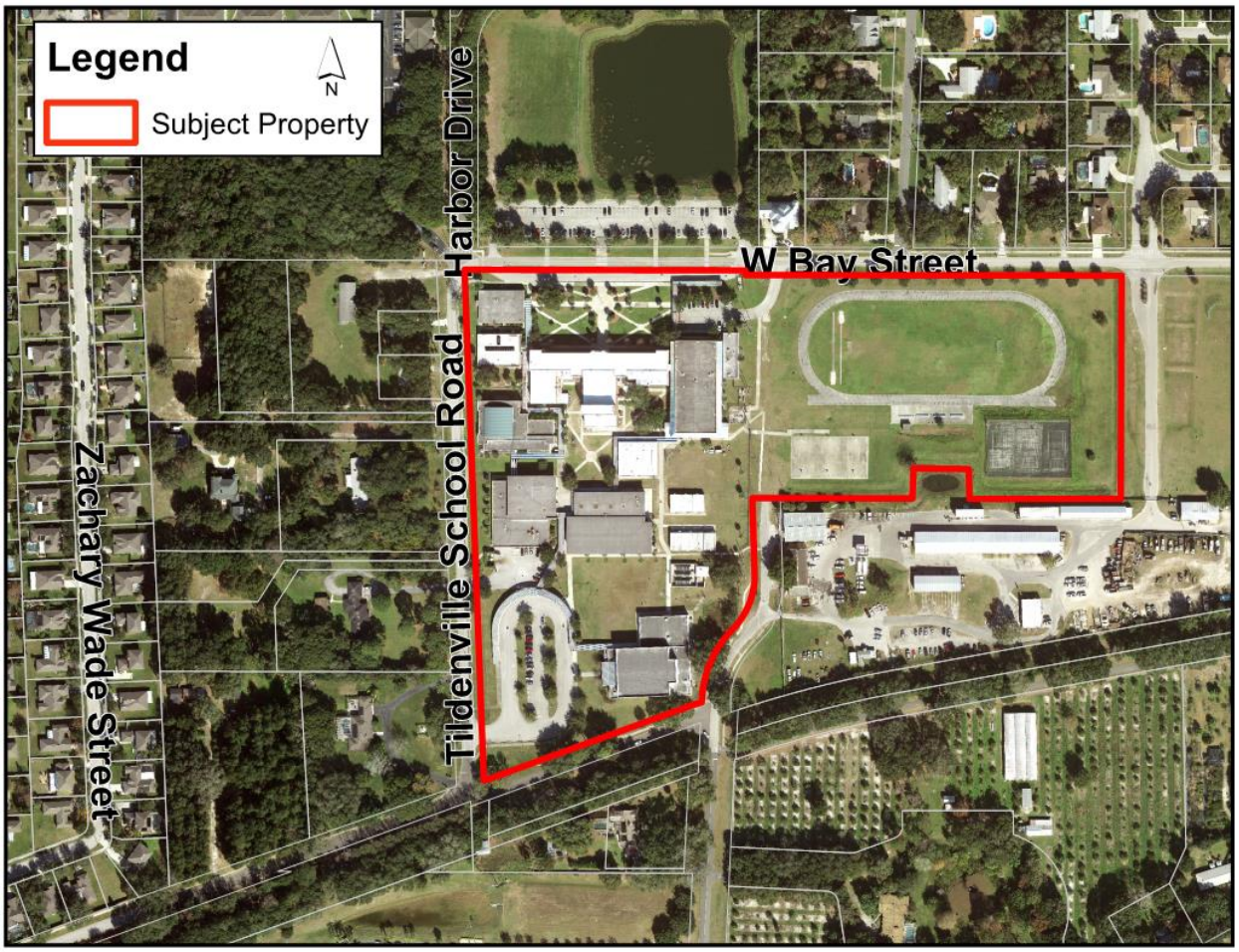
NEXT STEP

Follow all City regulations and apply for building permits.

ATTACHMENTS

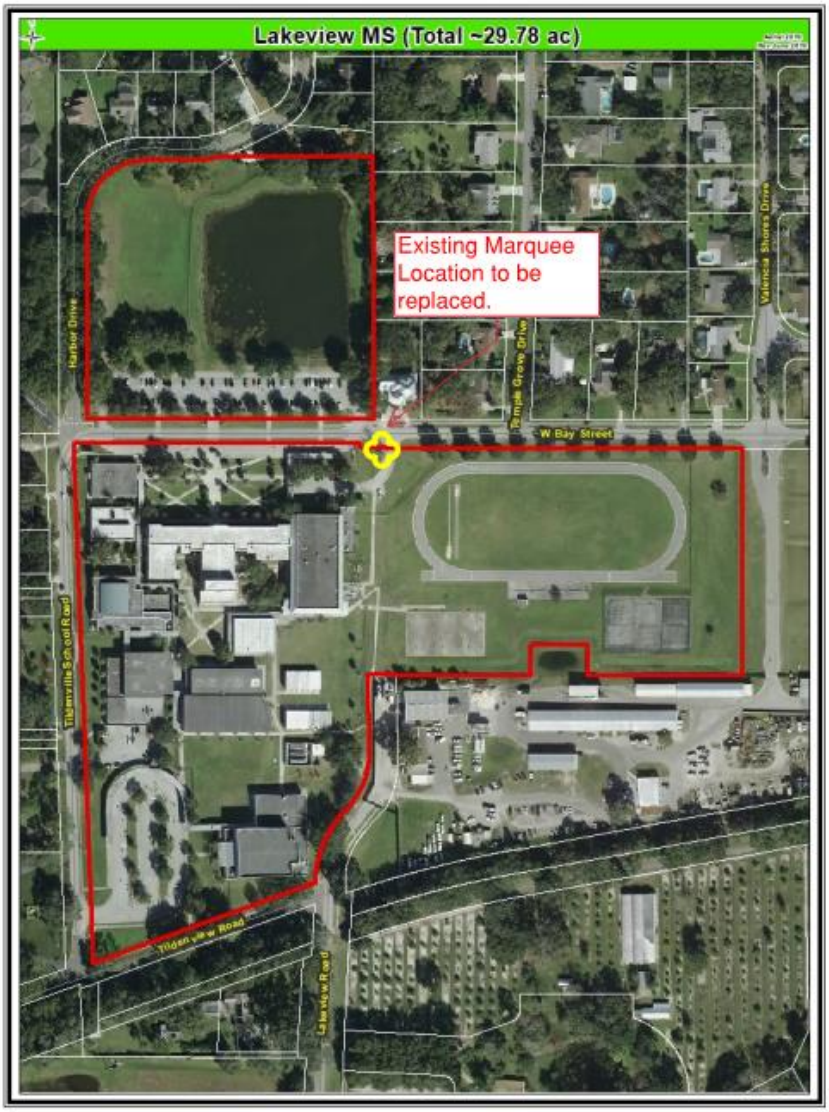
- Aerial Photo
- Site Plan
- Sign Elevations
- Site Photos

AERIAL PHOTO
1200 W Bay Street



SITE PLAN
1200 W Bay Street

ORANGE COUNTY PUBLIC SCHOOLS
Facilities & Construction Contracting
6501 Magic Way, Bldg. 100B, Orlando, Florida 32809 Telephone 407.317.3700 Fax 407.317.3765



PROPOSED SIGN
1200 W BAY STREET

Site Photo
1200 W Bay Street

END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 10

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 14146 Jomatt Loop (Variance)
Project Name: 14146 Jomatt Loop
Parcel ID: 27-22-27-1961-01-070
Issue: The applicant is requesting a variance for the property located at 14146 Jomatt Loop.

Supplemental Material / Analysis:

Owner / Applicant: Dion & Toni Samuel
Current Zoning: PUD
Proposed Zoning: N/A
Current FLU: LR Low Density Residential
Proposed FLU: N/A

Summary: The applicant is requesting 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 (See Staff Report).

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

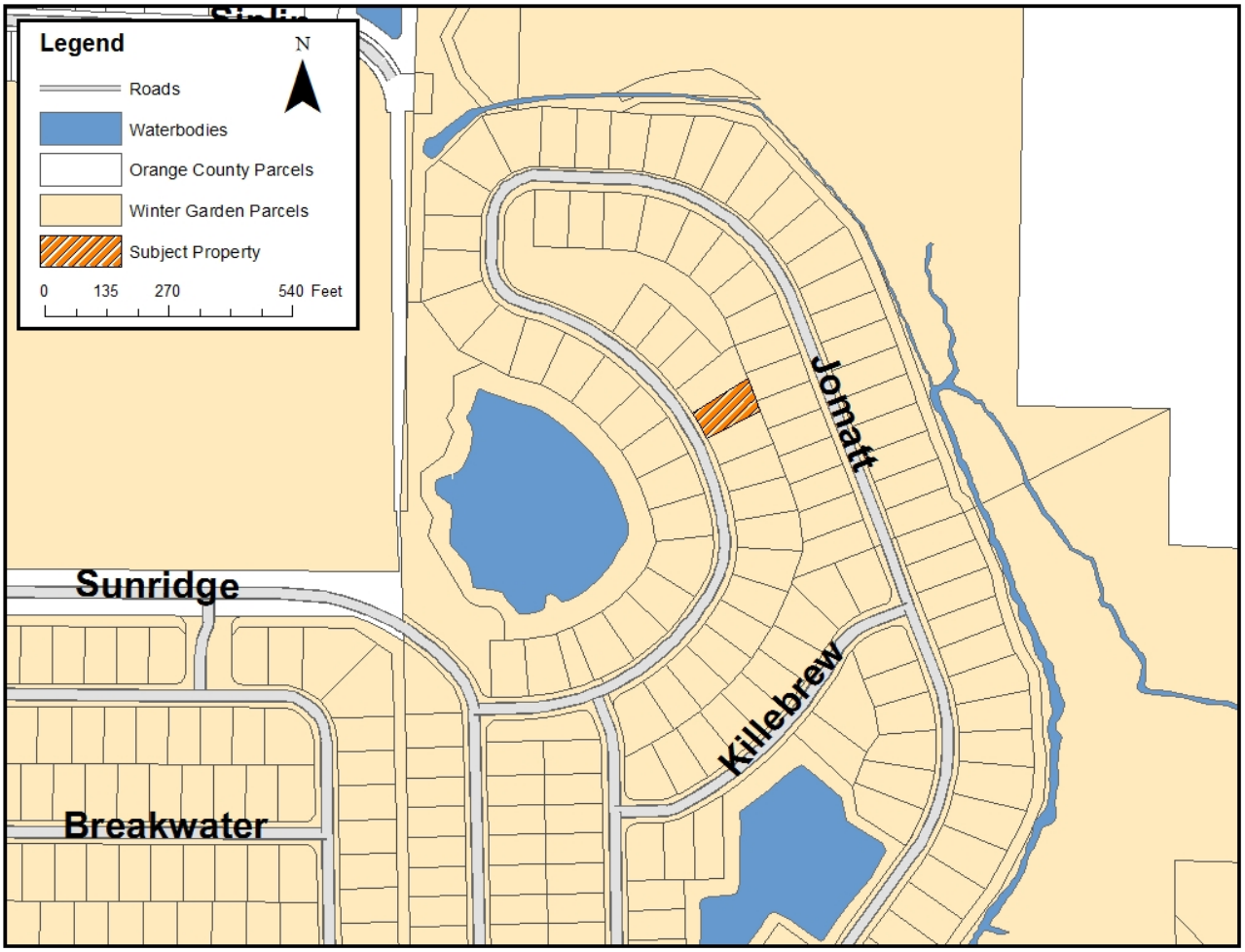
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

14146 Jomatt Loop

<u>Building Variance</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

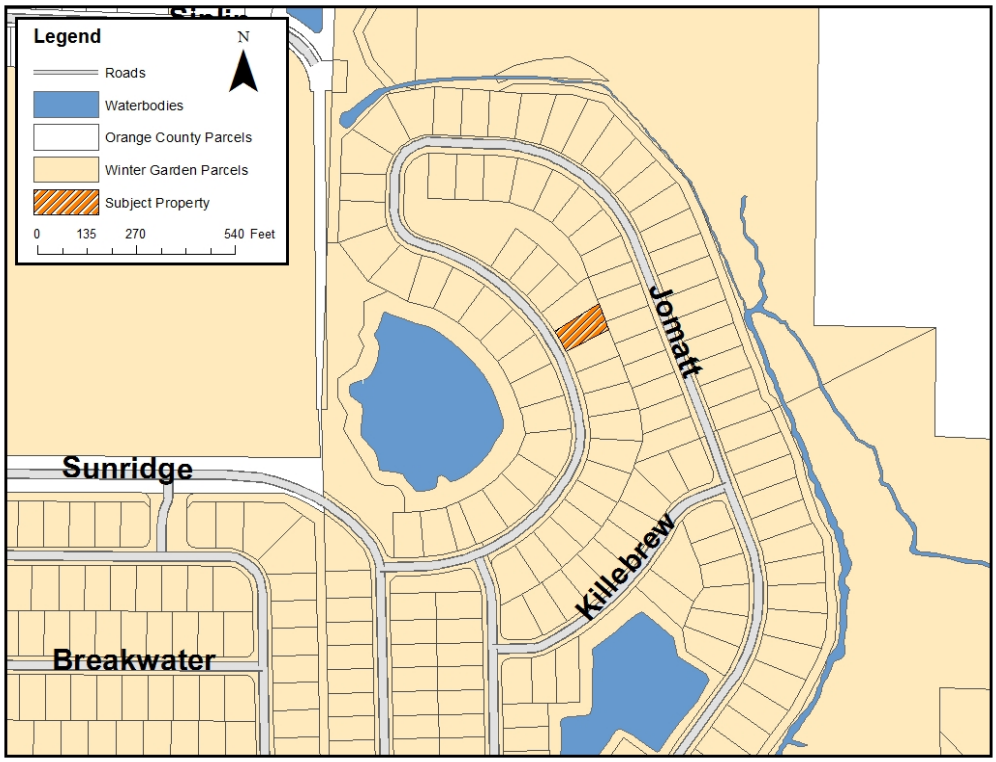
TO: PLANNING AND ZONING BOARD
PREPARED BY: Soraya Karimi, Planner I
DATE: July 6th, 2020
SUBJECT: VARIANCE
14146 Jomatt Loop (0.22 +/- ACRES)
PARCEL ID # 27-22-27-1961-01-070

APPLICANT: Dion & Toni Samuel

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 14146 Jomatt Loop in Winter Garden, Florida. The request is to allow a 100 square foot attached screen enclosure with a composite roof to be constructed with a 16 foot rear setback in lieu of the required 20 foot rear setback.

