



**For More Information, Contact:**  
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300 West Plant Street  
Winter Garden, FL 34787  
407.656.4111 ext. 2021  
[crivera@cwgd.com](mailto:crivera@cwgd.com)

## Planning and Zoning Board Agenda

**Board Members:** Chairman Will Hawthorne, Vice-Chairman Steve Ambielli, Linda Bennett, Myron Brown, Jimmy Dunn, Jeff Ewing and Mark Hide.

**Other Attendees:** City Manager Jon C. Williams, City Attorney Kurt Ardaman, City Attorney Dan Langley, Planning Consultant Ed Williams, Planning Director Kelly Carson, Planning Supervisor Shane Friedman, Senior Planner Yvonne Conatser, Planner I Amber McDonald and Recording Secretary Colene Rivera/Ellen King.

### Agenda for June 2, 2025 at 6:30 PM City Hall Commission Chambers 300 W. Plant Street, Winter Garden, Florida

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**1. Call to Order**

Determination of Quorum, Moment of Silence and Pledge of Allegiance

**2. Approval of Minutes**

A. Minutes of May 5, 2025 Meeting

**3. Annexation / Future Land Use Map Amendment / Rezoning (Public Hearing)**

A. 522 S Woodland Street (522 Woodland Rezoning) REZONING  
Parcel ID #23-22-27-8576-02-050

**4. Variance (Public Hearing)**

A. 716 Garden West Terrace (Castro Residence) VARIANCE  
Parcel ID #22-22-27-2950-00-080

B. 549 Teacup Springs Court (Zimmermann RV-Carport) VARIANCE  
Parcel ID #11-22-27-5452-02-210

C. 216 N Lakeview Avenue (Veit Detached Garage) VARIANCE  
Parcel ID #14-22-27-1728-01-040

D. 704 Summer Street (Summer Street Duplex) VARIANCE  
Parcel ID #23-22-27-6504-08-040

**5. City of Winter Garden Code Updates (Public Hearing)**

A. Ordinance 25-15 - Expedited process for issuing residential building permits before a final plat

**6. Adjourn**

Next regular Planning and Zoning Board meeting on Monday, July 7, 2025 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida

Posted: May 27, 2025

Please Note: In accordance with Florida Statutes 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 Ellen King, 300 West Plant Street, Winter Garden, FL 34787, (407) 656-4111 EXT.5149- 48 hours in advance of the meeting.

Posted: May 27, 2025

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**DRAFT**

**Planning and Zoning Board  
Regular Meeting Minutes  
May 5, 2025**

**1. CALL TO ORDER**

Chairman Will Hawthorne called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:30 p.m. in the City Hall Commission Chambers. A moment of silence was followed by the Pledge of Allegiance.

Quorum was declared present.

**Present:** Chairman Will Hawthorne, Co-Chairman Steve Ambielli and Board Members, Linda Bennett, Myron Brown, Jimmy Dunn, Jeff Ewing and Mark Hide.

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

**Attendees:** Jozef Mergan of Dragonfly Developers, LLC and Thomas Skelton of American Civil Engineering Co.

**2. APPROVAL OF MINUTES**

***Motion by Board Member Dunn to approve the regular meeting minutes of April 7, 2025. Seconded by Board Member Ewing and carried unanimously 7 – 0.***

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

**3. 1098 & 1106 E Fullers Cross Road - (Dragonfly Reserve) Preliminary Plat  
Parcel ID # 12-22-27-0000-000-60 and 27-22-12-0000-000-70**

Planning Supervisor Friedman presented a request to approve the Preliminary Plat for the address of 1098 & 1106 E Fullers Cross Road for the proposed development of ten (10) single-family lots. Staff recommends approval of the Preliminary Plat subject to the conditions in the staff report.

Board members inquired about a Homeowner Association (HOA) being planned, who will maintain the tracts and shared access driveways, if emergency services is comfortable with access road, any improvements proposed to N West Crown Point Road, discussion was held on road right-of-way, sidewalks and concern with setbacks on the west side.

City staff stated an HOA will be required at Final Plat to maintain tracts, Tract C will become a city owned lift station, confirmed shared access driveways are acceptable with emergency services, no improvements to N West Crown Point Road, this subdivision will not develop any new roads and is unique in that all driveways will exit onto N West Crown Point Road or E Fullers Cross Road, the preliminary plat gives basic details and more details will come with the final plat submittal, staff will check with Public Works and Engineering before the final plat for direction about where the front yard setbacks need to be established.

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

***Motion by Board Member Bennett to approve the Preliminary Plat at the location of 1098 & 1106 E Fullers Cross Road subject to staff conditions. Seconded by Board Member Hide and carried unanimously 7 – 0.***

Chairman Will Hawthorne adjourned the meeting at 6:44 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, June 2, 2025 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

APPROVED:

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Recording Secretary Ellen King

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Chairman Will Hawthorne



# LOCATION MAP

522 S Woodland Street  
Rezoning



# 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, PLANNING SUPERVISOR  
**DATE:** JUNE 2, 2025  
**SUBJECT:** REZONING  
**522 S WOODLAND STREET (0.20 +/- ACRES)**  
**PARCEL ID # 23-22-27-8576-02-050**

**APPLICANT:** Mandy Cauthen

### 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 on 522 S Woodland Street, 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 applicant is requesting to rezone the 0.20 ± acre property, which carries the zoning designation R-2 (Residential District) and is designated NC (Residential Neighborhood Commercial) on the Future Land Use Map of the City's Comprehensive Plan, to R-NC (Residential-Neighborhood Commercial) zoning district.

### **EXISTING USE**

The property is developed with a 1,725 square foot single-family home.

### **ADJACENT LAND USE AND ZONING**

The properties to north, south, and west of the subject property are developed with single-family homes as well as duplexes, are zoned R-2 (Residential District) and are located within the City's municipal limits. The property to the east is developed with single-family homes, are zoned C-2 (Arterial Commercial) zoning district and are located within the City's municipal limits.

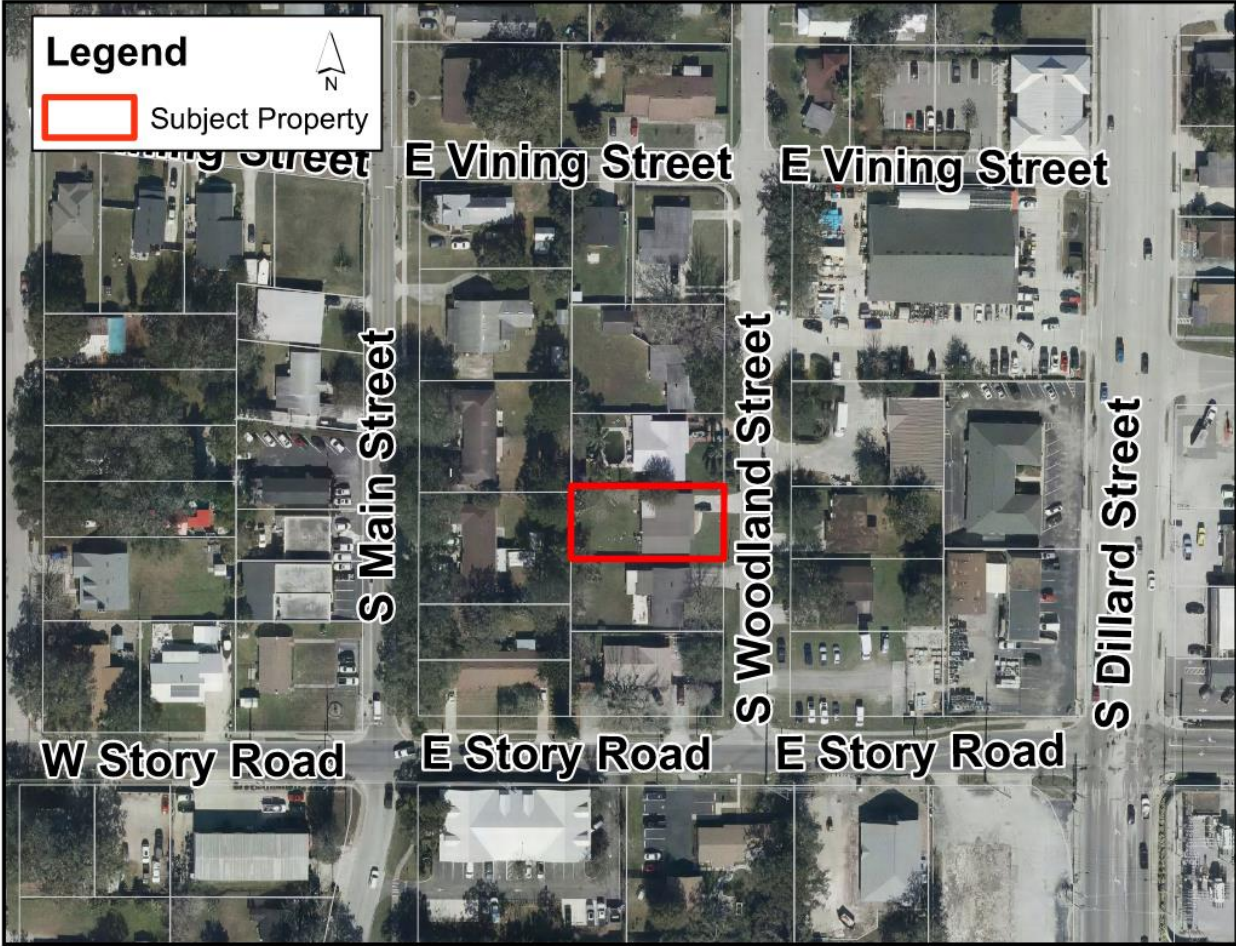
### **PROPOSED USE**

The owner of the property is requesting to rezone to R-NC (Residential Neighborhood Commercial) to allow for Office uses. The property will have to go through the Special Exception permitting process as well as site plan review for this use.

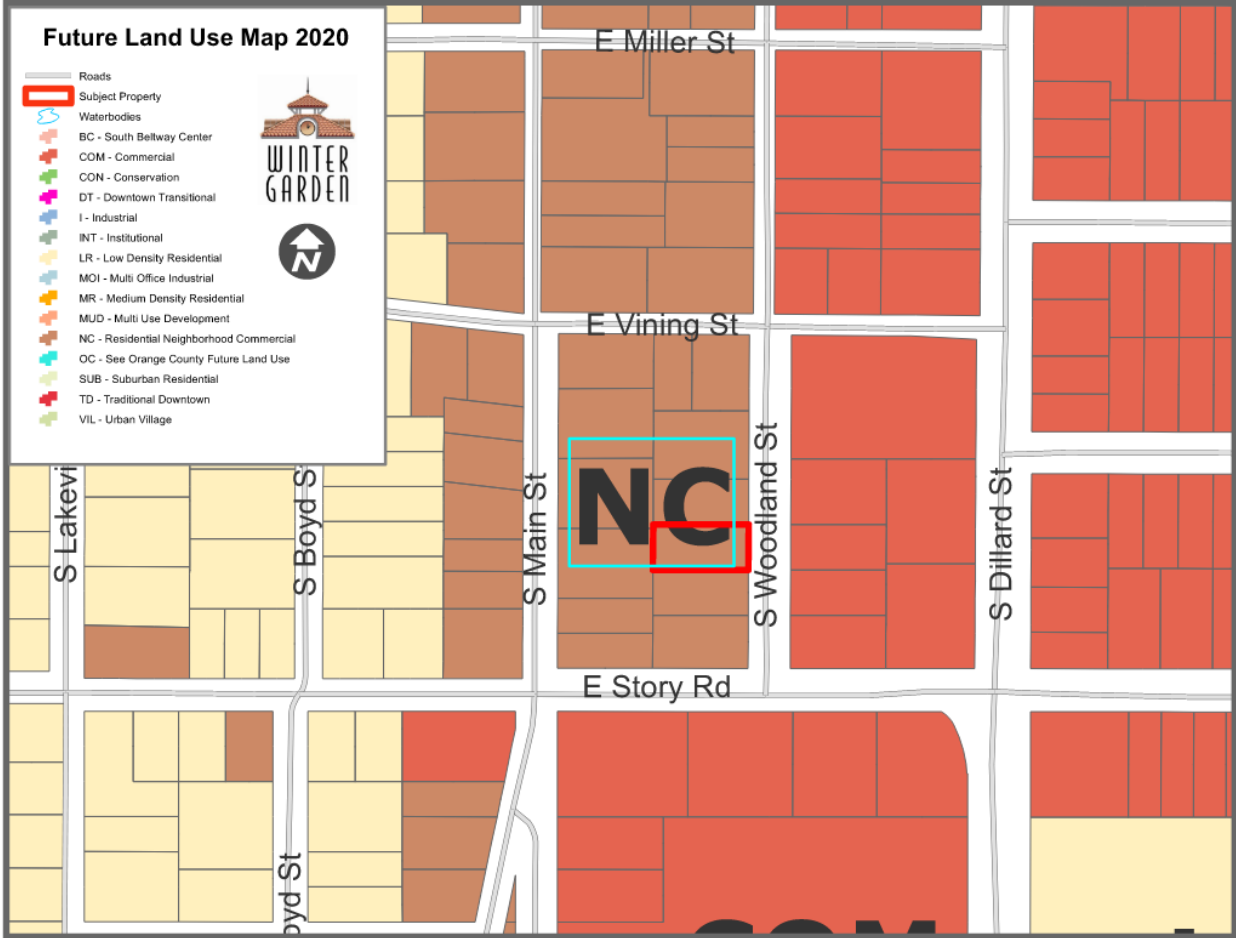
### **SUMMARY**

The applicant's proposal to rezone the subject property from R-2 to R-NC is consistent with the property's Future Land Use designation of NC Residential Neighborhood Commercial as well as the policies contained within the City's Comprehensive Plan. City Staff recommends approval of Rezoning Ordinance 25-16.

