



**For More Information, Contact:**  
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City of Winter Garden  
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 TJ Ryan.

**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 II Amber McDonald and Recording Secretary Colene Rivera/Ellen King.

### Agenda for November 3, 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 October 6, 2025 Meeting

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

A. 530, 550, 570, 590, 610 and 630 East Crown Point Road (E Crown Point Complex) PCD REZONING  
Parcel ID # 13-22-27-0895-00-120

#### 4. Variance (Public Hearing)

A. 111 N Central Avenue (Tingley Property) VARIANCE  
Parcel ID # 14-22-27-1728-05-180

B. 15583 Hamlin Blossom Avenue (Simores Property) VARIANCE  
Parcel ID # 33-22-27-3601-02-890

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

A. Ordinance 25-38 - Code Amendment - Chapter 118 - Certified Recovery Residences

B. Ordinance 25-36 - Amending Chapter 78 - Impact fees for water, wastewater, and reclaimed water

#### 6. Adjourn

Next regular Planning and Zoning Board meeting on Monday, December 1, 2025 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida

Posted: October 21, 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.



# WINTER GARDEN

Planning and Zoning Board  
Regular Meeting Minutes  
October 6, 2025

# DRAFT

## 1. **CALL TO ORDER**

Co-Chairman Steve Ambielli called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:31 p.m. in the City Hall Commission Chambers. A moment of silence was followed by the Pledge of Allegiance. Quorum was declared present.

**Present:** Co-Chairman Steve Ambielli and Board Members: Linda Bennett, Jimmy Dunn and Jeff Ewing.

**Absent:** Chairman Will Hawthorne (excused) and Board Members: Myron Brown (excused) and TJ Ryan (excused).

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

**Attendees:** Thomas Larson of 617 Teacup Springs and Raphaele Francois of 1203 Edgeway Drive.

## 2. **APPROVAL OF MINUTES**

***Motion by Board Member Dunn to approve the regular meeting minutes of September 8, 2025. Seconded by Board Member Ewing and carried unanimously 4 – 0.***

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

### **3.A. 617 Teacup Springs Court – (Larson Lot Split) LOT SPLIT Parcel ID # 12-22-27-5448-00-020**

Planning Supervisor Friedman presented a Lot Split request for the property at 617 Teacup Springs Court to create a new parcel with the intent to build a single-family home. Staff recommends approval subject to staff conditions.

Board members inquired about a well shown on Parcel 2 and inquired if it was abandoned or active? City staff stated this is an irrigation well that is in use and will continue to be in use for Parcel 2.

The General Public did not have any comments or questions about this item.

***Motion by Board Member Ambielli to approve the Lot Split at the location of 617 Teacup Springs Court subject to staff conditions. Seconded by Board Member Bennett and carried unanimously 4 – 0.***

**4. VARIANCE (PUBLIC HEARING)**

**4.A. 1203 Edgeway Drive – (Francios Porch) VARIANCE  
Parcel ID # 12-22-27-6496-06-003**

Planner McDonald presented a Variance request for the property located at 1203 Edgeway Drive to allow a rear yard setback of 6.9 feet for construction of a new porch. Staff recommends approval subject to staff conditions.

Board members inquired about other R-4 zoning lots in the area with this type of similar variance setback. City staff stated there are other R-4 properties, however this side porch acts as the applicant’s back yard because they have no rear yard due to the setback of the primary structure.

The General Public did not have any comments or questions about this item.

***Motion by Board Member Dunn to approve the Variance at the location of 1203 Edgeway Drive subject to staff conditions. Seconded by Board Member Ewing and carried unanimously 4 – 0.***

Co-Chairman Steve Ambielli adjourned the meeting at 6:39 pm. Adjourned to the regular Planning and Zoning Board meeting on Monday, November 3, 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

**THE CITY OF WINTER GARDEN**  
**PLANNING AND ZONING BOARD AGENDA ITEM # 3.A**

**Public Hearing**

**Date:** October 28, 2025                      **Meeting Date:** November 3, 2025  
**Subject:** 530, 550, 570, 590, 610, and 630 EAST CROWN POINT RD  
**Project Name:** East Crown Point Complex PCD  
**Parcel ID:** 13-22-27-0895-00-070; -080; -090; -100; -110; and -120  
**Issue:** The applicant is requesting to rezone the properties located at 530, 550, 570, 590, 610, and 630 East Crown Point Road to a Planned Commercial Development (PCD).

**Supplemental Material / Analysis:**

**Owner / Applicant:** Florida Engineering Group, Inc.  
**Current Zoning:** C-2 (Arterial Commercial)  
**Proposed Zoning:** PCD (Planned Commercial Development)  
**Current FLU:** MUD (Multi Use Development)  
**Proposed FLU:** N/A

**Summary:** The applicant is requesting a Planned Commercial Development (PCD) rezoning to permit the development of nine (9) commercial office, warehouse, and flex space buildings totaling 203,306 square feet as well as associated site improvement such as parking and landscaping.

**Staff Recommendation(s):**

Staff recommends approval of Ordinance 25-37.

**Next Step(s):**

The first reading by City Commission is scheduled for November 13, 2025, with the second reading and adoption anticipated to be on December 11, 2025.

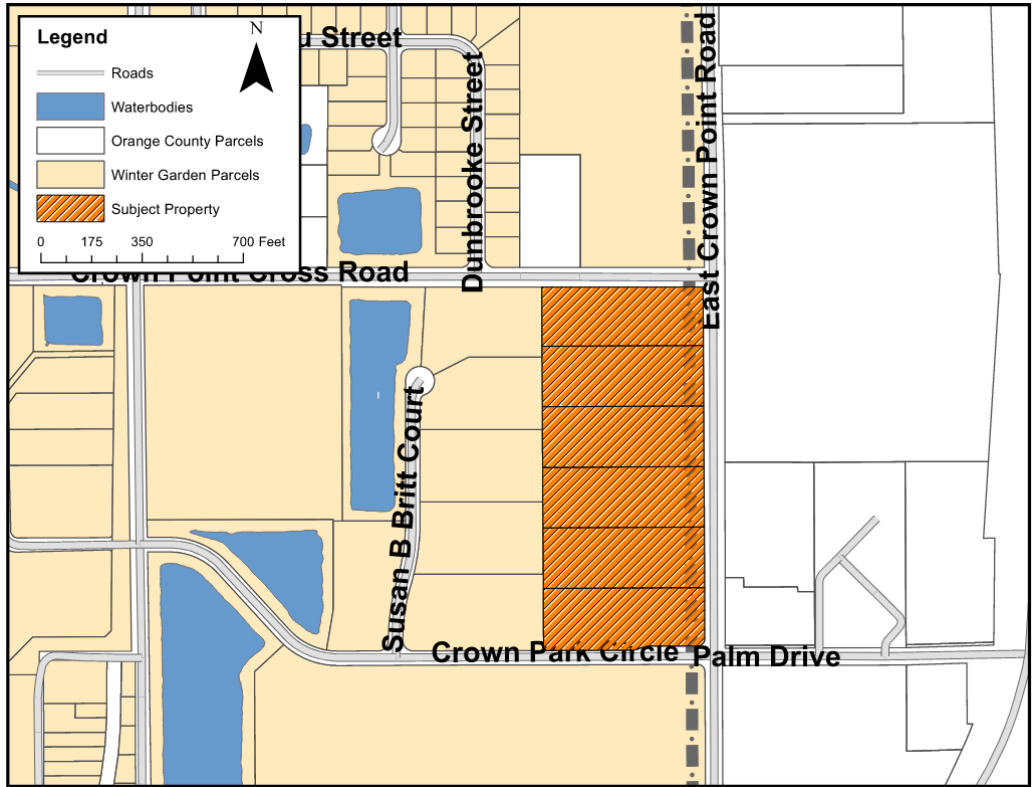
**Attachment(s):**

Staff Report  
Location Map  
Ordinance 25-37

# LOCATION MAP

530, 550, 570, 590, 610, and 630 EAST CROWN POINT RD

## Planned Commercial Development



# CITY OF WINTER GARDEN

## PLANNING & ZONING DIVISION

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

# STAFF REPORT

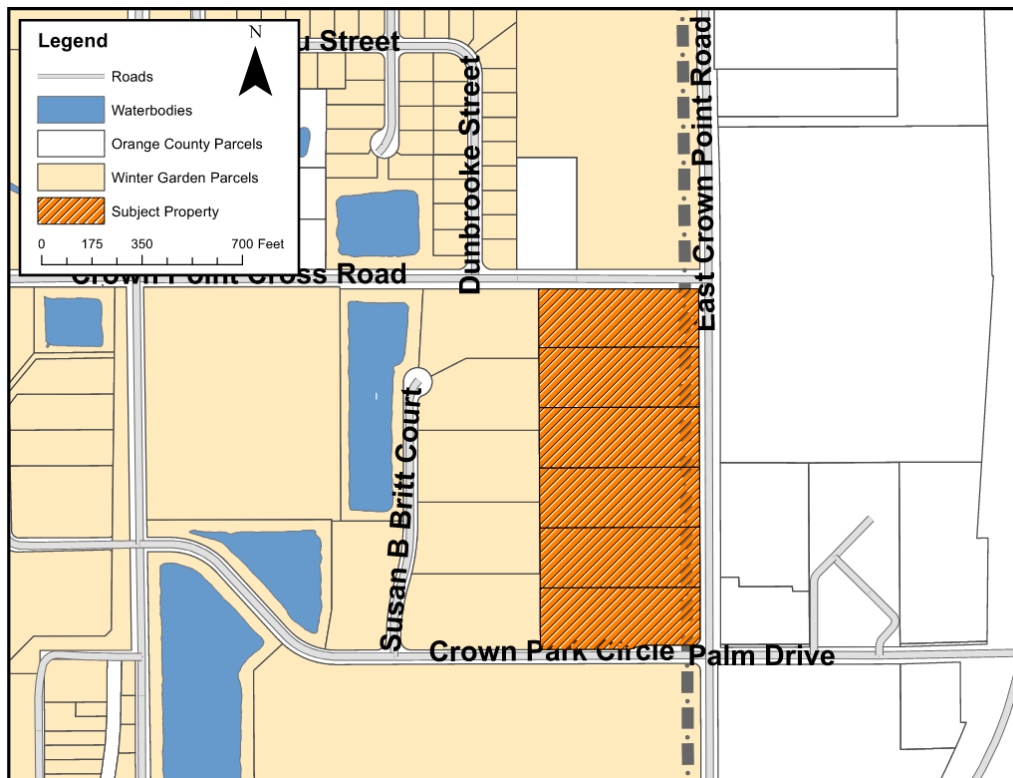
**TO:** PLANNING AND ZONING BOARD  
**PREPARED BY:** SHANE FRIEDMAN, PLANNING SUPERVISOR  
**DATE:** NOVEMBER 3, 2025  
**SUBJECT:** PCD REZONING – EAST CROWN POINT COMPLEX  
**ORD 25-37**  
**530, 550, 570, 590, 610, and 630 EAST CROWN POINT RD (15.99 +/- ACRES)**  
**PARCEL ID # 13-22-27-0895-00-070; -080; -090; -100; -110; and -120**

**APPLICANT:** Florida Engineering Group, Inc.

### 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 properties, located on East Crown Point Road, and are approximately 15.99 ± acres. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The applicant is requesting to rezone 15.99 ± acres of land to Planned Commercial Development (PCD). The subject property is located within the City of Winter Garden municipal limits and carries the zoning designation C-2 (Arterial Commercial District) in the City of Winter Garden. The subject property is designated MUD (Multi Use Development) on the Future Land Use Map of the Comprehensive Plan.

### **EXISTING USE**

The project consists of six properties. All properties are vacant and reside within the Britt Business Center North Phase 2 commercial subdivision.

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

The properties to the west and south are developed with office and industrial buildings, are zoned I-2 (General Industrial District), and are located within the City's municipal limits. The properties to the east are developed with warehouse and office spaces, are zoned PUD-IND, and are located within the City of Ocoee. To the north there are two properties. The first property is developed with a single-family home, is zoned A-1, and is located in unincorporated Orange County. The second property is developed with a church (West Orlando Baptist), is zoned R-1, and is located within the City's municipal limits.

### **PROPOSED USE**

The applicant is proposing to rezone the properties to PCD to allow the construction of nine (9) commercial office/flex space buildings totaling 203,306 square feet. The project is proposed to be phased across three lots and six phases. The purpose of PCD rezoning is to allow the light industrial, warehousing, and flex spaces that wouldn't otherwise be allowed in C-2 zoning. The rezoning to a PCD with a mix of uses is allowed and even encouraged within the MUD (Multi Use Development) future land use designation. It is also consistent with the area, which has a mix of commercial and industrial properties.

A traffic impact analysis (TIA) was performed and reviewed by the City's transportation consultant. The project will generate 1,718 net new daily trips with 216 A.M peak hour trips and 247 P.M. peak hour trips. The TIA shows, and the City's traffic consultant concurred, that the impacted roadway segment currently operates at an acceptable level of service and will continue to operate at an acceptable level of service at project buildout.

### **PUBLIC FACILITY ANALYSIS**

Water, sewer, and reclaimed utilities by the City of Winter Garden will be required for any new development of the property. At such time that the property is developed, all necessary utility lines will be extended and connections made, all extension and connection costs shall be borne by the property owner. The city will provide garbage collection, police protection, and all other services regularly provided to City of Winter Garden residents including building permits.

All concurrency requirements identified by the City of Winter Garden Code of Ordinances and Comprehensive Plan will be met by the proposed development.

### **COMMUNITY MEETING**

The city organized a community meeting for this project on September 15, 2025. This was attended by about 15 to 20 residents, mostly consisting of Chapin Station subdivision residents. There were comments and concerns about access and traffic. The community was made aware that the traffic generated by the development would operate at acceptable levels of service. Some residents expressed concern about the access off Crown Point Cross Road and whether this can

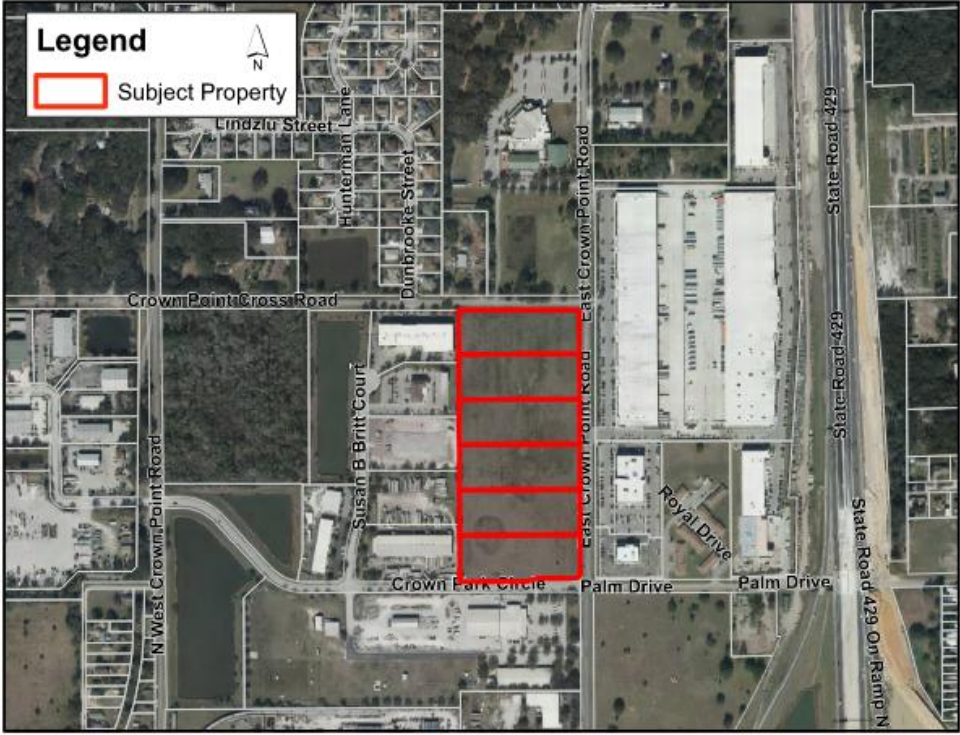
be removed. Staff explained to the public that that access is for the local traffic coming to this site and removing it would dump this traffic onto East Crown Point Road and make the project inefficient when it comes to access management and traffic.

### **SUMMARY**

This type of development, specifically the commercial buildings and associated site improvements, is consistent with other commercial developments that exist in this area of the city and along the East Crown Point Road corridor.

The proposed rezoning from C-2 to PCD is consistent with the City's Comprehensive Plan and the City of Winter Garden Code of Ordinances. Staff recommends approval of the proposed Ordinance to rezone the subject property from C-2 to PCD subject to the conditions outlined in Ordinance 25-37.

**AERIAL PHOTO**  
**530, 550, 570, 590, 610, and 630 EAST CROWN POINT RD**



**SITE PHOTO**  
**530, 550, 570, 590, 610, and 630 EAST CROWN POINT RD**

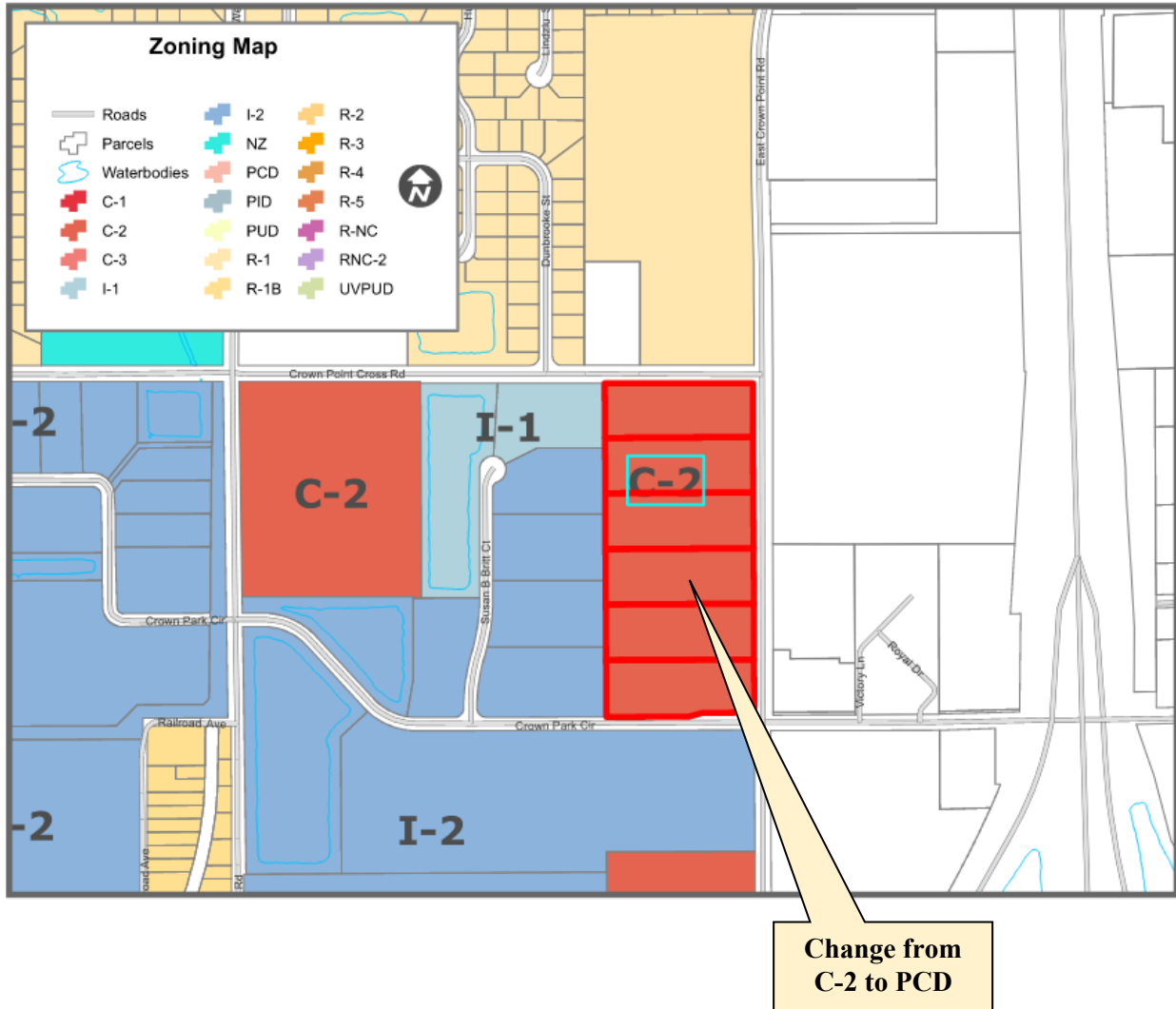


(Facing north on East Crown Point Road at Crown Park Circle)

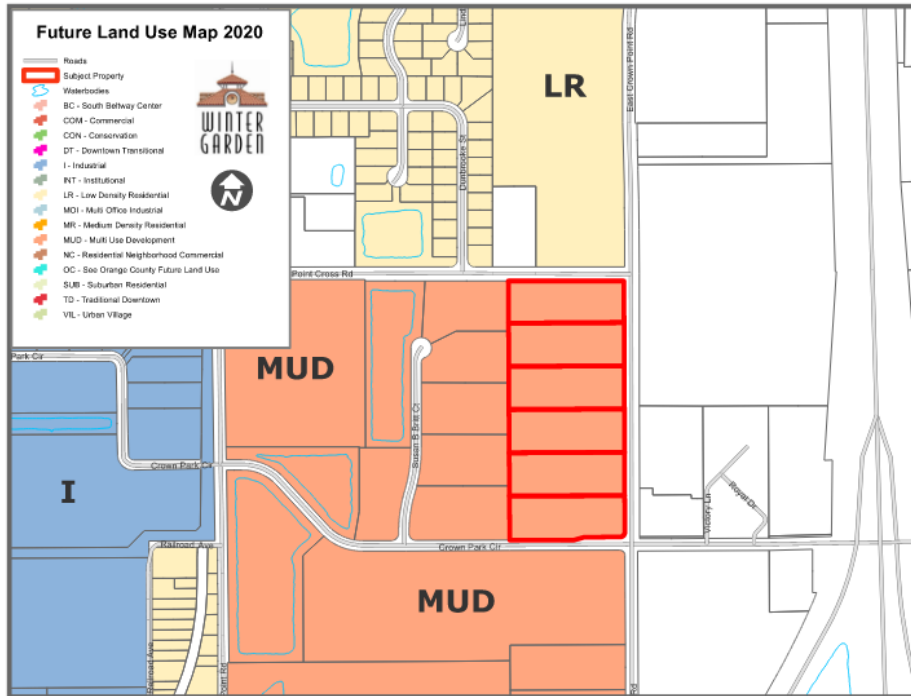


(Facing south on East Crown Point Road at Crown Point Cross Rd)

**ZONING MAP**  
**530, 550, 570, 590, 610, and 630 EAST CROWN POINT RD**



**FUTURE LAND USE MAP**  
**530, 550, 570, 590, 610, and 630 EAST CROWN POINT RD**



**END OF STAFF REPORT**

ORDINANCE 25-37

AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA REZONING APPROXIMATELY 15.99 ± ACRES LOCATED AT 530, 550, 570, 590, 610, and 630 EAST CROWN POINT ROAD GENERALLY LOCATED NORTH OF CROWN PARK CIRCLE, WEST OF EAST CROWN POINT ROAD, SOUTH OF CROWN POINT CROSS ROAD, AND EAST OF SUSAN B BRITT COURT FROM C-2 (ARTERIAL COMMERCIAL DISTRICT) TO PCD (PLANNED COMMERCIAL DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the owner of that certain real property generally described as approximately 15.99 ± acres located at 530, 550, 570, 590, 610, and 630 East Crown Point Road generally located north of Crown Park Circle, west of East Crown Point Road, south of Crown Point Cross Road, and east of Susan B Britt Court from C-2 (Arterial Commercial District) to PCD (Planned Commercial Development), 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 PCD Planned Commercial Development 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 Exhibit “A,” is hereby rezoned from C-2 Arterial Commercial District to (PCD) Planned Commercial Development in the City of Winter Garden, Florida subject to the following conditions provisions and restrictions:

- a) Applicability/Conflict. All development of or within the Property shall comply with and is subject to the requirements set forth in this Ordinance. Unless specifically identified in this Ordinance, all development on the Property identified in Exhibit “A” must comply with the general development standards of the C-2 (Arterial Commercial District) Zoning district and comply with the standards outlined in Chapter 118 Article IX and X regarding the West State Road 50 Overlay Commercial Development Standards. Notwithstanding anything to the contrary herein, all development of or within the Property shall comply with and is subject to

all requirements in the City Code, and ordinances, resolutions, and policies of the City. To the extent of any express conflicts between the express provisions of this Ordinance pertaining to permitted uses, special exception uses, prohibited uses, floor area ratio, architectural design criteria, architectural review, and signage and the City Code and ordinances, resolutions, and policies of the City, the requirements set forth herein shall apply.