The subject property, located at 14146 Jomatt Loop, is an approximately 0.22 ± acre lot. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The subject property carries the zoning designation PUD (Planned Unit Development), established through Ordinance 14-06 for Cypress Reserve, and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The property contains a one story, 3,862 square foot single-family residence that was built in 2018.

ADJACENT LAND USE AND ZONING

The properties to the north, south, east and west of the subject property are developed with single-family residences, are zoned PUD, and are within the Cypress Reserve subdivision and the City of Winter Garden's Municipal limits.

PROPOSED USE

The applicant is requesting the variance to allow the construction of a 100 square foot attached screen enclosure with a composite roof in the rear yard. The proposed enclosure would be located 16 feet from the rear property line (at the enclosure's farthest point from the rear property line). The applicant is currently installing a 1,323 SF pool/pool deck and a screened pool enclosure in the rear yard as well. The proposed enclosure with the composite roof would be attached both to the house and to the screen pool enclosure.

CODE REFERENCE

Ordinance 14-06 addresses minimum yard requirements for single-family dwellings in the Cypress Reserve subdivision. This ordinance states that the rear yard setback for single-family homes on 75'x125' lots is 20'.

The applicant is seeking a variance to the minimum rear yard requirements.

CODE REQUIREMENTS / CRITERIA

Section 118-131 of the City Code that relates to the review criteria states that, "A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue." The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

Allowing the attached screen enclosure with the composite roof to be built with a 16' rear setback should not cause a negative impact or interfere with the reasonable enjoyment of adjacent or nearby property owners. The applicant states that, due to the configuration of the lot, the western side of the enclosure will require a variance of only one foot (with a setback of 19'), and the eastern side of the enclosure will require the requested four foot variance (with a setback of 16'). A privacy fence has also recently been built up to the applicant's

property line. The fence measures six (6) feet in height, so the sight line impact to rear neighbor is reduced. The height of the part of the enclosure with the composite roof is nine (9) feet at its heighest, so it will only partially be seen over the privacy fence by the rear neighbor. The color of the composite roof will be white, matching the color of the soffit and window trim, so the enclosure will provide visual consistency in the event it is seen by the rear or side neighbors. The enclosure will be placed over a pool deck, the permit for which was approved in February.

(2) *The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;*
The proposed variance will allow reasonable use of the property. The applicant states that there is certain equipment the applicant wishes to use that requires the full enclosure space with the composite roof. The walls of the enclosure will be screened, so this proposal is comparable to screened roof enclosures, which are allowed with a 5 foot side and rear setback. The proposed enclosure is in character with other properties in the Cypress Reserve subdivision, and single family residences in other neighborhoods have approved variances similar in nature to this one.

(3) *In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;*
Strict compliance with the City's land development regulations will not further any legitimate City objective. If the applicant were to shrink the dimensions of the proposed enclosure to accommodate a greater rear yard setback, the use and functionality of the proposed enclosure will be diminished. This request does not encroach into recorded easements and meets all other development regulations Ordinance 14-06. The lot impervious area, with the proposed enclosure, meets impervious surface ratio requirements as well.

(4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to low density residential character.

(5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*
The variance requested is the minimum variance that will make reasonable use of the land. Denying this variance will benefit neither the property owner nor the the City. A screen roof could have replaced the encroaching insulating roof section, which would have made it fully compliant with City Code.

SUMMARY AND STAFF RECOMMENDATION

City Staff recommends approval of variance to Ordinance 14-06 to allow a 100 square foot attached screen enclosure with a composite roof, with a 16' rear yard setback in lieu of the minimum required 20 foot side yard setback, and with the following conditions:

1) The lot shall adhere to all other code requirements for development in the Cypress

Reserve PUD including setbacks, impervious surface ratios, etc.

NEXT STEPS

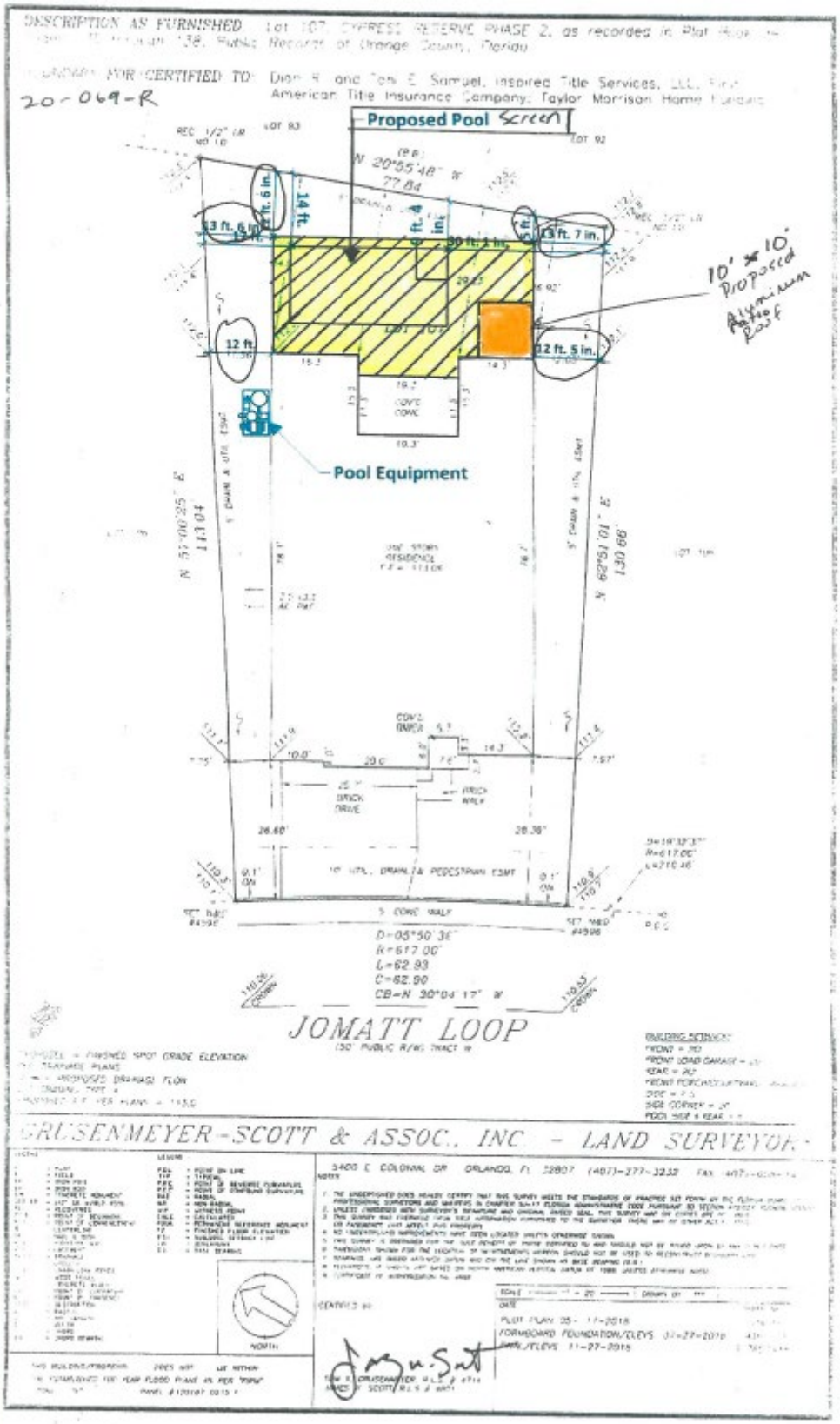
Follow all City regulations and apply for building permits.

ATTACHMENTS

- Aerial Photo
- Proposed Site Plan
- Site Photos

AERIAL PHOTO
14146 Jomatt Loop

PROPOSED SITE PLAN
14146 Jomatt Loop



SITE PHOTOS
14146 Jomatt Loop

END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM #11

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 14230 Sunridge Blvd (Variance)
Project Name: 14230 Sunridge Blvd (Hollingsworth Residence)
Parcel ID: 34-22-27-1960-00-050
Issue: The applicant is requesting a variance for the property located at 14230 Sunridge Blvd.

Supplemental Material / Analysis:

Owner / Applicant: Hollingsworth Property
Current Zoning: PUD
Proposed Zoning: N/A
Current FLU: LR – Low Density Residential
Proposed FLU: N/A

Summary: The applicant is requesting 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' (See Staff Report).

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

Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

14230 Sunridge Blvd

<u>Variance</u>

CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Senior Planner
DATE: June 26, 2020
SUBJECT: VARIANCE
14230 Sunridge Blvd (0.19 ± ACRES)
PARCEL ID #34-22-27-1960-00-050

APPLICANT: Hollingsworth Residence

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 14230 Sunridge Blvd in Winter Garden, Florida. The request is to allow a rear yard setback of 12' feet in lieu of the required 20' feet, in order to expand a covered porch 8' x 22' feet. This is an addition to the existing 8' x 22' square foot porch.

The subject property, located on Sunridge Boulevard, is an approximately 0.19 ± acre lot. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:

The subject property carries the zoning designation PUD (Planned Unit Development), which was approved under Ordinance 14-06, and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan. The property is located in the Cypress Reserve neighborhood.

EXISTING USE

The property is developed with a sigle-family home.

ADJACENT LAND USE AND ZONING

The properties to the south, east, and north of the subject property are developed with single-family residences, are zoned PUD (Cypress Reserve Subdivison), and are in the City of Winter Garden's municipal limits. The property to the west is developed with a single-family home, is zoned PUD (Black Lake Preserve Subdivision), and is also within the City's municipal limits.

PROPOSED USE

The current porch faces west and its smaller size, and direction facing the sun, tends to heat up uncomfortably. The applicant is requesting the variance to allow the expansion of the covered porch by 8' x 22' feet. 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'.

CODE REFERENCE

Sec. 1(c)(5). of the Cypress Reserve PUD Ordinance addresses the minimum yard requirements. This section states,

Setbacks and Required Yards-

65'x125' Lots		75'x125' Lots	
Front Yard	20'	Front Yard	20'
Rear Yard	20'	Rear Yard	20'
Side Yard	7.5'	Side Yard	7.5'
Corner	20'	Corner	20'
Front Load Garage (Front)	25'	Front Load Garage (Front)	25'
Porch/ Courtyard Garage (Front)	15'	Porch/ Courtyard Garage (Front)	15'
Pool (Side & Rear)	5'	Pool (Side & Rear)	5'

The applicant is seeking a variance to the rear yard setback of 65' wide lot.

CODE REQUIREMENTS / CRITERIA

Section 118-131 of the City Code that relates to the review criteria states that, "A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue." The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of

adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
The variance request is for the expansion of the rear porch is typical and is still much smaller than most patio areas that utilize the entire backyard for pools and screened enclosures. Furthermore, there is a large 24' wide landscape buffer that exists between the applicant's property the properties to the west. The request should have little if any negative impacts on the standard of living of the adjacent property owners.

(2) *The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;*
The requested variance does not change the residential nature of the property. The applicant is requesting the variance in order to expand the already existing 8' x 22' porch with the same style of gabled roof.

(3) *In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;*
Strict compliance with the City's land development regulations will not further any legitimate City objective.

(4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to low density residential neighborhood character.

(5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*
The variance requested is the minimum variance that will make reasonable use of the land. The expansion of the porch will allow a more enjoyable experience for the resident while not impacting the rear neighbors lots due to a large 24' wide landscape buffer. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to Ordinance 14-06 Section 1(c)(5) for the property located at 14230 Sunridge Blvd. If approved, this variance will allow a rear yard setback of 12' feet in lieu of the required 20' feet, in order to expand a covered porch by an additional 8' x 22' feet subject to the following conditions:

1) The variance request is for a covered porch. The porch cannot be converted into a living space that is walled and air-conditioned.
2) The covered porch shall have a gabled roof that matches the roofline and architectural style of the home.