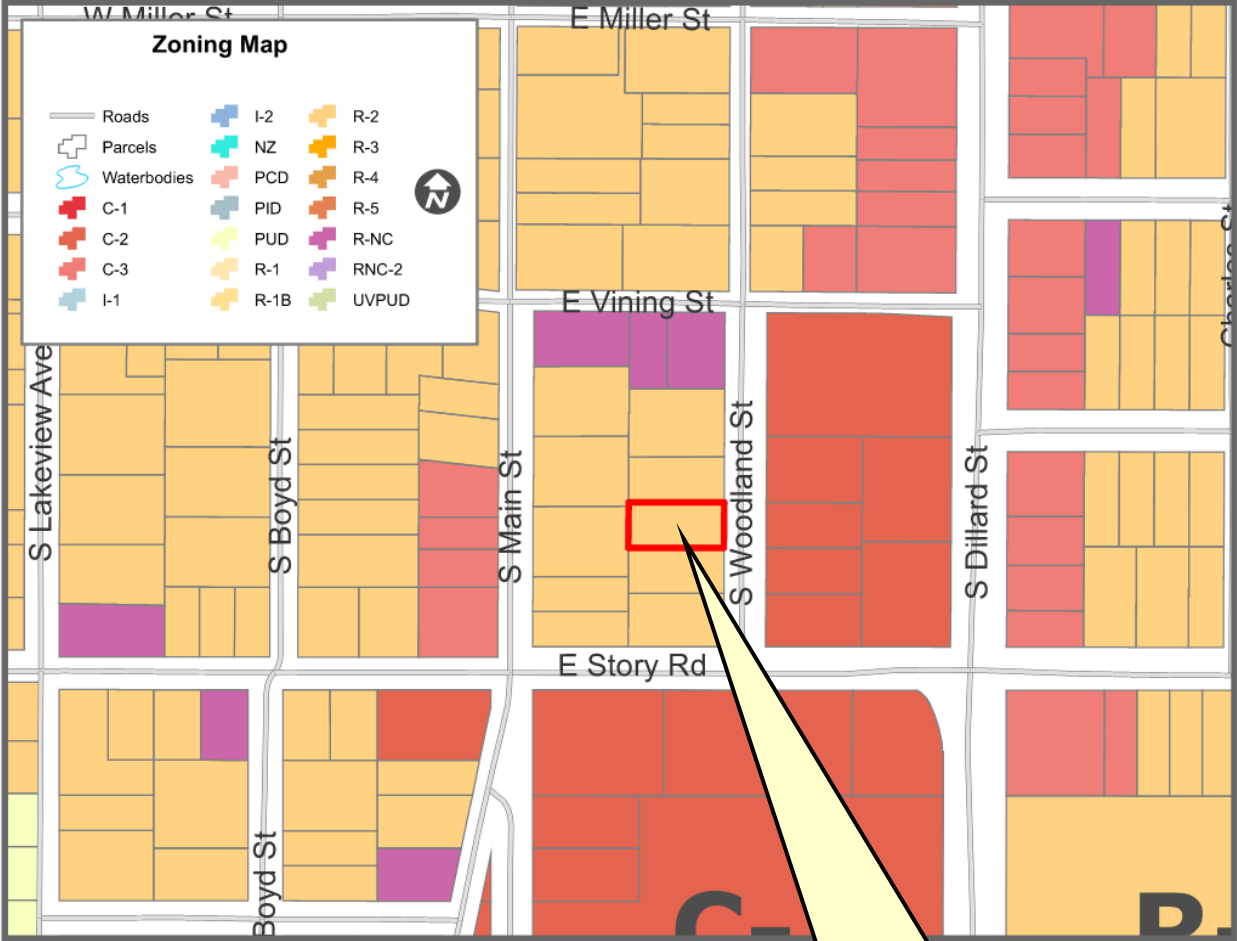
**AERIAL PHOTO**  
**522 S Woodland Street**



**Future Land Use Map**  
**522 S Woodland Street**



**Zoning Map**  
**522 S Woodland Street**



**END OF STAFF REPORT**

ORDINANCE 25-16

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 0.20 ± ACRES LOCATED AT 522 SOUTH WOODLAND STREET, WEST OF SOUTH WOODLAND STREET, EAST OF SOUTH MAIN STREET, NORTH OF EAST STORY ROAD, AND SOUTH OF EAST VINING 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 0.20 ± acres of land located at 522 South Woodland Street, west of South Woodland Street, east of South Main Street, north of East Story Road, and south of East Vining Street, and legally described in Section 1 of this ordinance has petitioned the City to rezone said property from City R-2 Residential District to the City’s 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 1: *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 District in the City of Winter Garden, Florida.

**SECTION 2: *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 3: *Non-Severability.*** Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

**SECTION 4: *Effective Date.*** This Ordinance shall become effective upon its adoption.

**FIRST READING AND PUBLIC HEARING:** \_\_\_\_\_, 2025.

**SECOND READING AND PUBLIC HEARING:** \_\_\_\_\_, 2025.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by the City Commission of the City of

Winter Garden, Florida.

**APPROVED:**

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JOHN REES, Mayor/Commissioner

**ATTEST:**

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Angela Grimmage, City Clerk

**ATTACHMENT "A"**

**LEGAL DESCRIPTION**

Parcel ID: 23-22-27-8576-02-050

Description:

LOT 5, BLOCK B, TANNER SUBDIVISION, ACCORDING TO THE PLAT THEREOF,  
RECORDED IN PLAT BOOK "S", PAGE139, OF THE PUBLIC RECORDS OF  
ORANGE COUNTY, FLORIDA.

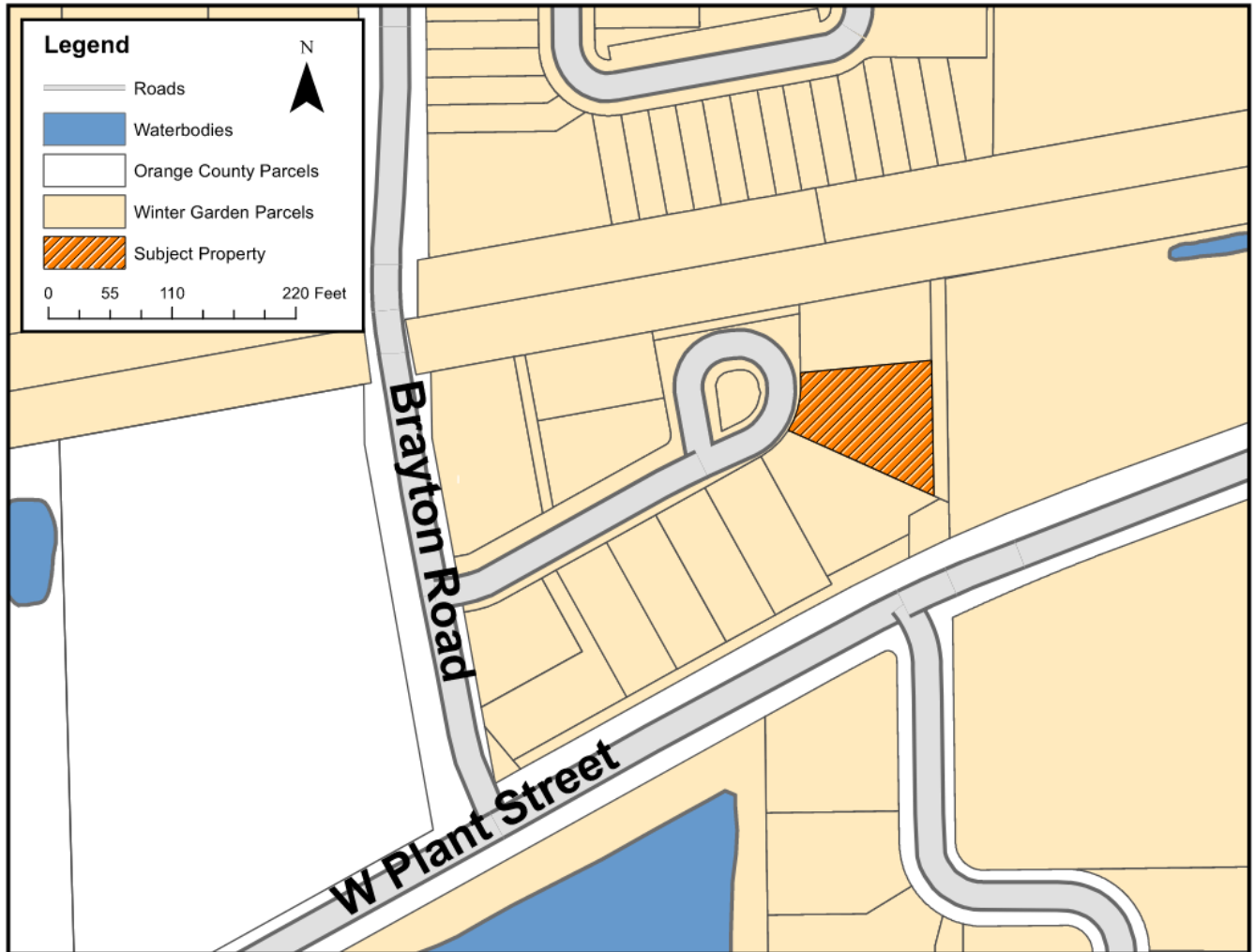
Containing 0.20 acres, more or less.



# LOCATION MAP

716 GARDEN WEST TERRACE

Variance



**CITY OF WINTER GARDEN**  
**PLANNING & ZONING DIVISION**

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

**STAFF REPORT**

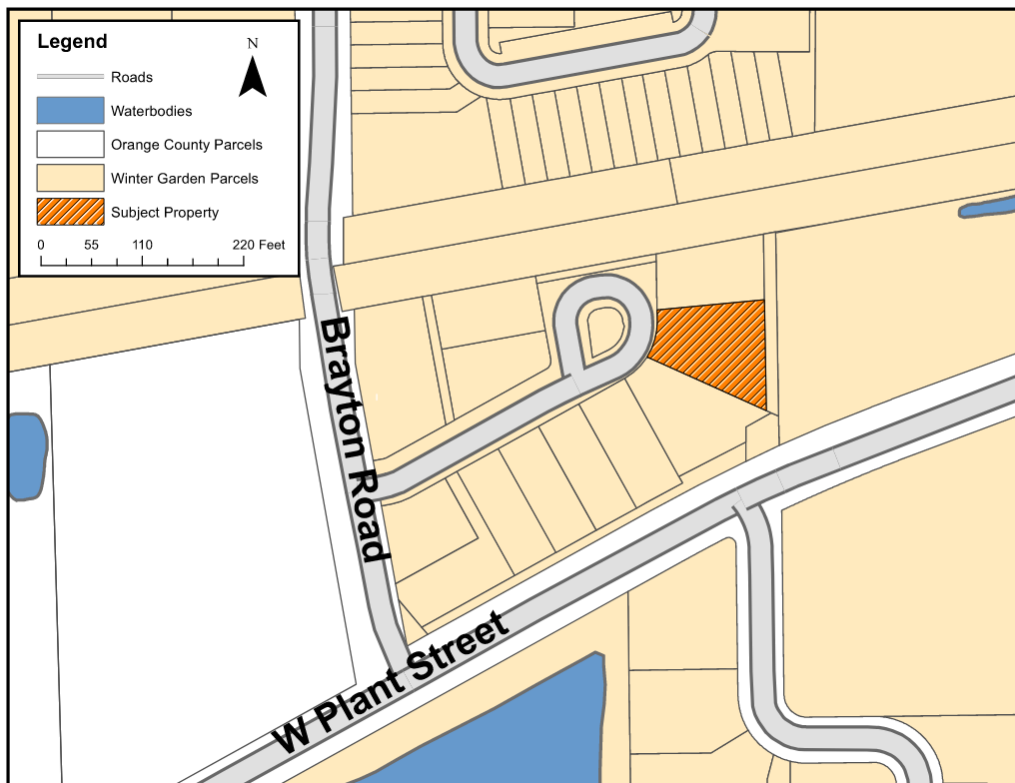
**TO:** PLANNING AND ZONING BOARD  
**PREPARED BY:** AMBER MCDONALD, PLANNER I  
**DATE:** JUNE 2, 2025  
**SUBJECT:** VARIANCE  
**716 Garden West Ter (0.24 ACRES)**  
**PARCEL ID #22-22-27-2950-00-080**

**APPLICANT:** Glouchester LLC

**INTRODUCTION**

The purpose of this report is to evaluate the request for a variance for the property located at 716 Garden West Terrace in Winter Garden, Florida. The request is to allow a rear yard setback of 5’ in lieu of the minimum required 20’ rear yard setback, in order to build a single-family home with an attached garage.

The subject property, located on Garden West Terrace, is an approximately 0.24 +/- 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) 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 Garden West subdivision which was approved by Ordinance 17-13.