- b) Intent. This Ordinance is intended to provide flexibility in the development of the Property in order to provide for proper growth and to guide development and construction in an integrated approach in order to promote a dynamic commercial center for commerce and social activity while also providing an aesthetically pleasing and pedestrian oriented development. Due to constraints in traffic at the proposed location, permitted and special exception uses will be established to maintain a safe, well developed project that enhances and supports the City and its citizens without causing distress on the local businesses and roads.
  
- c) Development Plan. The Property shall be developed in substantial conformance with the Preliminary Development Plans attached hereto as Exhibit "B". Should any conflict exist between this Ordinance and the Preliminary Development Plans attached hereto as Exhibit "B", then the standards and conditions established by this Ordinance shall control to the extent of the conflict.
  
- d) Design Criteria / Architectural Standards.
  - 1. Architecture - All new buildings and accessory structures within the Property shall adhere to the requirements set forth in the Planned Commercial Development Design Standards, attached hereto as Exhibit "B".
  - 2. Landscape Design – Landscaping shall be required to adhere to the landscape design standards shown in Exhibit "B" as well as the standards for specified commercial corridors in accordance with Chapter 118, Article X, Division 3 of the City of Winter Garden Code of Ordinances, except in cases where required canopy trees would interfere with existing overhead power lines, in which case understory trees may be substituted.
  - 3. Site Furnishings – Bicycle parking spaces shall be provided in a quantity commensurate with the proposed uses. Benches and trash receptacles shall be provided near the main building entrances.
  - 4. Impervious Surface Area Ratio- The maximum impervious surface area ratio for the Property shall be consistent with the overall maximum impervious surface area ratio that the Planned Commercial Development is permitted by the Saint John's River Water Management District.
  - 5. Site Lighting - all exterior lighting shall be designed to provide safe,

convenient and efficient lighting for pedestrians and vehicles. Exterior lighting shall be designed as dark skies lighting in a consistent and coordinated manner for the entire project in compliance with the requirements of Chapter 118, Article X, Division 4 of the City Code of Ordinances. The proposed light fixtures shall be consistent throughout the development.

6. Signage-
  - i. All other signage shall adhere to the requirements of Chapter 102 – Signs.
7. Building Height- The maximum building height shall not exceed 40 feet.
8. Setbacks and Required Yards- Interior drives are not considered streets for the purposes of these requirements.
  - i. Front (Street): 40' min.
  - ii. Front (Interior): 0' min.
  - iii. Side (Street): 40' min.
  - iv. Side (Interior): 0' min.
  - v. Rear: 10' min.

D) Permitted Uses. All permitted, special exception, and prohibited uses listed in Sheet C-2 and C-3 of the Development Plan attached hereto as Exhibit “B.”

Nothing listed as a prohibited use is intended to be allowed by the broader list of permitted uses. To the extent any conflicts arise between the list of permitted uses and the list of prohibited uses, the list of prohibited uses shall control.

**SECTION 2: Staff Conditions.** *All development on the property must comply with the following staff conditions:*

1. All dumpster enclosure details in the development plan are included as reference. At site plan review the applicant will be required to submit plans for dumpster enclosures that meet all City criteria.
2. If the re-zoning is approved, the Applicant shall submit plans and documentation showing adherence to Section 118-68, requirements for site plans, as required by the City Code.
3. If the re-zoning is approved, a lot combination and binding lot agreement will be required prior to or concurrently with final site plan approval.
4. General Requirements (note on all future submittals):
  - a. All gravity sanitary pipe and fittings shall be SDR 26.
  - b. All compaction shall be 98% of the modified proctor maximum

- density (AASHTO T-180).
- c. As-built record drawings shall comply with City of Winter Garden requirements available on-line (note on plan).
  - d. All Storm (>12") and Sanitary lines (>6") shall be inspected by CCTV prior to completion.
  - e. Use City Standard Detail sheets for utilities and public works (see City website).
  - f. If Thermoplastic pipe is used it shall meet all City material and installation requirements as specified in the City's Standards & Specifications including Class I bedding, HP polypropylene pipe (not HDPE or N-12), laser profiling, installation per ASTM D2321, etc. (see under on-line forms on website).
  - g. All utilities shall be underground pursuant to Code (Sec. 18-33) including electrical power, cable, telephone, etc.
5. Tree removal shall adhere to the City's Tree Protection Ordinance – separate review, approval and permit is required. As required by Code (Sec. 114-70), submittal of the Tree Removal Permit application is required with the preliminary plat submittal. Coordinate with the Building Department on any tree removal and protection. Additional landscaping and tree replacement may be required with final plan.
  6. The site shall be served by City water, sewer and reuse. All utilities required for the development shall be run to the site at the Developer's expense, including potable water, reclaimed water and sanitary sewer for the entire project frontage. Final plans shall detail all connections including fire protection, reuse water and domestic water supply. All irrigation on the site shall be designed to be supplied by reclaimed water.
  7. 100% of the water/sewer impact fees shall be paid prior to site or building permit issuance or execution of FDEP permit applications by the City. Sanitary laterals, fittings, and pipes shall be SDR 26 per City standards. Use City Standard Detail Sheets for utilities and public works. Provide the proposed uses of the buildings and anticipated meter sizes for impact fee payment. When building plans are submitted, a determination of fees will be calculated.
  8. Fire sprinkler systems will be required on all buildings over 6,000 s.f. with Point of Service (POS), backflow prevention, etc. shown. All work downstream of the POS shall be performed by a licensed fire sprinkler contractor.
  9. Minimum 5' wide concrete sidewalks shall be constructed along all street frontages pursuant to Code. Any damaged, broken or cracked sections (including existing curbs and pavement) shall be replaced prior to issuance of certificate of occupancy.

10. Permit modification from SJRWMD for stormwater is required. Permits or exemptions shall also be required from FDEP for water and sewer and FDEP NPDES NOI as may be applicable.
11. Any signs, screen walls or retaining walls shall require a separate permit from the Building Department.
12. Streetlighting both internally and on all street frontages (if not existing) is required pursuant to City Code – dark skies lighting is required. Streetlighting plan from Duke Energy shall be provided prior to the pre-con, once the plans are approved.
13. Traffic study (TIA) was submitted for review by the Planning Department. An Agreement to participate in the Traffic Impact Analysis and coordination with the City's Transportation Consultant on proposed improvements to the intersection of East Crown Point Road and Crown Park Circle (i.e. signalization, etc.) will be required. A proportionate fair share contribution will be determined for the needed improvements.
14. The Owner is responsible for meeting all provisions of ADA and Florida Accessibility Code.
15. All work shall conform to City of Winter Garden standards and specifications.
16. Fencing, shall meet all City requirements for height, type, etc. Chain link fencing, if used, shall be vinyl coated per Code.
17. The City of Winter Garden will inspect private site improvements only to the extent that they connect to City owned/maintained systems (roadways, drainage, utilities, etc.). It is the responsibility of the Owner and Design Engineer to ensure that privately owned and maintained systems are constructed to the intended specifications. The City is not responsible for the operation and maintenance of privately owned systems, to include, but not be limited to, roadways, parking lots, drainage, stormwater ponds or on-site utilities.
18. The Contractor is responsible for the notification, location and protection of all utilities that may exist within the project limits.
19. No fill or runoff will be allowed to discharge onto adjacent properties; existing drainage patterns shall not be altered. The applicant should note that if approval is granted, the City of Winter Garden is not granting rights or easements for drainage from, or onto, property owned by others. Obtaining permission, easements or other approvals that may be required

to drain onto private property is the Owner/Developer's responsibility. Should the flow of stormwater runoff from, or onto adjacent properties be unreasonable or cause problems, the City will not be responsible and any corrective measures required will be the responsibility of the Owner. Site construction shall adhere to the City of Winter Garden erosion and sediment control requirements as contained in Chapter 106 - Stormwater. If approval is granted by the City of Winter Garden, it does not waive any permits that may be required by federal, state, regional, county, municipal or other agencies that may have jurisdiction.

20. After final plan approval, a preconstruction meeting will be required prior to any commencement of construction. The applicant shall provide an erosion control and street lighting plan at the preconstruction meeting and shall pay all engineering review and inspection fees prior to construction. Inspection fees in the amount of 2.25% of the cost of all site improvements shall be paid prior to issuance of the building permit.

### **SECTION 3: *General Requirements***

- a. **Land Development Approvals and Permits** – This Ordinance does not require the City to issue any permits or approval for development, construction, building permit, or other matter by the City relating to the Property or the project or any portion thereof. These and any other required City development approvals and permits shall be processed and issued by the City in accordance with procedures set forth in the City's Code of Ordinances and subject to this Ordinance.
- b. **Amendments**- Minor amendments to this Ordinance will be achieved by Resolution of the City Commission of the City of Winter Garden. Major amendments to this Ordinance will require approval of the City Commission of the City of Winter Garden by Ordinance.
- c. **Expiration/Extension** – Expiration of this PCD shall be governed in accordance with Section 118-830, City of Winter Garden Code of Ordinances. Time extensions may be granted in accordance with Section 118-829, City of Winter Garden Code of Ordinances.

**SECTION 4: *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 5: *Non-Severability*.** Should any portion of this Ordinance be held invalid, then the entire Ordinance shall be null and void.

**SECTION 6: *Effective Date*.** This Ordinance shall become effective upon adoption at its second reading.

**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:**

\_\_\_\_\_  
JOHN REES, Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
ANGELA GRIMMAGE, City Clerk

## **Exhibit "A"**

### **LEGAL DESCRIPTION**

PARCEL ID's#: 13-22-27-0895-00-070; 13-22-27-0895-00-080; 13-22-27-0895-00-090; 13-22-27-0895-00-100; 13-22-27-0895-00-110; and 13-22-27-0895-00-120

#### **DESCRIPTION:**

Lots 7 through 12, inclusive, BRITT BUSINESS CENTER NORTH PHASE 2, according to the plat thereof as recorded in Plat Book 56, Pages 110 through 113, Public Records of Orange County.

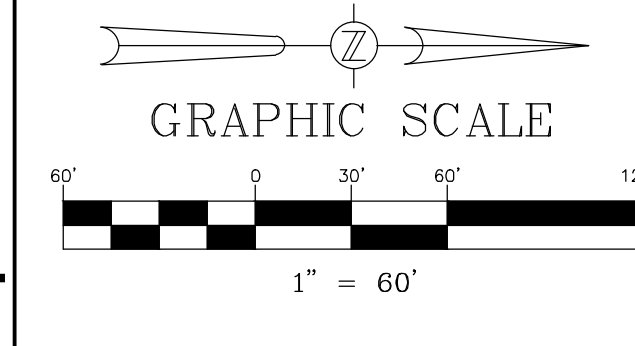
Containing 15.99 acres, more or less.

Exhibit "B" – Development Plan

# E. CROWN POINT COMPLEX

**OWNERS:** ARMSTRONG COMMERCIAL HOLDINGS, LLC 570-590 E CROWN POINT ROAD, LLC CROWN 429, LLC  
 671 BUSINESS PARK ROAD 1028 E. CELADON STREET P.O. BOX 429  
 WINTER GARDEN, FL 34787 WINTER GARDEN, FL 34787 POLK CITY, FL 33868

**SURVEYOR:**  
 ACCURIGHT SURVEYS  
 OF ORLANDO, INC.  
 2012 E. ROBINSON STREET  
 ORLANDO, FL 32803



**SITE DATA**

PROPERTY LOCATION: PALM DRIVE & E. CROWN POINT ROAD, WINTER GARDEN, FL

PROPERTY FUTURE LAND USE DESIGNATION: M.U.D. VACANT

EXISTING USE: VACANT

PROPOSED USE: MULTI-USE DEVELOPMENT (M.U.D.)

PROJECT AREA: 15.99 AC.

PARCEL ID: 13-22-27-0895-00-0070, 13-22-27-0895-00-0080, 13-22-27-0895-00-0090, 13-22-27-0895-00-0100, 13-22-27-0895-00-0110, 13-22-27-0895-00-0120

ZONING: (EXISTING) C-2  
 ZONING: (PROPOSED) PCD

PROPOSED GROSS FLOOR AREA:

LOT 1	66,331 S.F.
LOT 2	70,095 S.F.
LOT 3	66,880 S.F.
<b>TOTAL:</b>	<b>203,306 S.F.</b>

**BUILDING SETBACKS (REQUIRED)**

LOT	FRONT (EAST)	SIDE (NORTH)	SIDE (SOUTH)	REAR (WEST)
LOT 1	40'	35'	25'	30'
LOT 2	40'	25'	25'	30'
LOT 3	40'	25'	35'	30'

**BUILDING SETBACKS (PROPOSED)**

LOT	FRONT (EAST)	SIDE (NORTH)	SIDE (SOUTH)	REAR (WEST)
LOT 1	114.12'	186.08'	45.50'	84.00'
LOT 2	45.00'	40.36'	35.07'	84.00'
LOT 3	109.22'	34.50'	59.97'	54.50'

MAXIMUM ALLOWABLE BUILDING HEIGHT: 40'  
 BUILDING HEIGHT PROPOSED: <40'

**PARKING (OVERALL FOR EACH LOT-SEE SHEET C-3 FOR PHASED PARKING CALCULATIONS)**

**PARKING REQUIRED - LOT 1**

WAREHOUSE (1 SPACE PER 1,000 SF)	35,827/1,000 = 35.83 x 1 =	36 SPACES
OFFICE (3 SPACES PER 1,000 SF)	30,504/1,000 = 30.50 x 3 =	92 SPACES
<b>TOTAL PARKING REQUIRED</b>		<b>128 SPACES</b>
SPACES REQUIRED TO BE RESERVED FOR HANDICAP: 5 SPACES		
<b>PARKING PROVIDED</b>		<b>153 SPACES</b>
STANDARD PARKING SPACES		153 SPACES
HANDICAP PARKING		6 SPACES
<b>TOTAL PARKING PROVIDED</b>		<b>159 SPACES</b>

**PARKING REQUIRED - LOT 2**

WAREHOUSE (1 SPACE PER 1,000 SF)	39,867/1,000 = 39.87 x 1 =	40 SPACES
OFFICE/COMMERCIAL (3 SPACES PER 1,000 SF)	30,228/1,000 = 30.23 x 3 =	91 SPACES
<b>TOTAL PARKING REQUIRED</b>		<b>131 SPACES</b>
SPACES REQUIRED TO BE RESERVED FOR HANDICAP: 5 SPACES		
<b>PARKING PROVIDED</b>		<b>150 SPACES</b>
STANDARD PARKING SPACES		150 SPACES
HANDICAP PARKING		6 SPACES
<b>TOTAL PARKING PROVIDED</b>		<b>156 SPACES</b>

**PARKING REQUIRED - LOT 3**

OFFICE/FLEX SPACE (1 SPACE PER 1,000 SF)	54,508/1,000 = 54.51 x 1 =	55 SPACES
OFFICE (3 SPACES PER 1,000 SF)	12,372/1,000 = 12.37 x 3 =	37 SPACES
<b>TOTAL PARKING REQUIRED</b>		<b>92 SPACES</b>
SPACES REQUIRED TO BE RESERVED FOR HANDICAP: 4 SPACES		
<b>PARKING PROVIDED</b>		<b>102 SPACES</b>
STANDARD PARKING SPACES		102 SPACES
HANDICAP PARKING		4 SPACES
<b>TOTAL PARKING PROVIDED</b>		<b>106 SPACES</b>

**SITE AREA CALCULATIONS**

LOT	EXISTING	PROPOSED
BUILDING	0.00 S.F.	51,079 S.F.
DUMPSTER	0.00 S.F.	642 S.F.
PAVING/CURBS	0.00 S.F.	92,907.32 S.F.
SIDEWALK	0.00 S.F.	8,363.27 S.F.
IMPERVIOUS AREA	0.00 S.F.	152,991.59 S.F.
PERVIOUS AREA	233,698.84 S.F.	80,707.25 S.F.
<b>TOTAL SITE AREA</b>	<b>233,698.84 S.F.</b>	<b>233,698.84 S.F.</b>
MAXIMUM IMPERVIOUS AREA ALLOWED (PCD ZONING/SJRWM):		80/75 %
MAXIMUM IMPERVIOUS AREA PROPOSED		65.47 %

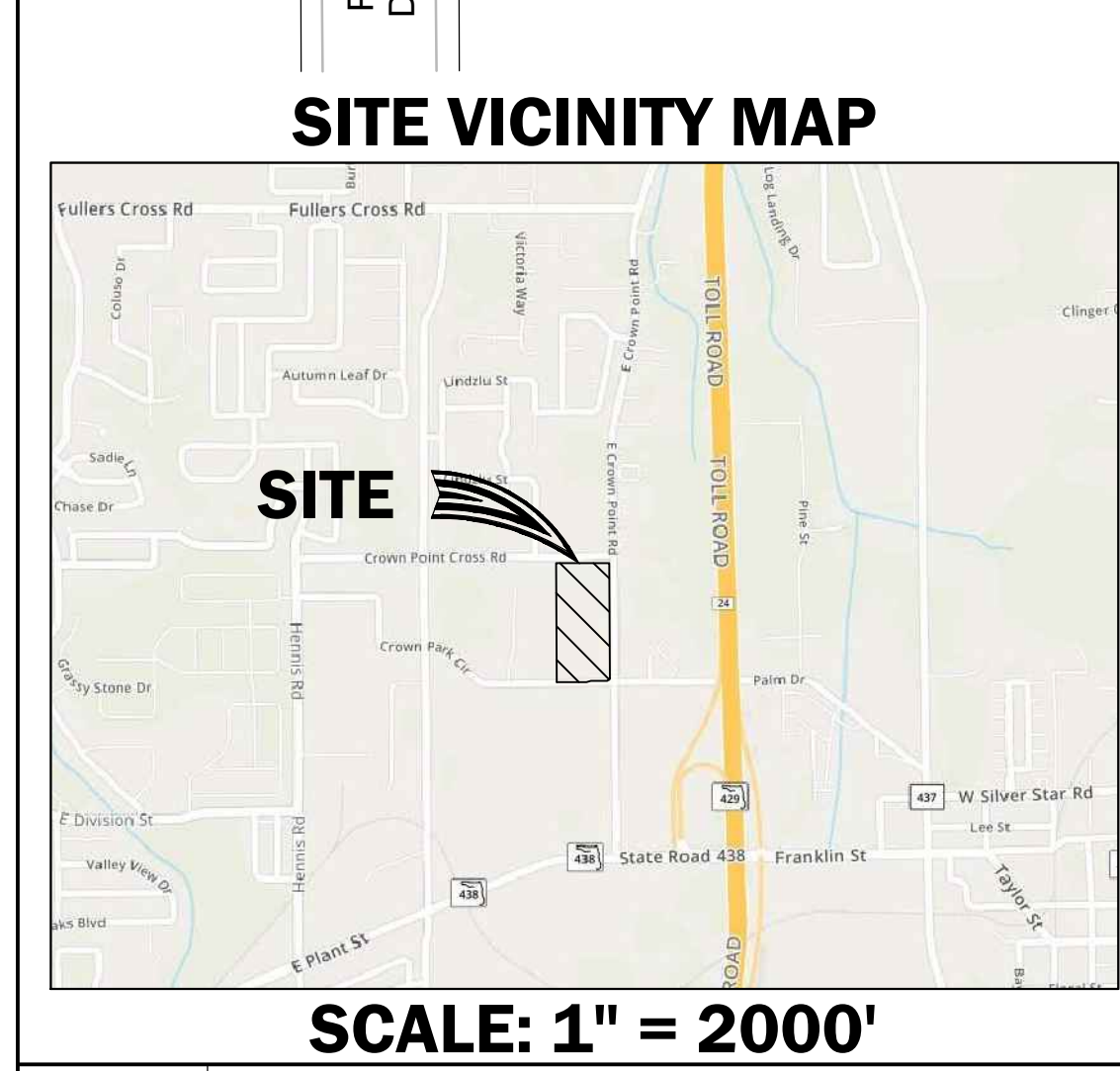
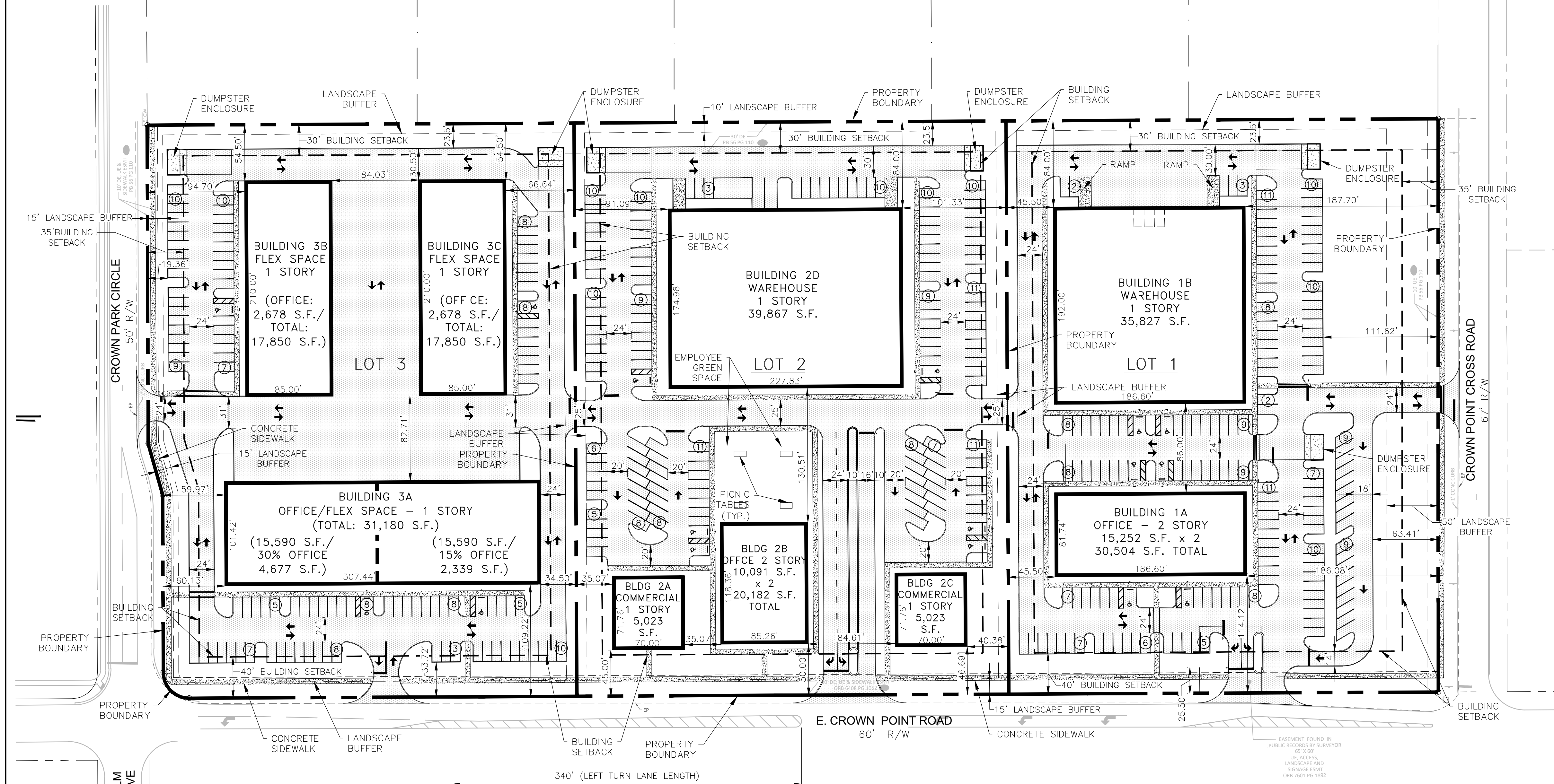
LOT	EXISTING	PROPOSED
BUILDING	0.00 S.F.	60,004 S.F.
DUMPSTER	0.00 S.F.	642 S.F.
PAVING/CURBS	0.00 S.F.	91,683.73 S.F.
SIDEWALK	0.00 S.F.	10,791.43 S.F.
IMPERVIOUS AREA	0.00 S.F.	163,121.16 S.F.
PERVIOUS AREA	234,438.40 S.F.	71,317.24 S.F.
<b>TOTAL SITE AREA</b>	<b>234,438.40 S.F.</b>	<b>234,438.40 S.F.</b>
MAXIMUM IMPERVIOUS AREA ALLOWED (PCD ZONING/SJRWM):		80/75 %
MAXIMUM IMPERVIOUS AREA PROPOSED		69.58 %