NEXT STEP

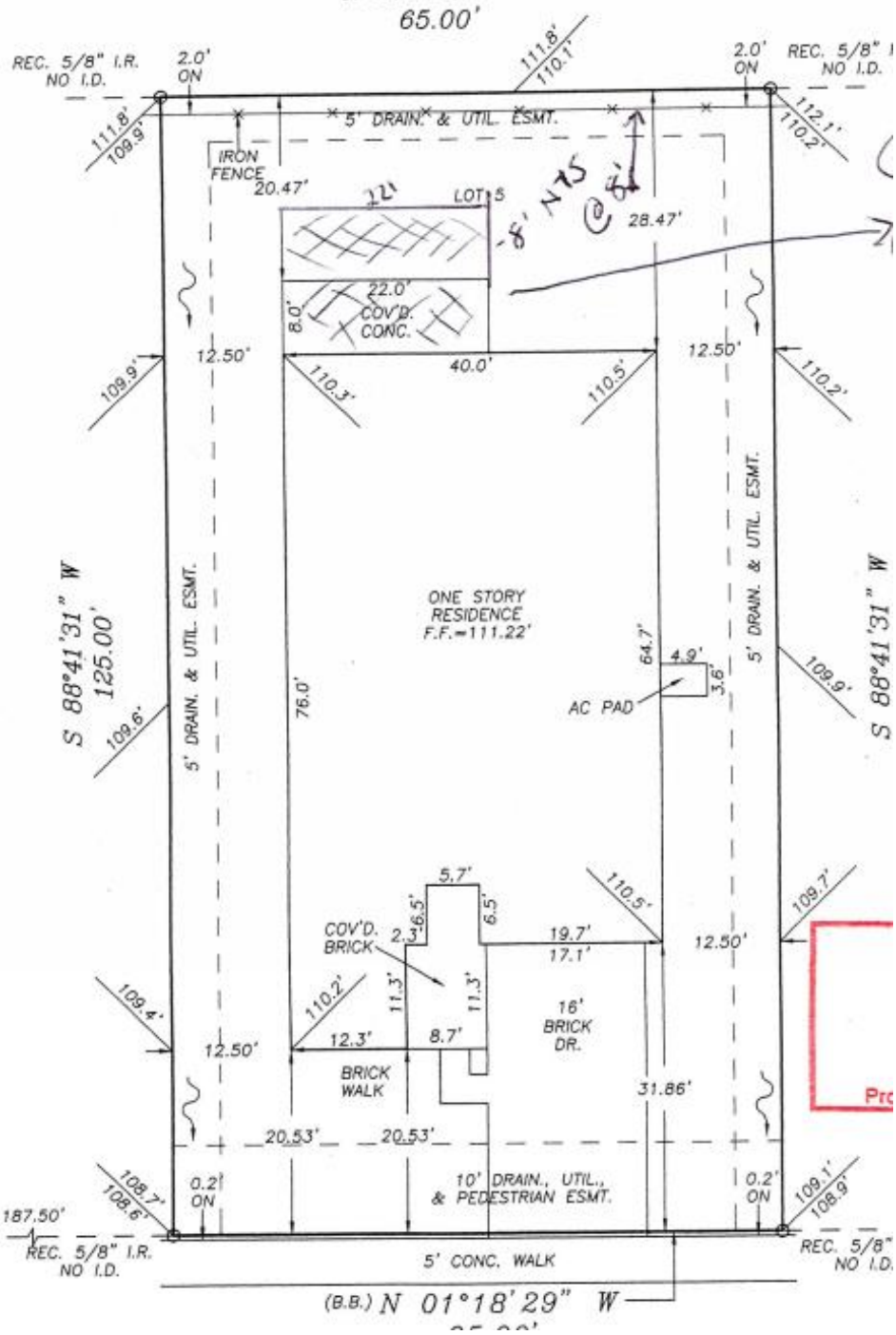
Follow all City regulations and apply for building permits.

ATTACHMENTS

- Aerial Photo
- Survey
- Site Photos

AERIAL PHOTO
14230 Sunridge Blvd

Survey
<u>14230 Sunridge Blvd</u>



SITE PHOTOS
14230 Sunridge Blvd

END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM #12

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 403 S Lakeview Ave (Variance)
Project Name: 403 S Lakeview Ave (Carl Jacobs Builders, Inc.)
Parcel ID: 23-22-27-8102-00-130
Issue: The applicant is requesting a variance for the property located at 403 S Lakeview Ave.

Supplemental Material / Analysis:

Owner / Applicant: Carl Jacobs Property
Current Zoning: R-2
Proposed Zoning: N/A
Current FLU: LR – Low Density Residential
Proposed FLU: N/A

Summary: The applicant is requesting a variance, to Winter Garden Code of Ordinances Section 118-398(1)(a)&(c) for the property located at 403 S Lakeview Ave, to allow a rear yard setback of 9' in lieu of the required 29', and a front yard setback of 24' in lieu of the required 30', in order to build a single-family home with a detached garage (See Staff Report).

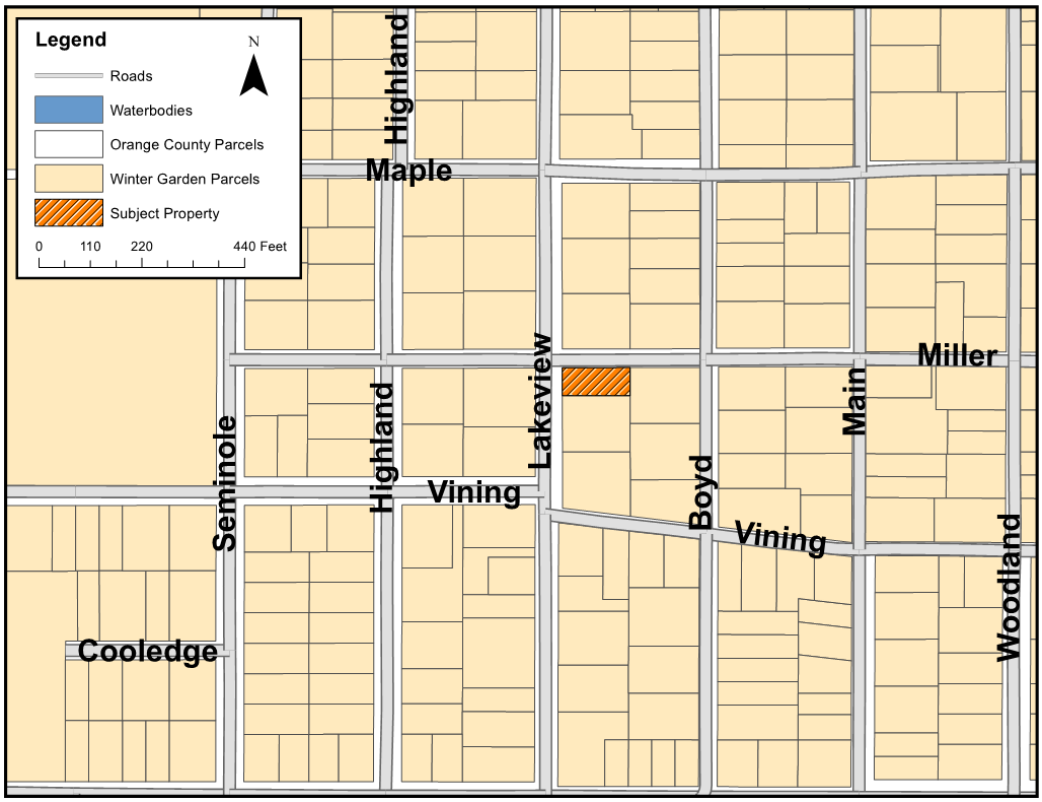
Staff Recommendation(s):
Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report.

Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

403 S Lakeview Ave
<u>Variance</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

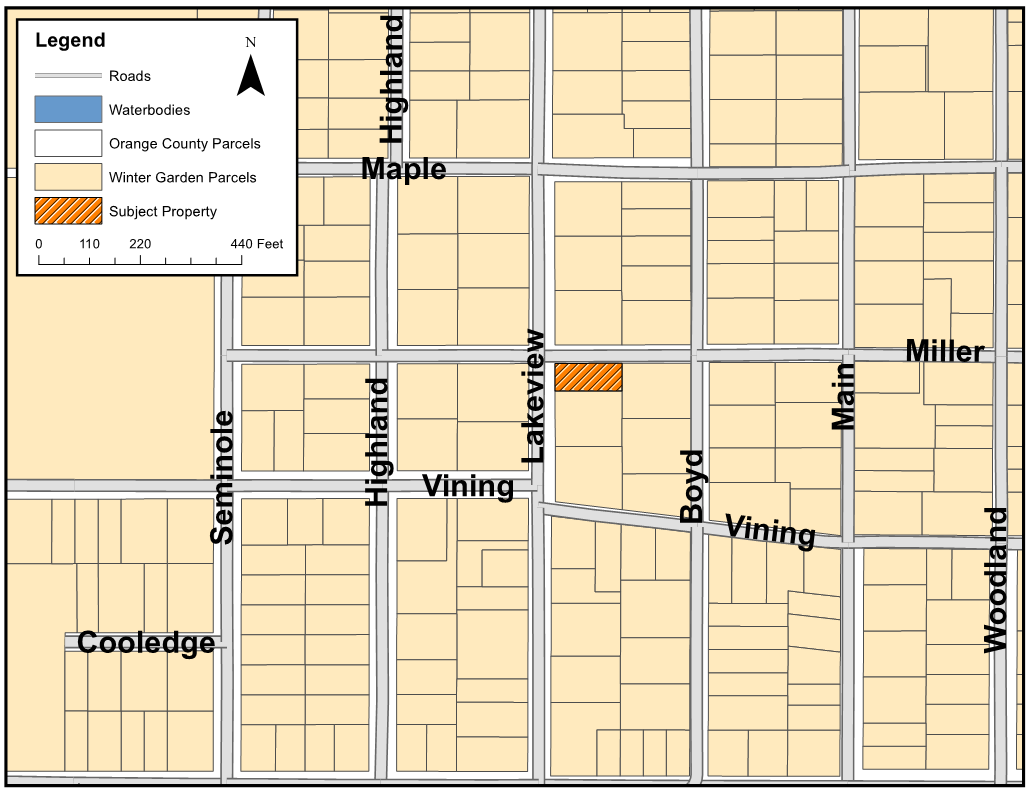
TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Senior Planner
DATE: June 26, 2020
SUBJECT: VARIANCE
403 S Lakeview Ave (0.20 ± ACRES)
PARCEL ID #23-22-27-8102-00-130

APPLICANT: Carl Jacobs Builders, Inc.

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 403 S Lakeview Ave in Winter Garden, Florida. The request is to allow a a rear yard setback of 9' feet in lieu of the required 29' feet, and a front yard setback of 24' feet in lieu of the required 30' feet, in order to build a single-family home with a detached garage.

The subject property, located on S Lakeview Avenue, is an approximately 0.20 ± acre lot. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The subject property carries the zoning designation R-2 (Residential District) and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The property is currently vacant and undeveloped.

ADJACENT LAND USE AND ZONING

The properties to the south, east, and west of the subject property are developed with single-family residences, are zoned R-2, and are in the City of Winter Garden's Municipal limits.

PROPOSED USE

The applicant is requesting the variance to allow the construction of a two-story single-family home with detached garaged. The home will be 2,894 square feet of a/c area, with 603 square feet as front and rear porches, for a total square footge of 3,497. The garage is 622 square feet.

CODE REFERENCE

Sec. 118-398. of the City Code of Ordinances addresses the minimum yard requirements for single-family dwellings in the R-2 Zoning District. This section states,

In the R-2 residential district, the minimum yard requirements are as follows:

(1) Single-family.

a. Front: 30 feet
b. Side: ten feet each
c. Rear: 20 percent of depth of lot.

The applicant is seeking a variance to the front and rear yard setback.

CODE REQUIREMENTS / CRITERIA

Section 118-131 of the City Code that relates to the review criteria states that, "A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue." The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
The front setback request is for the open porch, with the façade of the home maintaining the 30' setback from the front property line. The rear setback request is for the detached garage and not the primary dwelling unit. Both setback requests should have little if any negative impacts on the standard of living of the adjacent property owners.

(2) *The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;*
The requested variance does not change the residential nature of the property. This style of home and its layout are very typical of today's homes. Particularly those homes on more narrow lots. The detached garage is also a typical feature of homes in the City's historic distric, which this proposed home is very close to.

(3) *In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;*
Strict compliance with the City's land development regulations will not further any legitimate City objective. The existing lot is 60' wide which is much narrower than the 75' wide lot width requirement for the R-2 zoning district.

(4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to low density residential neighborhood character.

(5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*
The variance requested is the minimum variance that will make reasonable use of the land as the request is to build a home on 60' wide lot that will be both functional and ascetically appealing. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to Section 118-398(1)(a)&(c) to allow a rear yard setback of 9' feet in lieu of the required 29', and a front yard setback of 24' in lieu of the required 30', in order to build a single-family home with a detached garage subject to the following conditions:

1) The front setback request is strictly for the front porch encroachment and not the primary façade of the home.
2) The rear setback request is strictly for the proposed detached garage and not the primary structure.
3) The home and detached garage will be built in the same architectural style and massing that were provided by the applicant for this variance request.