**EXISTING USE**

The property is currently vacant and undeveloped.

**ADJACENT LAND USE AND ZONING**

The properties to the north, south and west of the subject property are zoned PUD, are part of the Garden West Subdivision, and are in the City of Winter Garden’s municipal limits. The property to the east, formerly owned by CenturyLink, is a City owned property which will be used as a parking area.

**PROPOSED USE**

The applicant is requesting the variance to allow the construction of a two-story single-family home. The home will have 4,982 square feet of living area, with a 170 square foot front porch and a 339 square foot lanai. The garage will be 741 square feet and the driveway will be 996 square feet.

The proposed house is allowed a front setback of 10’, however the house will be pushed back in order to save the existing large live oak.

A variance was approved by the Board for this property on December 4, 2023. The property was then sold. The current owner did not request an extension prior to its expiration and must now request a new approval.

**CODE REFERENCE**

**Winter Garden Ordinance 17-13** addresses the minimum yard requirements for single-family dwellings in the Garden West PUD. This section states:

*Setbacks and Required Yards -*

- a) *Primary Structures:*
  - *Rear: 20’*

The applicant is seeking a variance to the rear yard setback to build a single-family residence and garage.

**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 setback requests should have little if any negative impacts on the standard of living of the adjacent property owners. To the east of the property is an open space tract, Tract OS-2, which provides a visual and spatial buffer for the property to the east. This tract is approximately 14.35' wide and is owned and maintained by the homeowner's association. Also, the property directly east of this tract is owned by the City and is used for parking.

- (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 design of the home and garage are consistent with the Garden West PUD. Furthermore, the goal of this variance is to allow the construction of the home without requiring removal of the large 36" oak in the front yard. If the home were pushed farther west towards the front property line, it would severely impact the health of the existing tree, or even require its removal.

- (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 City has policies dedicated to preserving large trees, therefore the benefits of granting this variance outweighs any potential negative impacts. In the Garden West subdivision, detached garages are permitted to be set back 5' from the rear. This house was designed with an attached garage in order to assist in the preservation of the tree, which is a central focus of the original concept of the Garden West Planned Unit Development regulations.

- (4) *The granting of the variance is consistent with the city's comprehensive plan; and*  
The variance(s) are 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(s) requested are the minimum variance(s) that will make reasonable use of the land. The proposed home will be both functional and aesthetically appealing. Denying the variance(s) does not benefit the property owner or the City.

## **SUMMARY**

City Staff recommends approval of variance to Winter Garden Ordinance 17-13 to allow a rear yard setback of 5' in lieu of the minimum required 20' rear yard setback, in order to build a single-family home with an attached garage subject to the following conditions:

- 1) The home and garage will be built in the same architectural style and massing that were

provided by the applicant for this variance request.

- 2) The applicant must root prune the root system prior to the driveway installation.
- 3) The applicant must also use a pervious driveway material to allow water and oxygen to reach the root system.
- 4) Once the weather temperature gets below 90 degrees, consistently, the applicant must apply Cambistat to help preserve the health of the oak tree as recommended by the City's arborist.

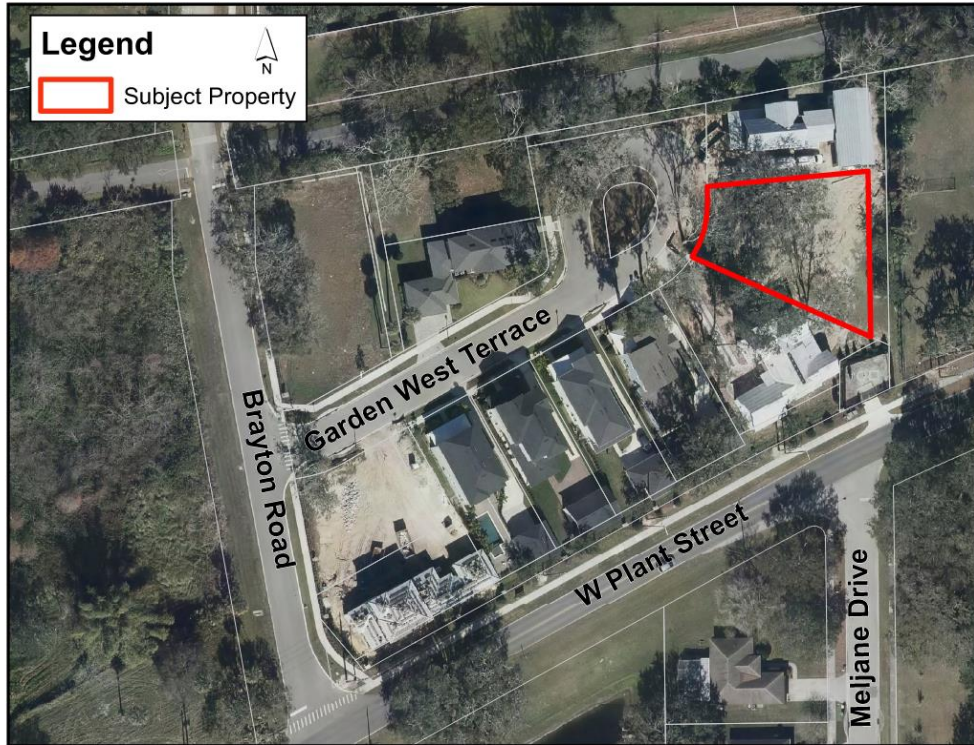
### **NEXT STEP**

Follow all City regulations and apply for building permits.

### **ATTACHMENTS**

- Aerial Photo
- Site Plan
- Elevations
- Site Photos

**AERIAL PHOTO**  
**716 Garden West Terrace**







**SITE PHOTOS**  
**716 Garden West Terrace**



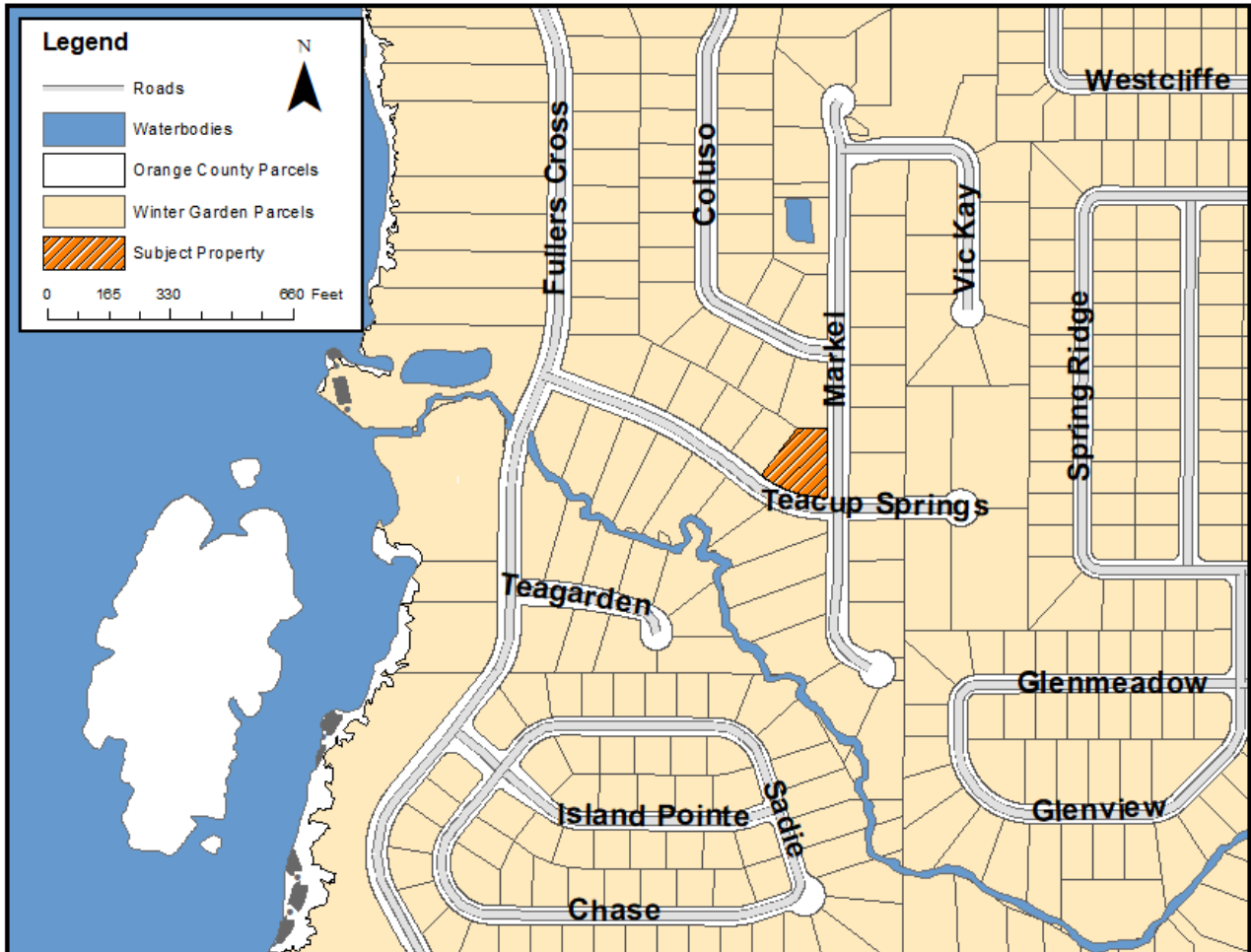
**END OF STAFF REPORT**



# LOCATION MAP

549 Teacup Springs Court

Variance



**CITY OF WINTER GARDEN**  
**PLANNING & ZONING DIVISION**

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

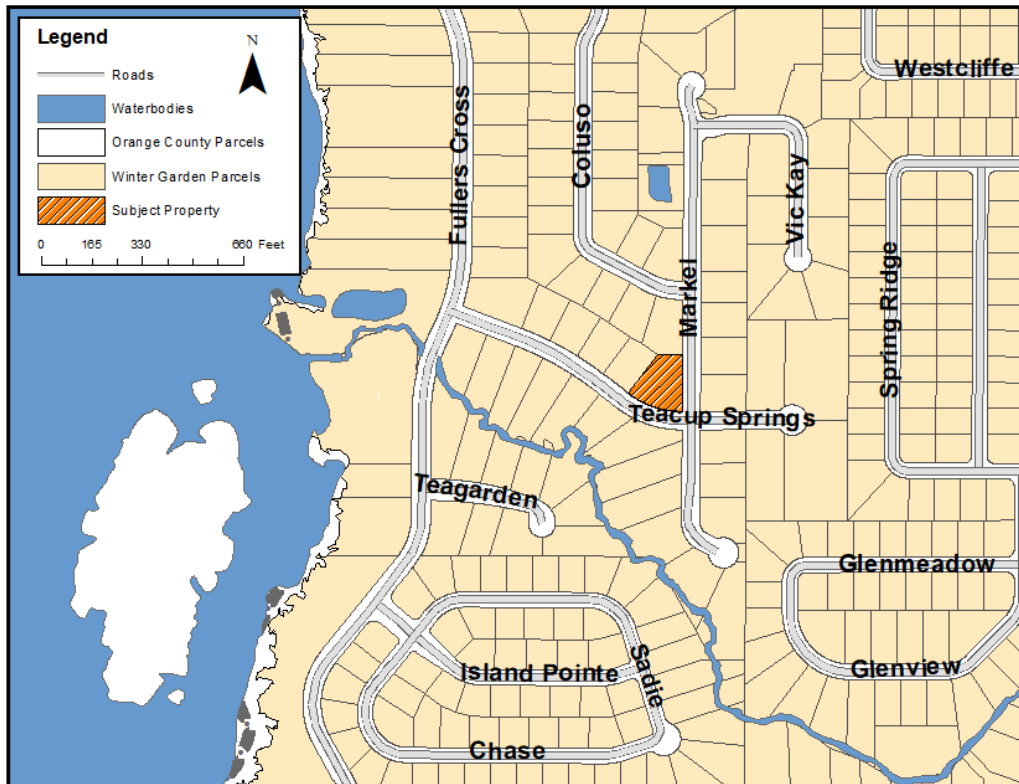
**STAFF REPORT**

**TO:** PLANNING AND ZONING BOARD  
**PREPARED BY:** YVONNE CONATSER, SENIOR PLANNER  
**DATE:** MAY 14, 2025  
**SUBJECT:** VARIANCE  
**549 TEACUP SPRINGS COURT (0.53+/- ACRES)**  
**PARCEL ID # 11-22-27-5452-02-210**  
**APPLICANT:** JAMIE ZIMMERMANN

**INTRODUCTION**

The purpose of this report is to evaluate the request for a variance for the property located at 549 Teacup Springs Court in Winter Garden, Florida, herein known as the Subject Property. The request is to allow a minimum five (5) foot corner side lot setback in lieu of the required fifteen (15) foot corner side lot setback to permit the construction of a RV carport along the side of the existing house. Additionally, the request is to allow a wall height of twelve (12) feet in lieu of the nine (9) foot height maximum, a roof peak height of fifteen (15) feet in lieu of the twelve (12) foot height maximum for an accessory structure (RV carport).

The Subject Property is approximately 0.53 +/- acres in size, zoned R-1 (Residential District), and designated LR (Low Density Residential) on the City Future Land Use Map. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



**EXISTING USE**

The subject property is developed with a single story 3,782 +/- square foot single family house and 600 square foot shed/garage.

