



**Planning and Zoning Board
Regular Meeting Minutes
April 6, 2026**

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 and Board Members: Linda Bennett, Jimmy Dunn and TJ Ryan.

Absent: Board Members: Steve Ambielli (excused), Myron Brown (excused) and Jeff Ewing (excused).

Staff Present: City Attorney Kurt Ardaman, Economic Development Director Marc Hutchinson, Planning Director Kelly Carson, Planning Supervisor Shane Friedman, Senior Planner Yvonne Conatser, Planner II Amber McDonald and Recording Secretary Ellen King.

Attendees: Sean Lackey of Sean Lackey Architect, Cas Suvongse of SK Consortium, Inc, Emily Rubin of 115 Agnes Street, Amanda & Matt Cappleman of 516 N Dillard Street, John Cappleman of 519 N Woodland Street, Richard Stubbs of Stubbs Architecture, Robert Brewer and Brittany Brewer of 366 N Lakeview Avenue and Zach Heller of Heller Brothers.

2. APPROVAL OF MINUTES

Motion by Board Member Dunn to approve the regular meeting minutes of March 2, 2026. Seconded by Board Member Bennett and carried unanimously 4 – 0.

3. VARIANCE (PUBLIC HEARING)

**3.A 115 Agnes Street (Rubin-Floyd Residence) VARIANCE
Parcel ID # 14-22-27-2088-00-080**

Planner McDonald presented a Variance request for property located at 115 Agnes Street to allow a rear yard setback of 15 feet and a front yard setback of 20 feet to build a single-family home with a front porch and rear loaded garage. Staff recommends approval subject to any conditions outlined in the Staff Report.

Staff also stated the homeowner directly abutting the subject property located at 121 Agnes Street has submitted a letter of no objection. This same variance request was previously approved on April 27, 2025 but expires April 7, 2026; the applicant is requesting a new approval for the same variance request.

Board members inquired about any changes to this Variance request and if the front yard setback of 20 feet is to the steps or the structure? City staff confirmed there were no changes in this Variance request and confirmed the setback is to the edge of the steps.

No one from the Public had any questions or concerns regarding this item.

Motion by Board Member Dunn to approve the Variance at the location of 115 Agnes Street subject to staff conditions. Seconded by Board Member Hawthorne and carried unanimously 4 – 0.

**3.B 366 N Lakeview Avenue (Jones Alteration) VARIANCE
Parcel ID # 14-22-27-9203-04-060**

Planner McDonald presented a Variance request for property located at 366 N Lakeview Avenue to allow a 6 foot rear yard setback to construct an addition on an existing single-family residence. Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members inquired if the existing structure is within the city and power company utility easement, if the pool is within the utility easement and is this an addition to the house or the pool area? City staff confirmed the existing structure is within the utility easement, the pool is not within the easement and the addition is to the structure of the house.

No one from the Public had any questions or concerns regarding this item.

Motion by Board Member Bennett to approve the Variance at the location of 366 N Lakeview Avenue subject to staff conditions. Seconded by Board Member Ryan and carried unanimously 4 – 0.

**3.C 523 N Woodland Street (Cappleman House) VARIANCE
Parcel ID # 14-22-27-9392-01-610**

Board Member Dunn disclosed he had a conversation with the applicant a few weeks prior.

Planning Supervisor Friedman presented a Variance request for property located at 523 N Woodland Street to allow an accessory structure to have a square footage that is 59% of the primary structure square footage, a roof peak height of 23 feet, a 6 foot rear yard setback and a 6 foot side yard setback to build a two-story detached garage. Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members inquired if the letters of support came from surrounding neighbors, with the height variance of 23 feet and currently 12 feet is 23 feet in line with a 2-story roofline, is there an accessory structure requirement that the roofline has to be lower in height than the main structure, are there other 2-story structures within this area, will any trees be lost due to the detached garage and did the applicant consider building a larger 1-story garage instead of 2-story?

City staff confirmed support letters came from surrounding neighbors, accessory buildings have a 12 foot maximum height for the roof peak, the requested 23 feet is in line with 2-story structure, the main structure will remain as a 1-story, no accessory structure requirement in the current code in regards to being higher than main structure but staff to work on provisions of the code that will address these issues, the house on the corner added a second story addition behind the house and there are no trees in that area but the garage is well screened with trees. Sean Lackey of 734 Rugby Street, Orlando Architect on the project stated the applicants wanted to make the best use of the backyard and not take up too much yard space, the new roof on the existing house and the large oak tree will help disguise the view of the new structure in the back and discussed windows of existing and proposed structures.