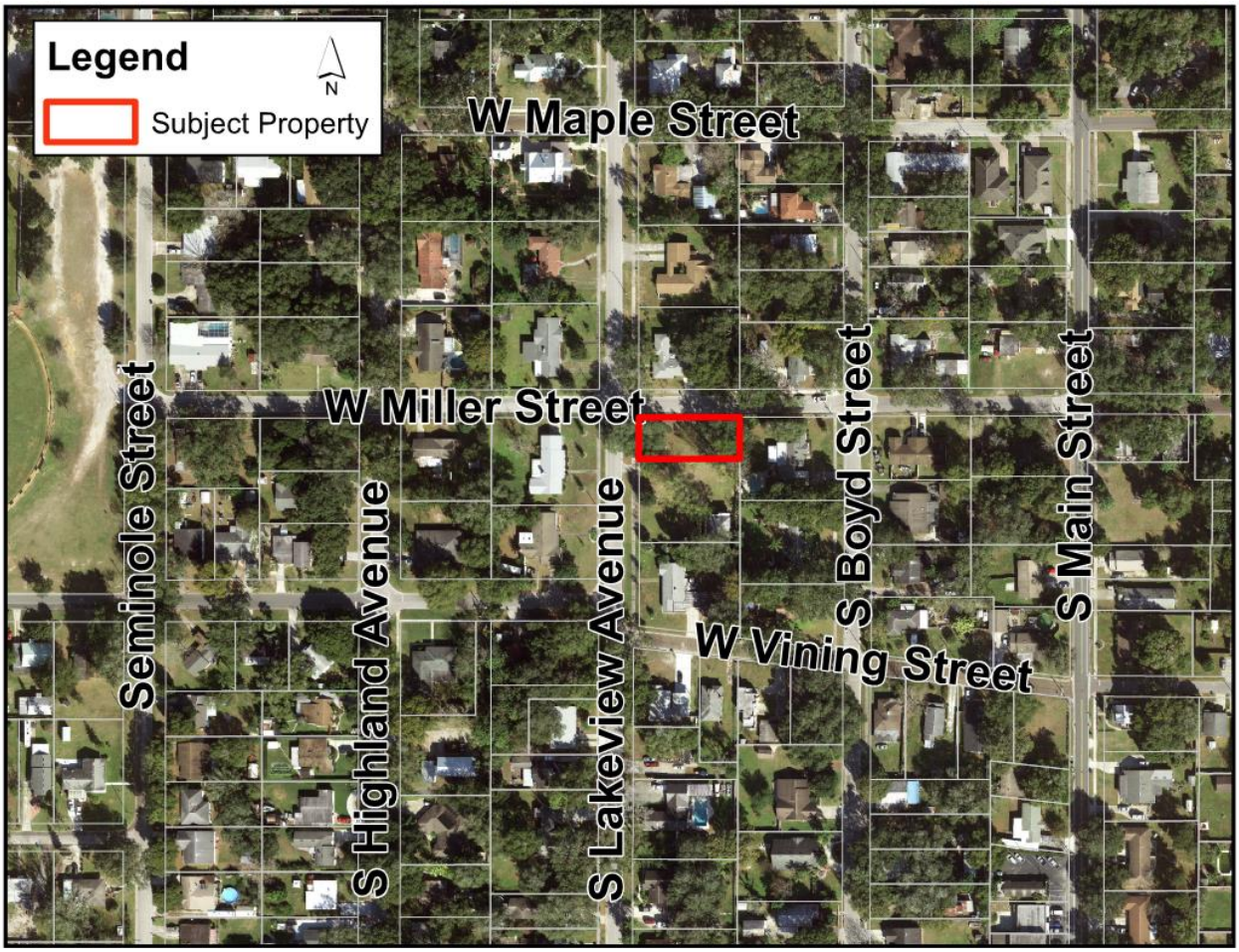
NEXT STEP

Follow all City regulations and apply for building permits.

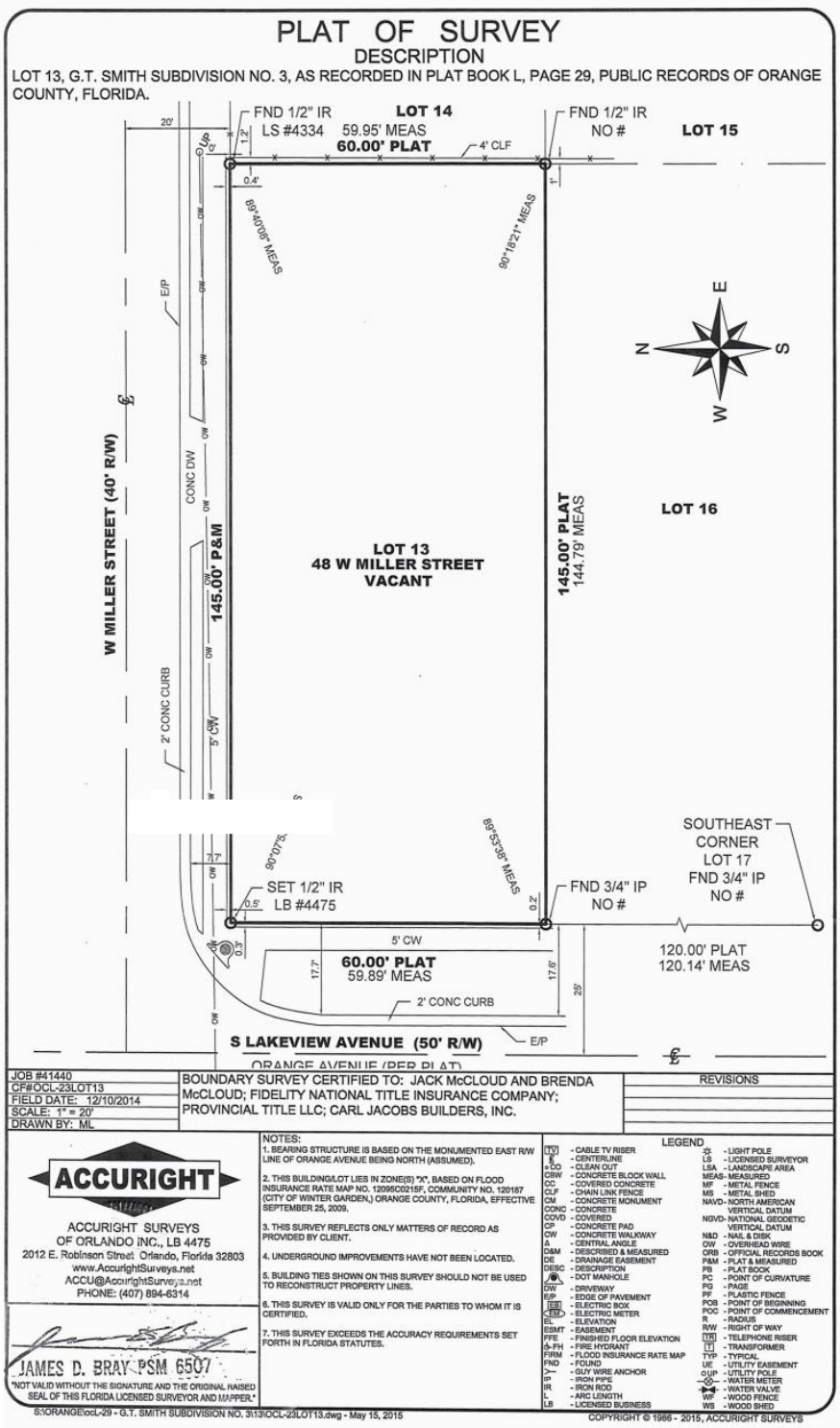
ATTACHMENTS

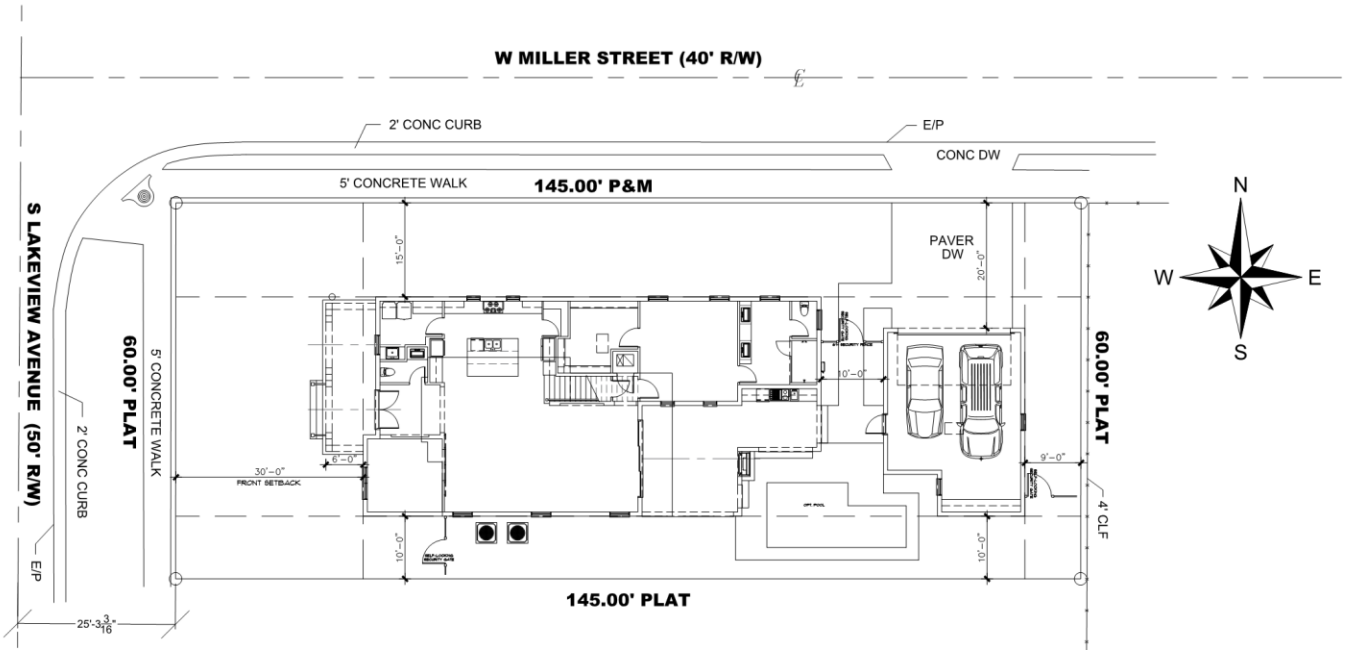
- Aerial Photo
- Survey
- Site Photos

AERIAL PHOTO
403 S Lakeview Avenue



Survey and Site Plan
<u>403 S Lakeview Avenue</u>

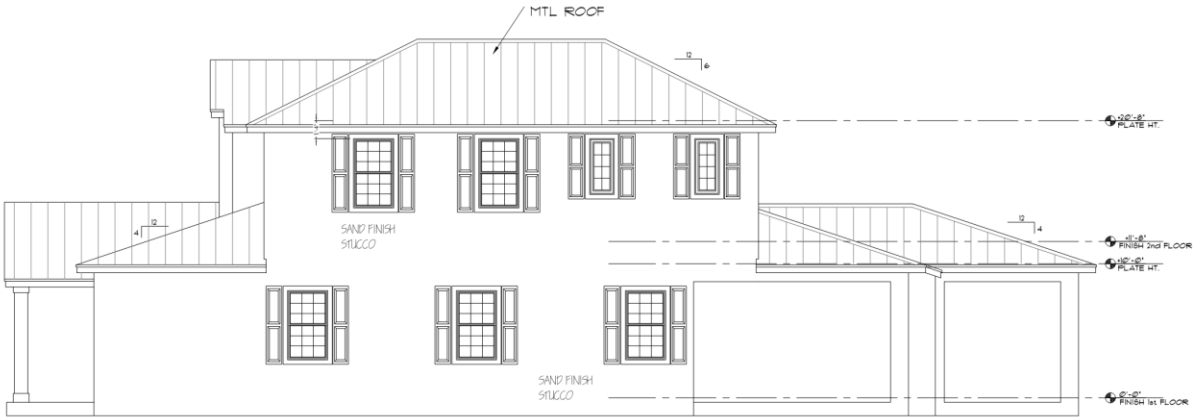




Elevations
403 S Lakeview Avenue

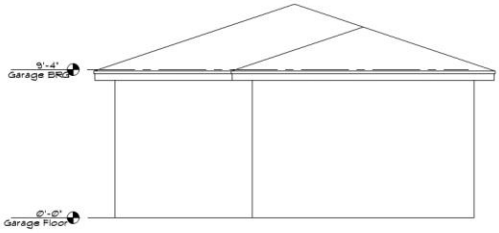
1 FRONT ELEVATION
1/4" = 1'-0"

2 LEFT ELEVATION
1/4" = 1'-0"



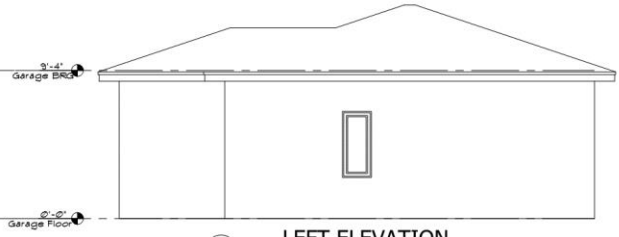
1 RIGHT ELEVATION
1/4" = 1'-0"