### **ADJACENT LAND USE AND ZONING**

The adjacent surrounding properties with the exception of one property to the east are developed single family residential, zoned R-1 and designated LR on the City Land Use Map. The adjacent property to the east is currently vacant. All properties are located within the City of Winter Garden’s municipal limits.

### **PROPOSED USE**

The applicant is requesting the variance to allow the construction of a fourteen (14) foot by thirty-five (35) foot RV carport along the side of the existing house. The RV carport will provide a covering for the applicant’s RV trailer.

### **CODE REFERENCE**

**Section 118-1310 (b)** of the City Code of Ordinances addresses general accessory building and structure requirements. This section states:

*Accessory requirements, In general, accessory buildings and structures must be located in the rear or side yards and must be five feet from the property lines. Accessory buildings and structures cannot be located within any easements. Accessory buildings and structures located in the street side of a corner lot must comply with the side yard setbacks of the principal building. ...*

Further,

*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. ...*

**Section 118-1310 (c)(2)(a)** of the City Code of Ordinances addresses accessory building and structure requirements greater than 160 square feet. This section states:

- a. An accessory building greater than 160 square feet must comply with all the setback requirements of the principal structure.

**Section 118-1101.** of the City Code of Ordinances addresses corner lots in residential districts. This section states:

*Where corner lots in residential districts are platted in such a manner as to change the normal yard pattern along either of the intersecting streets, the required front yard shall be provided across the end of the lot fronting on the street, and a yard measuring not less than 15 feet from the street line shall be provided along the full length of the lot on the side toward the intersecting street. No portion of any main or accessory building shall encroach upon the latter yard.*

The applicant is seeking variances to Section 118-1310 (b) and (c)(2)(a) to construct the RV carport.

### **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 variances 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 property is located at the intersection of Teacup Springs Court and Markel Drive. The proposed side setback will permit the construction of the RV carport on the east side of the property adjacent to Markel Drive. The applicant selected

the location as it will allow them to continue to access the rear of the property and the existing shed.

The shape of the property narrows from front to back. The existing principal structure sits at an angle and the side setback narrows from front to back in accordance with said building. Per the applicant's description the RV carport will be setback 17 feet at the side property line at the furthest point and 5 feet at the closest point, hence the request for the variance for the side setback. To cover the height of the RV Trailer the proposed RV carport would exceed the permitted accessory structure height requirements. The proposed height would be consistent with the existing principal dwelling unit. There are existing trees and a fence to buffer the RV carport from the road and adjacent neighbors. Further, the side property line is setback from the street face of curb approximately 15 feet. The requested 5 feet at the closest point to the RV carport in addition to the existing 15 foot setback from the face of curb totals 20 feet. The 20 foot distance, the buffer of the trees and the fence enhanced per staff conditions will allow continued "reasonable enjoyment of adjacent and nearby property owners".

*(2) The variances 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 will not change the neighborhood residential character of the area and is a reasonable request for the existing use. The applicant is in the process of house renovations. The recommended design for the RV carport will be consistent with the future house renovations. The proposed metal roof will match the re-roof of the house. The RV carport is typical in size and shape approved with previous variance requests for RV carports and will possess the character of the house architecture once house renovations are complete.

*(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 variances outweigh the benefits under this criteria if the variances were denied;*

Strict compliance with the City's land development regulations will not further any legitimate City objective. The proposed RV carport will meet all other City requirements regulating residential construction.

*(4) The granting of the variances is consistent with the city's comprehensive plan; and*

The variance is consistent with the provisions of the City's Comprehensive Plan respecting 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 requested variance is the minimum variance that will make reasonable use of the land. Due to the location of the existing site improvements, such as the pool and the shed, the proposed location of the carport is the most reasonable. The location of the home and the pool provide limited locations for the carport. Furthermore, the proposed location of the carport is almost 100 feet from the intersection and is positioned behind a home that is catty-cornered providing a 30-foot side corner setback at the front. Visually and functionally, in regard to the intersection and the adjacent right-of-way, the location of the carport reasonable. Provided the applicant meets all staff recommended conditions the RV carport will not significantly impact the adjacent neighborhood properties.

## **SUMMARY**

City Staff recommends approval of the variance to allow a minimum street side setback of five (5) feet in lieu of the required fifteen (15) foot street side setback to permit the construction of a fourteen (14) foot by thirty-five (35) foot RV carport to the east side of the property, subject to the following conditions:

1. The approval is for the RV carport per the layout on the property boundary as submitted by the applicant.
2. The RV carport shall be constructed in accordance with the 14 foot by 35 foot dimensions as outlined on the proposed elevations, to include the metal roof and wood poles as submitted by the applicant.
3. The RV carport will be buffered by the existing fence. The applicant is responsible for maintaining the fence

and side yard in a manner that continuously buffers the RV carport from the street and surrounding properties. Maintenance of the buffer will consist of but not limited to fence improvements when necessary (i.e., repair, replace, paint, etc.) and additional landscaping (i.e., bushes, trees, plantings).

4. The applicant will obtain all required zoning and building permits from the Planning and Zoning Department and the Building Department prior to construction of the RV carport.

**NEXT STEP**

Follow all City regulations and apply for required zoning and building permits.

**ATTACHMENTS**

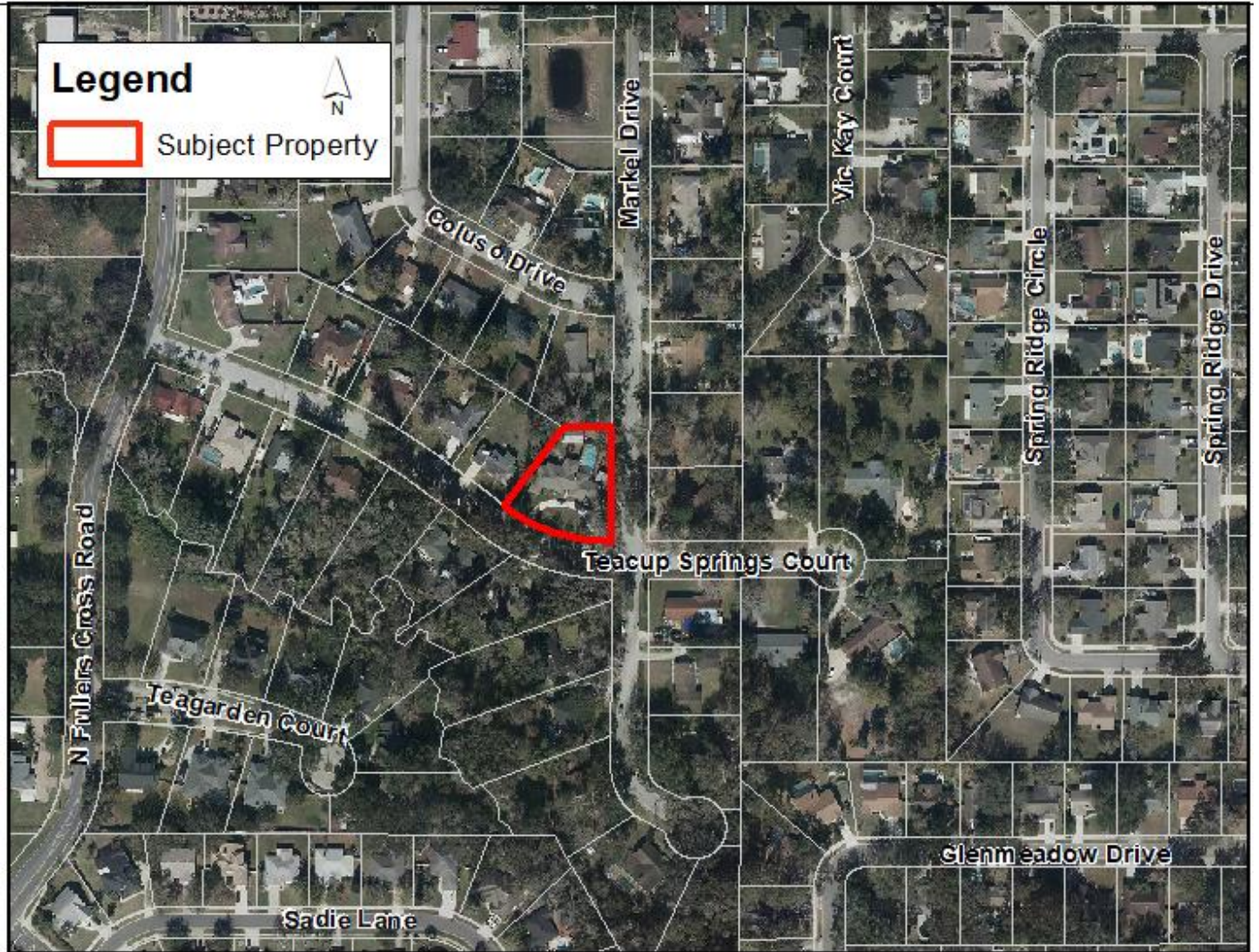
Aerial Photo

Boundary Survey with proposed RV carport location

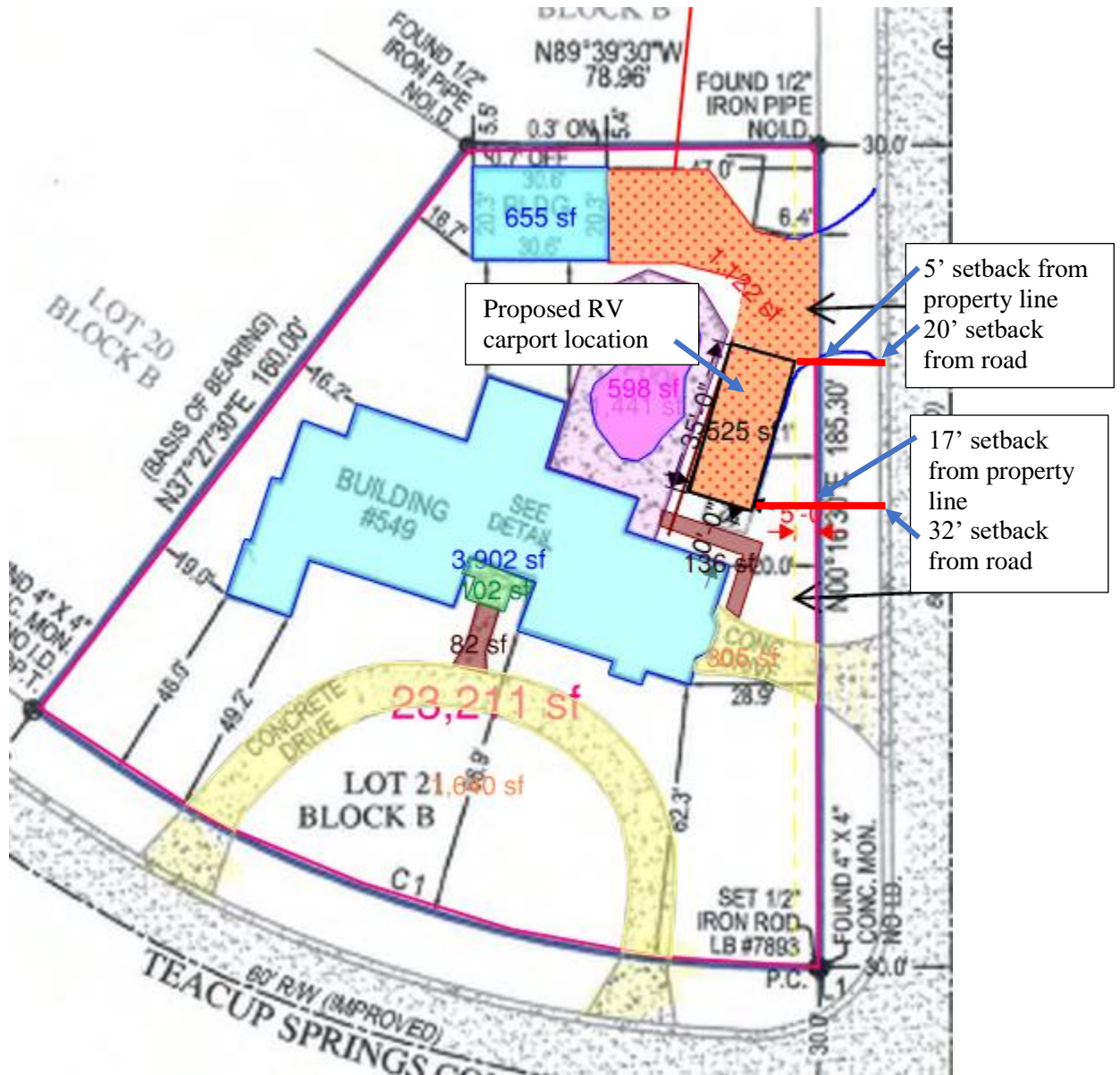
Proposed RV carport elevations

Property Photos

**Aerial Photo**  
**549 Teacup Springs Court**



**Boundary Survey with proposed RV carport location and setbacks**



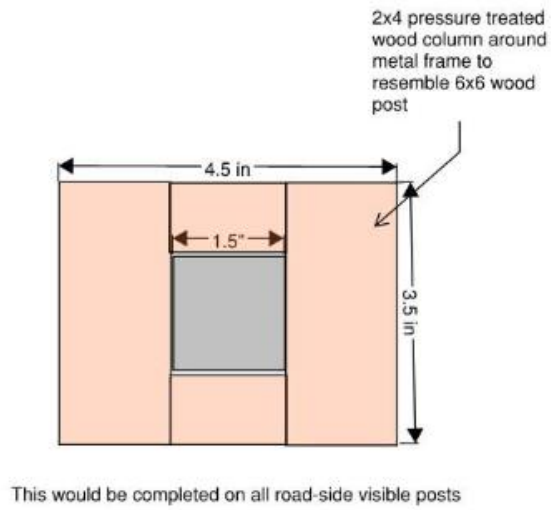
### Proposed RV Carport Elevations and Detail