No one from the Public had any questions or concerns regarding this item.

Motion by Board Member Hawthorne to approve the Variance at the location of 523 N Woodland Street with staff conditions. Seconded by Board Member Bennett and carried unanimously 4 – 0.

**3.D 306 9th Street (Heller Brothers Outside Storage - Fence) VARIANCE
Parcel ID # 23-22-27-7288-00-038**

Senior Planner Conatser presented a Variance request for property located at 306 9th Street to allow a 6 foot tall PVC fence in the front and side yard of the property. A Special Exception Permit Application for outside storage is being reviewed concurrently with this Variance (see Item 4.A). Staff recommends approval subject to any conditions outlined in the Staff Report.

Board members inquired about number of gates on the fence, if any landscaping is being added and is the chain-link fence grandfathered in. City staff stated two gates are located on the fence with one gate in the front and one on the side which are the existing access points, landscaping will be installed simultaneously with the fence and confirmed the chain-link fence is grandfathered in.

No one from the Public had any questions or concerns regarding this item.

Motion by Board Member Ryan to approve the Variance at the location of 306 9th Street subject to staff conditions. Seconded by Board Member Dunn and carried unanimously 4 – 0.

4. SPECIAL EXCEPTION PERMIT (PUBLIC HEARING)

**4.A. 306 9th Street (Heller Brothers Outside Storage – Fence) SPECIAL EXCEPTION
Parcel ID # 23-22-27-7288-00-038**

Senior Planner Conatser presented a Special Exception request for the property located at 306 9th Street to expand the existing approved outdoor storage on the property to 2.13 acres of their overall 5.96 acre property. Staff recommends approval subject to staff conditions.

Board members inquired if the outdoor storage is consistent with the Hennis Road outside storage variance / special exception already approved, questioned the permitted equipment and materials listing of vehicles including cars, trucks, buses, trailers, RVs and boats with use of repairs, services, storage or leasing of these vehicles within the property and questioned the use of the property as storage. City staff stated this is consistent with the 321 Hennis Road variance/ special exception as well as the listing of equipment and uses, no sales are permitted but in I-2 zoning interior repairs and service are allowed for those types of vehicles, and does allow rentals of those types of equipment from the outside storage area and this property is surrounded by industrial zoning.

No one from the Public had any questions or concerns regarding this item.

Motion by Board Member Dunn to approve the Special Exception at the location of 306 9th Street subject to staff conditions. Seconded by Board Member Bennett and carried unanimously 4 – 0.

5. ORDINANCES

5.A Ordinance 26-10 - Code Amendment - Adopting County Animal Services Ordinance & Amend Related Provisions

Planning Director Carson presented Ordinance 26-10 to repeal and replace existing animal control provisions and to adopt the Orange County animal services ordinance; Amending Code Chapter 14, Section 14-2 to establish citywide leash and direct control requirement for animals in public spaces; Amending Code Chapter 27, Section 27-9 relating to domestic animals in parks and recreation facilities; and Amending Code Chapter 118, Article XII, Section 118-1612 relating to the dog friendly dining program. This proposed ordinance is required for compliance with Federal or State law or regulation. Staff recommends approval of Ordinance 26-10.

Board members inquired if Homeowner Association (HOA) property is considered public spaces, does the City of Winter Garden prevail when a conflict arises referencing an Orange County ordinance? City staff stated HOA property is not typically considered public spaces since they are privately controlled by HOAs. City Attorney Ardaman stated if there is a conflict there should be language in the adopting ordinance which states Winter Garden would control. Marc Hutchinson, Economic Development Director, stated the city needs to strengthen the animal services code due to issues of unleashed dogs in the downtown area and the City relying on Orange County as enforcement since they already have the regulatory set up. City Attorney Ardaman questioned if there is an existing Inter Local Agreement with Orange County for them to come into the city to enforce the code? City staff will inquire about the status of an Inter Local Agreement with Orange County.

No one from the Public had any questions or concerns regarding this item.

Motion by Board Member Hawthorne to approve the Code Amendment as Ordinance 26-10 with added language in an event of a conflict City Code would prevail. Seconded by Board Member Dunn and carried unanimously 4 – 0.

Chairman Will Hawthorne adjourned the meeting at 7:20 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, May 4, 2026 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

APPROVED:

/S/

/S/

Recording Secretary Ellen King

Chairman Will Hawthorne