1 FRONT ELEVATION
1/4" = 1'-0"



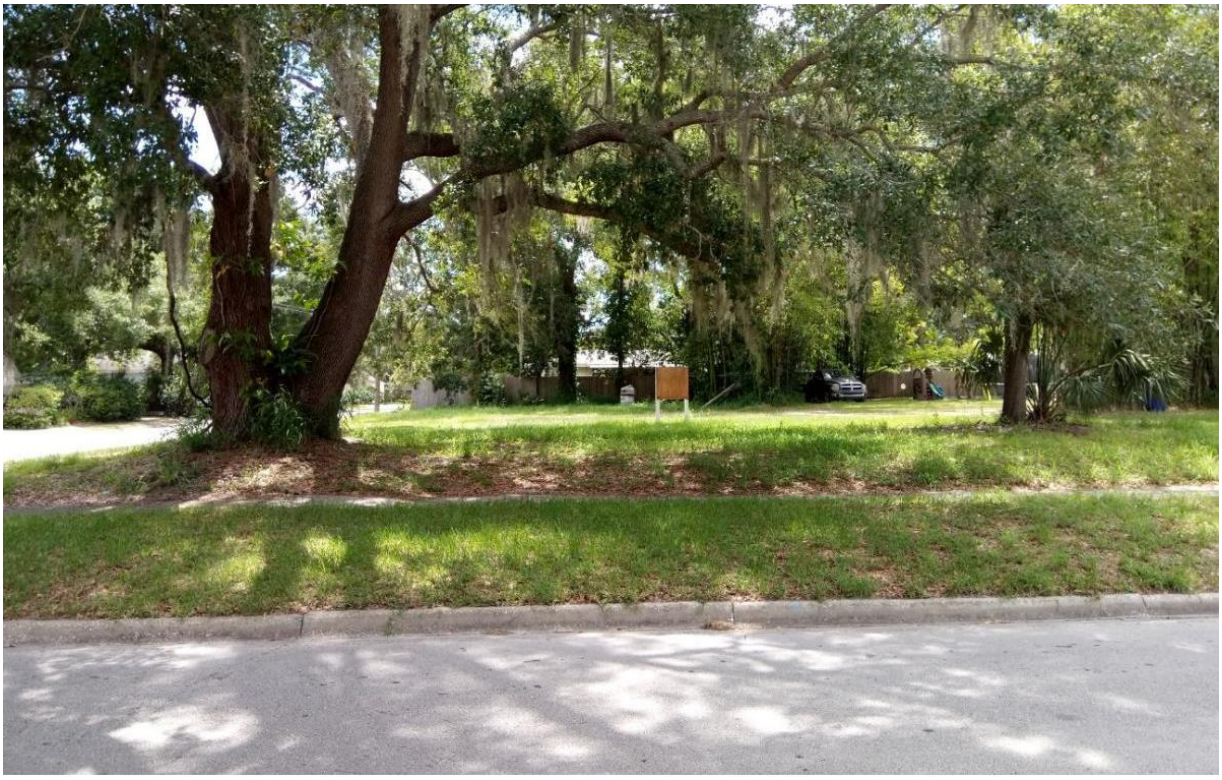
2 REAR ELEVATION
1/4" = 1'-0"

3 RIGHT ELEVATION
1/4" = 1'-0"



4 LEFT ELEVATION
1/4" = 1'-0"

SITE PHOTOS
403 S Lakeview Avenue



END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM #13

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 361 N Boyd Street (Variance)
Project Name: 361 N Boyd Street (Farese Residence)
Parcel ID: 14-22-27-9396-02-010
Issue: The applicant is requesting a variance for the property located at 361 N Boyd Street.

Supplemental Material / Analysis:

Owner / Applicant: Farese Property
Current Zoning: R-2
Proposed Zoning: N/A
Current FLU: LR – Low Density Residential
Proposed FLU: N/A

Summary: The applicant is requesting 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 a tree house greater than 160 square feet (See Staff Report).

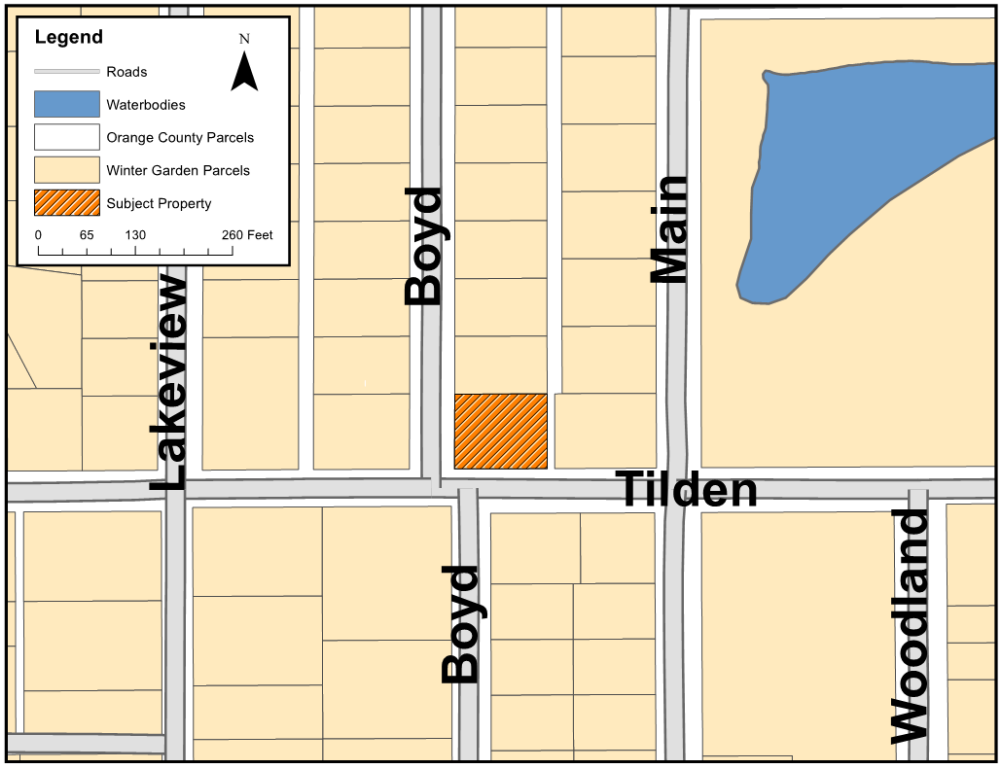
Staff Recommendation(s):
Staff recommends approval of the variance subject to the condition(s) outlined in the Staff Report.

Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

361 N Boyd Street
<u>Variance</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

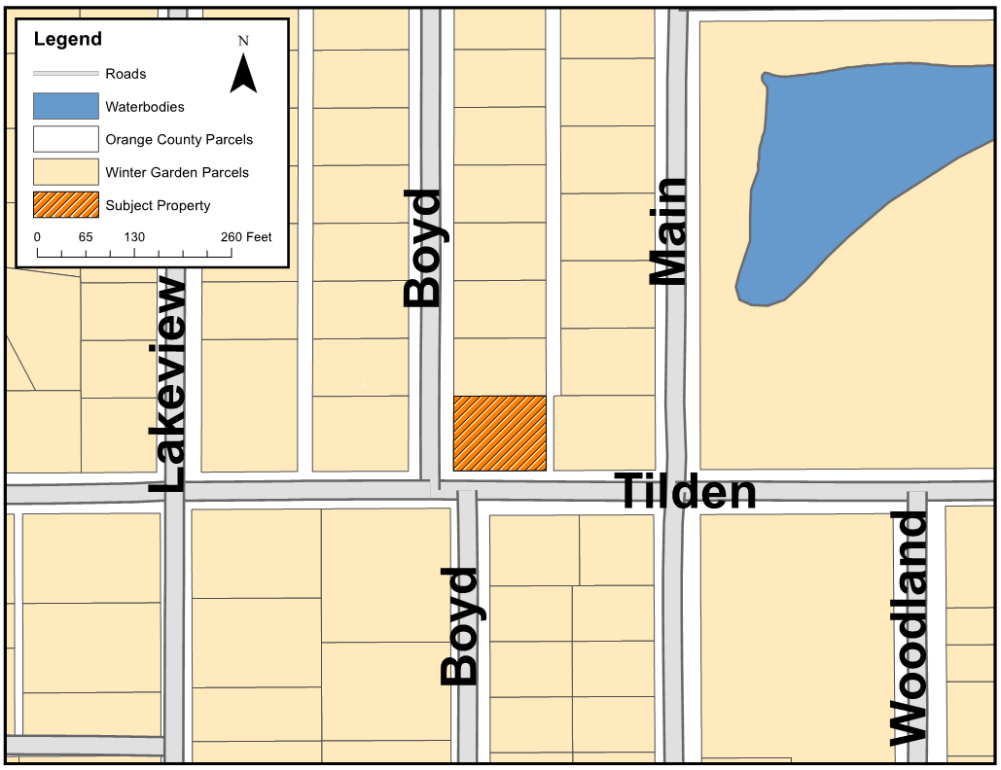
TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Senior Planner
DATE: June 26, 2020
SUBJECT: VARIANCE
361 N Boyd Street (0.28 ± ACRES)
PARCEL ID #14-22-27-9396-02-010

APPLICANT: Farese Residence

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 361 N Boyd Street in Winter Garden, Florida. The request is to allow an accessory building with a rear yard setback of 18'-5" in lieu of the required 24'-6", and a height of 22'-5" in lieu of the maximum 12', in order to build a tree house greater than 160 square feet.

The subject property, located on 361 N Boyd Street, is an approximately 0.28 ± acre lot. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The subject property carries the zoning designation R-2 (Residential District) and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The property is developed with a single-story single-family home.

ADJACENT LAND USE AND ZONING

The properties to the north, south, east, and west of the subject property are developed with single-family residences, are zoned R-2, and are in the City of Winter Garden's Municipal limits. The property is adjacent to, but outside of, the City's Historic District.

PROPOSED USE

The applicant is requesting the variance in order to build a tree house greater than 160 square feet, in an existing live oak, in the back yard.

CODE REFERENCE

Sec. 118-398. of the City Code of Ordinances addresses the minimum yard requirements for single-family dwellings in the R-2 Zoning District. This section states,

In the R-2 residential district, the minimum yard requirements are as follows:

(1) Single-family.

a. Front: 30 feet
b. Side: ten feet each
c. Rear: 20 percent of depth of lot.

Sec. 118-1310. of the City Code of Ordinances addresses the minimum requirements for accessory buildings and accessory structures. This section states,

Accessory buildings shall be designed to blend aesthetically with the principal building. Detached accessory building walls shall not exceed nine feet in height, and roof peaks shall not exceed 12 feet in height. No accessory building may be located in the front yard or within any recorded easement. No more than two such accessory buildings may be located on any lot.

(c) Setback and separation requirements for detached accessory buildings.

(2) Accessory buildings—Greater than 160 square feet. An accessory building greater than 160 square feet shall comply with the above requirements with the following exceptions:

a. An accessory building greater than 160 square feet must comply with all the setback requirements of the principal structure.
b. An accessory building greater than 160 square feet must be separated from the principal structure by a minimum of ten feet.
c. An accessory building greater than 160 square feet shall not occupy more than 25 percent of the rear yard.

The applicant is seeking a variance to the rear yard setback and the height for accessory buildings in order to construct a tree house.

CODE REQUIREMENTS / CRITERIA

Section 118-131 of the City Code that relates to the review criteria states that, "A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue." The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) *Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;*
The rear yard of the home is only directly abutting the neighbor to the north. The southern portion of the property is abutting West Tilden Street and the eastern portion of the property is abutting an alleyway. The 10' alley separates the property that is east of the subject property. The tree house will be setback over 18' from the property line and alleyway and will be screened within the tree. This should have little if any negative impacts to the adjacent property owners or citizens of the City.

(2) *The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;*
The requested variance does not change the residential nature of the property.

(3) *In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;*
Strict compliance with the City's land development regulations will not further any legitimate City objective.

(4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to low density residential neighborhood character.

(5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*
In this case a variance would have been necessary, regardless of square footage, due to the height of the tree. Becuase of the tree's height this is the miminum variance. In addition, the City does not have specific criteria for tree houses and must regulate them as an accessory structure. Therefore, there are no further benefits under other variance criteria because the tree house is unique to the tree.

SUMMARY

City Staff recommends approval of a variance to Section 118-398(1)(c) and Section 118-1310(b) for the property located at 361 N Boyd Street. This variance will 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 a tree house greater than 160 square feet subject to the following conditions:

1) The applicant shall provide to the Community Development Department a letter, signed and sealed from a licensed engineer, showing that the tree house is structurally sound and can withstand wind loads as prescribed by Florida Building Code.