Overlay of RV carport along the side of the existing property



## Detail A



Detail A - Wood Post Decorative Detail



### Property Photos

#### 549 Teacup Springs Court

Photos from Markel Drive along the side of the property



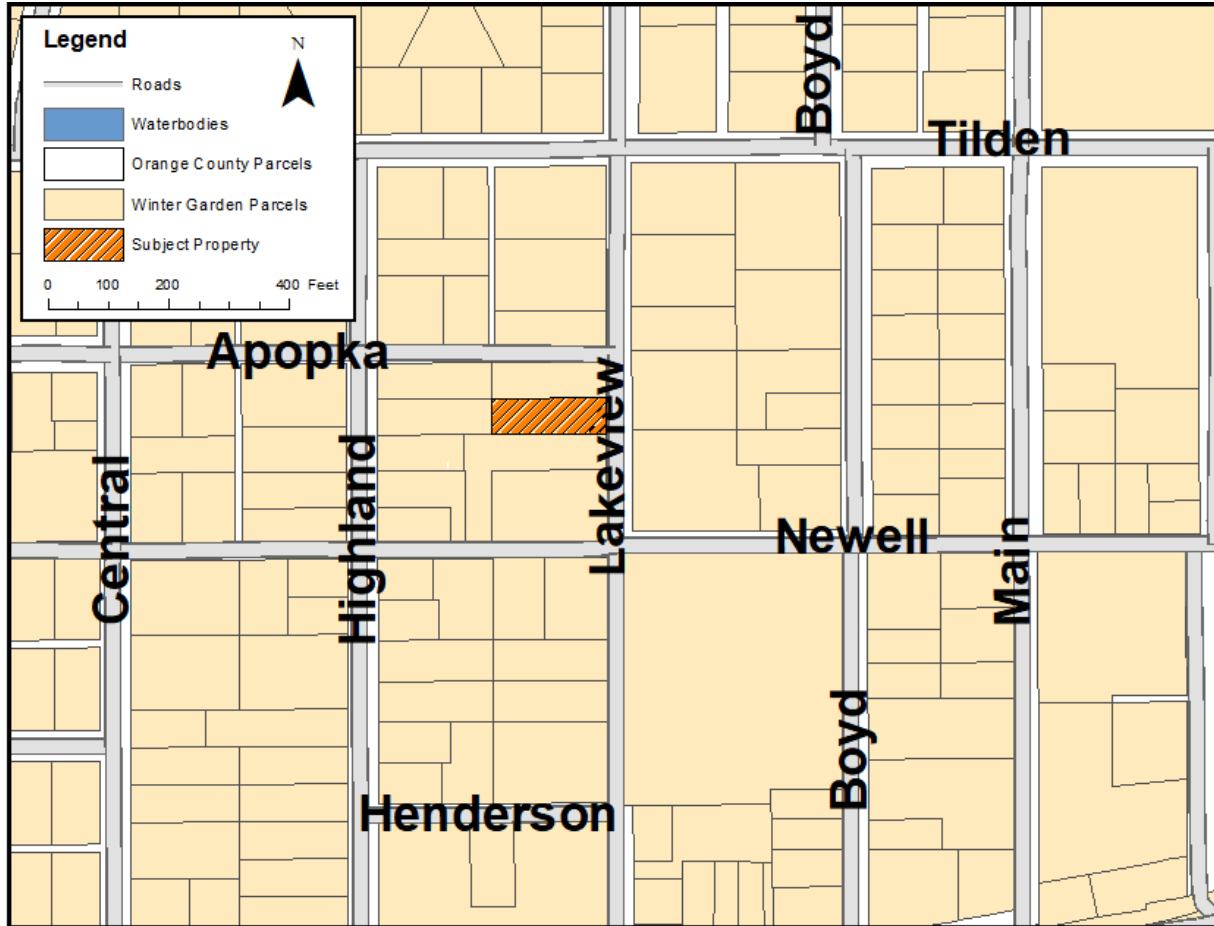




# LOCATION MAP

216 N Lakeview Avenue

Variance



**CITY OF WINTER GARDEN**  
**PLANNING & ZONING DIVISION**

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

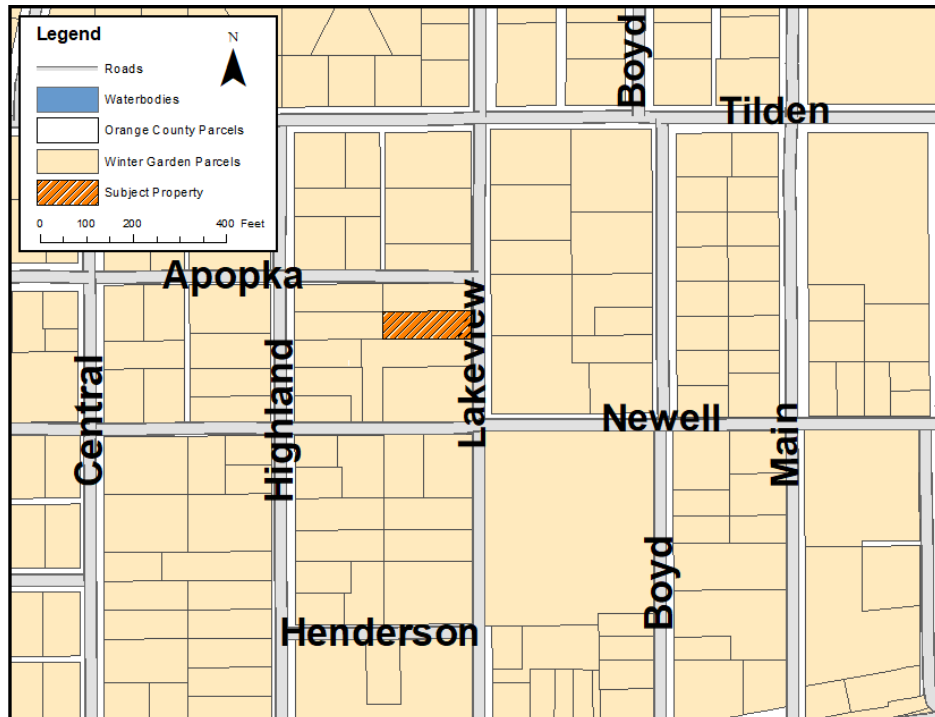
**STAFF REPORT**

**TO:** PLANNING AND ZONING BOARD  
**PREPARED BY:** YVONNE CONATSER, SENIOR PLANNER  
**DATE:** MAY 14, 2025  
**SUBJECT:** VARIANCE  
**216 N LAKEVIEW AVE (0.26+/- ACRES)**  
**PARCEL ID # 14-22-27-1728-01-040**  
**APPLICANT:** ERIC AND ELIZABETH VEIT

**INTRODUCTION**

The purpose of this report is to evaluate the request for a variance for the property located at 216 N Lakeview Avenue in Winter Garden, Florida, herein known as the Subject Property. The request is to allow a minimum ten (10) foot rear setback in lieu of the required twenty-five (25) feet to permit the construction of a detached garage. Additionally, the request is to allow a wall height of ten (10) feet – eight (8) inches in lieu of the permitted nine (9) foot height maximum and a roof peak height of sixteen (16) feet – six (6) inches in lieu of the permitted twelve (12) foot height maximum for the detached garage.

The Subject Property is approximately 0.26 +/- acres in size, zoned R-2 (Residential District), and designated LR (Low Density Residential) on the City Future Land Use Map. The property is subject to the Historic Downtown District Overlay. The map below depicts the location of the subject property within the City of Winter Garden municipal limits.



### **EXISTING USE**

The subject property is developed with a single story 2,691 +/- square foot single family house.

### **ADJACENT LAND USE AND ZONING**

The adjacent surrounding properties are developed single family residential, zoned R-2 and designated LR on the City Land Use Map. All properties are subject to the Historic Downtown District Overlay and located within the City of Winter Garden’s municipal limits.

### **PROPOSED USE**

The applicant is requesting the variance to allow the construction of a 22 foot by 30 foot detached garage.

A variance for the detached garage was approved by the Planning and Zoning Board July 25, 2018, under a previous property owner. The previous property owner obtained the permit to construct the slab for the detached garage but did not construct the approved detached garage.

Per Section 118-134. – Expiration period.

*All variances approved by the planning and zoning board pursuant to this division shall expire and become null and void if the building or improvement or other matters authorized by the variance are not commenced within 365 days from the date of the planning and zoning board's approval. One 365-day extension of the variance may be granted by the planning and zoning board prior to the expiration of the first 365 days.*

As the detached garage was not constructed within the permitted period, a new variance is required.

### **CODE REFERENCE**

**Section 98-192. (6) a. (2) and (6) c.** of the City Code of Ordinances addresses Residential lot layout setbacks and requirements in the Historic District. This section states:

- a. *Residential lot layout.*
  - i. *Setbacks: Setbacks apply to both principal and accessory structures. Residential lot development shall have the following setbacks:*
    - (2) *Rear yard: 25 feet or 15 feet from center of alley;*
- c. *Garages. Garages shall be detached and located behind the principal structure.*

**Section 118-1310 (b)** of the City Code of Ordinances addresses general accessory building and structure requirements. 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. ...*

The applicant is seeking variances to **Section 98-192. (6) a. (2) and Section 118-1310 (b)** to construct the required rear yard detached garage.

### **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 variances 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 proposed rear setback will permit the construction of the detached garage in the rear southwest corner of the property. The location of the detached garage meets the intention of the requirement per Section 98-192. 6. (c). but constructing the garage with the required 25 foot rear setback would create “practical difficulties” with setbacks to the existing house. The proposed height is typical to provide a detached garage compatible with the house architecture style. The property is surrounded by a six foot solid PVC fence. The fence will provide a buffer to the adjacent neighbors. As proposed the detached garage should allow continued “reasonable enjoyment of adjacent and nearby property owners”.

*(2) The variances will allow a reasonable use of the property, which use is not out of character with other properties in the same zoning category;*

The detached garage is required in the historic district. The requested variance will not change the neighborhood residential character of the area and is a reasonable request for the existing use. The proposed design and height of the detached garage are consistent with the existing house architecture.

*(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 variances outweigh the benefits under this criteria if the variances were denied;*

Strict compliance with the City's land development regulations will not further any legitimate City objective. The proposed detached garage will meet all other City requirements regulating accessory structure construction.

*(4) The granting of the variances is consistent with the city's comprehensive plan; and*

The variance is consistent with the provisions of the City's Comprehensive Plan respecting 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 requested variance is the minimum variance that will make reasonable use of the land. Provided the applicant meets all staff recommended conditions the detached garage will not impact the adjacent neighborhood properties.

## **SUMMARY**

City Staff recommends approval of the variance to allow a minimum rear setback of ten (10) feet in lieu of the required twenty-five (25) feet and a building wall height of ten (10) feet – eight (8) inches in lieu of the permitted nine (9) foot height maximum and a roof peak height of sixteen (16) feet – six (6) inches in lieu of the permitted twelve (12) foot height maximum for the construction of the detached garage, subject to the following conditions:

1. The approval is for the location of the detached garage per the layout on the property boundary as submitted by the applicant.
2. The detached garage shall be constructed in accordance with the 22 foot width and 30 foot length dimensions as stated in the application and in conformance with the proposed elevations as submitted by the applicant.
3. The detached garage shall receive approval from the Architecture Review and Historic Preservation Board prior to submitting for any building permits.
4. The applicant will obtain all required zoning and building permits from the Zoning Department and the Building Department prior to construction of the detached garage.
5. To assure the detached garage is constructed in accordance will all current required building codes updated construction plans shall be submitted at the time of Zoning Department and Building Department permit review.
6. The applicant shall note all conditions of the variance as part of the updated construction plans.

**NEXT STEP**

Review of the proposed detached garage by the Architecture Review and Historic Preservation Board.