LOT	EXISTING	PROPOSED
BUILDING	0.00 S.F.	66,880 S.F.
DUMPSTER	0.00 S.F.	642 S.F.
PAVING/CURBS	0.00 S.F.	107,941 S.F.
SIDEWALK	0.00 S.F.	8,591 S.F.
IMPERVIOUS AREA	0.00 S.F.	184,054 S.F.
PERVIOUS AREA	228,680.14 S.F.	44,626.14 S.F.
<b>TOTAL SITE AREA</b>	<b>228,680.14 S.F.</b>	<b>228,680.14 S.F.</b>
MAXIMUM IMPERVIOUS AREA ALLOWED (PCD ZONING/SJRWM):		80/75 %
MAXIMUM IMPERVIOUS AREA PROPOSED		80.49 %

TOTAL SITE	EXISTING	PROPOSED
IMPERVIOUS AREA	0.00 S.F.	497,166.75 S.F.
PERVIOUS AREA	696,817.38 S.F.	199,650.63 S.F.
<b>TOTAL SITE AREA</b>	<b>696,817.38 S.F.</b>	<b>696,817.38 S.F.</b>
MAXIMUM IMPERVIOUS AREA ALLOWED (PCD ZONING/SJRWM):		80/75 %
MAXIMUM IMPERVIOUS AREA PROPOSED		71.35 %



- NOTES:**
- LIGHTING SHALL BE INSTALLED INTERNAL TO THE DEVELOPMENT PURSUANT TO CITY CODE MEETING DARK SKIES REQUIREMENTS (CODE SECTION 118-1536(K)). A PHOTOMETRIC PLAN WILL BE REQUIRED AS PART OF THE SITE PLAN APPROVAL APPLICATION.
  - SIGNS, SCREEN AND RETAINING WALLS WILL NEED A SEPARATE PERMIT FROM BUILDING DEPARTMENT. (ALL SIGNAGE SHALL ADHERE TO THE CITY CODE CHAPTER 102-SIGNS.)
  - MINIMUM 5' WIDE CONCRETE SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL STREET FRONTAGES PURSUANT TO CODE. ANY DAMAGED, BROKEN OR CRACKED SECTIONS (INCLUDING EXISTING CURBS AND PAVEMENT) SHALL BE REPLACED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY. INTERNAL SIDEWALKS SHALL CONNECT TO THE PUBLIC SIDEWALKS IN THE RIGHT-OF-WAY PER ADA.
  - ALL DUMPSTERS SHALL BE ENCLOSED AND SHALL PROVIDE 12' MINIMUM INSIDE CLEARANCE EACH WAY (INSIDE OF BOLLARDS AND GATE HARDWARE). APPROVAL FROM PUBLIC SERVICES SOLID WASTE DIVISION IS REQUIRED.
  - BUILDINGS OVER 6,000 S.F. WILL REQUIRE FIRE SPRINKLERS SUBJECT TO REVIEW AND APPROVAL BY THE BUILDING AND FIRE DEPARTMENT. THE BUILDINGS SHALL BE PROVIDED WITH A POINT OF SERVICE (POS), BACKFLOW PREVENTION, ETC. AND ALL WORK DOWNSTREAM OF THE POS SHALL BE PERFORMED BY A LICENSED FIRE SPRINKLER CONTRACTOR.
  - SEE SHEET C-2 FOR THE LIST OF ALLOWABLE, SPECIAL EXCEPTION, AND PROHIBITED USES.
  - PLATTING, REPLATTING, LOT COMBINATIONS, OR BINDING LOT AGREEMENTS MAY BE REQUIRED FOR THE PROPERTY DEPENDING ON THE OWNERSHIP AND CONFIGURATIONS OF THE IMPROVEMENTS. EXISTING EASEMENT VACATION MAY ALSO BE REQUIRED.
  - TREE REMOVAL SHALL ADHERE TO THE CITY'S TREE PROTECTION ORDINANCE - SEPARATE REVIEW, APPROVAL AND PERMIT IS REQUIRED, AS REQUIRED BY CODE (SEC. 114-70). SUBMITTAL OF THE TREE REMOVAL PERMIT APPLICATION IS REQUIRED WITH THE PRELIMINARY PLAT SUBMITTAL COORDINATE WITH THE BUILDING DEPARTMENT ON ANY TREE REMOVAL AND PROTECTION. ADDITIONAL LANDSCAPING AND TREE REPLACEMENT MAY BE REQUIRED WITH FINAL PLAN.
  - THE SITE SHALL BE SERVED BY CITY WATER, SEWER AND REUSE. ALL UTILITIES REQUIRED FOR THE DEVELOPMENT SHALL BE RUN TO THE SITE AT THE DEVELOPER'S EXPENSE, INCLUDING POTABLE WATER, RECLAIMED WATER AND SANITARY SEWER FOR THE ENTIRE PROJECT FRONTAGE. FINAL PLANS SHALL DETAIL ALL CONNECTIONS INCLUDING FIRE PROTECTION, REUSE WATER AND DOMESTIC WATER SUPPLY. ALL IRRIGATION ON THE SITE SHALL BE DESIGNED TO BE SUPPLIED BY RECLAIMED WATER.
  - 100% OF THE WATER/SEWER IMPACT FEES SHALL BE PAID PRIOR TO SITE OR BUILDING PERMIT ISSUANCE OR EXECUTION OF FDEP PERMIT APPLICATIONS BY THE CITY. SANITARY LATERALS, FITTINGS, AND PIPES SHALL BE SDR 26 PER CITY STANDARDS. USE CITY STANDARD DETAIL SHEETS FOR UTILITIES AND PUBLIC WORKS. PROVIDE THE PROPOSED USES OF THE BUILDINGS AND ANTICIPATED METER SIZES FOR IMPACT FEE PAYMENT. WHEN BUILDING PLANS ARE SUBMITTED, A DETERMINATION OF FEES WILL BE CALCULATED.
  - PERMIT OR MODIFICATION FROM SJRWMD FOR STORMWATER IS REQUIRED. PERMITS OR EXEMPTIONS SHALL ALSO BE REQUIRED FROM FDEP FOR WATER AND SEWER AND FDEP NPDES NOI AS MAY BE APPLICABLE.
  - TRAFFIC STUDY WILL BE REQUIRED. AN AGREEMENT TO PARTICIPATE IN THE TRAFFIC IMPACT ANALYSIS AND COORDINATION WITH THE CITY'S TRANSPORTATION CONSULTANT ON PROPOSED IMPROVEMENTS TO THE INTERSECTION OF EAST CROWN POINT ROAD AND CROWN PARK CIRCLE (I.E. SIGNALIZATION, ETC.) WILL BE REQUIRED. A PROPORTIONATE FAIR SHARE CONTRIBUTION WILL BE DETERMINED FOR THE NEEDED IMPROVEMENTS.
  - PHASE I ENVIRONMENTAL SITE ASSESSMENT SHALL BE PROVIDED FOR SITE DEVELOPMENT OVER 1 ACRE.

**PHASING**  
 PROJECT WILL BE CONSTRUCTED IN MULTIPLE PHASES (SEE SHEET C-3 FOR PHASING PLAN).

**STORMWATER**  
 THE PROPOSED PROJECT IS PART OF AN OVERALL EXISTING DEVELOPMENT KNOWN AS BRITT BUSINESS CENTER NORTH. THE EXISTING DEVELOPMENT INCLUDES A MASTER STORMWATER POND AND SYSTEM THAT WAS PREVIOUSLY PERMITTED BY WINTER GARDEN AND ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT. THE PROPOSED DEVELOPMENT WILL DISCHARGE TO THE EXISTING MASTER STORMWATER SYSTEM.

**CROSS ACCESS**  
 PROJECT WILL BE CONSTRUCTED WITH A CROSS ACCESS EASEMENT THROUGH THE LOTS (SEE SHEET C-5 FOR CROSS ACCESS EASEMENT LOCATION).

DATE	REVISIONS	BY	CHECKED
10/27/25	REVISED PER CITY COMMENTS	GRC	GRC
9/12/25	REVISED PER CITY COMMENTS	GRC	GRC
7/22/25	REVISED PER CITY COMMENTS	JWM	GRC
5/02/25	REVISED PER CITY COMMENTS	JWM	GRC

PRELIMINARY DEVELOPMENT PLAN  
 E. CROWN POINT COMPLEX  
 EAST CROWN POINT ROAD  
 WINTER GARDEN, FLORIDA

**FEG** FLORIDA ENGINEERING GROUP  
 now part of **THOMAS & HUTTON**

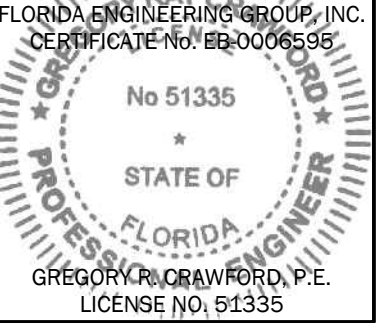
5127 S. Orange Avenue, Suite 200  
 Orlando, FL 32809  
 Phone: 407-895-0324  
 Fax: 407-895-0325  
 www.thomasandhutton.com

PRELIMINARY DEVELOPMENT PLAN (1 OF 5)

DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
JWM	JWM	GRC	GRC

PROJECT NO.	23-125
SCALE	1" = 60'
DATE	JULY 2024
SHEET NO.	C-1
SHEET	1 OF 5

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY:  
 GREGORY R. CRAWFORD, P.E.  
 ON THE DATE ADJACENT TO THE SEAL SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



# E. CROWN POINT COMPLEX

## ALLOWABLE USES FOR BUILDINGS 1A, 2A, 2B, 2C, 3A

### Allowable Uses:

- (1) Retail establishments.
- (2) Restaurants & Cafe.
- (3) Offices, studios, General and Professional
- (4) Financial institutions.
- (5) Private clubs and lodges.
- (6) Personal services.
- (7) Recreational and entertainment uses (indoor only).
- (8) Public buildings.
- (9) Flex commercial with accessory light industrial.
- (10) Restaurants.
- (11) Physical fitness studio/gym.
- (12) Veterinary clinic/office (no overnight boarding).
- (13) Medical Office.

### Special Exception:

- (1) All types of businesses that are otherwise permitted uses in buildings not of standard construction or without restroom facilities.
- (2) Other uses which the planning and zoning board determines as the type and intensity of activity similar to and compatible with the permitted uses.
- (3) Research and development facilities, provided that all activities are within an enclosed structure.

### Prohibited Uses:

- (1) Residential uses.
- (2) Cargo transportation terminals, truck parking facilities, and other activities of similar nature.
- (3) Tattoo or Body Art establishments.
- (4) Mobile body art establishments.
- (5) All uses not specifically or provisionally permitted in this division.
- (6) Automobile sales and service.
- (7) Junkyards, automobile junkyards, scrap yards, and salvage yards.
- (8) Garages (commercial).
- (9) Motels, hotels, rooming houses.
- (10) Outside storage.
- (11) Concrete, block, and asphalt plants including batch plants.
- (12) Storage of liquefied petroleum products and petrochemical products, except as needed for allowable manufacturing and industrial processes.
- (13) Churches.
- (14) Vocational and trade schools.
- (15) Public utility equipment and facilities.
- (16) Radio or television transmitter, towers, or broadcasting facilities.
- (17) Communication towers and communication antennas.
- (18) Urban farm.
- (19) Children day care centers.
- (20) Planned shopping centers.
- (21) Educational facilities as an accessory use to a church.
- (22) Campgrounds.
- (23) Gasoline station, service stations, or convenient stores with gasoline sales.
- (24) Any permitted use with a drive-in or drive-through window, aisle or lane which permits or encourages service directly to patrons or occupants within their vehicles without the need to leave their vehicles.
- (25) Freight handling and transportation terminals.
- (26) Truck parking facilities, and other activities of similar nature.
- (27) Any use deemed objectionable because it may be noxious or injurious because of the production or emission of dust, smoke, refuse matter, odor, gas, fumes, noise, vibration or similar substances or conditions, and any one or combination of these may be prohibited; however, any one of these uses may be permitted if approved by the planning and zoning board and subject to the conditions, restrictions, requirements and safeguards as may be deemed necessary by the planning and zoning board for the protection of health, safety and general welfare of the area.
- (28) Mini-warehouse and mini-storage facilities; also known as Self Storage.
- (29) 24-hour businesses or businesses that extend past the hours between 2am and 5am.
- (30) Heavy Industrial Activities.
- (31) Crematories/Funeral Homes.
- (32) Outdoor Displays, Sale and/or Storage not specifically outlined under Permitted or Special Exceptions Uses.
- (33) Car wash.
- (34) Adult entertainment.
- (35) Billboards.
- (36) Adult or pornographic book, magazine, video and novelty stores or sales.
- (37) Pawn shop.
- (38) Vape shop, cigar shop or tobacco shop.
- (39) Medical marijuana dispensary.

DATE	REVISIONS	BY	CHECKED
10/27/25	△ REVISED PER CITY COMMENTS	GRC	GRC
9/12/25	△ REVISED PER CITY COMMENTS	GRC	GRC
7/22/25	△ REVISED PER CITY COMMENTS	JWM	GRC
5/02/25	△ REVISED PER CITY COMMENTS	JWM	GRC

PRELIMINARY DEVELOPMENT PLAN  
E. CROWN POINT COMPLEX  
EAST CROWN POINT ROAD  
WINTER GARDEN, FLORIDA



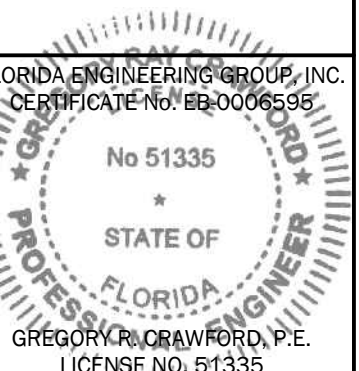
5127 S. Orange Avenue, Suite 200  
Orlando, FL 32809  
Phone: 407-895-0324  
Fax: 407-895-0325  
www.thomasandhutton.com

PRELIMINARY DEVELOPMENT  
PLAN (2 OF 5)

DESIGNED BY JWM	DRAWN BY JWM	CHECKED BY GRC	APPROVED BY GRC
--------------------	-----------------	-------------------	--------------------

PROJECT NO.	23-125
SCALE	NONE
DATE	JULY 2024
SHEET NO.	C-2
SHEET	2 OF 5

THIS ITEM HAS BEEN DIGITALLY  
SIGNED AND SEALED BY:  
GREGORY B. CRAWFORD, P.E.  
ON THE DATE ADJACENT TO THE SEAL.  
SIGNATURE MUST BE VERIFIED ON  
ANY ELECTRONIC COPIES.



# E. CROWN POINT COMPLEX

## ALLOWABLE USES FOR BUILDINGS 1B, 2D, 3B, 3C

### Allowable Uses:

- (1) Offices, studios, General and Professional.
- (2) Private clubs and lodges.
- (3) Recreational and entertainment uses (indoor only).
- (4) Public buildings.
- (5) Light manufacturing, processing, and assembly, including precision manufacturing, electrical machinery, instrumentation, and similar uses. This includes the assembly and combining of beauty supplies not for retail sale and within an enclosed structure.
- (6) Commercial uses which are deemed compatible with the principal uses in this zone.
- (7) Warehousing, wholesaling, and storage facilities within enclosed structures including Cold Storage and Frozen Food Lockers.
- (8) Research and development facilities, provided that all activities are within an enclosed structure.
- (9) Permitted accessory uses and structures in the PCD district are the customary accessory uses of one or more of the principal uses clearly incidental and subordinate to the principal uses, in keeping with the commercial character of the district.
- (10) Physical fitness studio/gym.

### Special Exception:

- (1) Mini-warehouse and mini-storage facilities.
- (2) All types of businesses that are otherwise permitted uses in buildings not of standard construction or without restroom facilities.
- (3) Other uses which the planning and zoning board determines as the type and intensity of activity similar to and compatible with the permitted uses.

### Prohibited Uses:

- (1) Residential uses.
- (2) Cargo transportation terminals, truck parking facilities, and other activities of similar nature.
- (3) Tattoo or body art establishments.
- (4) Mobile body art establishments.
- (5) All uses not specifically or provisionally permitted in this division.
- (6) Automobile sales and service.
- (7) Junkyards, automobile junkyards, scrap yards, and salvage yards.
- (8) Garages (commercial).
- (9) Motels, hotels, rooming houses.
- (10) Outside storage.
- (11) Concrete, block, and asphalt plants including batch plants.
- (12) Storage of liquefied petroleum products and petrochemical products, except as needed for allowable manufacturing and industrial processes.
- (13) Churches.
- (14) Vocational and trade schools.
- (15) Public utility equipment and facilities.
- (16) Radio or television transmitter, towers, or broadcasting facilities.
- (17) Communication towers and communication antennas.
- (18) Urban farm.
- (19) Children day care centers.
- (20) Planned shopping centers.
- (21) Educational facilities as an accessory use to a church.
- (22) Campgrounds.
- (23) Gasoline station, service stations, or convenient stores with gasoline sales.
- (24) Any permitted use with a drive-in or drive-through window, aisle or lane which permits or encourages service directly to patrons or occupants within their vehicles without the need to leave their vehicles.
- (25) Freight handling and transportation terminals.
- (26) Truck parking facilities, and other activities of similar nature.
- (27) Any use deemed objectionable because it may be noxious or injurious because of the production or emission of dust, smoke, refuse matter, odor, gas, fumes, noise, vibration or similar substances or conditions, and any one or combination of these may be prohibited; however, any one of these uses may be permitted if approved by the planning and zoning board and subject to the conditions, restrictions, requirements and safeguards as may be deemed necessary by the planning and zoning board for the protection of health, safety and general welfare of the area.
- (28) 24-hour businesses or businesses that extend past the hours between 2am and 5am.
- (29) Heavy Industrial Activities.
- (30) Crematories/Funeral Homes.
- (31) Car wash.
- (32) Adult entertainment.
- (33) Billboards.
- (34) Adult or pornographic book, magazine, video and novelty stores or sales.
- (35) Pawn shop.
- (36) Vape shop, cigar shop or tobacco shop.
- (37) Medical marijuana dispensary.

DATE	REVISIONS	BY	CHECKED
10/27/25	REVIS PER CITY COMMENTS	GRC	GRC
9/12/25	REVIS PER CITY COMMENTS	GRC	GRC
7/22/25	REVIS PER CITY COMMENTS	JWM	GRC
5/02/25	REVIS PER CITY COMMENTS	JWM	GRC

PRELIMINARY DEVELOPMENT PLAN  
E. CROWN POINT COMPLEX  
EAST CROWN POINT ROAD  
WINTER GARDEN, FLORIDA



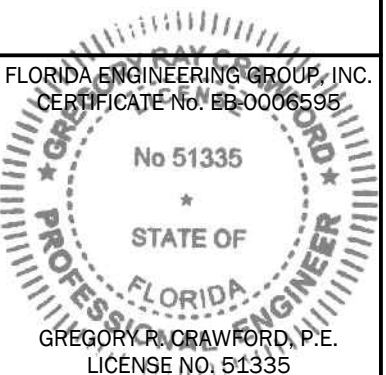
5127 S. Orange Avenue, Suite 200  
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PRELIMINARY DEVELOPMENT  
PLAN (3 OF 5)

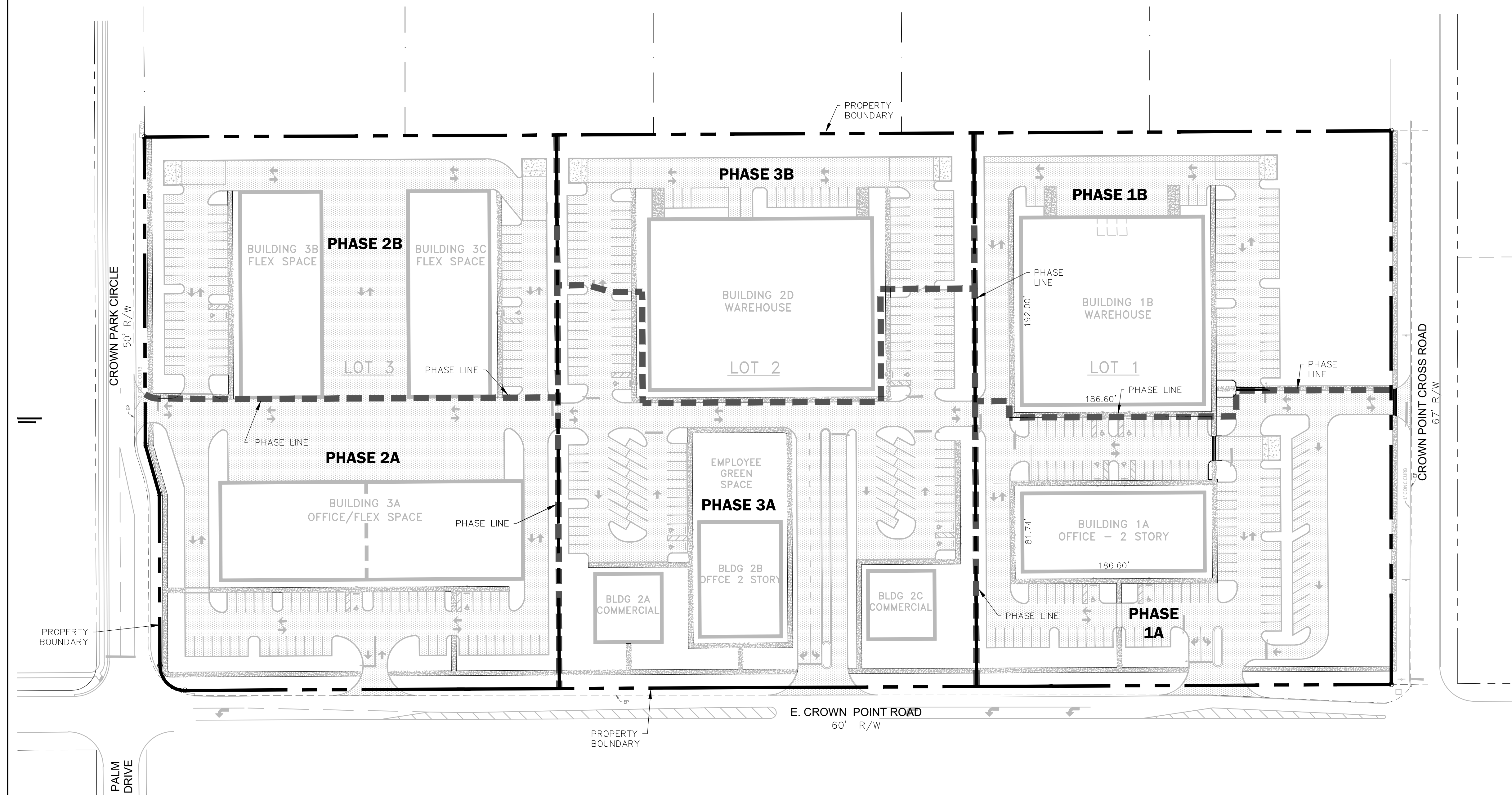
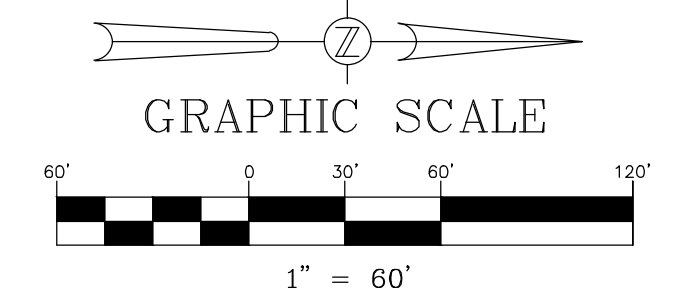
DESIGNED BY JWM	DRAWN BY JWM	CHECKED BY GRC	APPROVED BY GRC
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PROJECT NO.	23-125
SCALE	NONE
DATE	JULY 2024
SHEET NO.	C-3
SHEET	3 OF 5

THIS ITEM HAS BEEN DIGITALLY  
SIGNED AND SEALED BY:  
GREGORY R. CRAWFORD, P.E.  
ON THE DATE ADJACENT TO THE SEAL.  
SIGNATURE MUST BE VERIFIED ON  
ANY ELECTRONIC COPIES.