NEXT STEP

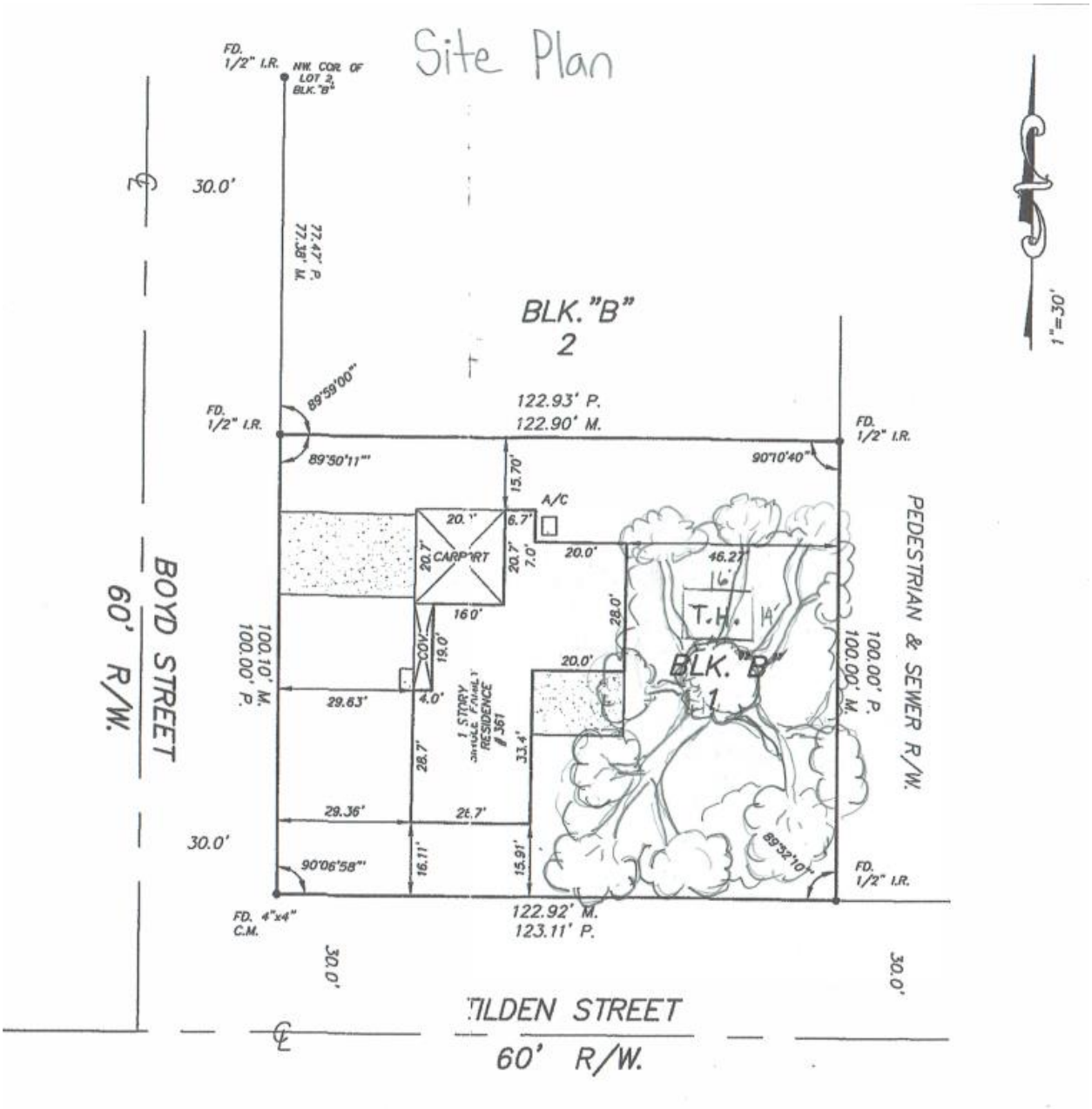
Follow all City regulations and apply for building permits.

ATTACHMENTS

- Aerial Photo
- Survey
- Site Photos
- Petition

AERIAL PHOTO
<u>361 N Boyd Street</u>

Survey and Site Plan
<u>361 N Boyd Street</u>



Site Photos
<u>361 N Boyd Street</u>

	Name	Address
1	Linnie Lowe	419 N Boyd St. Winter Garden
2	Jim Lowe	419 N Boyd St, Winter Garden
3	HARRY DAVENPORT	365 N. Boyd St. Winter Garden
4	Paula Hodge	515 N Boyd St Winter Garden
5	MATTHEW HODGE	515 N BOYD ST WINTER GARDEN
6	Richard Smith	441 N Boyd ST Winter Garden
7	Ava Wetzstein	362 N boyd st Winter Garden
8	William Wetzstein	362 N Boyd St, Winter Garden
9	Thomas Ball	240 N Boyd st (WG)
10	EVITA V. BALL	240 N BOYD ST. (W.G).
11	JOSEPH T. KLEM	234 N. BOYD ST WG
12	Marie Klem	234 N. Boyd St. WG
13	[illegible]	230 N. Boyd st.
14	[illegible]	212 N. Boyd St.
15	Sarah Wolfe	221 N. Boyd ST
16	[illegible]	233 N. Boyd. ST.
17	[illegible]	214 N. Boyd St.
18	Ed Schutter	247 N. Boyd St.
19	Larry Fleming	350 N Main St
20	Linda L. Dangel	366 N. Main St.
21	Grace Maxeiner	369 N. Boyd St
22	Rebecca Fulmer	374 N. Boyd St.

the DAR LADY

23	Amy Crouch Amy Crouch	118 W. Tilden St. Winter Garden, FL 34787
24	Alan Crouch.	118 W. TILDEN ST. WG FL. 34787.
25	JOHN CONNELL	247 N. LAKEVIEW WG 34787
26	SUSAN KIEHM	221 N. LAKEVIEW AVE WG 34787
27	John Roberts	205 N. Lakeview Ave. WG 34787
28	Ashlynd sellers	209 N Boyd St.
29	Ana Kuykendall	239 N Boyd st
30	James Weinbacher	356 N. Boyd St. Winter Garden
31	Rae Brown	434 Timbercreek Dr. S WG 34787
32	Marc L Brown	" " " "
33	LeAnn LaBarre LEANN LABARRE	433 N. Boyd st.
34	RANDY WILSON	720 ORANGE BELT COVE
35	Courtney Martin	226 Timbercreek Pines Cir.
36	Leah Vernon	618 Lake Cove Pointe Circle
37	Joe King	422 COUNTRY OAKS BLVD WG.
38	Andrew Cisowski	438 N. Woodland St WG
39	Brad Delarm	149 E. Tilden St. W.G.
40	José D Morales	149 E. Tilden ST. W.G.
41	Chris Pedrinan	604 Aldama Court
42	Jennifer Pedrinan	604 Aldama Court
43	Julie Taylor	1020 Woodson Hammock Cir.
44	Miles BROCHAUS	6. Desiree Aurora St. W.G.
45	Kylee Meredith	734 Lost Grove CIR WG FL

Save the Treehouse!

46	Lydia Quesinberry Taylor Lydia Quesinberry Taylor	915 W. Story Rd. Winter Garden 34787
47	Tim Taylor Tim Taylor	915 W. Story Rd Winter Garden 34787
48	Shayna Sotelo	~~609~~ 309 Henschen Oakland
49	Catherine Vernon	1761 Americus Minor Dr 34787, Winter Garden
50	Earl McGriff	231 Daniels Pointe Drive 34787, Winter Garden
51	Simba Durio	1027 Jilliam Way Winter Garden
52	Anthony Vernon	1761 Americus Minor Drive 34787 Winter Garden, FL
53	Amy Quesinberry	393 N. Boyd St, WG 34787
54	Rebecca Lanterman	712 Tangerine Ct WG 34787
55	Alice Lanterman	608 W Bay St WG 34787
56	Jeremiah Bradford	15632 Sunquat Dr WG 34787
57	Amanda Borghesi	3455 Seminole St 34734
58	Kenny Griffis	112 S Main St. Winter Garden 34787
59	Tammy Grant	6326 Earthgold Dr Windermere 34786
60	Chelsea Grant	6326 Earthgold Dr Windermere 34786
61	Bethany Grant	6326 Earthgold Dr Windermere 34786
62	Rose Fisher	835 Meadow Park Dr, Winter Garden 34785
63	Lila Leyva	7919 Rock Dove Dr. 34787
64	Lola Leyva	7919 Rock Dove Dr. 34787
65	Brenda Leyva	7919 Rock Dove Dr. 34787
66	Michael C. Horton	14627 Magnolia Ridge Loop, 34787
67	Amanda Horton	14627 Magnolia Ridge Loop WG
68	Brittany Fekay	16716 Magnolia terrace Blvd Montverde Fl. 34756

69	C. Michael Holt Jr.	309 E. Henshaw Ave Oakland FL 34760
70	MARK FISHER	835 MEADOW PARK DRIVE MINNEOLA, FL 34715
71	[illegible]	1127 Lake Legro Ct. Orlando FL 32835
72	Amanda Martin	546 Saddell Bay Loop, Ocoee, 34761
73	MATTHEW SHELTON	10745 SHADOW OAK TRAIL CLERMONT, FL 34711
74	Tamela Adams	1407 Prairie Oaks Ct. Ocoee
75	Stefanie Mattos	370 Merlot Drive, Ocoee
76	Kacheena Trudeau	Arbours Point Way Ocoee
77	MONICA PETERSON	1357 MATADOR DR GOTHA
78	Claudia Mattos	370 Merlot Dr., Ocoee
79	Jessica Lucus	433 Newnorth Cir
80	E. Holst	437 Courtlea Oaks Blvd
81	W. L. Jernigan	1021 Mildred Dixon Way, W.G.
82	E.A. Aivazian	16279 Taliesien St, W.G.
83	[illegible]	16279 Taliesin St, W.G.
84	[illegible]	6216 Sunset Isle Dr., W.G
85	Paige Butler	6216 Sunset Isle Dr, W.G
86	Scot Crider	338 Charlotte St., W.G
87	[illegible]	223 S. Lakeview Ave
88	Sollostine Graham	2231 Taylor St.
89	[illegible]	14909 Driftwater Drive
90	Kelly Gray	9001 Red Gold Ln
91	Colleen Bianco	1298 Estancia Woods Loop Windermere

Save the treehouse!

92	Deanna Meredith	409 E Oakland Ave
93	Lorraine Reep	1010 Garden Circle
94	Maeri Zey	540 N Main St
95	Susan Kiehm	221 N Lakeview Ave
96	Janice Kiehm	221 N Lakeview Ave
97	Heather Jones	1150 Chase Dr. WG FL 34787
98	Vivana Persaud	15627 Kinnow Mandarin, WG FL 34787
99	Navian Persaud	15627 Kinnow Mandarin Ln, WG FL 3478
100	Theresa Couch	323 Bayside WG
101	Johnny Couch	323 Bayside WG
102	Deborah Brockyer	6 Desiree Aurora St WG
103	Lynnsay Jones	514 Palm Dr WG
104	Kari Land	913 butter Oaks Ct WG
105	April Soehren	944 Glenview Cir WG
106	Bryan Stokes	85 Windtree Ln WG
107	Michael Rile	387 N. lakview ave WG
108	Samantha Abney	358 N. Main St WG
109	Melissa Evans	314 Apopka St WG
110	Ashley Westmoreland	415 N. main St WG
111	Westin Westmoreland	415 North Main Street WG
112	Ariel Ivey	1036 Glensprings Ave, WG
113	Levi Ivey	1036 Glensprings AV WG
114	William C. Ray	214 S. Woodland ST. WG.

115	Melanie Winslow	273 James Dr. WG
116	Jessica Stone	407 N. Main St WG
117	[illegible]	"407 N. Main St. WG"
118	[illegible]	398 N Main St.
119	Brian Billenberg	398 N Main St.
120	Emily Headley	423 N. Main Street
121	Lisa Headley	423 N Main Street
122	[illegible]	423 N MAIN STREET
123	[illegible]	344 N. Park AVE
124	[illegible]	613 S. Central Ave
125	[illegible]	613 S. Central Ave
126	[illegible]	613 S. Central Ave
127	Brian [illegible]	224 Charolette St.
128	Wayne Brost	228 W Lafayette St
129	Sarah Brost	228 W Lafayette St
130	Wayne Brost Sr	224 W Lafayette St
131	Katysha Langer	232 W. Lafayette St.
132	[illegible]	232 W Lafayette St.
133	Bowen	527 Seminole St.
134	L. Bowen	527 Seminole St
135	[illegible]	1053 GLENHARBOR CIR
136		
137		

138	Kristin Hollingsworth	632 Lake Cove pointe cir.
139	Steve Hollingsworth	632 Lake Cove Pointe Circle
140	Chelsea Acosta	638 Hearthglen Blvd
141	Elaine Lundberg	424 N Main St
142	Nicole Stone	229 N. Lakeview Ave
143	Heather Majors	414 West Bay St.
144	Kyle Majors	414 West Bay St.
145	Dawson Martin	226 Timbercreek pines cir
146	Mark Akers	712 N. LAKEVIEW AV.
147	Jon Lee Fulford	391 Grove Ct. W.G. 34787 407-637-6887
148	Erin Akers	335 W. Newell St.
149	Donna Akers	335 W. Newell St
150	Liam Akers	335 W. Newell St.
151	Margi Orozco	18 W Division St.
152	Andrea Athens	701 Lake Cove Pointe Cir
153	Susanna Whitford	420 Lone Heron Way.
154	John Whitford	420 Lone Heron Way
155	Jennifer Minnick	74 E. Crest Ave
156	Brandon Minnick	74 E. Crest Ave
157	Stephanie Michels	621 Palm Dr.
158	Jack Michels	621 Palm Dr.
159	Stephen Longkins	1046 Huntspoint Street
160	Dawn Longkins	1046 Huntspoint Street

161	Monica [illegible]	430 N Lakeview Ave Winter Garden
162	Keith Moore	430 N Lakeview Ave Winter Garden
163	Randy Schmidt	14 Garden Primrose Winter Garden
164	Debbie Buchanan	207 James Drive
165	Wally Buchanan	207 James Drive
166	Sage Sterkey	28 E. Tilden St.
167	Shannon Sterkey	28 E. Tilden St.
168	Sean Nedd	1075 Maxey Dr
169	Amanda Wood	451 Regal Downs Cir
170	[illegible]	17121 Live oak Court 34787
171	Jourleigh Sales	333 Lake Amberleigh Dr. 34787
172	[illegible]	109 W. Tilden St. WG FL 34787
173	Jerry Martin	552 N. Main St. WG. 34787
174	Brian Martin	552 N. Main St. WG 34787
175	Denise Mead	130 Deepcove Rd WG 34787
176	Glenda Mead	130 Deepcove Rd WG 34787
177	Dillon Hall	130 Deepcove Rd WG 34787
178	JOHN GROSSHANS	1069 GLEN HARBOR CIR WG 34787
179	Lindsay Grosshans	1069 Glenharbor cir Winter Garden 34787
180	Jeff Dyal	111 Regal Place, 34787
181	Melissa Dyal Melissa Dyal	111 Regal Place, WG 34787
182	Michelle Babcock	1707 AMERICUS MINOR DR.
183	Lisa Sharp	165 E. Tilden St WG 34787
184	Ella Sharp	165 E. Tilden St WG 34787
185	Chris Sharp	165 E. Tilden St WG 34787
186	Lane Sharp	165 E. Tilden St WG 34787

END OF STAFF REPORT

THE CITY OF WINTER GARDEN

PLANNING AND ZONING BOARD AGENDA ITEM # 14

(Public Hearing)

Date: June 26, 2020 **Meeting Date:** July 6, 2020

Subject: 1288 N West Crown Point Road (Variance)
Project Name: 1288 N West Crown Point Road (Medina Property)
Parcel ID: 12-22-27-1840-24-010
Issue: The applicant is requesting a variance for the property located at 1288 N West Crown Point Road.