**ATTACHMENTS**

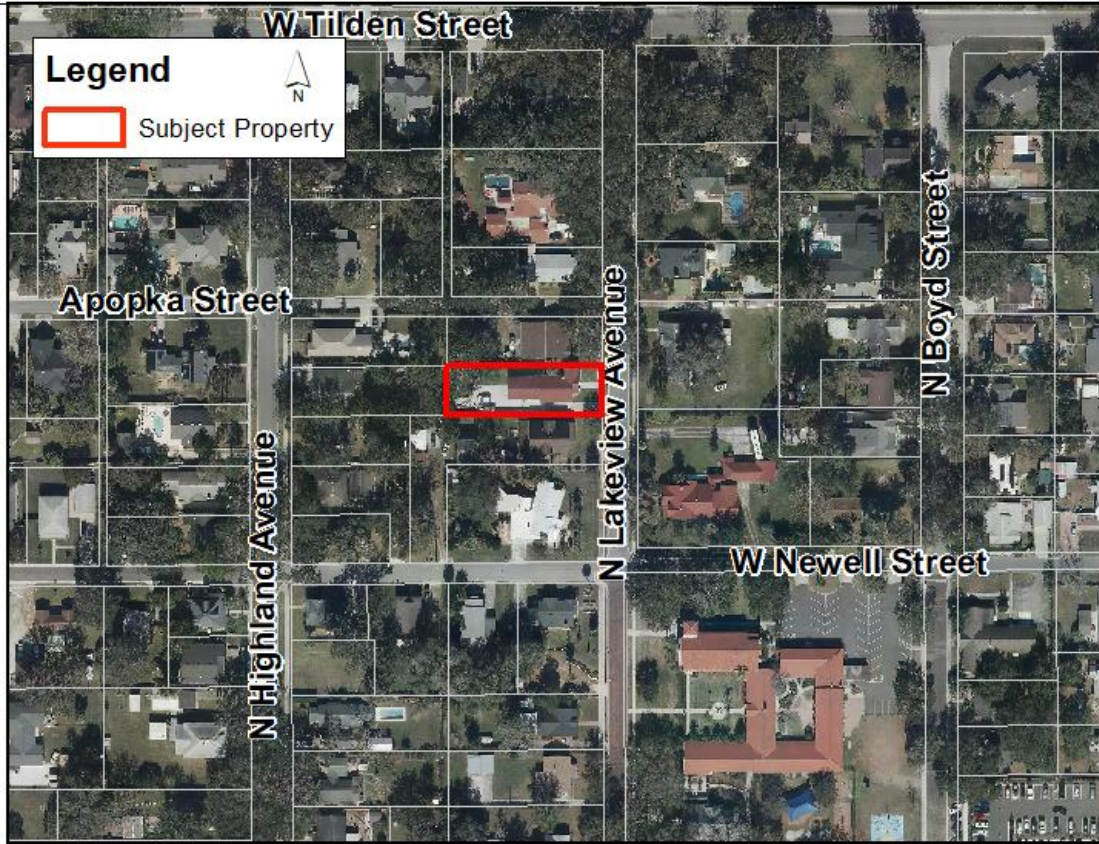
Aerial Photo

Boundary Survey with proposed detached garage location

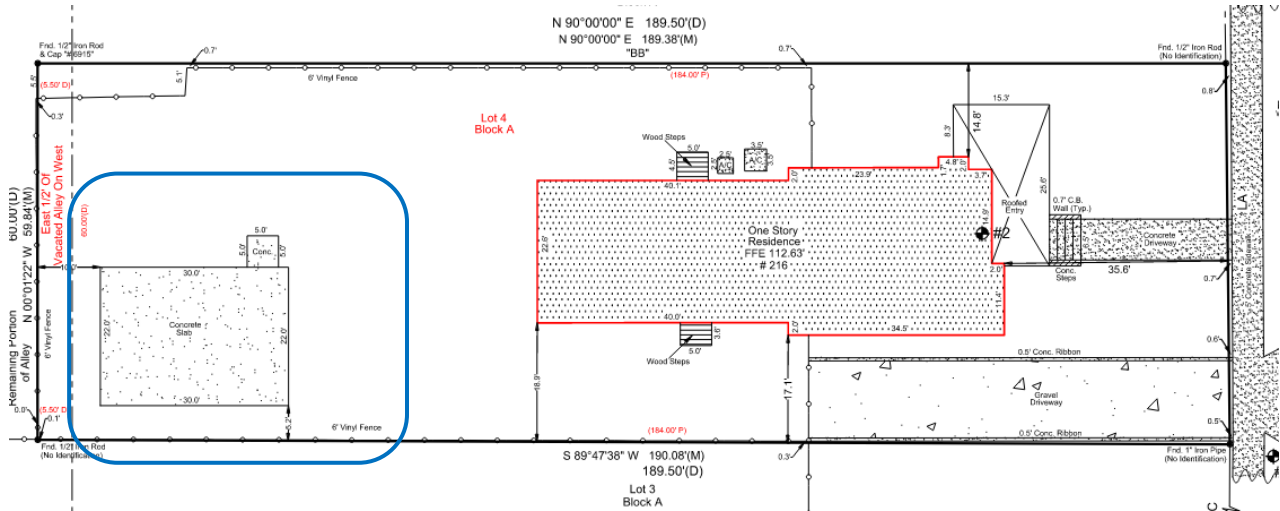
Proposed detached garage elevations

Property Photos

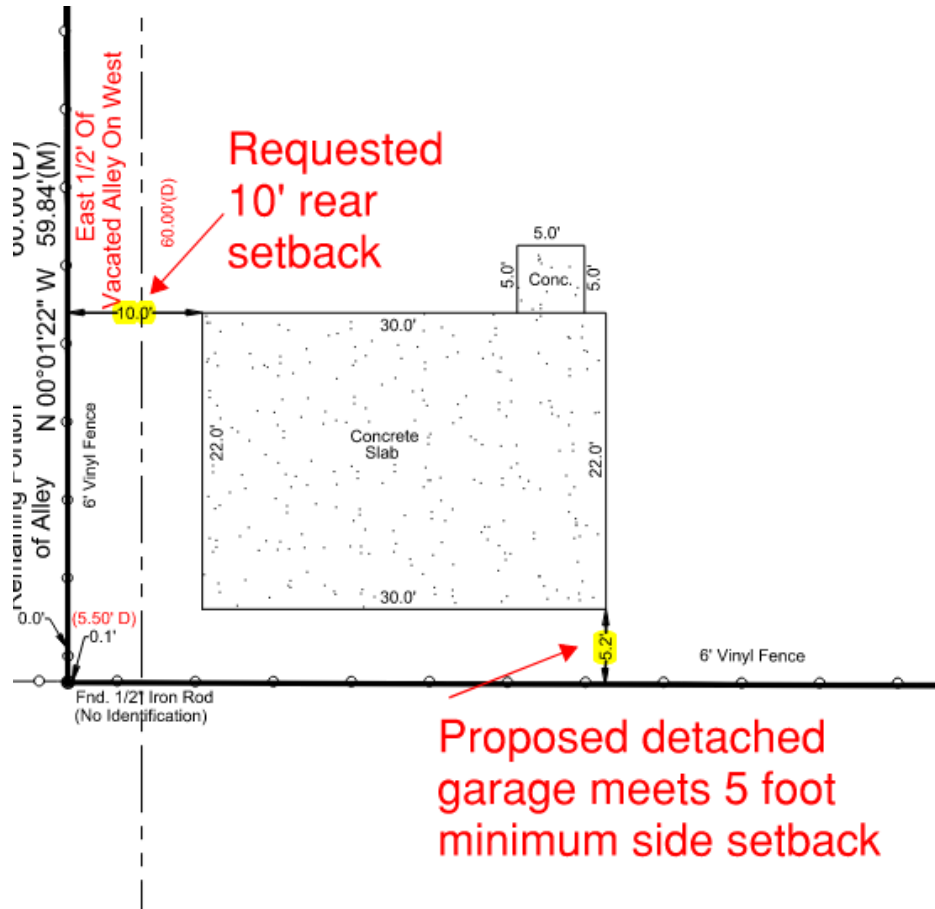
**Aerial Photo**  
**216 N Lakeview Ave**



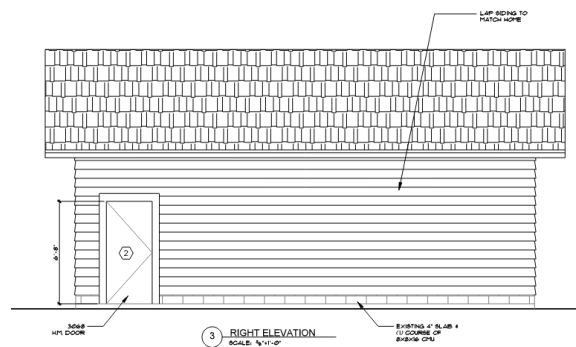
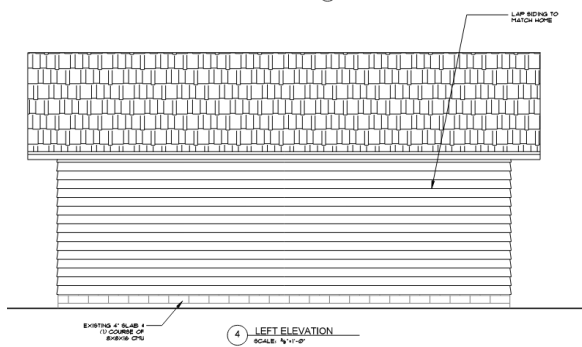
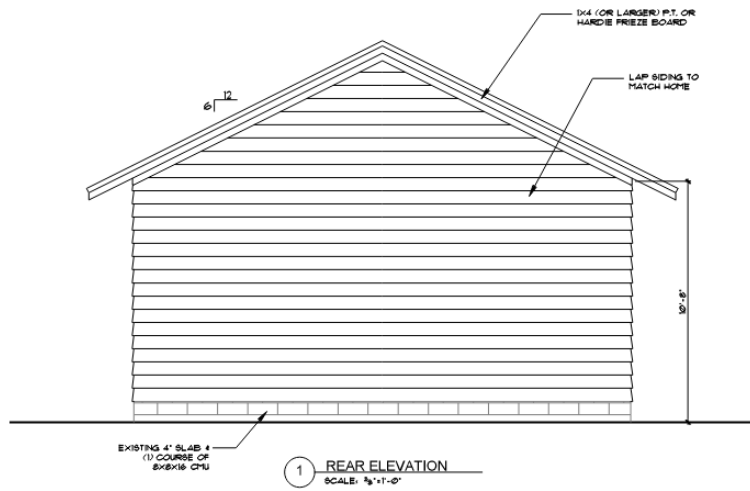
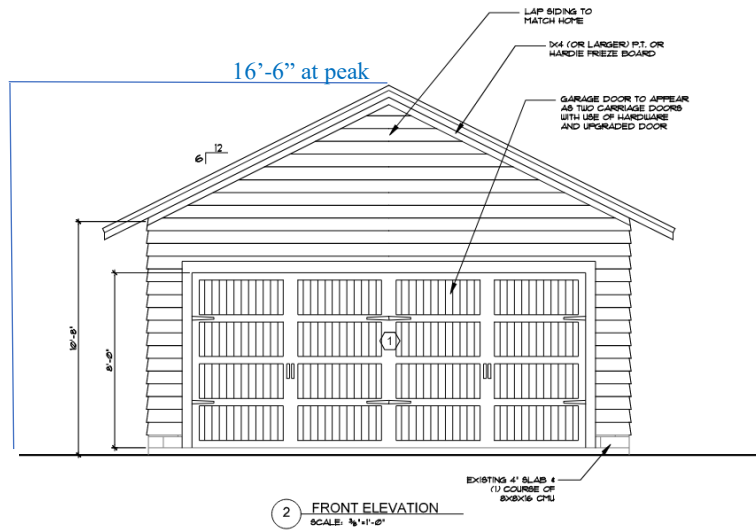
**Boundary Survey**