# E. CROWN POINT COMPLEX

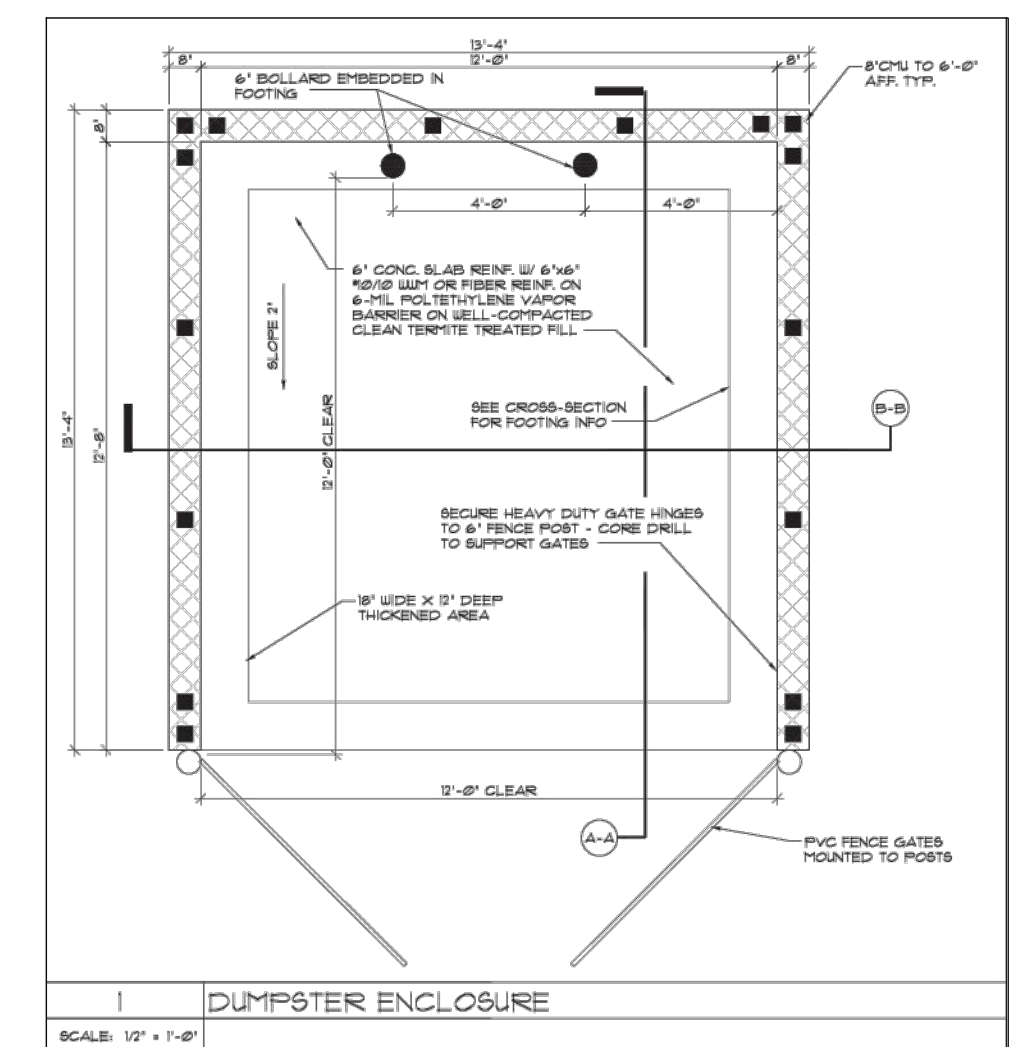


## PARKING (PER PHASE)

PARKING REQUIRED - PHASE 2A			
OFFICE/FLEX SPACE	(1 SPACE PER 1,000 SF)	24,164/1,000 = 24.16 x 1 =	24 SPACES
OFFICE	(3 SPACE PER 1,000 SF)	7,016/1,000 = 7.02 x 3 =	21 SPACES
TOTAL PARKING REQUIRED			45 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP			2 SPACES
PARKING PROVIDED			
STANDARD PARKING SPACES			52 SPACES
HANDICAP PARKING			2 SPACES
TOTAL PARKING PROVIDED			54 SPACES
PARKING REQUIRED - PHASE 2B			
FLEX SPACE	(1 SPACE PER 1,000 SF)	30,344/1,000 = 30.34 x 1 =	30 SPACES
OFFICE	(3 SPACE PER 1,000 SF)	5,356/1,000 = 5.36 x 3 =	16 SPACES
TOTAL PARKING REQUIRED			46 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP			2 SPACES
PARKING PROVIDED			
STANDARD PARKING SPACES			50 SPACES
HANDICAP PARKING			2 SPACES
TOTAL PARKING PROVIDED			52 SPACES

PARKING REQUIRED - PHASE 3A			
COMMERCIAL	(3 SPACES PER 1,000 SF)	10,046/1,000 = 10.05 x 1 =	10 SPACES
OFFICE	(3 SPACES PER 1,000 SF)	20,182/1,000 = 20.18 x 3 =	61 SPACES
TOTAL PARKING REQUIRED			71 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP			4 SPACES
PARKING PROVIDED			
STANDARD PARKING SPACES			81 SPACES
HANDICAP PARKING			6 SPACES
TOTAL PARKING PROVIDED			87 SPACES
PARKING REQUIRED - PHASE 3B			
WAREHOUSE	(1 SPACE PER 1,000 SF)	39,867/1,000 = 39.87 x 1 =	40 SPACES
TOTAL PARKING REQUIRED			40 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP			2 SPACES
PARKING PROVIDED			
STANDARD PARKING SPACES			53 SPACES
HANDICAP PARKING			0 SPACES
TOTAL PARKING PROVIDED			53 SPACES

PARKING REQUIRED - PHASE 1A			
OFFICE	(3 SPACE PER 1,000 SF)	30,504/1,000 = 30.50 x 3 =	92 SPACES
TOTAL PARKING REQUIRED			92 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP			4 SPACES
PARKING PROVIDED			
STANDARD PARKING SPACES			91 SPACES
HANDICAP PARKING			4 SPACES
TOTAL PARKING PROVIDED			95 SPACES
PARKING REQUIRED - PHASE 1B			
WAREHOUSE	(1 SPACE PER 1,000 SF)	35,827/1,000 = 35.83 x 1 =	36 SPACES
TOTAL PARKING REQUIRED			36 SPACES
SPACES REQUIRED TO BE RESERVED FOR HANDICAP			2 SPACES
PARKING PROVIDED			
STANDARD PARKING SPACES			62 SPACES
HANDICAP PARKING			2 SPACES
TOTAL PARKING PROVIDED			64 SPACES



SCALE: 1" = 2000'

DATE	REVISIONS	BY	CHECKED
10/27/25	REVISED PER CITY COMMENTS	GRC	GRC
9/12/25	REVISED PER CITY COMMENTS	GRC	GRC
7/22/25	REVISED PER CITY COMMENTS	JWM	GRC
5/02/25	REVISED PER CITY COMMENTS	JWM	GRC

PRELIMINARY DEVELOPMENT PLAN  
E. CROWN POINT COMPLEX  
EAST CROWN POINT ROAD  
WINTER GARDEN, FLORIDA



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Phone: 407-895-0324  
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PRELIMINARY PHASING PLAN  
(4 OF 5)

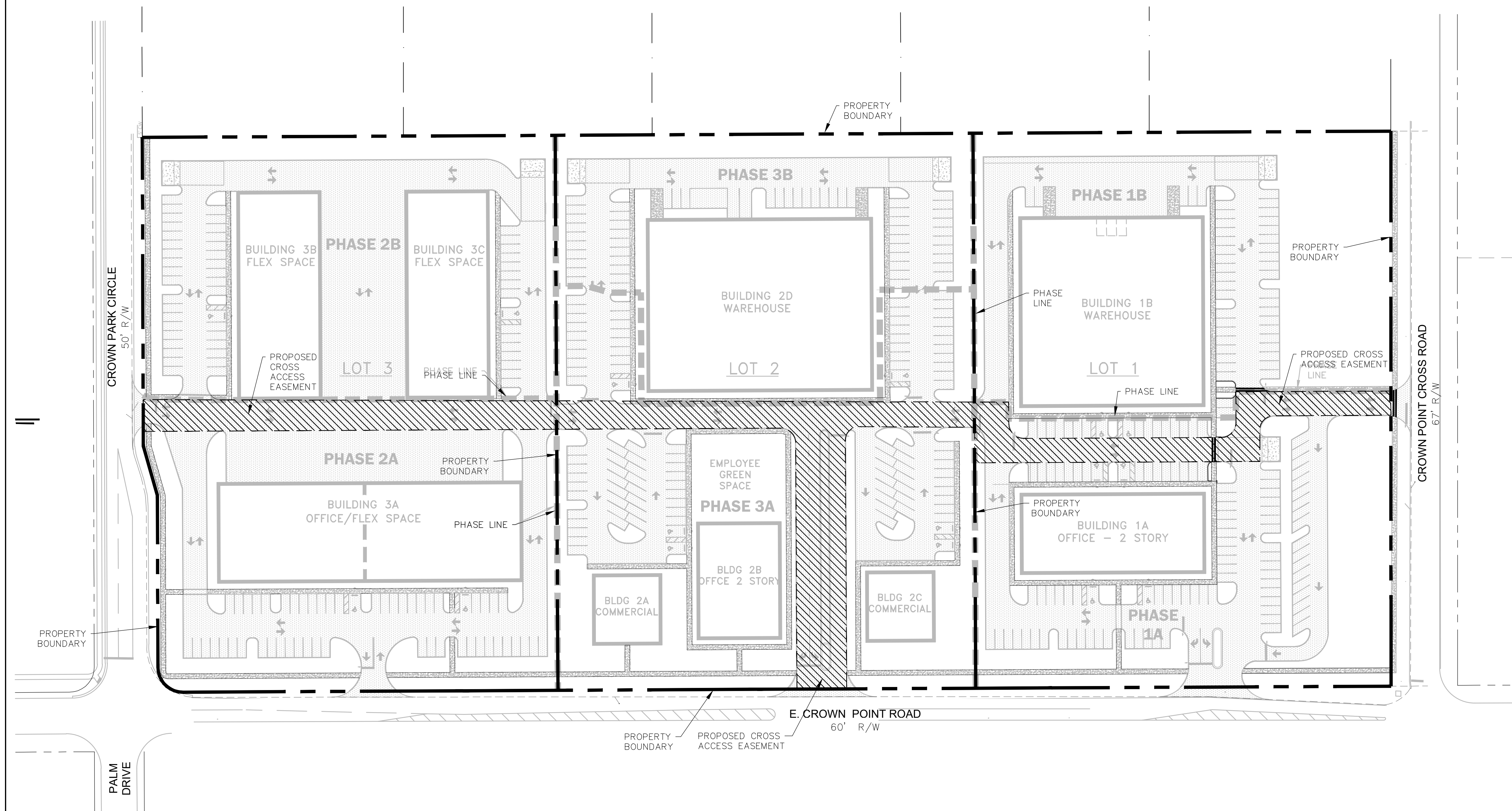
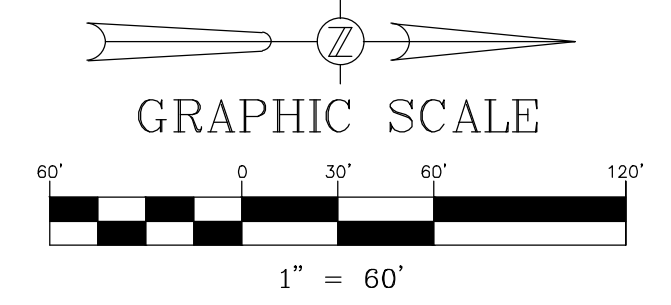
DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY
JWM	JWM	GRC	GRC

PROJECT NO.	23-125
SCALE	1" = 60'
DATE	JULY 2024
SHEET NO.	C-4
SHEET	4 OF 5

THIS ITEM HAS BEEN DIGITALLY  
SIGNED AND SEALED BY:  
GREGORY R. CRAWFORD, P.E.  
ON THE DATE ADJACENT TO THE SEAL.  
SIGNATURE MUST BE VERIFIED ON  
ANY ELECTRONIC COPIES.



# E. CROWN POINT COMPLEX



DATE	REVISIONS	BY	CHECKED
10/27/25	△ REVISED PER CITY COMMENTS	GRC	GRC
9/12/25	△ REVISED PER CITY COMMENTS	GRC	GRC
7/22/25	△ REVISED PER CITY COMMENTS	JWM	GRC
5/02/25	△ REVISED PER CITY COMMENTS	JWM	GRC

PRELIMINARY DEVELOPMENT PLAN  
 E. CROWN POINT COMPLEX  
 EAST CROWN POINT ROAD  
 WINTER GARDEN, FLORIDA



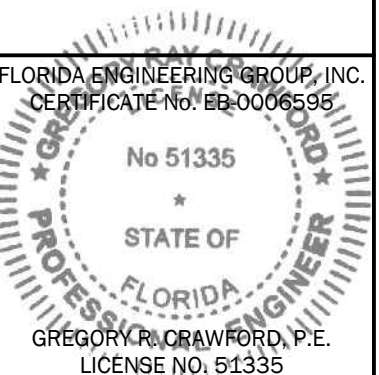
5127 S. Orange Avenue, Suite 200  
 Orlando, FL 32809  
 Phone: 407-895-0324  
 Fax: 407-895-0325  
 www.thomasandhutton.com

PRELIMINARY CROSS  
 ACCESS-SHARED EASEMENT PLAN  
 (5 OF 5)

DESIGNED BY JWM	DRAWN BY JWM	CHECKED BY GRC	APPROVED BY GRC
--------------------	-----------------	-------------------	--------------------

PROJECT NO.	23-125
SCALE	1" = 60'
DATE	JULY 2024
SHEET NO.	C-5
SHEET	5 OF 5

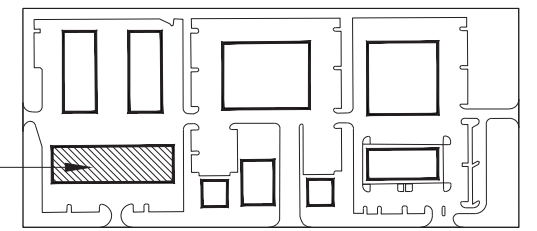
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KEY PLAN -  
PAD 1 -  
BLDG 1



PAD 1 - BUILDING 1 - EAST ELEVATION

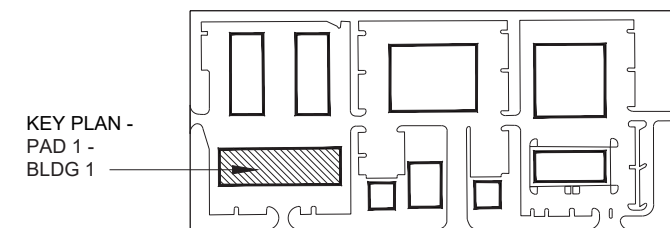


PAD 1 - BUILDING 1 - WEST ELEVATION

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PAD 1 - BUILDING 1 - SOUTH ELEVATION



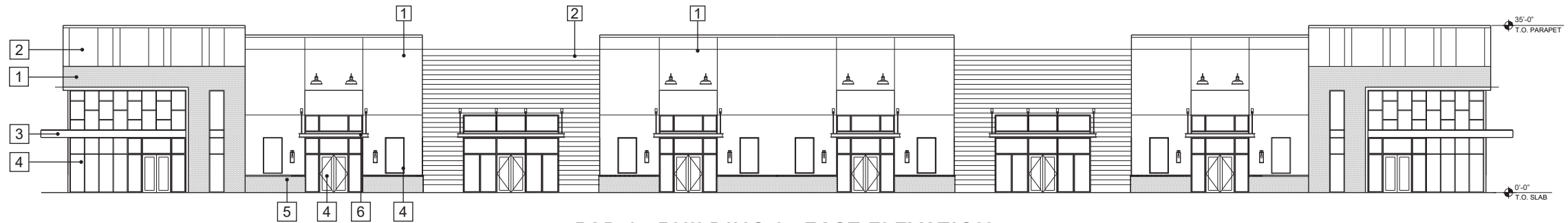
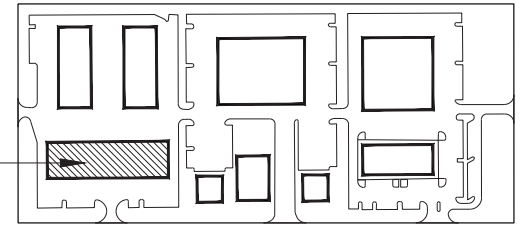
PAD 1 - BUILDING 1 - NORTH ELEVATION

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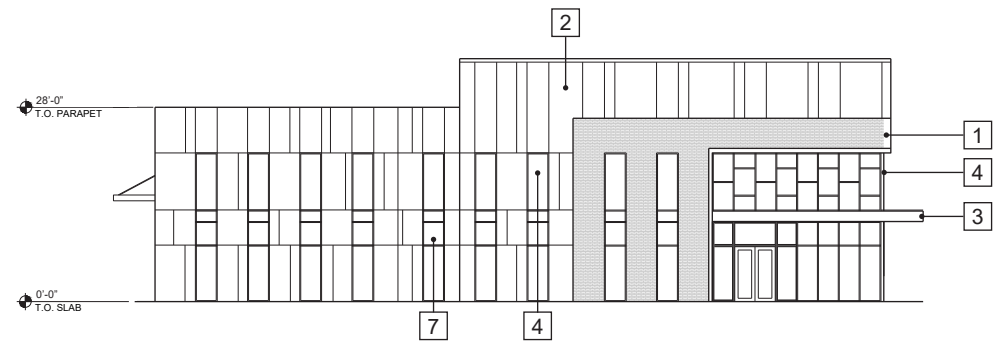
ELEVATION KEYNOTES

1 PAINTED EXTERIOR TILT UP CONCRETE PANELS OR STUCCO ON BLOCK	7 SPANDREL GLASS OR METAL PANEL	13 LIGHT FIXTURE	19 VERTICAL FIN
2 SCORED CONCRETE OR STUCCO OR METAL PANEL	8 GUTTER	14 TILT UP CONCRETE OR BLOCK W/ THIN BRICK OR PAINT FINISH	20
3 METAL CANOPY	9 DOWN SPOUT	15 OVERHEAD GLASS GARAGE DOOR	21
4 STOREFRONT GLAZING, FINAL DESIGN AND QUANTITY TBD DURING DESIGN	10 OVERHEAD METAL DOOR	16 SIGNAGE	22
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6 METAL OR FABRIC CANOPY	12 STEEL BOLLARD	18 PAINT, STUCCO, OR CAST STONE FINISH	24

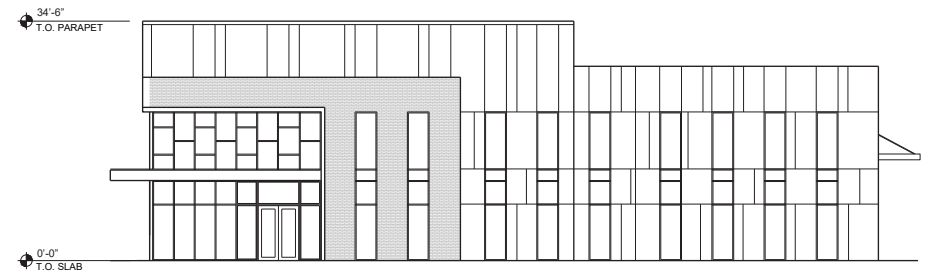
KEY PLAN -  
PAD 1 -  
BLDG 1



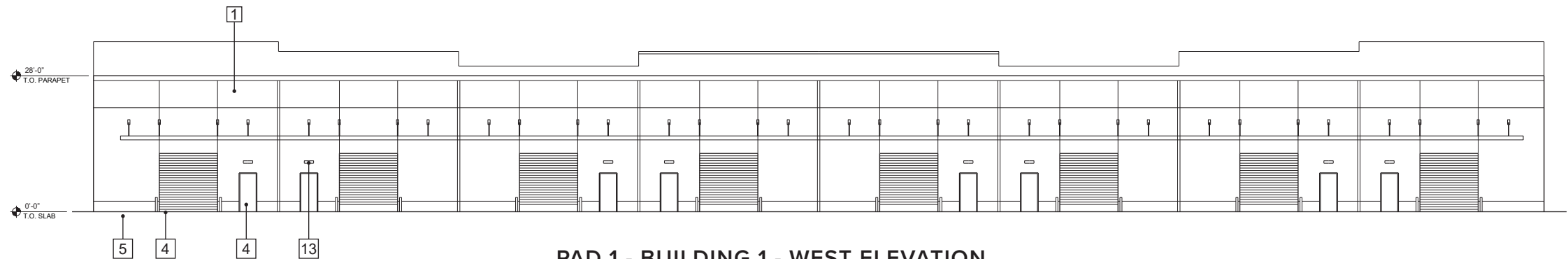
PAD 1 - BUILDING 1 - EAST ELEVATION



PAD 1 - BUILDING 1 - SOUTH ELEVATION



PAD 1 - BUILDING 1 - NORTH ELEVATION



PAD 1 - BUILDING 1 - WEST ELEVATION

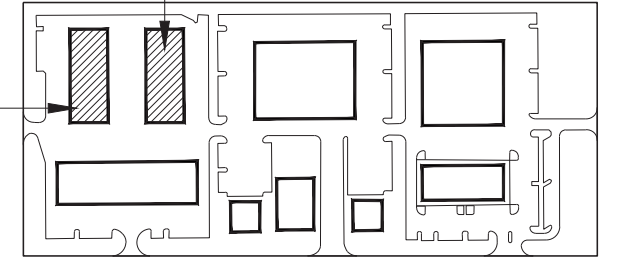
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PAD 1 - BUILDING 2 & 3 (MIRRORED) - SOUTH ELEVATION (2) & NORTH ELEVATION (3)