Supplemental Material / Analysis:

Owner / Applicant: Iban Medina
Current Zoning: R-1
Proposed Zoning: N/A
Current FLU: LR Low Density Residential
Proposed FLU: N/A

Summary: The applicant is requesting 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 (See Staff Report).

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

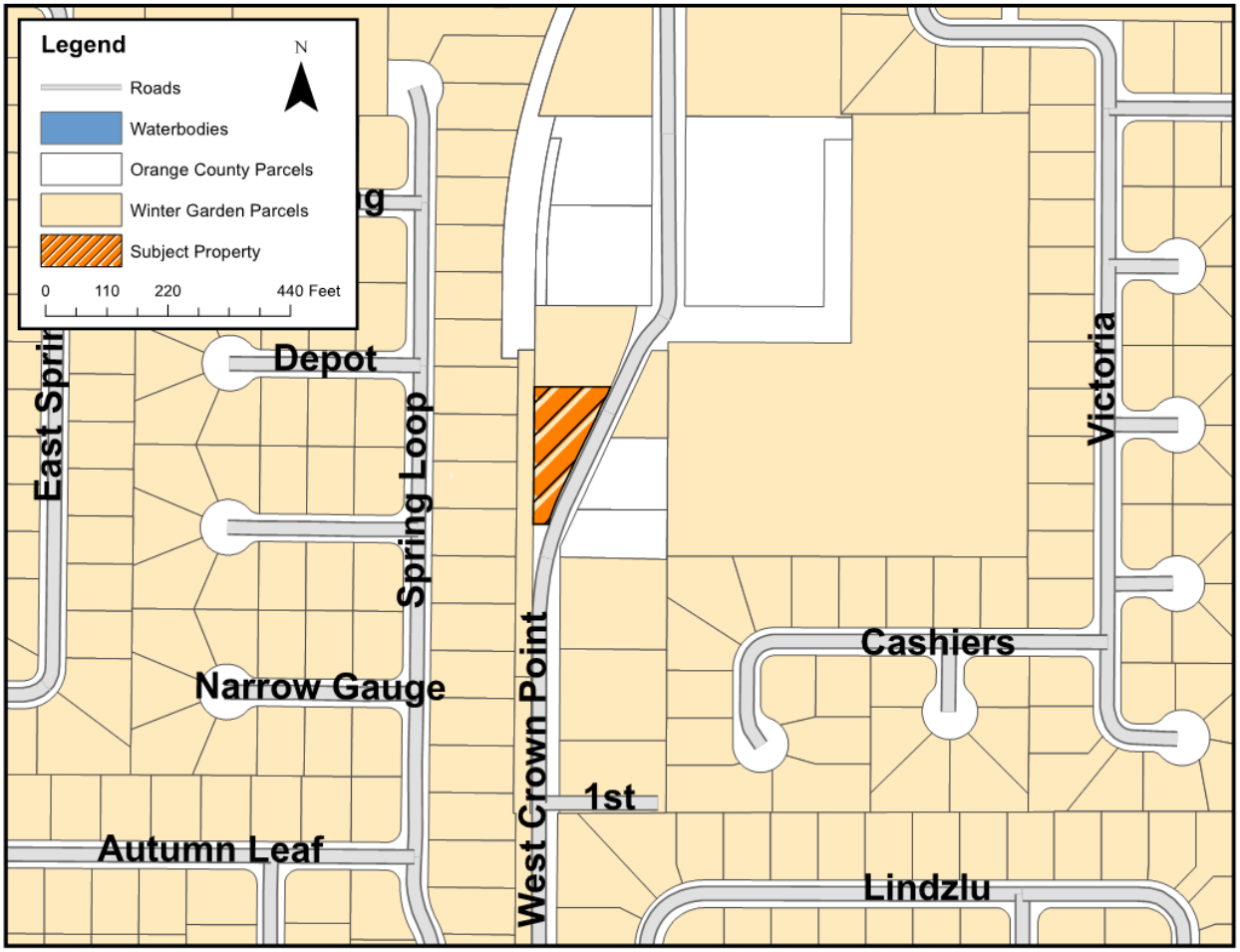
Next Step(s): Follow all City regulations and apply for building permits.

Attachment(s): Location Map
Staff Report

LOCATION MAP

1288 N West Crown Point Road

<u>Variance</u>



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

300 West Plant Street - Winter Garden, Florida 34787-3011 ● (407) 656-4111

STAFF REPORT

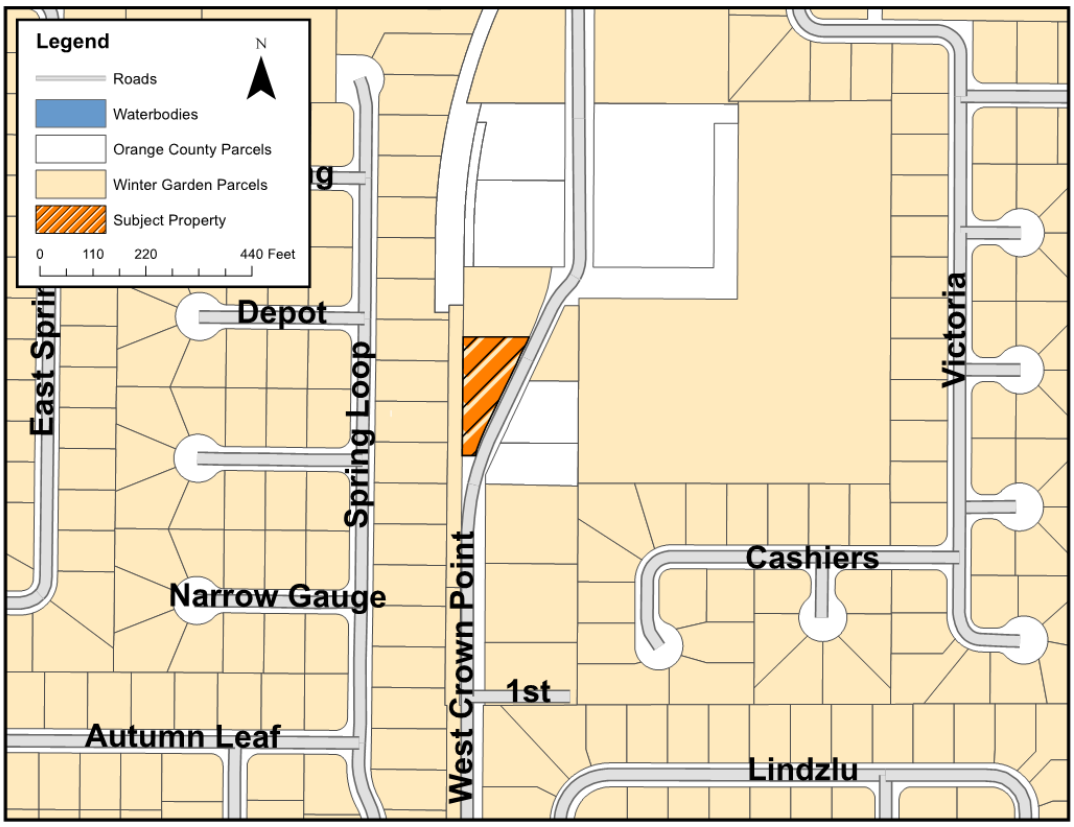
TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Senior Planner
DATE: June 26, 2020
SUBJECT: VARIANCE
1288 N West Crown Point Road (0.50 ± ACRES)
PARCEL ID #12-22-27-1840-24-010 (PARCEL 2 OF THE LOT SPLIT)

APPLICANT: Medina Residence

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 1288 N West Crown Point Road in Winter Garden, Florida. The request is to allow a rear yard setback of 18'-5" in lieu of the required 24' feet, and a front yard setback of 21' in lieu of the required 30', in order to build a single-family home.

The subject property, located on 1288 N West Crown Point Road, is an approximately 0.50 ± acre lot. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The subject property carries the zoning designation R-1 (Residential District) and is designated LR (Low Density Residential) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The property is vacant. The property recently went through a demolition removing several homes and accessory buildings. There is a lot split application running concurrently with this variance request.

ADJACENT LAND USE AND ZONING

The property abuts the West Orange Trail to the west. The homes west of the West Orange Trail are developed with single-family homes, are zoned R-1 (Residential District) are within the City's municipal limits. The property to the north is vacant, zoned R-1 (Residential District) and is within the City's municipal limits. Two properties to the east are developed with single-family homes, are in un-incorporated Orange County, and zoned A-1 (Citrus Rural District). One property to the east is not developed, zoned R-1 (Residential District), and is within the City's municipal limits.

PROPOSED USE

The applicant is proposing to build a single-family home.

CODE REFERENCE

Sec. 118-308. of the City Code of Ordinances addresses the minimum yard requirements for single-family dwellings in the R-1 Zoning District. This section states,

In the R-1 residential district, the minimum yard requirements are as follows:

(1) Single-family.

a. Front: 30 feet
b. Side: ten feet each
c. Rear: 20 percent of depth of lot.

The applicant is seeking a variance to the front and rear yard setback in order to build a single-family home.

CODE REQUIREMENTS / CRITERIA

Section 118-131 of the City Code that relates to the review criteria states that, "A variance may be granted from land development regulations by the planning and zoning board if the planning and zoning board concludes that literal enforcement of the provisions of land development regulations would result in either practical difficulties (for setback and parking provisions) or unnecessary hardships (for all other land development regulations) for the property at issue." The code also lists the following criteria that are to be addressed before a variance can be approved. Underlined text is Staff's comments concerning this particular petition.

(1) Granting the variance will not cause or allow interference with the reasonable enjoyment of

adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;
The rear of the property is abutting the West Orange Trail, the southern and eastern portion of the property faces West Crown Point Road due to the triangular shape of the parcel. Because of the positioning of the parcel the variance request should have little if any negative impacts on nearby properties.

(2) *The variance will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;*
The triangular shape of the property is the reason for the variance request and allows the applicant to build a single-family home that is not out of character, or oddly shaped, for a residential property.

(3) *In the context presented, strict compliance with the land development regulation will not further any legitimate city objective or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied;*
Strict compliance with the City's land development regulations will not further any legitimate City objective.

(4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance is consistent with the provisions of the City's Comprehensive Plan relating to low density residential neighborhood character.

(5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*
The variance requested is the minimum variance that allows the applicant to build a single-family home without having to construct a pie shaped house or significantly reduce the square footage of the home. Denying this variance does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to the Winter Garden Code of Ordinances Section 118-308(1)(a)&(c) for the property located at 1288 N West Crown Point Road, to 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 subject to the following conditions:

1) The variance requested is only for the primary structure and is not intended for accessory buildings or accessory structures.