**Boundary Survey – detached garage location DETAIL**



### Proposed Detached Garage Elevations



**Property Photos**  
**216 N Lakeview Ave**  
View from Lakeview Ave



View from rear yard with gravel drive and concrete slab

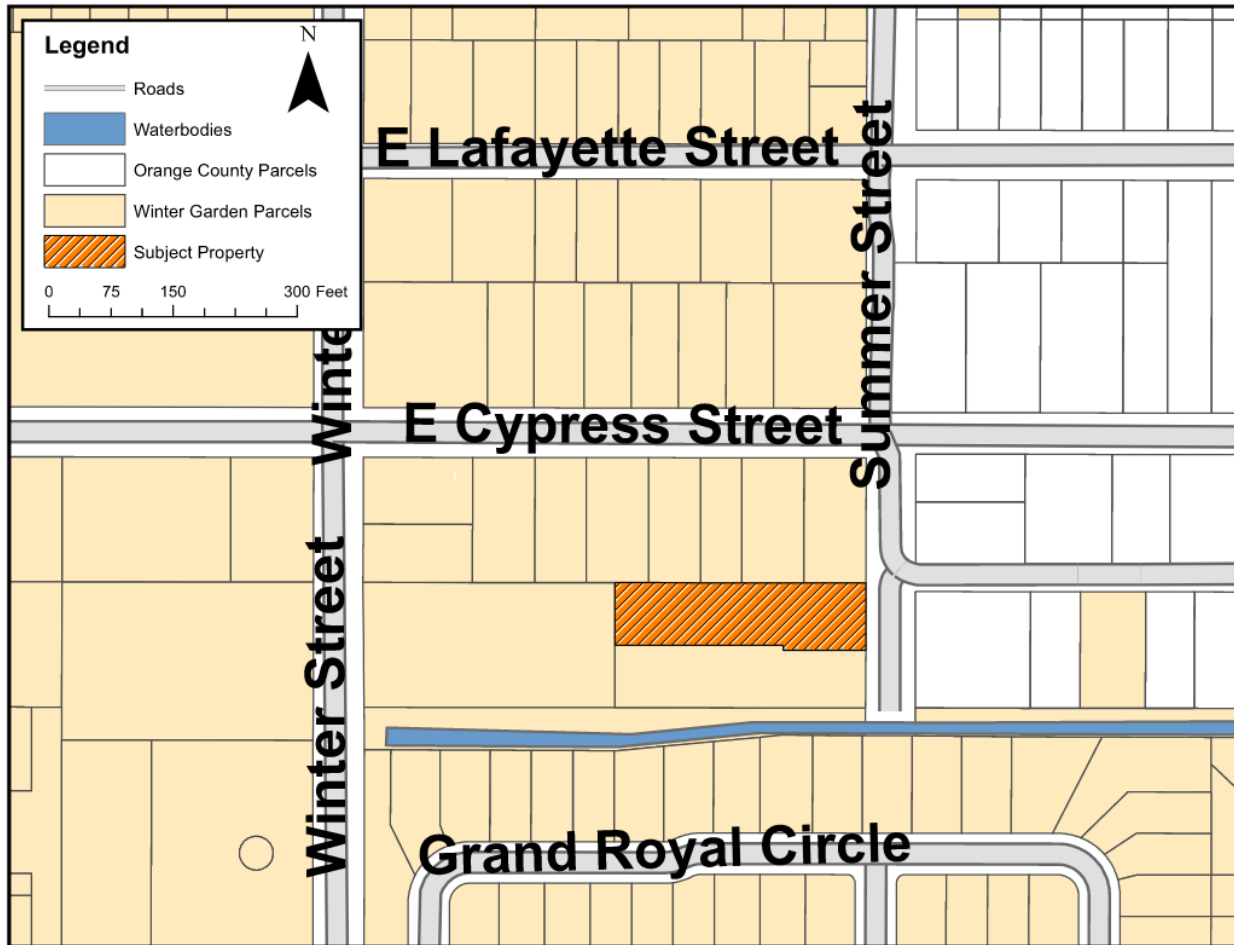




# LOCATION MAP

704 Summer Street

Variance



**CITY OF WINTER GARDEN  
PLANNING & ZONING DIVISION**

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

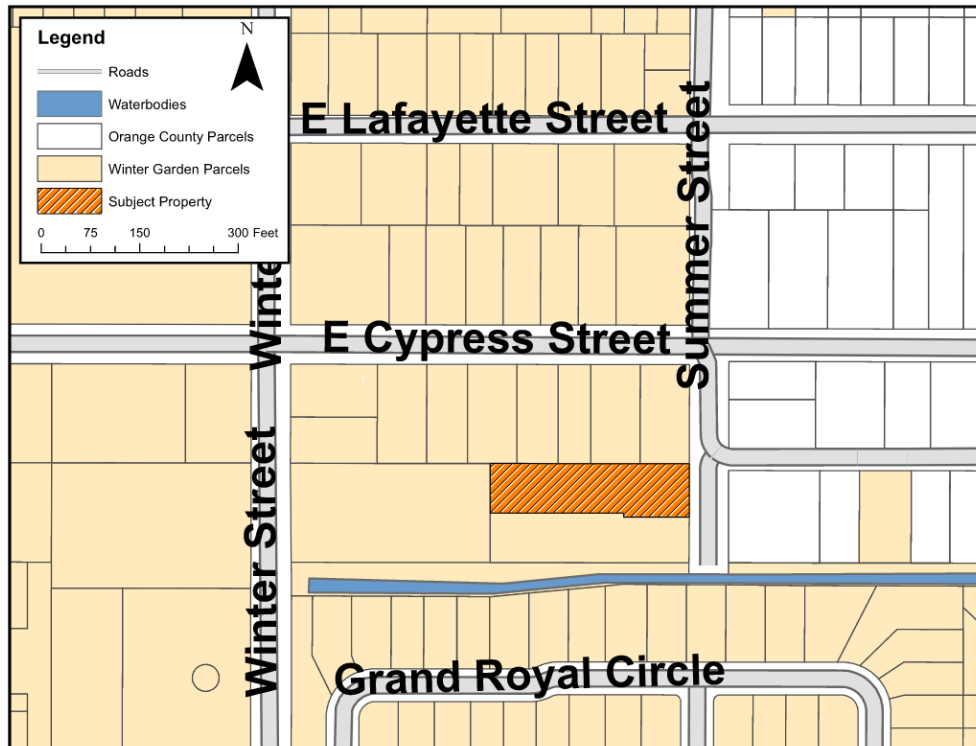
**STAFF REPORT**

**TO:** PLANNING AND ZONING BOARD  
**PREPARED BY:** SHANE FRIEDMAN, PLANNING SUPERVISOR  
**DATE:** JUNE 2, 2025  
**SUBJECT:** VARIANCE  
**704 SUMMER STREET (0.54 ± ACRES)**  
**PARCEL ID #23-22-27-6504-08-040**

**APPLICANT:** Fiesta Contracting, Inc.

**INTRODUCTION**

The purpose of this report is to evaluate the request for a variance for property located at 704 Summer Street in Winter Garden, Florida. The request is to allow the construction of a duplex on a lot that is 81.43 feet wide at the building front setback line in lieu of the minimum required 100-foot width at the building front setback line in an R-2 Residential zoning district. The subject property, located on Summer Street, is an approximately 0.54 ± 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 vacant.

**ADJACENT LAND USE AND ZONING**

The properties to the north, south and west are developed with single-family homes, are zoned R-2, and are located within the City’s municipal limits. The property to east is vacant, is zoned County R-2, and is located within un-incorporated Orange County.

**PROPOSED USE**

The applicant is requesting the variance to allow the construction of a two-story duplex totaling 4,388 square feet. The design of the duplex will be tandem with one two-story unit facing Summer Street and the second two-story unit facing the rear of the property.

**CODE REFERENCE**

**Sec. 118-396.** of the City Code of Ordinances addresses the minimum lot requirements for Two-family dwellings in the R-2 Zoning District. This section states,

*In the R-2 zoning district, the minimum lot requirements are as follows:*

- (2) Two-family.*
  - a. Lot width: 100 feet at building front setback line;*
  - b. Lot depth: 100 feet;*
  - c. Lot area: not less than 10,000 square feet; and*
  - d. Lot width at curb on a cul-de-sac: 35 feet.*

The applicant is seeking a variance to the lot width in order to build a new duplex.

**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 proposed duplex will meet the front, side, and rear yard setback requirements. If the property were 100 feet wide, instead of the requested 81-feet, the home would still be built with the same setbacks. The variance for the width of the lot should not cause or allow interference with the reasonable enjoyment of 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 or the permitted uses under R-2 zoning. Duplexes are permitted by right within R-2, subject to siting standards, and are not out of character for single-family neighborhoods. Also, the property is 0.54 ± acres in size and is over 300 feet in depth. A duplex is a reasonable use of the property considering its size and depth.

- (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 code requirements for a duplex in R-2 zoning exists to make sure the site would function with two family dwelling units. This is the purpose of the minimum size requirements as well as the frontage width requirements. However, since the property is more than adequate in size at half an acre, and the home will be designed to suitably fit the property, strict compliance with the land development regulation 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. Duplexes are allowed in R-2 zoning, which is a zoning category of Low Density Residential future land use, making it consistent with the City's Comprehensive Plan.

- (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 land. Furthermore, the applicant has also designed the duplex to be in tandem, with the position of the duplex perpendicular to the right-of-way, giving the appearance of one single-family home, to maintain the character of surrounding neighborhood (see exhibits). The applicant has a large half-acre property that would otherwise permit the construction of a duplex. There is no other variance that can be requested by the applicant that can achieve this objective since the variance request is for the lot width and not a setback.

## **SUMMARY**

City Staff recommends approval of a variance to Sec. 118-396(2)(a) for the property located at 704 Summer Street, to allow the construction of a duplex on a lot that is 81.43 feet wide at the building front setback line, in lieu of the minimum required 100-foot width at the building front setback subject to the following conditions:

- 1) The home will be built in the same architectural style and massing, that were provided by

the applicant for this variance request, as shown in this staff report's building elevations exhibit.

- 2) The home will be built with the tandem design that has a prominent single-family home style front facing façade.

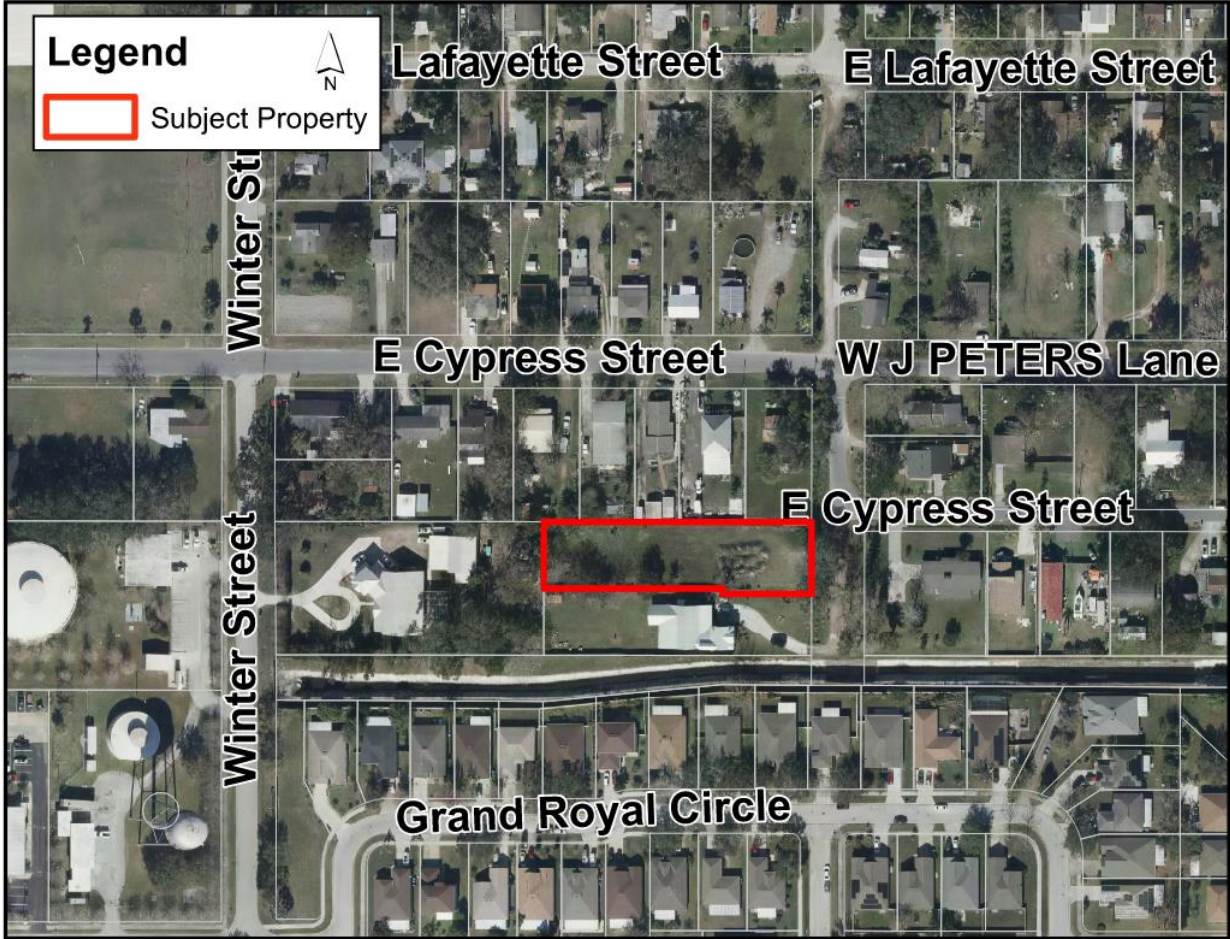
### **NEXT STEP**

Follow all City regulations and apply for building permits.