KEY PLAN -  
PAD 1 -  
BLDG 3

KEY PLAN -  
PAD 1 -  
BLDG 2



PAD 1 - BUILDING 2 & 3 (MIRRORED) - NORTH ELEVATION (2) & SOUTH ELEVATION (3)

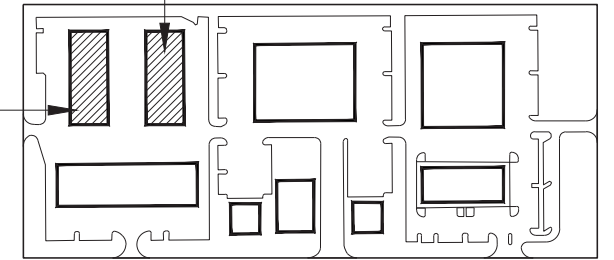
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PAD 1 - BUILDING 2 & 3 (MIRRORED) - WEST ELEVATION (2) & EAST ELEVATION (3)

KEY PLAN -  
PAD 1 -  
BLDG 3

KEY PLAN -  
PAD 1 -  
BLDG 2



PAD 1 - BUILDING 2 & 3 (MIRRORED) - EAST ELEVATION (2) & WEST ELEVATION (3)

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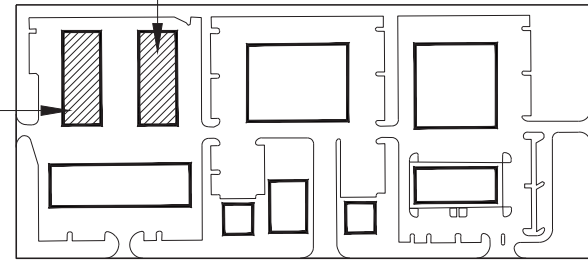
**ELEVATION KEYNOTES**

1 PAINTED EXTERIOR TILT UP CONCRETE PANELS OR STUCCO ON BLOCK	7 SPANDREL GLASS OR METAL PANEL	13 LIGHT FIXTURE	19 VERTICAL FIN
2 SCORED CONCRETE OR STUCCO OR METAL PANEL	8 GUTTER	14 TILT UP CONCRETE OR BLOCK W/ THIN BRICK OR PAINT FINISH	20
3 METAL CANOPY	9 DOWN SPOUT	15 OVERHEAD GLASS GARAGE DOOR	21
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6 METAL OR FABRIC CANOPY	12 STEEL BOLLARD	18 PAINT, STUCCO, OR CAST STONE FINISH	24

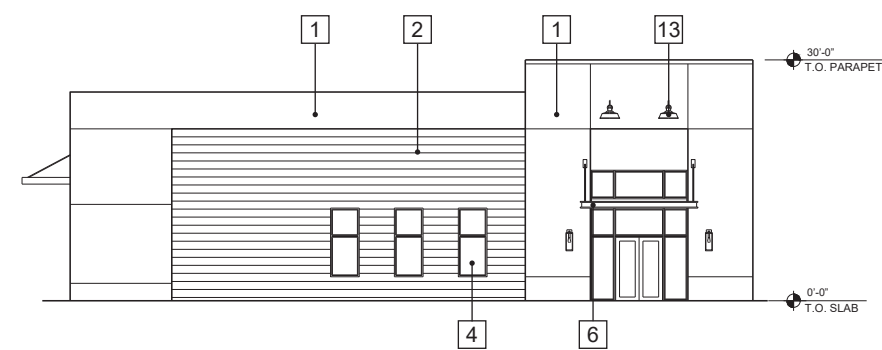
**KEY PLAN -**

PAD 1 - BLDG 3

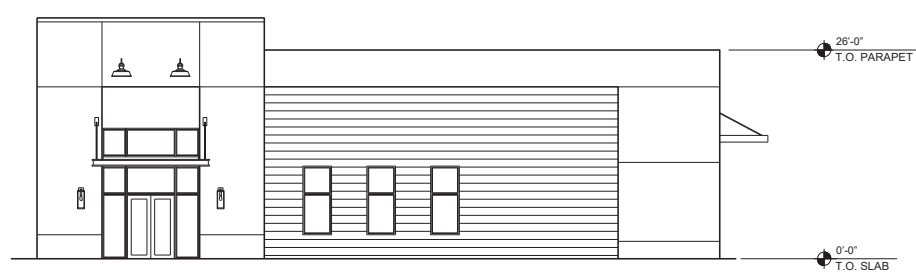
PAD 1 - BLDG 2



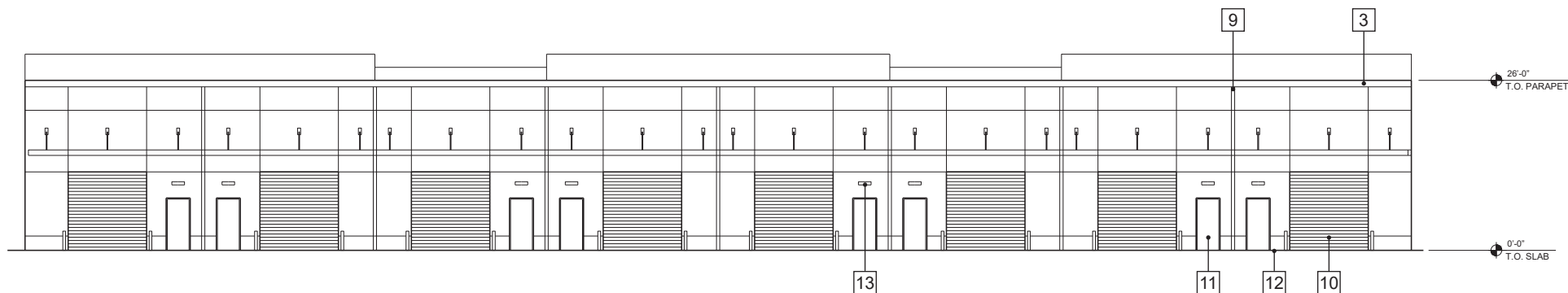
**PAD 1 - BUILDING 2 & 3 (MIRRORED) - SOUTH ELEVATION (2) & NORTH ELEVATION (3)**



**PAD 1 - BUILDING 2 & 3 (MIRRORED) - WEST ELEVATION (2) & EAST ELEVATION (3)**



**PAD 1 - BUILDING 2 & 3 (MIRRORED) - EAST ELEVATION (2) & WEST ELEVATION (3)**



**PAD 1 - BUILDING 2 & 3 (MIRRORED) - NORTH ELEVATION (2) & SOUTH ELEVATION (3)**

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PAD 2 - BUILDING 1 & 2 - WEST ELEVATION



PAD 2 - BUILDING 2 - SOUTH ELEVATION



PAD 2 - BUILDING 1 & 2 - EAST ELEVATION

ADDED AWNING  
AND DOORS

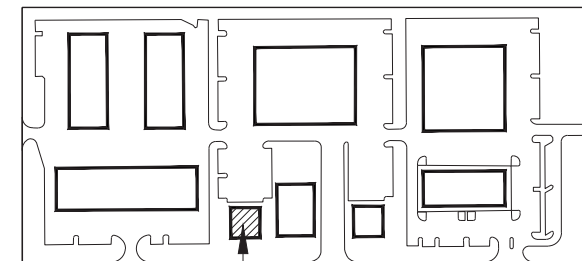


PAD 2 - BUILDING 2 - NORTH ELEVATION

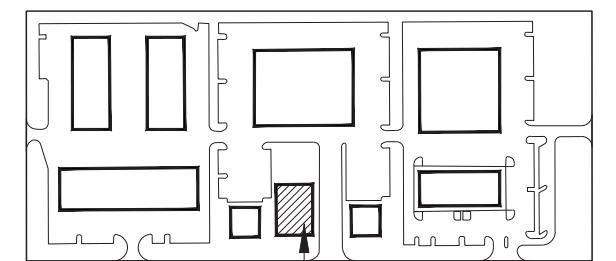


PAD 2 - BUILDING 1 - NORTH ELEVATION

PAD 2 - BUILDING 1 - SOUTH ELEVATION



KEY PLAN -  
PAD 2 -  
BLDG 1

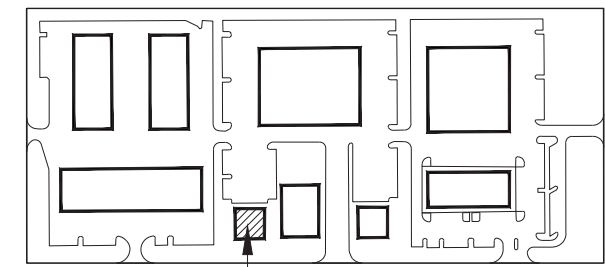


KEY PLAN -  
PAD 2 -  
BLDG 2

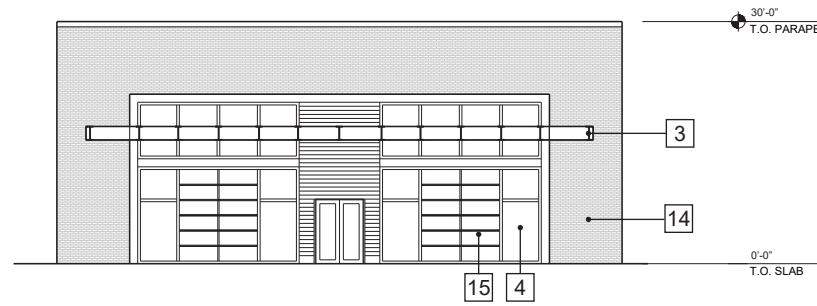
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ELEVATION KEYNOTES

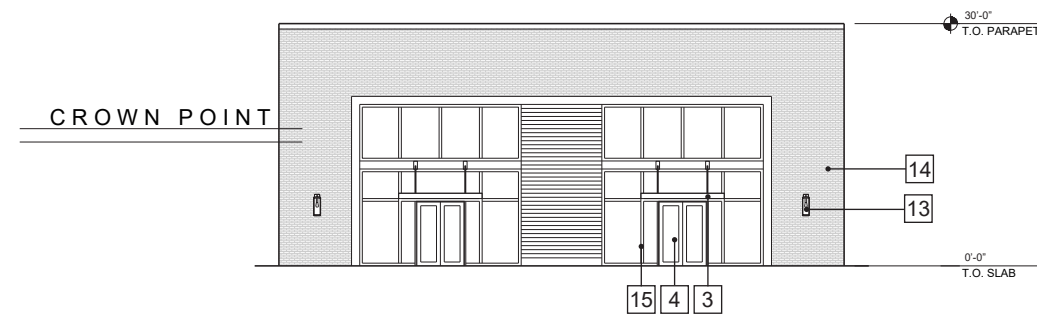
1 PAINTED EXTERIOR TILT UP CONCRETE PANELS OR STUCCO ON BLOCK	7 SPANDREL GLASS OR METAL PANEL	13 LIGHT FIXTURE	19 VERTICAL FIN
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5 WATER TABLE, BRICK, STONE, OR PAINT	11 REAR EXIT DOOR	17 SCORED CONCRETE, STUCCO, OR SIMULATED WOOD FINISH	23
6 METAL OR FABRIC CANOPY	12 STEEL BOLLARD	18 PAINT, STUCCO, OR CAST STONE FINISH	24



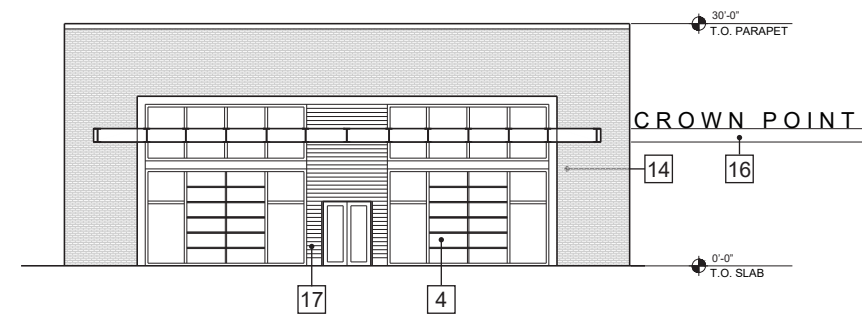
KEY PLAN -  
PAD 2 -  
BLDG 1



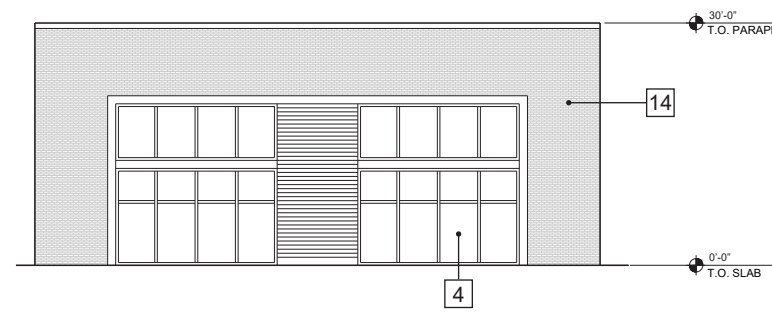
PAD 2 - BUILDING 1 - NORTH ELEVATION



PAD 2 - BUILDING 1 - WEST ELEVATION



PAD 2 - BUILDING 1 - EAST ELEVATION

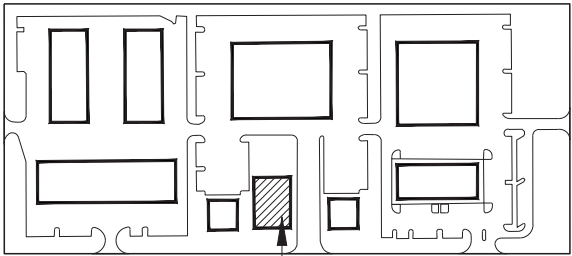


PAD 2 - BUILDING 1 - SOUTH ELEVATION

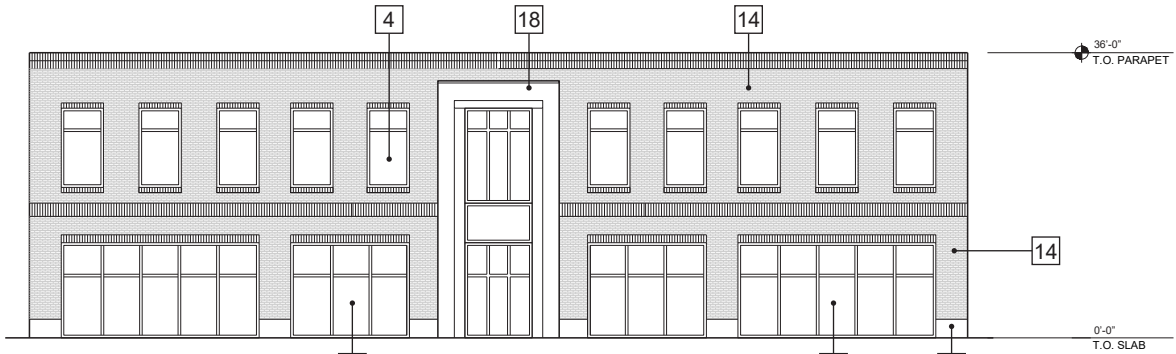
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# ELEVATION KEYNOTES

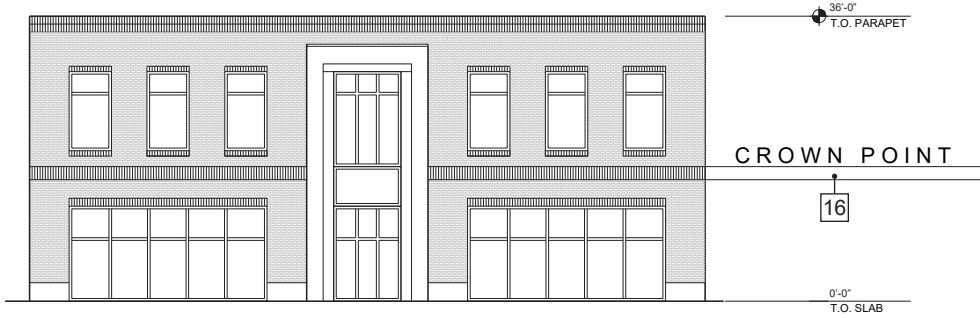
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6 METAL OR FABRIC CANOPY	12 STEEL BOLLARD	18 PAINT, STUCCO, OR CAST STONE FINISH	24



KEY PLAN -  
PAD 2 -  
BLDG 2



PAD 2 - BUILDING 2 - NORTH ELEVATION



PAD 2 - BUILDING 2 - WEST ELEVATION



PAD 2 - BUILDING 2 - EAST ELEVATION

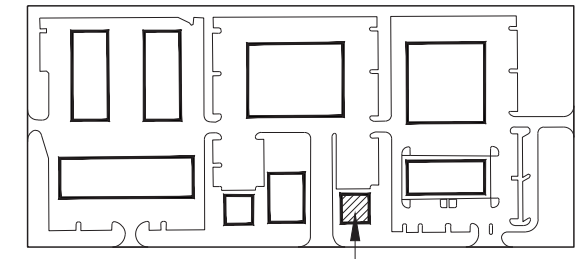


PAD 2 - BUILDING 2 - SOUTH ELEVATION

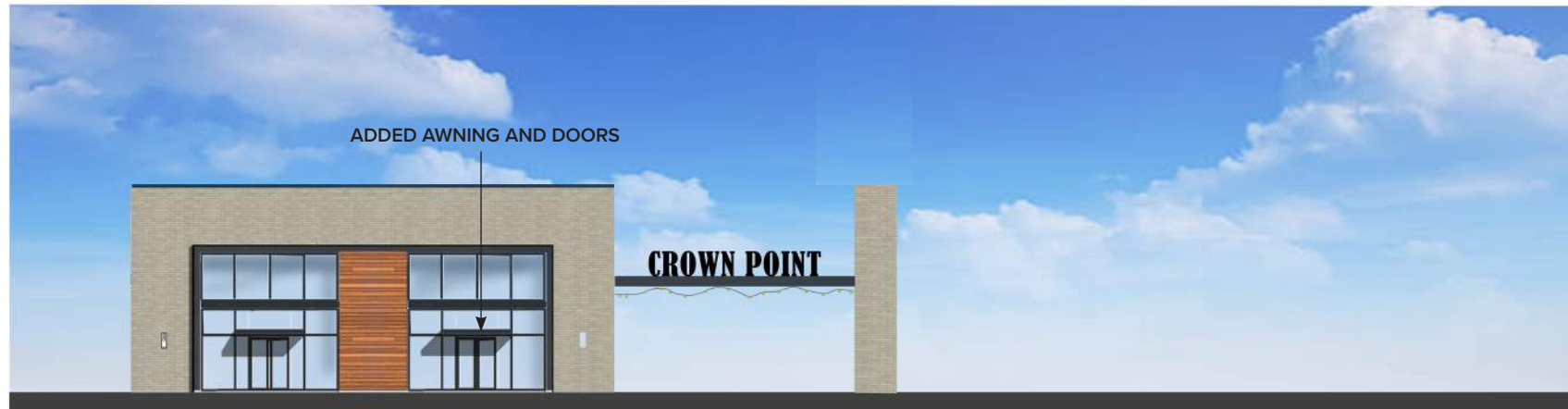
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PAD 2 - BUILDING 3 - WEST ELEVATION



KEY PLAN -  
PAD 2 -  
BLDG 3



PAD 2 - BUILDING 3 - EAST ELEVATION



ELEVATION OF SQUARE COLUMN



PAD 2 - BUILDING 3 - SOUTH ELEVATION

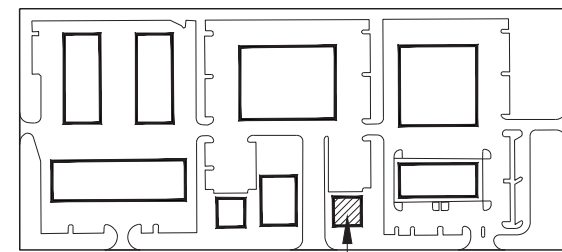
PAD 2 - BUILDING 3 - NORTH ELEVATION

PROFILE OF COLUMN IN FRONT

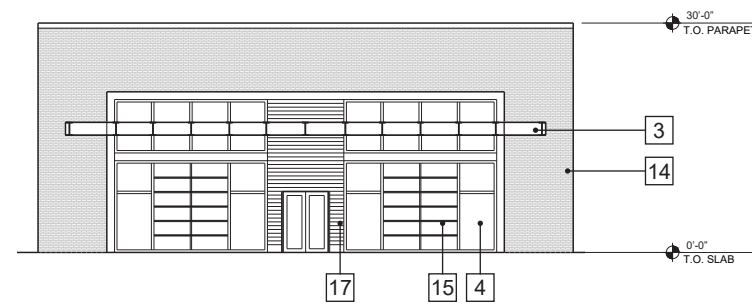
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# ELEVATION KEYNOTES

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5 WATER TABLE, BRICK, STONE, OR PAINT	11 REAR EXIT DOOR	17 SCORED CONCRETE, STUCCO, OR SIMULATED WOOF FINISH	23
6 METAL OR FABRIC CANOPY	12 STEEL BOLLARD	18 PAINT, STUCCO, OR CAST STONE FINISH	24



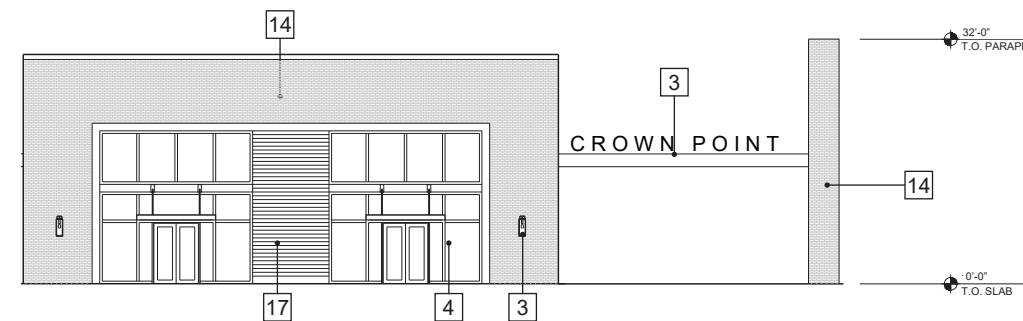
KEY PLAN -  
PAD 2 -  
BLDG 3



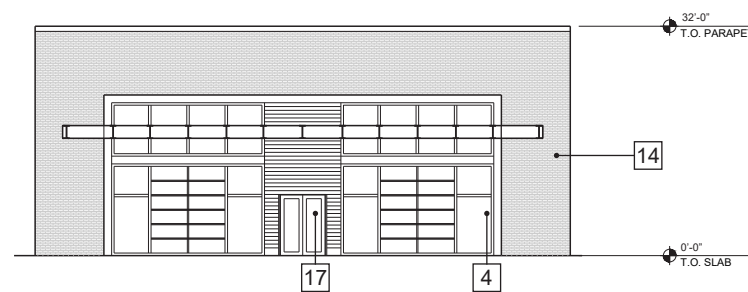
PAD 2 - BUILDING 3 - NORTH ELEVATION



PAD 2 - BUILDING 3 - WEST ELEVATION



PAD 2 - BUILDING 3 - EAST ELEVATION



PAD 2 - BUILDING 3 - SOUTH ELEVATION

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PAD 2 - BUILDING 4 - EAST ELEVATION