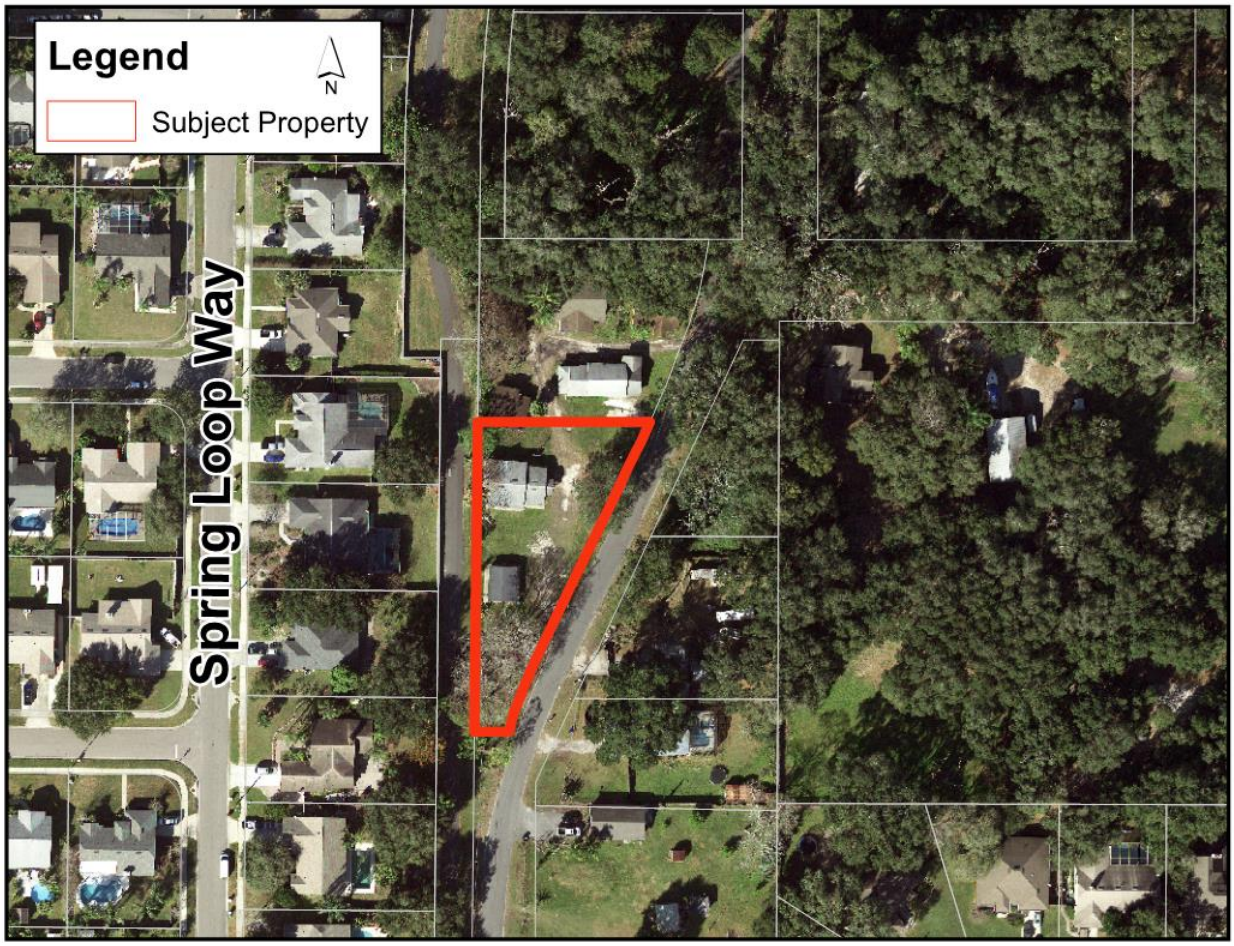
NEXT STEP

Follow all City regulations and apply for building permits.

ATTACHMENTS

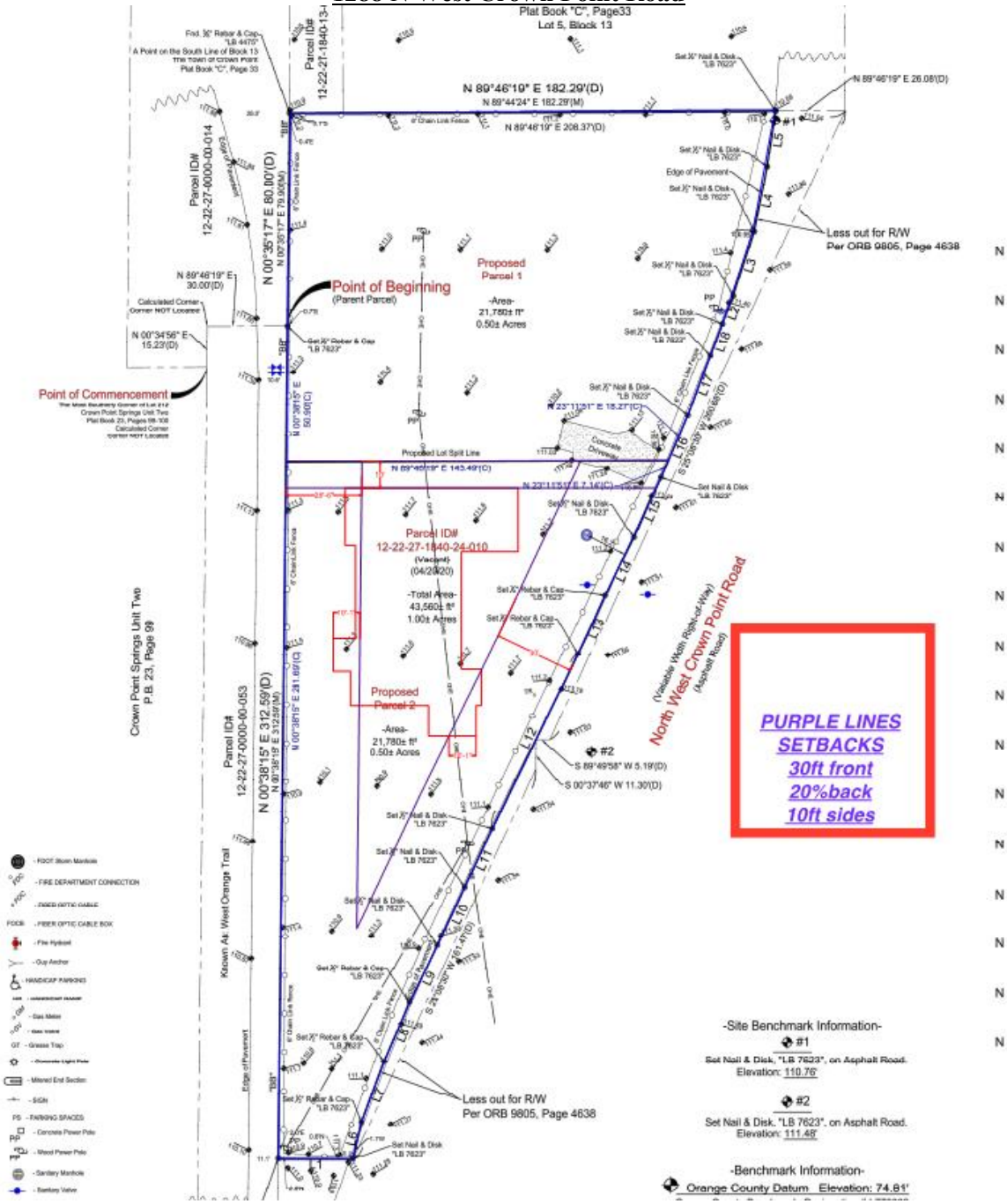
- Aerial Photo
- Survey
- Site Photos

AERIAL PHOTO
1288 N West Crown Point Road

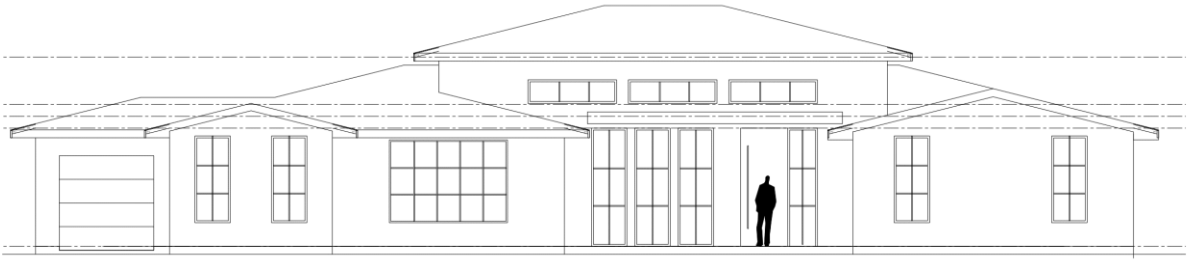


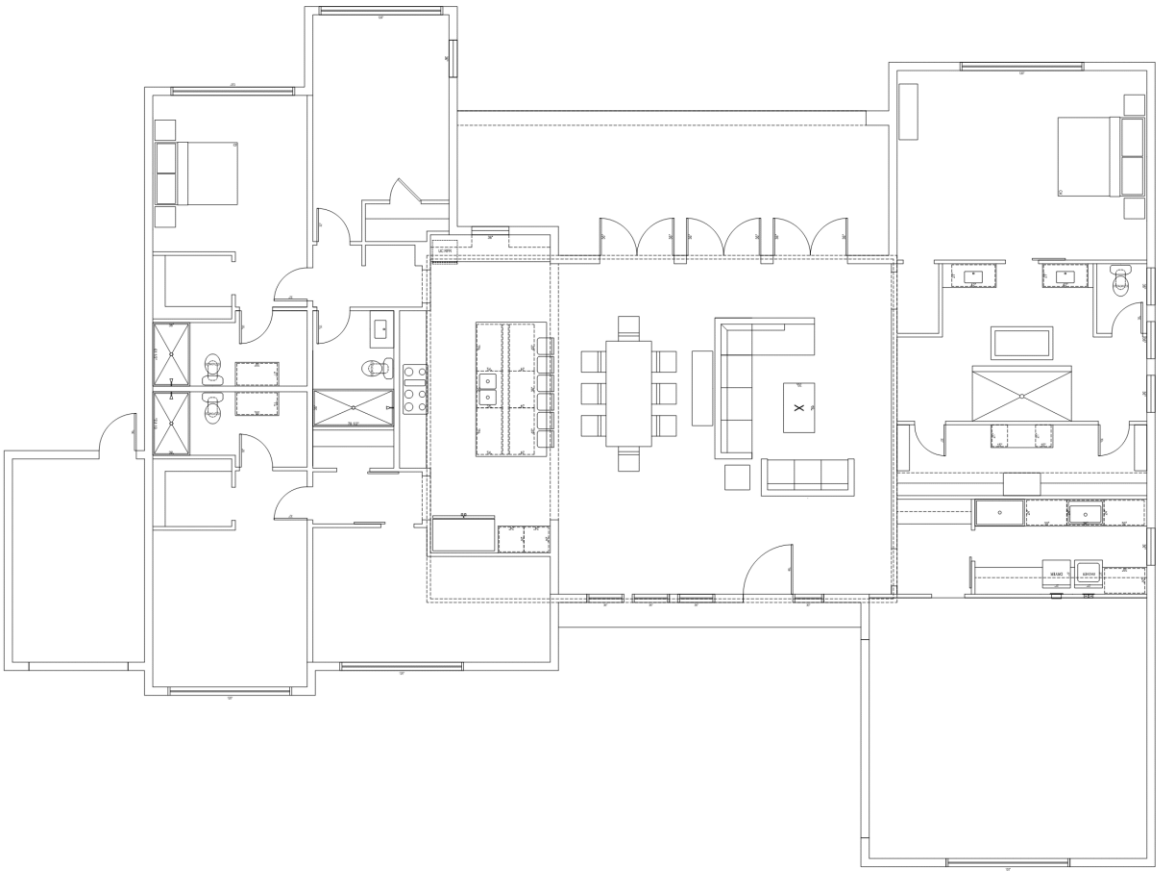
Survey

1288 N West Crown Point Road

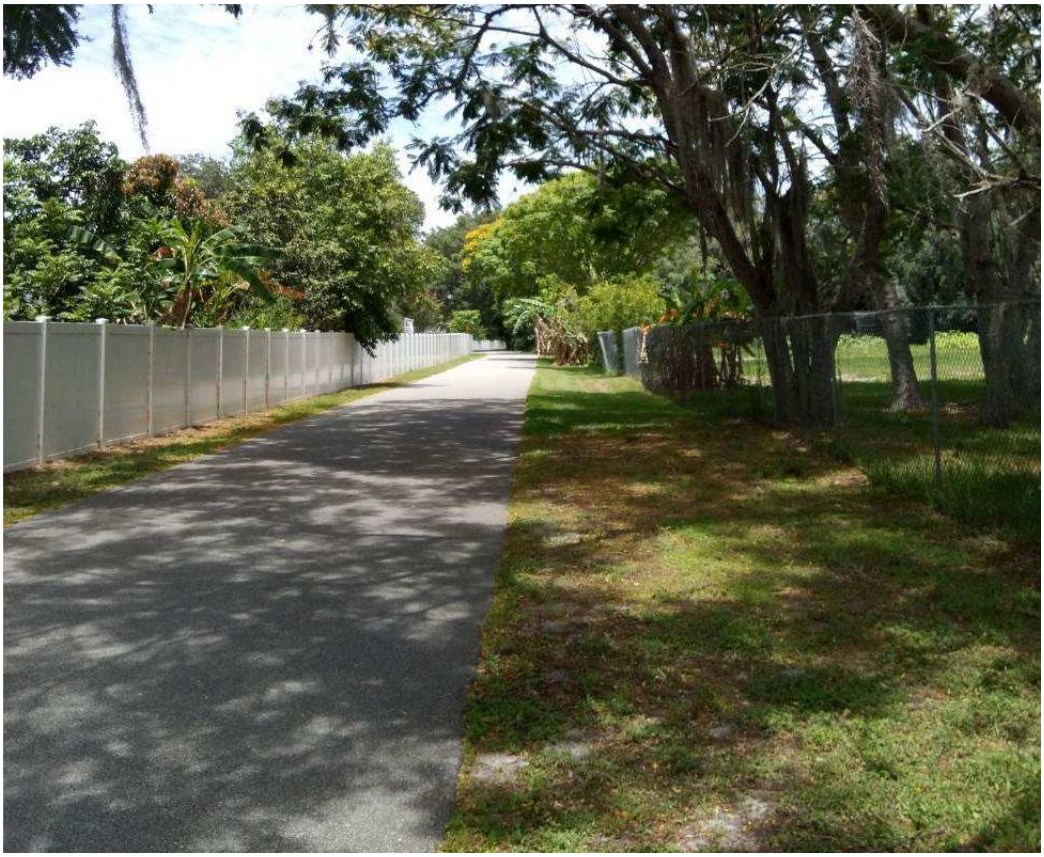


Floor Plan and Elevation
1288 N West Crown Point Road





Site Photos
1288 N West Crown Point Road



END OF STAFF REPORT