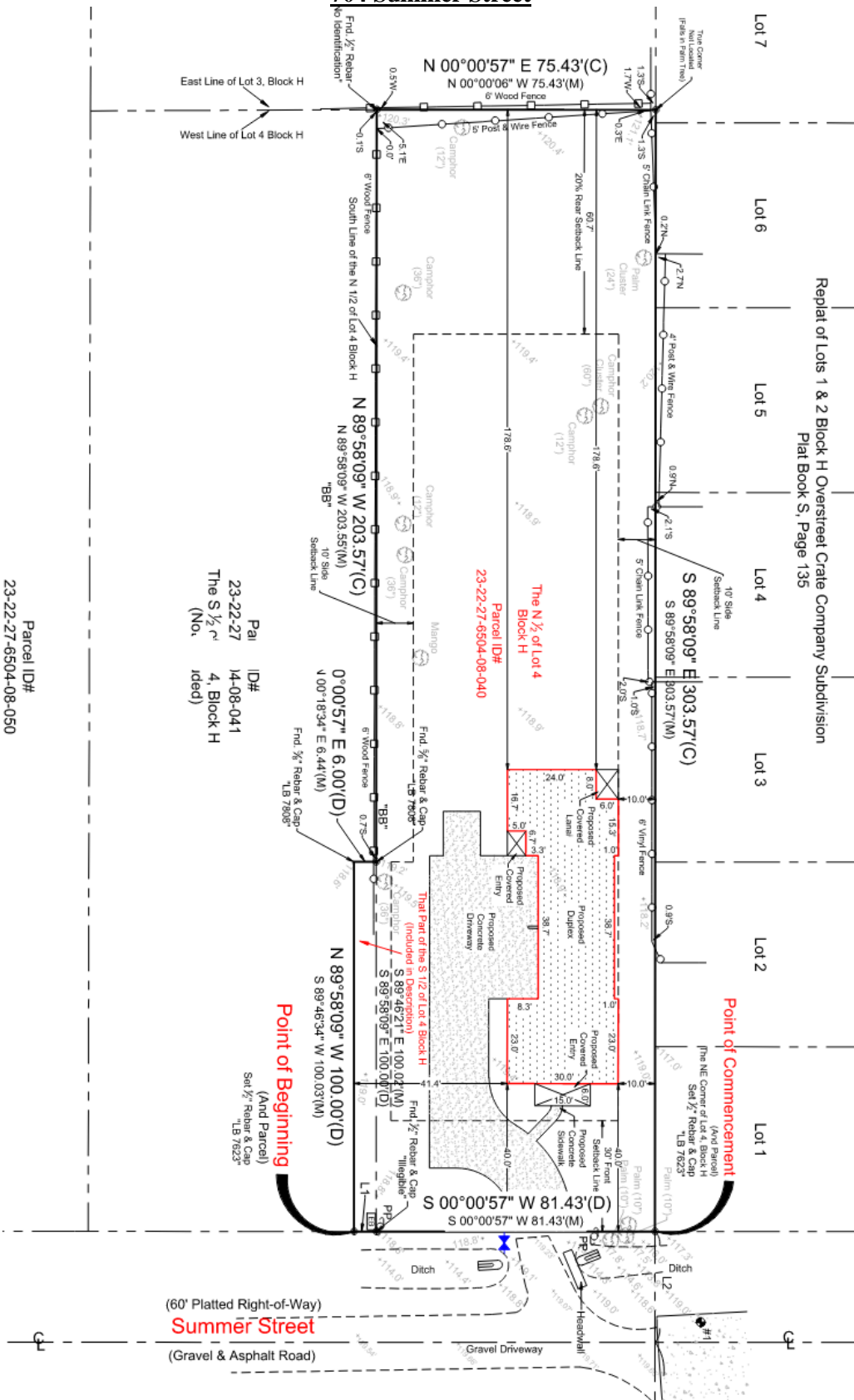
### **ATTACHMENTS**

- Aerial Photo
- Plot Plan
- Elevations
- Site Photos

**AERIAL PHOTO**  
**704 Summer Street**



**Plot Plan**  
**704 Summer Street**



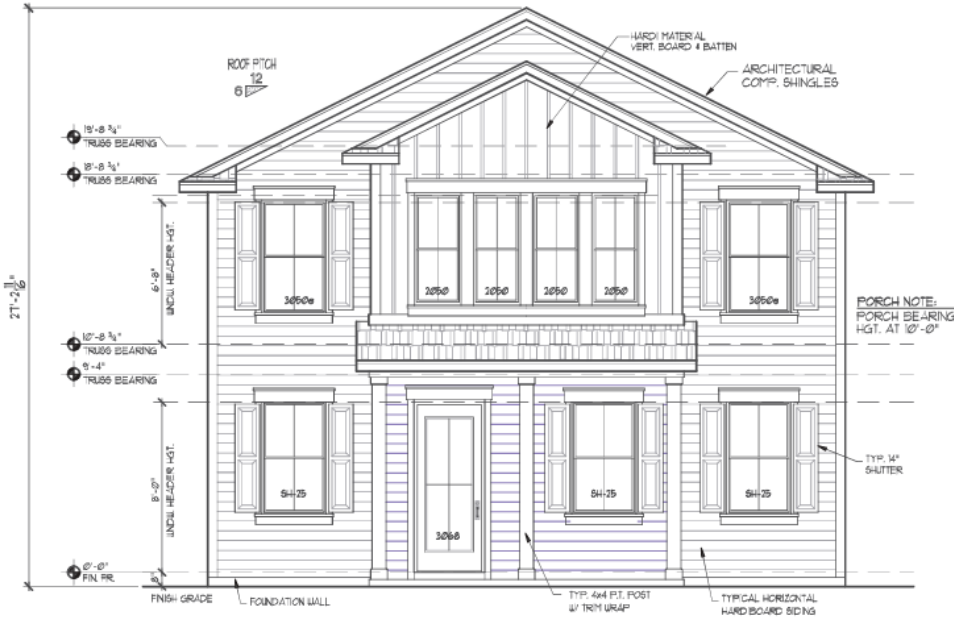
Parcel ID#  
 23-22-27-6504-08-050

Parcel ID#  
 23-22-27-6504-08-040  
 The N 1/2 of Lot 4  
 Block H

Point of Beginning  
 (And Parcel)  
 Set 1/2" Rebar & Cap  
 "LB 7623"

Point of Commencement  
 (And Parcel)  
 The NE Corner of Lot 4, Block H  
 Set 1/2" Rebar & Cap  
 "LB 7623"

**Elevations**  
**704 Summer Street**



**FRONT ELEVATION**  
 SCALE: 1/4" = 1'-0"

**TRANSPARENCY REQUIREMENTS:**  
 FRONT ELEVATION - 1st FLOOR LEVEL:  
 253 sq. ft. x 8% = 44.13 sq. ft. REQUIRED  
 69.63 sq. ft. PROVIDED  
 FRONT ELEVATION - 2nd FLOOR LEVEL:  
 275 sq. ft. x 8% = 52.25 sq. ft. REQUIRED  
 51.6 sq. ft. PROVIDED



**REAR ELEVATION**  
 SCALE: 1/4" = 1'-0"

**TRANSPARENCY REQUIREMENTS:**  
 REAR ELEVATION - 1st FLOOR LEVEL:  
 267 sq. ft. x 8% = 21.36 sq. ft. REQUIRED  
 2 sq. ft. PROVIDED  
 REAR ELEVATION - 2nd FLOOR LEVEL:  
 275 sq. ft. x 8% = 22 sq. ft. REQUIRED  
 267 sq. ft. PROVIDED



**SITE PHOTOS**  
**704 Summer Street**



(Facing west towards subject property)



(Facing south along Summer Street)

**SITE PHOTOS**  
**704 Summer Street**



(Facing east from subject property)



(Facing north along Summer Street)

**END OF STAFF REPORT**



**ORDINANCE NO. 25-15**

**AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING SECTION 110-60 GOVERNING EXPEDITED PROCESS FOR ISSUING BUILDING PERMITS IN ACCORDANCE WITH SECTION 177.073, FLORIDA STATUTES; CREATING SECTION 110-126 ESTABLISHING A REGISTRY OF QUALIFIED CONTRACTORS TO ASSIST THE CITY IN EXPEDITING REVIEW OF PRELIMINARY PLAT APPLICATIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City has the authority under the City Charter, Section 2(b), Article VIII of the State Constitution, and Section 166.021(1), Florida Statutes, to exercise any power for municipal purposes except where expressly prohibited by law; and

**WHEREAS**, on May 29, 2024, Governor DeSantis signed Senate Bill 812 into law, creating Section 177.073, Florida Statutes, which requires that the governing body of a municipality that has 10,000 residents or more create a program to expedite the process for issuing building permits; and

**WHEREAS**, the City of Winter Garden is a municipality of more than 10,000 residents which must adhere to Section 177.073, Florida Statutes; and

**WHEREAS**, Sec. 110-60, Winter Garden Code, provides an existing expedited process for issuing building permits for model homes which may be modified to conform to the requirements of Section 177.073, Florida Statutes; and

**WHEREAS**, Section 177.073, Florida Statutes, also requires that the governing body of a municipality establish a registry of qualified contractors who may be used by the governing body to supplement staff resources for processing and expediting the review of applications for preliminary plats or related plans; and

**WHEREAS**, the City Commission of the City of Winter Garden finds that this Ordinance is in the interests of the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Winter Garden, Florida, that:

**SECTION 1. Recitals.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**SECTION 2. City Code Amendment.** Section 110-60 of the City Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

**Sec. 110-60. Expedited process for issuing residential building permits before a final plat is recorded~~Model homes.~~**

- (a) Except as otherwise provided for in this section, no building permit shall be issued until such time as a certificate of completion has been issued by the city engineer and final plat approval has been obtained.
- (b) Upon conditional approval of a preliminary subdivision plat, as required by Sec. 110-123, a subdivider may be allowed to submit an application for expedited building permits prior to the approval of the final plat in accordance with section 177.073, Florida Statutes~~obtain one building permit for a model home for each 20 lots located within a proposed subdivision prior to the issuance of a certificate of completion by the city engineer and final plat approval,~~ provided the subdivider submits the applicable application fee, executes a hold harmless agreement to the city's satisfaction, and provides the performance guarantee required by subsection 110-152(7). The application must identify the percentage of planned homes or the number of building permits that the city must issue across all phases of the residential subdivision.~~Notwithstanding the permitted rate for model homes, the~~The maximum number of building permits ~~for model homes to be requested~~allowed under this section in any one subdivision shall not exceed seventy-five (75) percent of planned homes across all phases of the residential subdivision~~ten~~. However, this limitation shall not prevent the city from, at its sole discretion, issuing a higher percentage of building permits within a subdivision if it is deemed to be in the best interest of the public.
- (c) ~~In addition, the~~The following conditions shall apply prior to issuance of a building permit under this section~~for lots where model homes are allowed:~~
  - (1) The city has approved a preliminary plat for each residential subdivision or planned community.
  - (2) The applicant shall provide proof to the city that the applicant has provided a copy of the approved preliminary plat, along with the approved plans, to the relevant electric, gas, water, and wastewater utilities.
  - (3) The applicant shall hold a valid performance bond for up to 130 percent of the necessary improvements, as defined in section 177.031(9), Florida Statutes, that have not been completed upon submission of the application under this section. For purposes of a planned community, a valid performance bond is required on a phase-by-phase basis.
  - (4)~~(1)~~ The lots upon which the model homes are constructed shall be located within 300 feet of an active and approved fire hydrant and Florida Department of Environmental Protection has approved the clearance for the water system; and
  - (5)~~(2)~~ Main sewer and water lines for said lots shall be installed by the developer and be subject to review and approval by the city and approved for clearance by the Florida Department of Environmental Protection;

~~(6)~~(3) The lots shall have a minimum of 20-foot wide emergency access road extending from a paved public street to within 50 feet of the proposed structure, as approved by the city engineer;

~~(4)~~ A certificate of occupancy will not be issued on any model home permitted by this section until the city engineer has issued a certificate of completion pursuant to subsection 110-152(2)a.

(d) An applicant may contract to sell, but may not transfer ownership of, a residential structure or building for which a building permit is issued until the final plat is approved by the city and recorded in the public records of Orange County. A certificate of occupancy will not be issued on any home permitted by this section until the city engineer has issued a certificate of completion pursuant to subsection 110-152(2)a.

**SECTION 3. City Code Amendment.** Section 110-126, presently “Reserved” under Article III, Division 3 of Chapter 110, is hereby created as follows: (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

**Sec. 110-126. Qualified Contractors.**

(a) A “qualified contractor” under this section shall mean an engineer or engineering firm licensed under chapter 471, Florida Statutes; a surveyor or mapper or surveyor’s or mapper’s firm licensed under chapter 472, Florida Statutes; an architect or architecture firm licensed under part I, chapter 481, Florida Statutes; a landscape architect or landscape architecture firm registered under part II, chapter 481, Florida Statutes; or any other qualified professional who is certified in urban planning or environmental management.

(b) The city shall establish a registry of at least three (3) qualified contractors to supplement staff resources in ways determined by the city for processing and expediting the review of an application for a preliminary plat or plans related to such application.

(c) A qualified contractor on the registry who is hired pursuant to this section to review an application, or any part thereof, for a preliminary plat, or any part thereof, may not have a conflict of interest, as defined in section 112.312, Florida Statutes, with the applicant.

**SECTION 4. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 5. Conflicts.** In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

**SECTION 6. Codification.** Sections 2 and 3 of this Ordinance shall be incorporated into the Winter Garden City Code. Any section, paragraph number, subsection number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or City Code may be freely made.

**SECTION 7. Effective date.** This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Garden, Florida.

**FIRST READING:** \_\_\_\_\_.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the City Commission of the City of Winter Garden, Florida.

**CITY COMMISSION OF THE CITY OF  
WINTER GARDEN, FLORIDA**

\_\_\_\_\_  
John Rees, Mayor/Commissioner

ATTEST:

\_\_\_\_\_  
Angela Grimmage, City Clerk



## Business Impact Estimate

*This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference: Ordinance 25-15 – Expedited Residential Building Permits

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
  - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
  - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

*Ordinance 25-15 would amend City of Winter Garden Code Section 110-60 governing expedited process for issuing building permits in accordance with section 177.073, Florida Statutes. The new section would stipulate that building permits for residential properties may be submitted before the final plat is recorded if the applicant meets certain conditions.*

*The purpose of this ordinance is to align the City's code with Florida Statutes.*

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

*This ordinance should not have any direct financial impacts on private businesses the City other than potentially lowering development costs by expediting a subdivision project's buildout timeframe.*

3. Estimate of direct compliance costs that businesses may reasonably incur:

*No direct compliance costs should be incurred by businesses as a result of adopting this ordinance.*

4. Any new charge or fee imposed by the proposed ordinance:

*No new charges or fees will be imposed by this ordinance.*

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

*The proposed ordinance should not have an impact on any business other than potentially expediting the permitting timeframe for residential developers.*

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

N/A