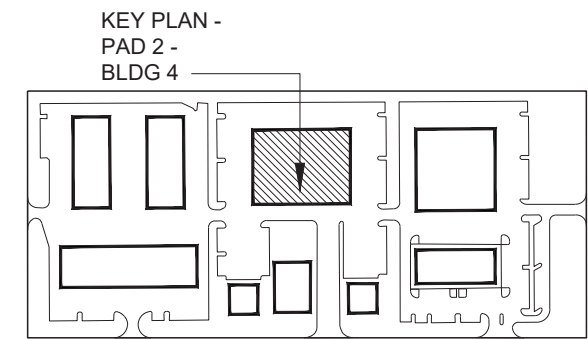
PAD 2 - BUILDING 4 - NORTH ELEVATION



PAD 2 - BUILDING 4 - SOUTH ELEVATION



PAD 2 - BUILDING 4 - WEST ELEVATION

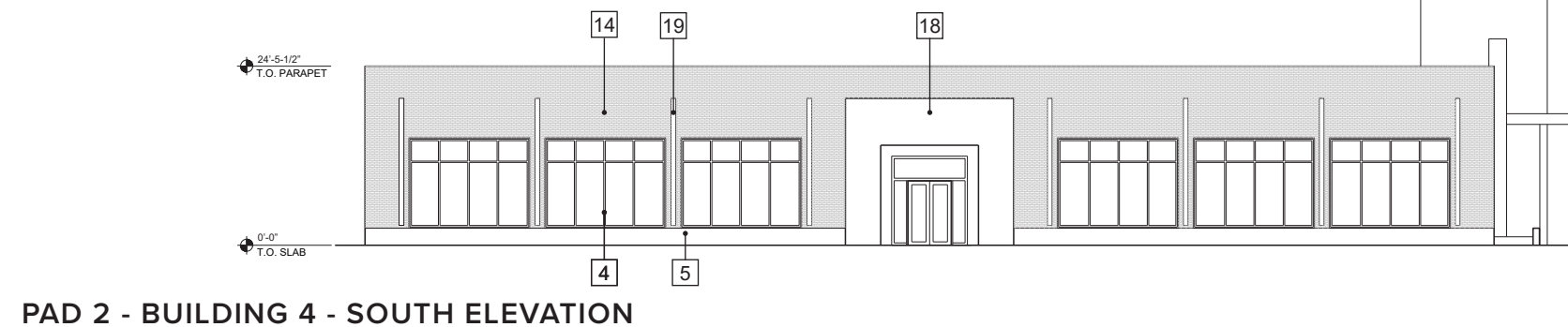
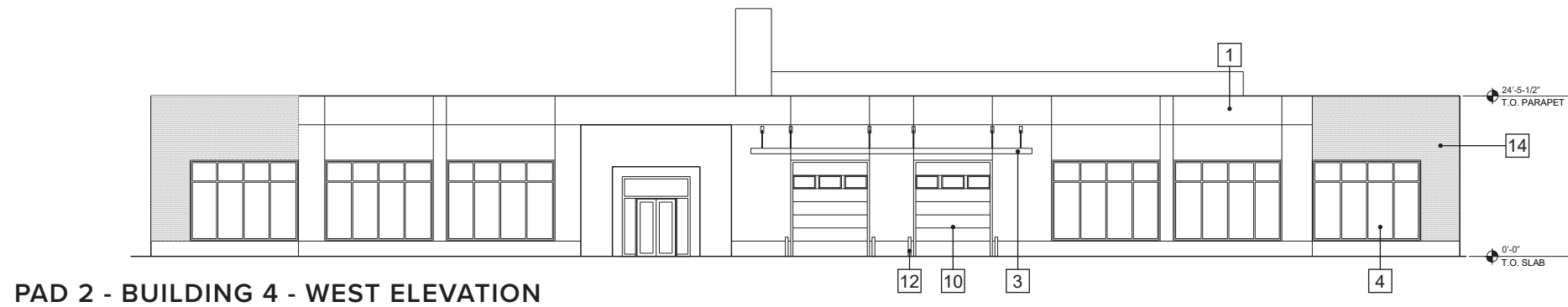
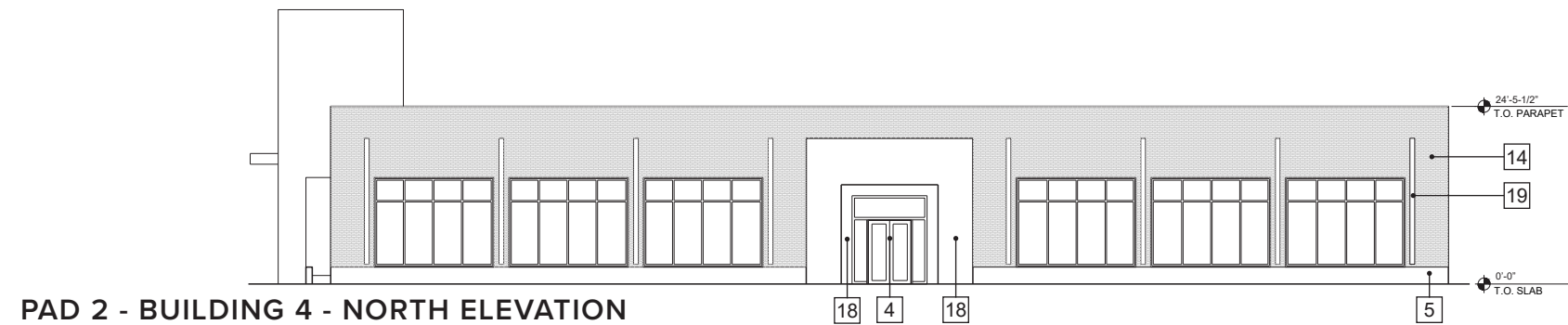
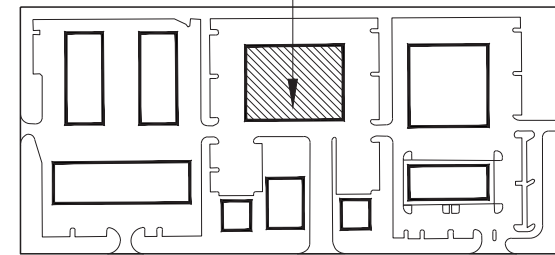


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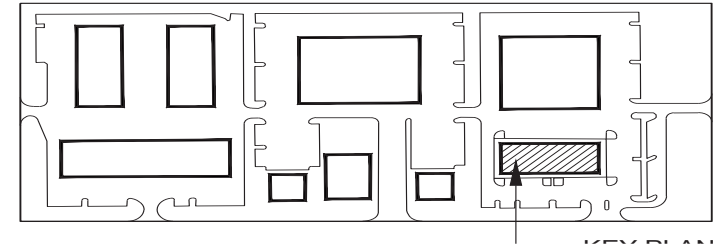
ELEVATION KEYNOTES

1 PAINTED EXTERIOR TILT UP CONCRETE PANELS OR STUCCO ON BLOCK	7 SPANDREL GLASS OR METAL PANEL	13 LIGHT FIXTURE	19 VERTICAL FIN
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KEY PLAN -  
PAD 2 -  
BLDG 4



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PAD 1 - BUILDING 3 - EAST & WEST ELEVATIONS

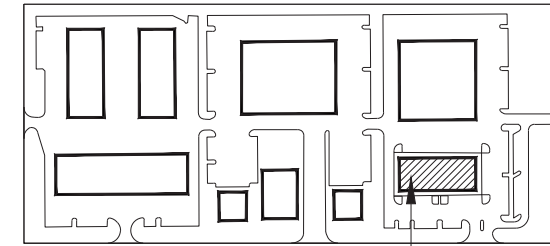


PAD 1 - BUILDING 3 - NORTH & SOUTH ELEVATIONS

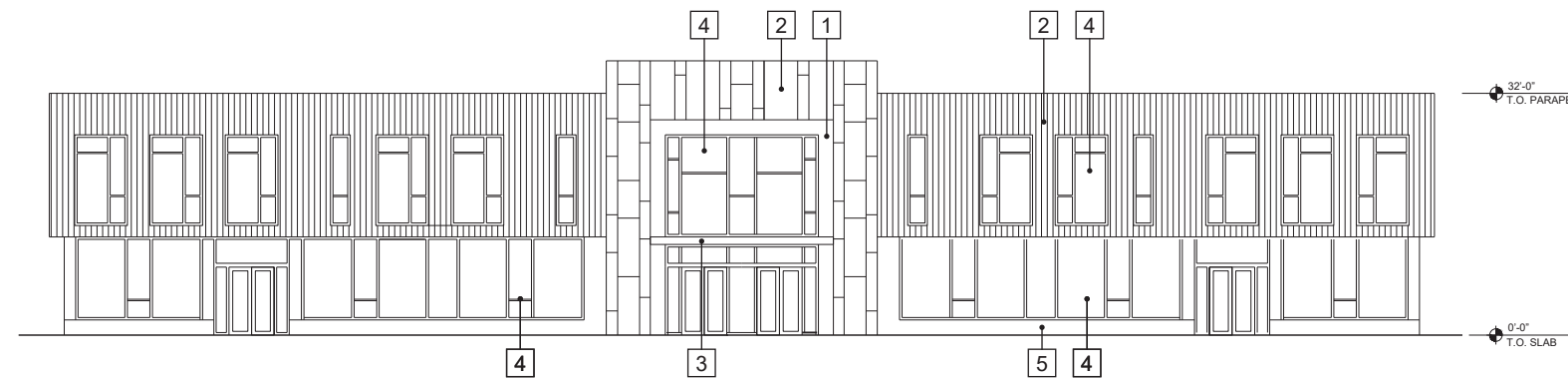
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# ELEVATION KEYNOTES

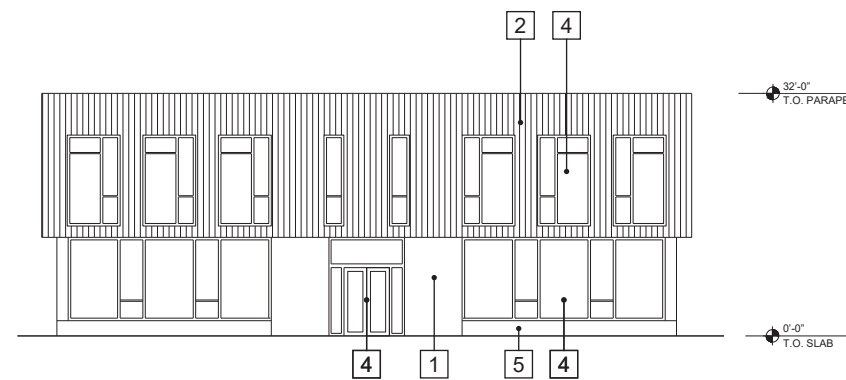
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KEY PLAN -  
PAD 3 -  
BLDG 1



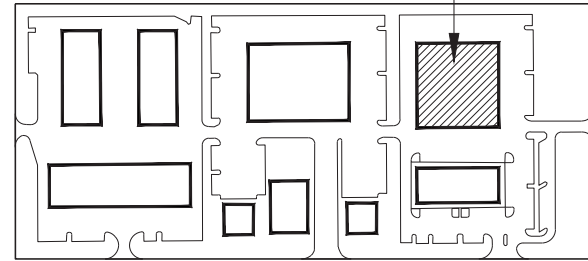
PAD 1 - BUILDING 3 - EAST & WEST ELEVATIONS



PAD 1 - BUILDING 3 - NORTH & SOUTH ELEVATIONS

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KEY PLAN -  
PAD 3 -  
BLDG 2



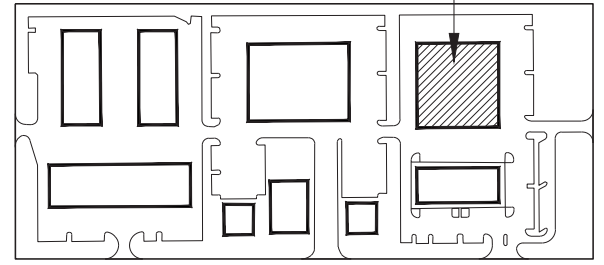
PAD 3 - BUILDING 2 - NORTH ELEVATION



PAD 3 - BUILDING 2 - SOUTH ELEVATION

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KEY PLAN -  
PAD 3 -  
BLDG 2



PAD 3 - BUILDING 2 - EAST ELEVATION

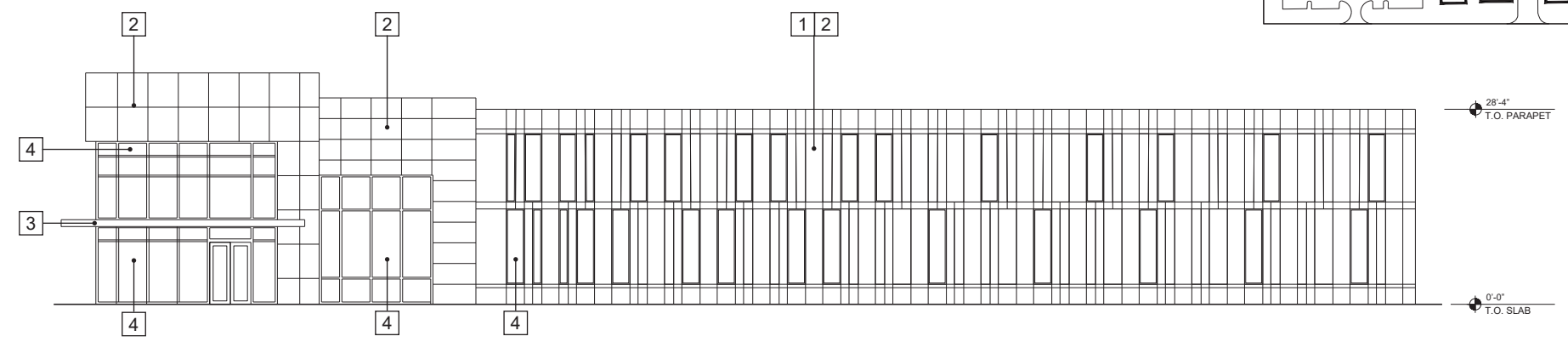
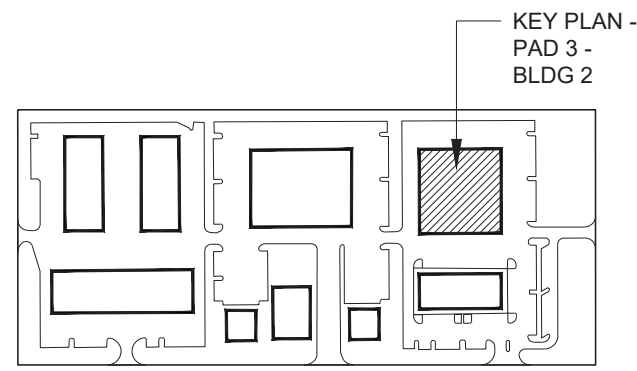


PAD 3 - BUILDING 2 - WEST ELEVATION

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ELEVATION KEYNOTES

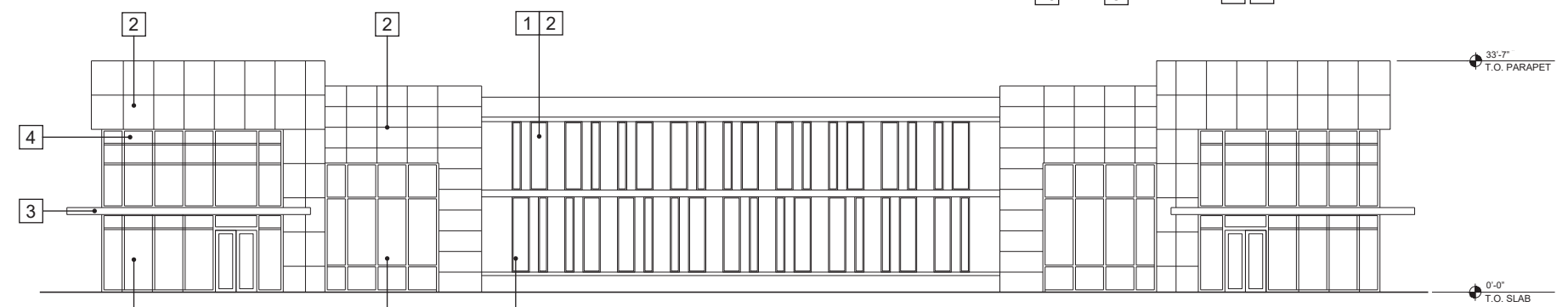
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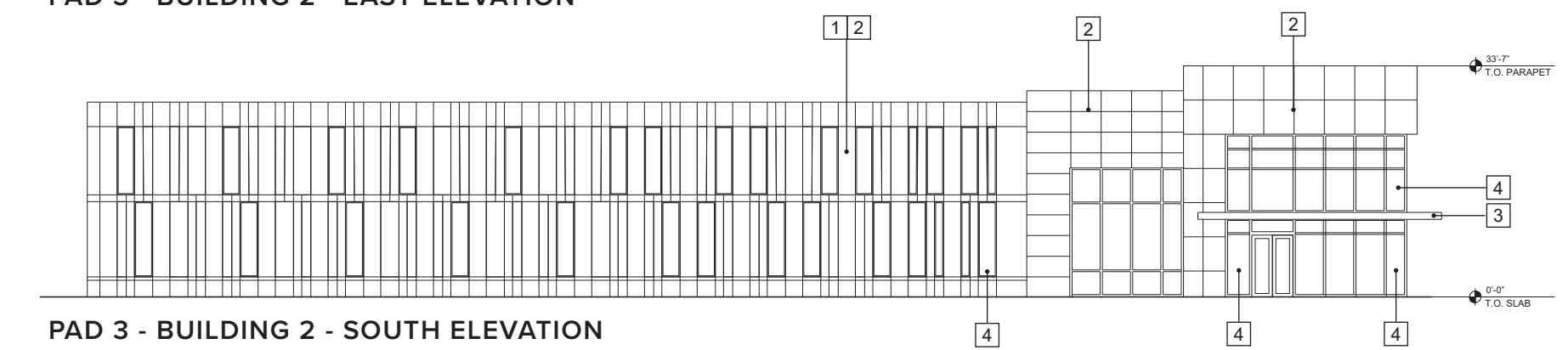
PAD 3 - BUILDING 2 - NORTH ELEVATION



PAD 3 - BUILDING 2 - WEST ELEVATION

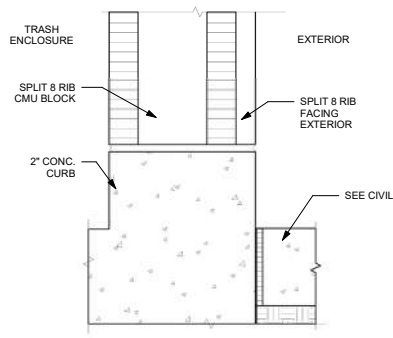


PAD 3 - BUILDING 2 - EAST ELEVATION

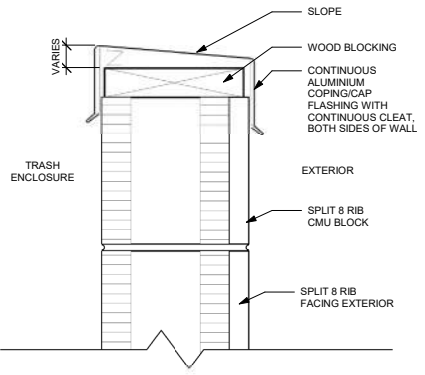


PAD 3 - BUILDING 2 - SOUTH ELEVATION

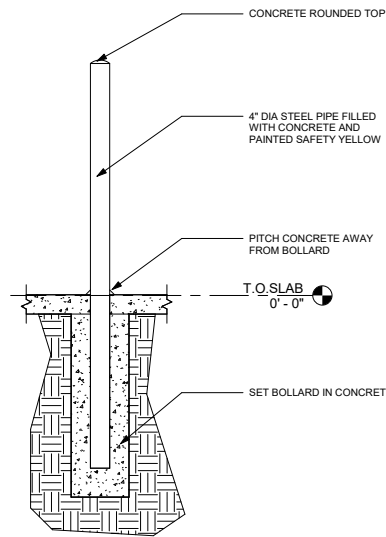
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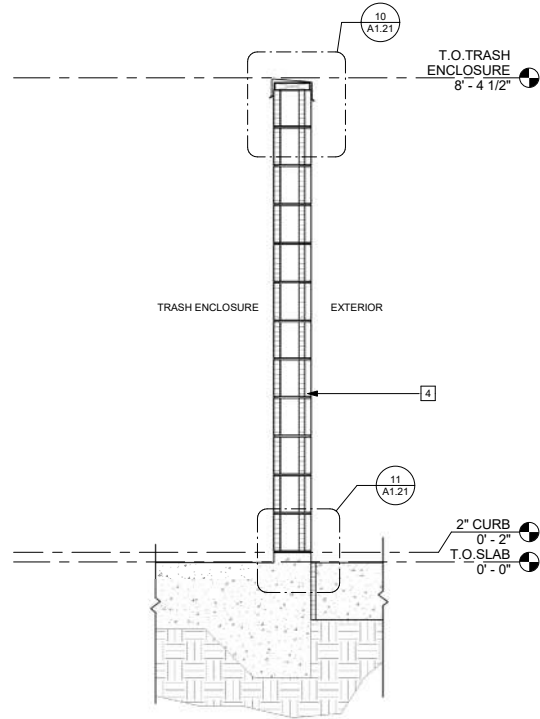
11 WALL AT GRADE  
3/8" = 1'-0"



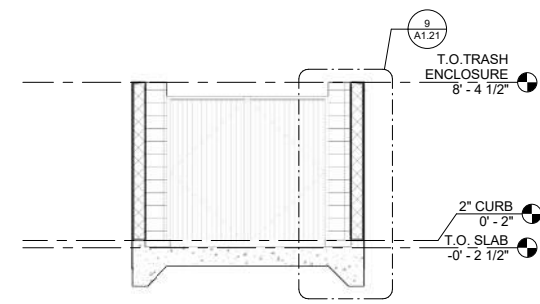
10 PARAPET CAP  
3/8" = 1'-0"



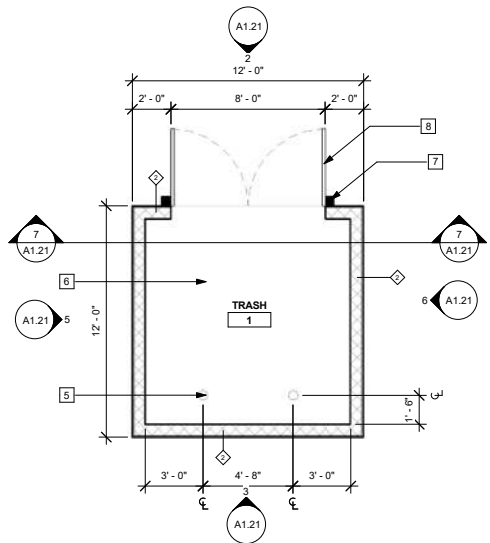
8 BOLLARD SECTION  
3/4" = 1'-0"



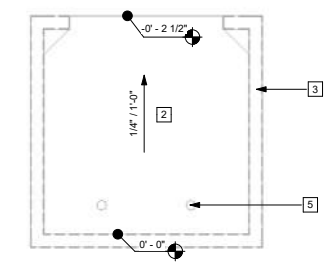
9 TRASH ENCLOSURE WALL SECTION  
3/4" = 1'-0"



7 TRASH ENCLOSURE SECTION  
1/4" = 1'-0"

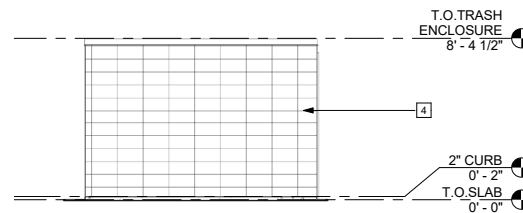


4 TRASH FLOOR PLAN  
1/4" = 1'-0"

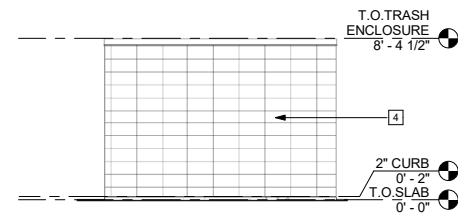


1 TRASH SLAB PLAN  
1/4" = 1'-0"

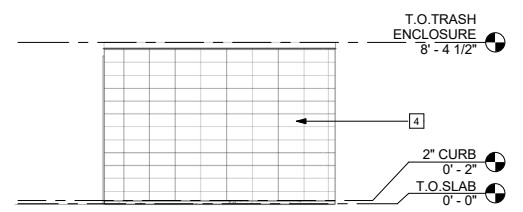
LEGEND	KEYNOTES	GENERAL NOTES
FLOAT FINISH CONCRETE	1 DEPRESSED SLAB	1. EXTERIOR DIMS ARE TO EDGE OF SLAB/FACE OF SHEATHING (BOTH TO ALIGN). SEE DETAILS FOR SLAB EDGE AT CENTERLINE OF TENANT WALL. 2. SEE STRUCTURAL FOR CONTROL JOINTS. 3. SLOPE SLAB AS REQ'D TO PROVIDE POSITIVE DRAINAGE BEHIND CURBS. 4. PROVIDE CRICKETS AS REQ'D TO PROVIDE POSITIVE DRAINAGE.
BROOM FINISH CONCRETE	2 SLOPED SLAB	
	3 2" CONCRETE CURB	
	4 SPLIT 8 RIB CMU BLOCK - A-1 BLOCK CORP. SPLIT FACE, GRAY (S-141)	
	5 4" BOLLARD, TYP. SEE DETAIL 3/A1.21	7 6" STEEL TUBE, TYP.
	6 TRASH ENCLOSURE	8 7'-4"W X 7'-6"H BLACK STEEL TUBE FRAME GATES. PROVIDE STEEL PANEL BACKS AND FOR EACH LEAF PROVIDE THREE HINGES, ONE CANE BOLT, AND ONE PUL HANDLE



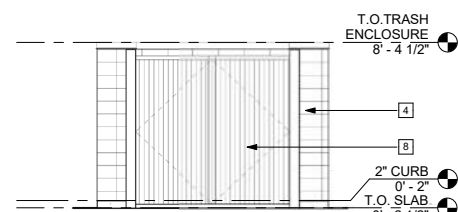
6 TRASH RIGHT SIDE ELEVATION  
1/4" = 1'-0"



3 TRASH REAR ELEVATION  
1/4" = 1'-0"



5 TRASH LEFT SIDE ELEVATION  
1/4" = 1'-0"



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

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**THE CITY OF WINTER GARDEN  
PLANNING AND ZONING BOARD AGENDA ITEM # 4.A**

**Date:** October 27, 2025                      **Meeting Date:** November 3, 2025

**Subject:** 111 N Central Avenue

**Project Name:** Tingley Variance

**Parcel ID:** 14-22-27-1728-05-180

**Issue:** Proposed detached garage does not meet rear yard setbacks. Proposed detached garage exceeds allowed wall height and peak of roof height.

**Supplemental Material / Analysis:**

**Owner / Applicant:** Ralph and Tracy Tingley

**Current Zoning:** R-2 (Residential) – Historic Downtown District Overlay

**Proposed Zoning:** N/A

**Current FLU:** LR (Low Density Residential)

**Proposed FLU:** N/A

**Summary:** The applicant is requesting 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 nine (9) feet – four (4) inches in lieu of the permitted nine (9) foot height maximum and a roof peak height of seventeen (17) feet in lieu of the permitted twelve (12) foot height maximum for the detached garage.

**Staff Recommendation(s):**

Staff recommends approval subject to any conditions outlined in the Staff Report.

**Next Step(s):**

The applicant is responsible for following all City regulations and obtaining the required building permits.

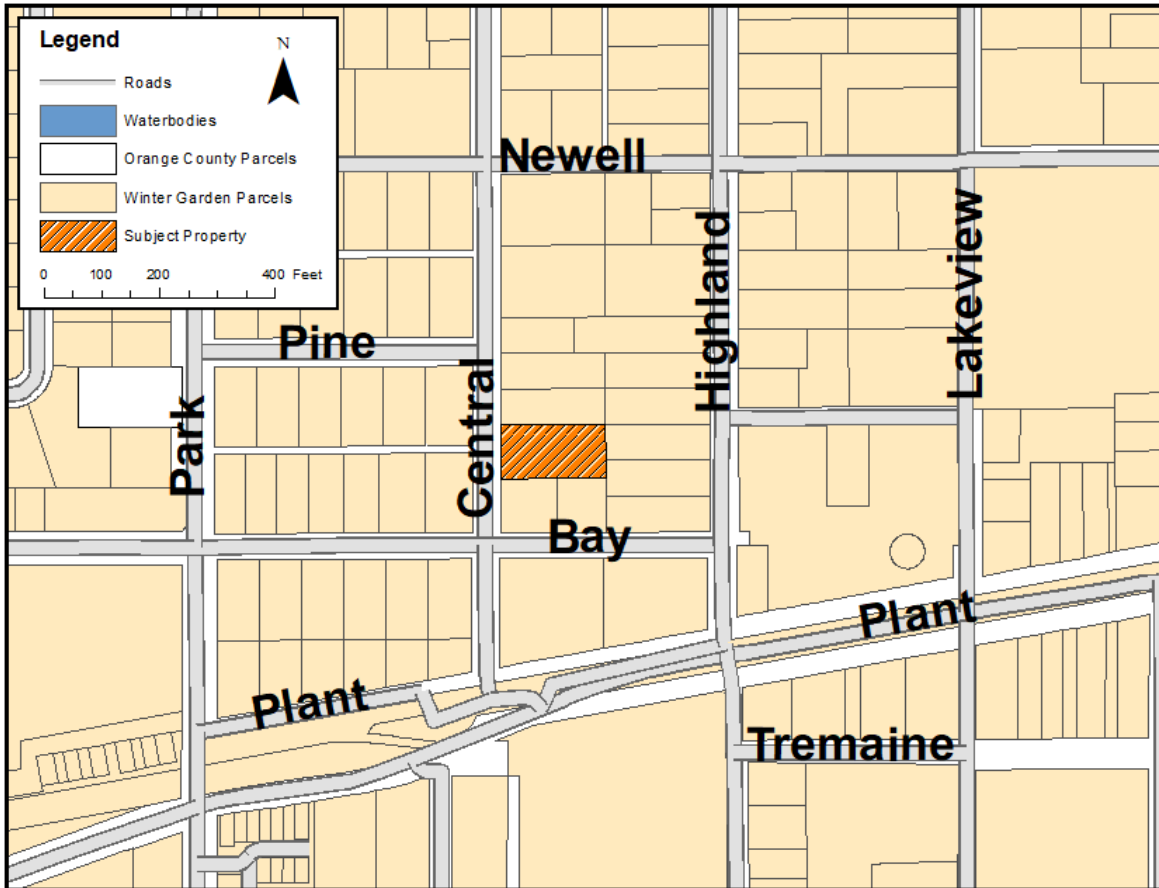
**Attachment(s):**

Staff Report  
Location Map

# LOCATION MAP

111 N Central Avenue

Variance



# CITY OF WINTER GARDEN

## PLANNING & ZONING DIVISION

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

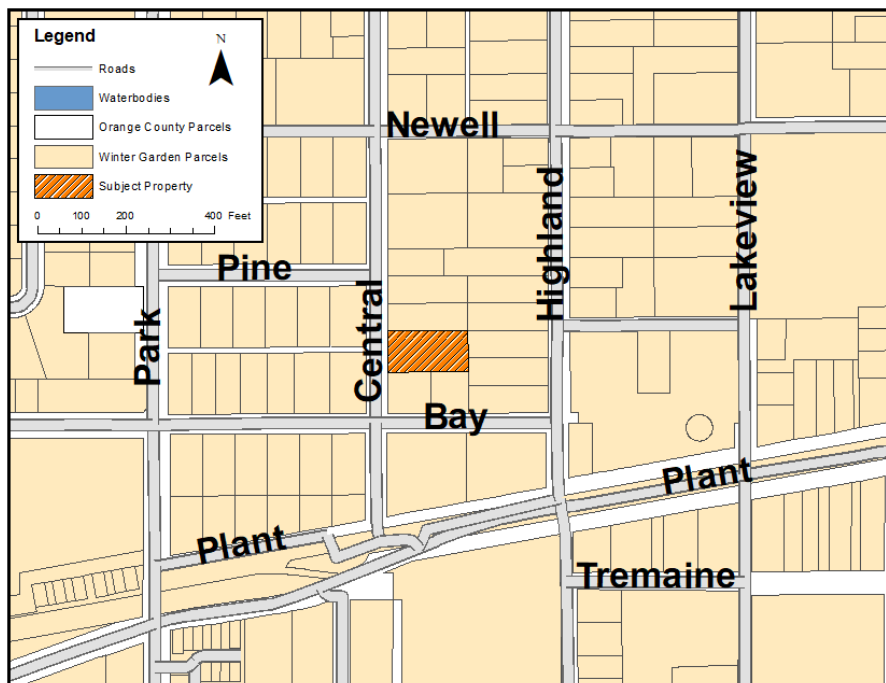
# STAFF REPORT

**TO:** PLANNING AND ZONING BOARD  
**PREPARED BY:** YVONNE CONATSER, SENIOR PLANNER  
**DATE:** OCTOBER 24, 2025  
**SUBJECT:** VARIANCE  
**111 N CENTRAL AVE (0.39 +/- ACRES)**  
**PARCEL ID # 14-22-27-1728-05-180**  
**APPLICANT:** RALPH AND TRACY TINGLEY

### INTRODUCTION

The purpose of this report is to evaluate the request for a variance for the property located at 111 N Central Avenue in Winter Garden, Florida, herein known as the "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 nine (9) feet – four (4) inches in lieu of the permitted nine (9) foot height maximum and a roof peak height of seventeen (17) feet in lieu of the permitted twelve (12) foot height maximum for the detached garage.

The Property is approximately 0.39 +/- 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 property is developed with a single story 1,800 +/- square foot single family house. This non-contributing structure will be demolished and replaced with a new two-story 4,248 +/- square foot single family house with a detached garage in the rear of the property.

The City Architectural Review and Historic Preservation Board approved the demolition and new house with detached garage at their October 21, 2025 meeting.

**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. The properties to the north, east and south are subject to the Historic Downtown District Overlay. The properties to the west are outside the Historic Downtown District Overlay. 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 an +/- 853 square foot detached garage.

**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 northeast 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 proposed house. The proposed height is typical to provide a detached garage compatible with the house architecture style. The property is buffered on the north and east boundaries with existing vegetation including a mature hedge row and large growth trees. The existing vegetation 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 rear setback of 10 feet is typical and has been approved for several properties in the historic district, including 216 N Lakeview Avenue and 145 N Highland Avenue. The requested variance will not change the neighborhood residential character of the area and is a reasonable request for the existing use. As with other detached garages in the historic district and per code the proposed design and height of the detached garage are consistent with the proposed 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 nine (9) feet – four (4) inches in lieu of the permitted nine (9) foot height maximum and a roof peak height of seventeen (17) feet 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 site plan as submitted by the applicant.
2. The detached garage shall be constructed in conformance with the 25'-4" width and 33'-8" length dimensions as depicted with the proposed site plan and in accordance with the elevations as submitted by the applicant.
3. The applicant shall obtain all required zoning and building permits from the Zoning Department and the Building Department prior to construction of the single family residential structure and detached garage.
4. The applicant shall note all conditions of the variance on all site plan documents.

**NEXT STEP**

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

**ATTACHMENTS**

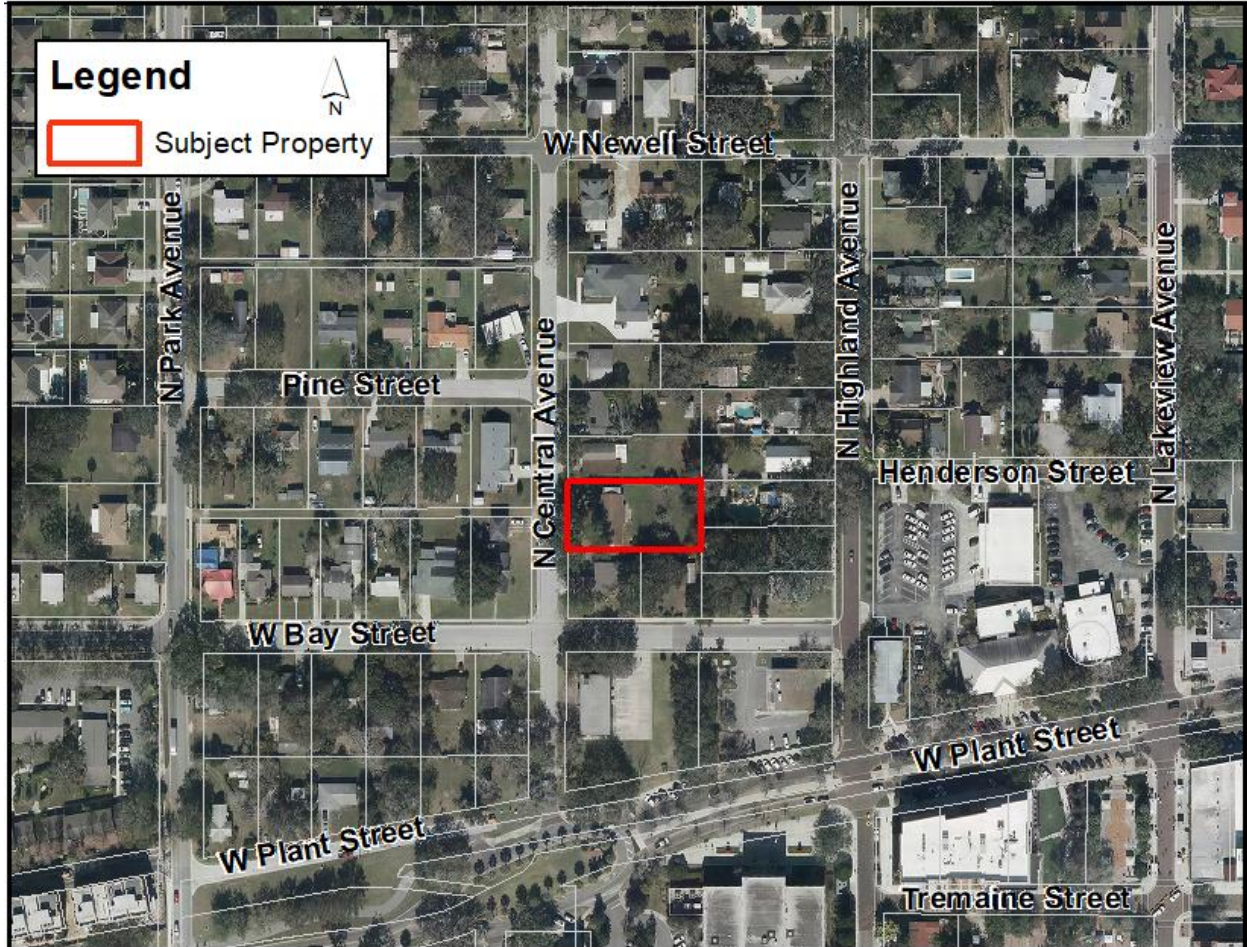
Aerial Photo

Site Plan with proposed detached garage location

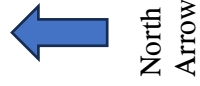
Proposed detached garage elevations

Property Photos

Aerial Photo  
111 N Central Ave

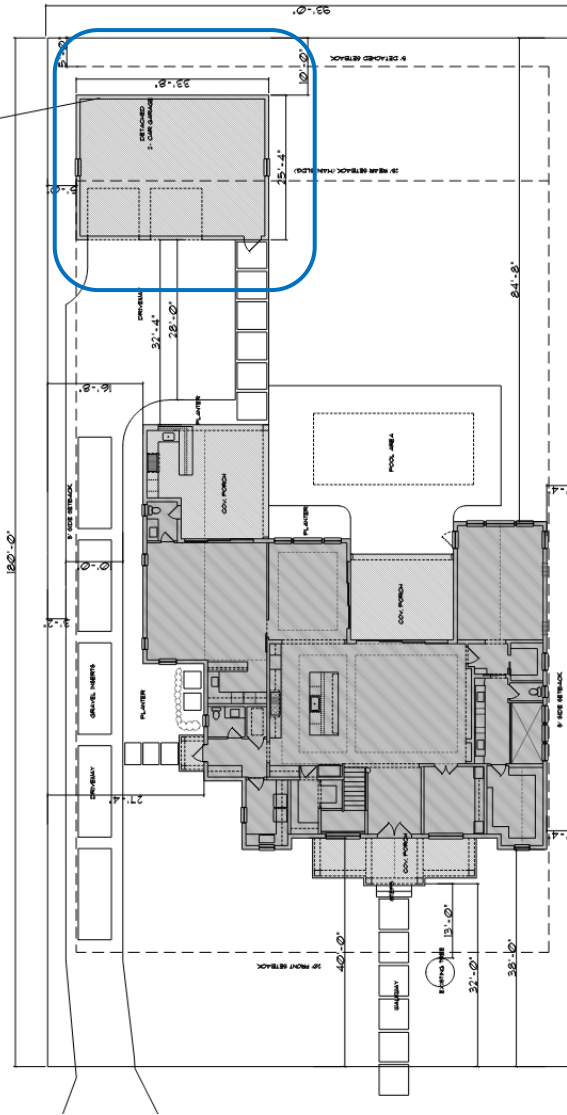


### Site Plan



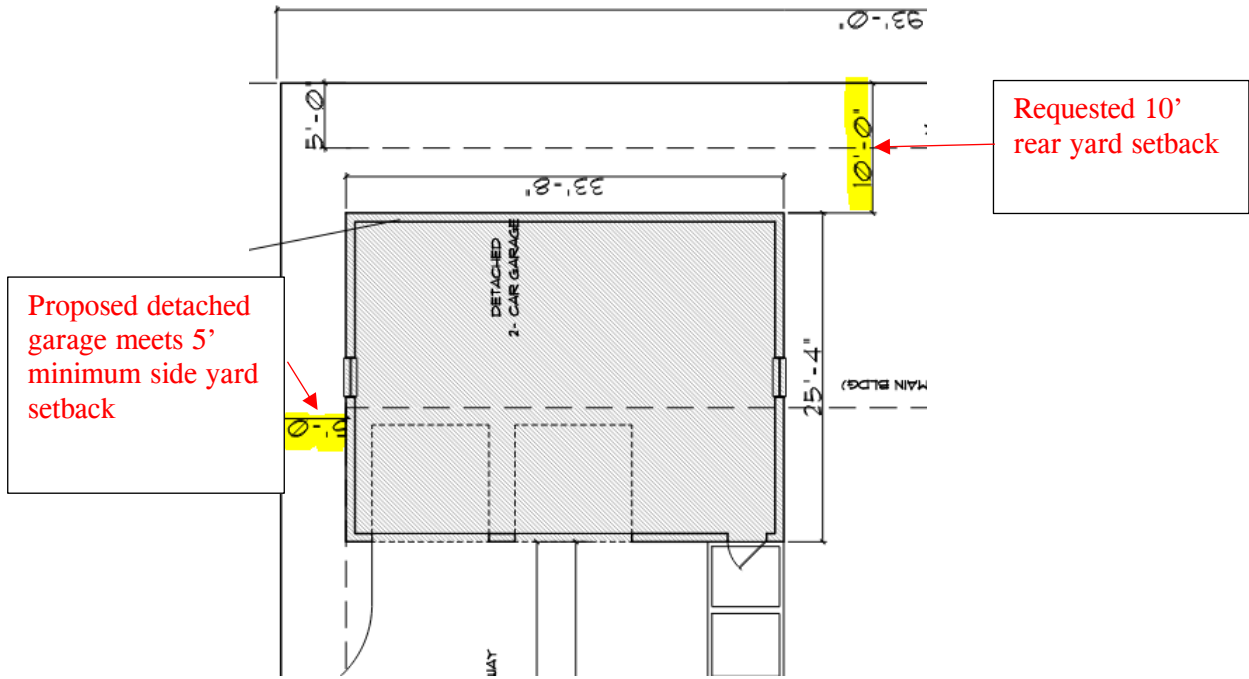
THE TINGLEY RESIDENCE  
111 N CENTRAL AVE.  
WINTER GARDEN, FL 34787

VARIANCE REQUESTED:  
DETACHED GARAGE TO BE  
10' FROM REAR AND SIDE  
17' TALL TO ALLOW FOR ROOF PITCH  
TO MATCH EXISTING HOME



SITE PLAN  
PROPOSED

### Site Plan - detached garage location DETAIL

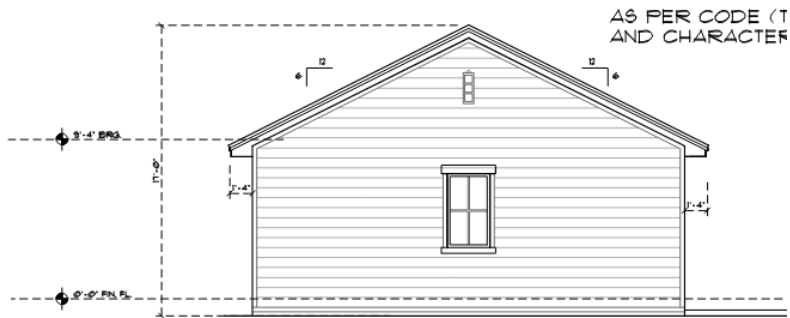


### Proposed Detached Garage Elevations





REAR ELEVATION  
DETACHED GARAGE 1/4" = 1'-0"



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



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

**Property Photo**  
**111 N Central Ave**  
View from Central Ave



Aerial view from Orange County Property Appraiser Website



### Proposed House and Garage Renderings



View from N Central  
Garage located behind proposed house.



View from rear yard  
Garage located to the right

**THE CITY OF WINTER GARDEN**  
**PLANNING AND ZONING BOARD AGENDA ITEM # 4.B**

**Date:** October 27, 2025                      **Meeting Date:** November 3, 2025  
**Subject:** Variance  
**Project Name:** 15583 Hamlin Blossom Ave - Variance  
**Parcel ID:** 33-22-27-3601-02-890  
**Issue:** Proposed rear covered porch with outdoor kitchen does not meet required rear setbacks.

**Supplemental Material / Analysis:**

**Owner / Applicant:** Daniel Diniz Simoes  
**Current Zoning:** PUD per Ordinance 06-05 (Hickory Hammock)  
**Proposed Zoning:** N/A  
**Current FLU:** LR (Low Density Residential)  
**Proposed FLU:** N/A

**Summary:** The applicant is requesting to allow an eight (8) foot – six (6) inch rear yard setback in lieu of the required twenty (20) foot rear yard setback minimum to construct a covered porch with outdoor kitchen.

**Staff Recommendation(s):**

Staff recommends approval of the variance subject to conditions.

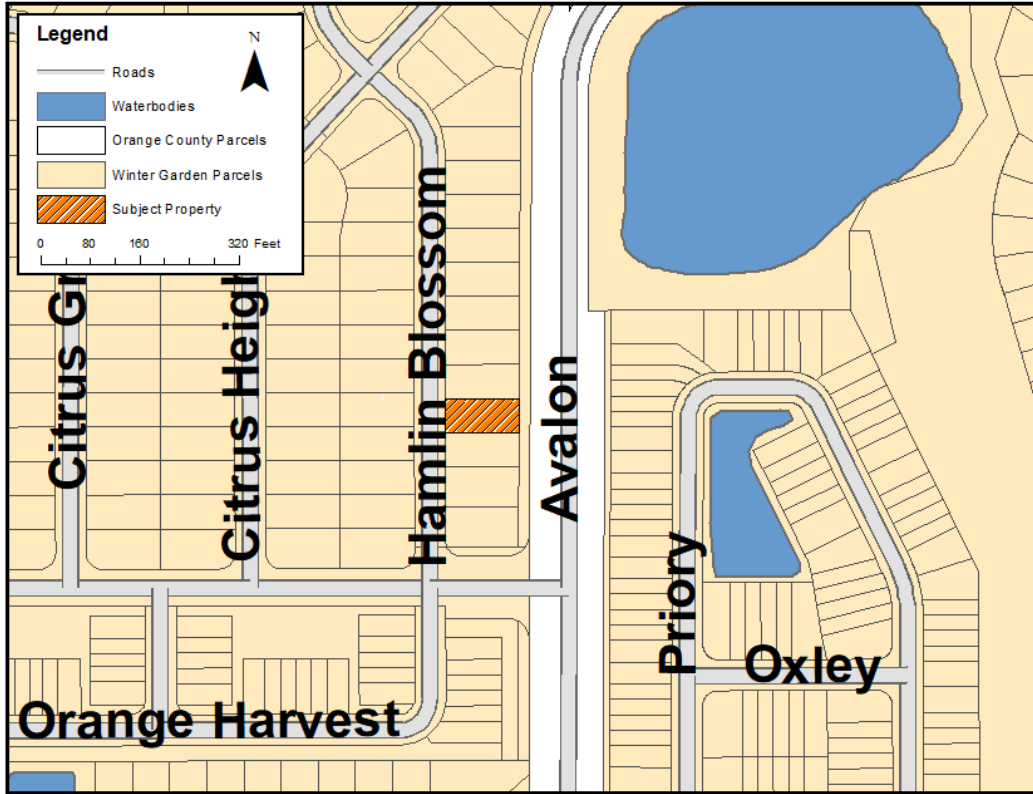
**Next Step(s):** Follow all City regulations and apply for required zoning and building permits.

**Attachment(s):** Staff Report  
Location Map

# LOCATION MAP

15583 Hamlin Blossom Ave

Variance



# CITY OF WINTER GARDEN

## PLANNING & ZONING DIVISION

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

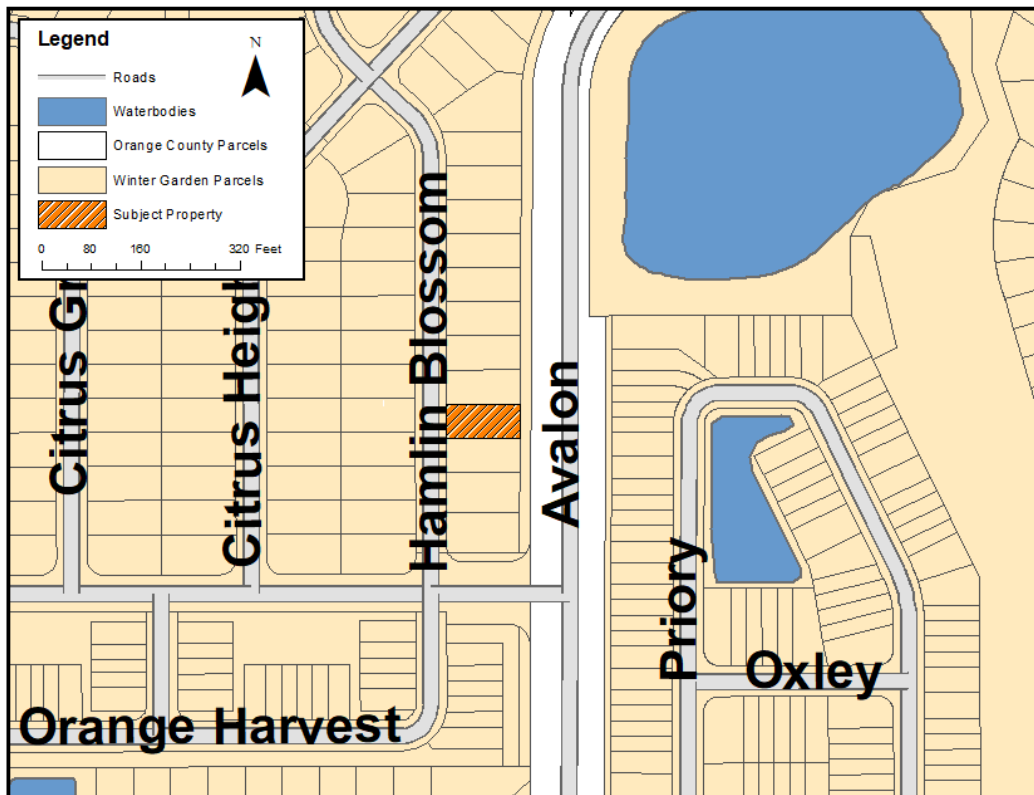
# STAFF REPORT

**TO:** PLANNING AND ZONING BOARD  
**PREPARED BY:** YVONNE CONATSER, SENIOR PLANNER  
**DATE:** OCTOBER 24, 2025  
**SUBJECT:** VARIANCE  
**15583 HAMLIN BLOSSOM AVE (0.15 +/- ACRES)**  
**PARCEL ID # 33-22-27-3601-02-890**

**APPLICANT:** SIMOES RESIDENCE

The purpose of this report is to evaluate the request for a variance for the property located at 15583 Hamlin Blossom Ave in Winter Garden, Florida. The request is to allow a 8 foot – 6 inch rear yard setback in lieu of the required 20 - foot rear yard setback minimum to construct a covered porch area with outdoor kitchen.

The Property is approximately 0.15 +/- acres in size, zoned PUD (Planned Unit Development) per Ordinance 06-05 (Hickory Hammock), and designated Low Density Residential on the City Future Land Use Map. The map below depicts the location of the property within the City of Winter Garden municipal limits.



**EXISTING USE**

The Property is developed with a 3,511 +/- square foot single family residence.

**ADJACENT LAND USE AND ZONING**

The property is adjacent to Avalon Road to the east and is surrounded to the north, west and south by PUD Residential zoning, developed as single family residential homes in the Hickory Hammock subdivision and designated Low Density Residential on the City Future Land Use Map. All properties are located within the City of Winter Garden’s jurisdictional limits.

**PROPOSED USE**

The applicant is requesting an 8 foot – 6 inch rear yard setback to allow for the addition of a 12-foot by 28-foot covered porch with a summer kitchen.

This request comes after a code enforcement action to stop the work being done without a permit. Once the applicant went through the appropriate process to permit the covered porch staff determined a variance request for the rear yard setback is required in order to complete the construction of said covered porch.

Staff notes, while not required for a permit or the variance application, the applicant did receive approval from the Hickory Hammock Homeowners Association for the covered porch with outdoor kitchen prior to starting construction.

**CODE REFERENCE**

Ord. 06-05 Section I addresses residential development in the Hickory Hammock subdivision. Specifically, all development must substantially conform to the requirements identified in Attachment B (the Hickory Hammock Planned Unit Development Plan created by Canin Associates and revised on November 7, 2005).

Per Attachment B Lot Restrictions for Street Garage Access lots are as follows:

Minimum yard setbacks -

Front – 20 feet

Front porch – 15 feet

Side – 7.5 feet

Rear – 20 feet

The applicant is seeking a variance to the 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 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 rear yard setback request is for 8 feet 6 inches. The covered porch is for the outdoor kitchen and porch area which will not be enclosed permanently. Screen porches without roofs are allowed to have a five foot setback. The property backs to Avalon Road and is buffered by hedges and a six foot high concrete wall. The proposed covered porch will meet required side yard setbacks but cannot meet required rear yard setbacks without the variance. There is an existing fence that runs along the sides of the property to prevent “interference” and help provide continued “reasonable enjoyment” of the rear yard for the nearby property owners, the proposed covered porch should not “negatively impact the standard of living” provided the applicant follows all required conditions as set forth by the staff and city code.

*(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 does not change the residential nature of the property. A rear covered porch is typical for single-family homes. The size of the proposed covered porch is not out of character with other properties located within the PUD residential neighborhood.

*(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 covered porch with outdoor kitchen will meet all other City requirements regulating residential additions.

*(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 relating to low density residential neighborhood character. It will not be out of character with the existing single-family residential homes and low density residential future land uses.

*(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 and allow the property owner continued enjoyment of the rear yard without impact to surrounding neighbors. Denying the variance does not benefit the property owner or the City.

## **SUMMARY**

City Staff recommends approval of the variance to Ordinance 06-05 to allow the construction of a covered porch with a 8 foot – 6 inch rear yard setback for the property at 15583 Hamlin Blossom Avenue, subject to the following conditions:

1. This approval is for the 28 foot by 12 foot addition of the covered porch and outdoor kitchen as shown on the property boundary survey.
2. The applicant will obtain all required zoning and building permits from the Planning and Zoning Department and Building Department prior to completing the construction of the covered porch and outdoor kitchen.
3. The applicant will update and note all conditions of the variance on the plans for the covered porch. Said updated plans will be submitted with all zoning and building permit review documents.

4. At no time may the covered porch be permanently or made into a habitable air-conditioned space.

**NEXT STEP**

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

**ATTACHMENTS**

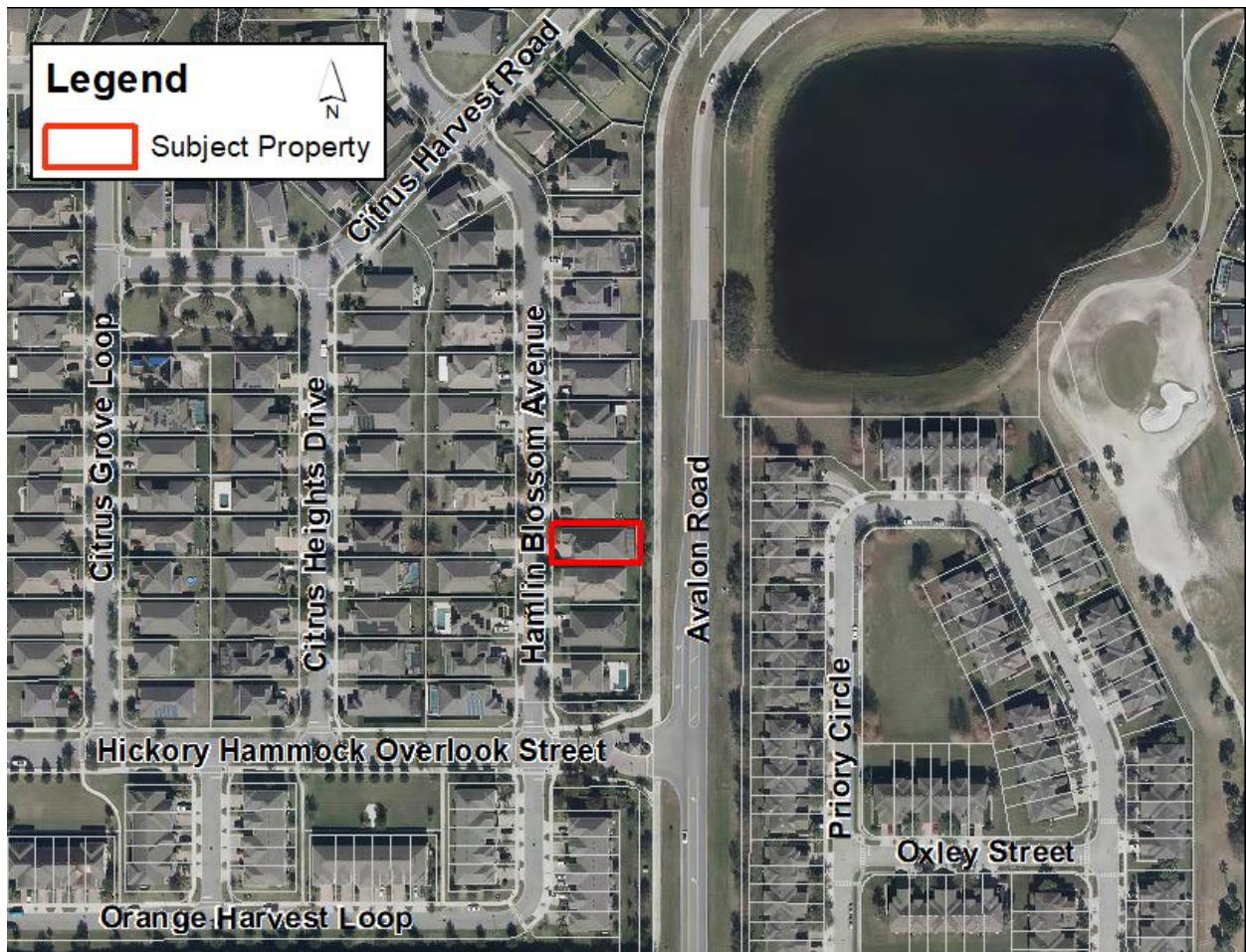
Aerial Photo

Survey with proposed setbacks

Design specifications

Site Photos

**Aerial Photo**  
**15583 Hamlin Blossom Ave**

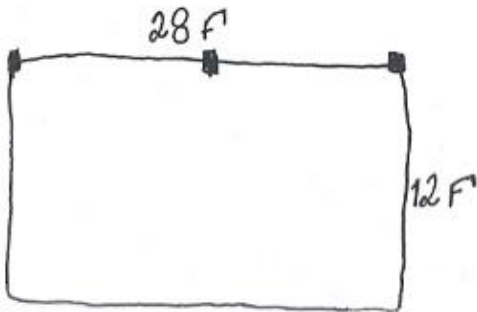




Pictures of existing porch with outdoor kitchen – taken at time of “Stop work order”



Picture and dimensions submitted by applicant



HEIGHT: 9F

MATERIAL: WOOD

Pictures from Avalon Road



**THE CITY OF WINTER GARDEN  
PLANNING AND ZONING BOARD AGENDA ITEM # 5.A.**

**Public Hearing**

**Date:** October 21, 2025                      **Meeting Date:** November 3, 2025  
**Subject:** Ordinance 25-38  
**Project Name:** N/A  
**Parcel ID:** N/A  
**Issue:** Ordinance 25-38 amending City of Winter Garden Code of Ordinances Chapter 118, Zoning, Article II, Division 4 to add a new section 118-136.

**Supplemental Material / Analysis:**

**Owner / Applicant:** City of Winter Garden  
**Current Zoning:** N/A  
**Proposed Zoning:** N/A  
**Current FLU:** N/A  
**Proposed FLU:** N/A

**Summary:** Ordinance 25-38 would amend City of Winter Garden Code of Ordinances Chapter 118, Zoning, Article II, Division 4 to add a new section 118-136 to establish regulations and procedures for certified recovery residences, including a process for requesting reasonable accommodation as required by Chapter 2025-182, Laws of Florida.

The purpose of this ordinance is to conform to the regulations of Chapter 2025-182, Laws of Florida (SB 954), which requires that cities adopt a process for approving reasonable accommodations for certified recovery residences.

**Staff Recommendation(s):**

Staff recommends approval of Ordinance 25-38.

**Next Step(s):**

The first reading by City Commission is scheduled for November 13, 2025, with the second reading and adoption anticipated to be on December 11, 2025.

**Attachment(s):**

Ordinances 25-38  
Business Impact Estimate

## ORDINANCE 25-38

**AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING CHAPTER 118, ZONING, ARTICLE II, DIVISION 4 TO ADD A NEW SECTION 118-136 TO ESTABLISH REGULATIONS AND PROCEDURES FOR CERTIFIED RECOVERY RESIDENCES, INCLUDING A PROCESS FOR REQUESTING REASONABLE ACCOMMODATION AS REQUIRED BY CHAPTER 2025-182, LAWS OF FLORIDA; PROVIDING FOR DEFINITIONS; PROVIDING FOR A REASONABLE ACCOMMODATION PROCESS IN ACCORDANCE WITH FEDERAL AND STATE LAW; PROVIDING FOR APPLICATION REQUIREMENTS, REVIEW PROCEDURES, AND DEADLINES; PROVIDING FOR REVOCATION AND REINSTATEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Legislature of the State of Florida adopted Chapter 2025-182, Laws of Florida, effective July 1, 2025, amending §§397.487 and 397.4871, Florida Statutes, relating to certified recovery residences; and

**WHEREAS**, Chapter 2025-182 requires all municipalities and counties to adopt ordinances establishing a process for the review and approval of certified recovery residences no later than January 1, 2026; and

**WHEREAS**, the City Commission of the City of Winter Garden recognizes that certified recovery residences provide important housing opportunities for persons in recovery from substance use disorders and are protected under the Fair Housing Amendments Act of 1988 and the Americans with Disabilities Act; and

**WHEREAS**, the City of Winter Garden is committed to ensuring its land use and zoning processes provide equal housing opportunities for individuals with disabilities while maintaining compliance with state and federal law; and

**WHEREAS**, the City Commission finds that it is in the best interest of the public health, safety, and welfare to establish clear, consistent procedures for processing requests for reasonable accommodation by certified recovery residences.

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

**SECTION 1. Recitals.** The foregoing recitals are true and correct and are incorporated herein by this reference.

**SECTION 2. Adoption.** Chapter 118, Zoning, Article II, Division 4 of the Code of Ordinances of the City of Winter Garden, Florida, is hereby amended to add a new **Section 118-136**, to read as follows:

## **Sec. 118-136.- Certified Recovery Residences.**

**A. Definitions.** For purposes of this Section, the following terms shall have the meanings set forth in §397.311, Florida Statutes, as amended:

1. **Certified recovery residence** – A recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator as defined in Section 397.311, Florida Statutes, as amended, including Level I through Level IV certified recovery residences.
2. **Certificate of compliance** – A certificate issued by a credentialing entity to a recovery residence or administrator.
3. **Certified recovery residence administrator** – An administrator who holds a valid certificate of compliance.
4. **Reasonable accommodation** – A waiver or modification of land use, zoning, or other regulations to afford persons with disabilities an equal opportunity to use and enjoy a dwelling, consistent with the Fair Housing Amendments Act and the Americans with Disabilities Act.

### **B. Applicability.**

This Section applies to a certified recovery residence seeking a reasonable accommodation from land use, zoning or land development code regulations within the City. This Section shall not supersede any declaration of covenants, conditions, or restrictions of a condominium, cooperative, or homeowners' association governed by Chapters 718, 719, or 720, Florida Statutes. Except for the seeking of a reasonable accommodation, the review and approval of a certified recovery residence is governed by the City's standard review and approval processes and compliance with applicable codes and ordinances.

### **C. Application for Reasonable Accommodation.**

**(i) Form of Application.** Applications under this Section shall be filed with the Planning and Zoning Department on a form provided by the City and shall include:

1. Applicant's name, mailing address, telephone number, and email address;
2. Address and parcel identification number of the subject property;
3. Identification of the specific regulation from which relief is sought; and
4. A description of the reasonable accommodation requested along with citations to the applicable code or ordinance provisions at issue and the basis for requesting such accommodation.
5. A copy of the applicable certificate of compliance pertaining to the applicant.

### **(ii) Processing.**

1. The Planning and Zoning Department shall date-stamp all applications upon receipt.
2. Within thirty (30) days of receipt, the City may request additional information in writing. Applicants shall have at least thirty (30) days to respond.

3. Within sixty (60) days of receipt of a completed application, the Planning Director or designee shall issue a written determination approving, approving with conditions, or denying the request based on evidence-based findings.
4. If no determination is issued within sixty (60) days of a completed application, and no written extension has been agreed to, the request shall be deemed approved.

**(iii) Application Fee.**

1. Each applicant for approval of a reasonable accommodation from land use, zoning or land development code regulations within the city shall pay an application fee to help defray the cost to the city of reviewing the application and making a determination as to whether or not the request for a reasonable accommodation satisfies the review criteria outlined in Sec. 118-136.D below. This application fee will not be refundable, whether or not the request for a reasonable accommodation is approved.

**D. Review Criteria.**

Decisions on a request for a reasonable accommodation under this Section shall be based on making the minimum reasonable accommodation necessary to accomplish the purpose of the request and meet the requirements of the Fair Housing Amendments Act of 1988, the Americans with Disabilities Act, and Chapter 2025-182, Laws of Florida. Conditions may be imposed on the reasonable accommodation, provided such conditions are consistent with federal and state law.

**E. Revocation and Reinstatement.**

(a) **Revocation.** An accommodation granted under this Section may be revoked by the City if the certified recovery residence: (i) loses its certificate of compliance under Florida law, or (ii) closes or vacates the premises.

(b) **Reinstatement.** If the certificate of compliance is reinstated within one hundred eighty (180) days of revocation, the accommodation may be reinstated administratively by the Planning Director.

(c) **Appeal.** Any certified recovery residence who is adversely affected by a decision made concerning a request for a reasonable accommodation or revocation of accommodation shall have the right to appeal such decision to the City Commission by filing a notice of appeal with the City Clerk within ten (10) days of the applicable decision along with stating the specific basis of the appeal. The City Commission will conduct a quasi-judicial hearing on the appeal within sixty (60) days of the filing of the appeal unless otherwise agreed to by the Planning Director and the certified recovery residence.

**SECTION 3. Conflicts.** In the event of a conflict between this Ordinance and any other ordinance or provision of law, this Ordinance shall control to the extent allowable by law.

**SECTION 4. Severability.** If any portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a

separate, distinct provision, and such holding shall not affect the validity of the remaining portions.

**SECTION 5. Codification.** This Ordinance shall be codified in the Code of Ordinances of the City of Winter Garden, Florida. Section numbering, formatting, and headings may be altered as necessary.

**SECTION 6. Effective Date.** This Ordinance shall take effect immediately upon adoption.

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

**SECOND READING:** \_\_\_\_\_.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025, by the City Commission of the City of Winter Garden, Florida.

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

\_\_\_\_\_  
John Rees, Mayor

ATTEST:

\_\_\_\_\_  
Angee 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 25-38** - Amending Code Chapter 118 – Establishing regulations and procedures for certified recovery residences.

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 25-38 would amend City of Winter Garden Chapter 118, Zoning, Article II, Division 4 to add a new section 118-136 to establish regulations and procedures for certified recovery residences, including a process for requesting reasonable accommodation as required by Chapter 2025-182, Laws of Florida.*

*The purpose of this ordinance is to conform to the regulations of Chapter 2025-182, Laws of Florida (SB 954), which requires that cities adopt a process for approving reasonable accommodations for certified recovery residences.*

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

*The impact this ordinance would have on private, for-profit businesses would be limited to certified recovery residences seeking a reasonable accommodation from land use, zoning or land development code regulations within the City. There should not be any real economic impacts on private, for-profit businesses beyond the administrative costs associated with completing an application.*

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

*The only direct compliance costs that should be incurred by businesses as a result of adopting this ordinance is the application fee.*

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

*The only new charge imposed will be the application fee.*

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

*The estimated regulatory costs to the City will be minimal. Most of the regulatory onus will be on the Planning & Zoning Department to review and process the application.*

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

*The proposed ordinance would only potentially have an impact on certified recovery residences seeking a reasonable accommodation from land use, zoning or land development code regulations within the City. The City has not received many such requests to date.*

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

**THE CITY OF WINTER GARDEN  
PLANNING AND ZONING BOARD AGENDA ITEM # 5.B.**

**Public Hearing**

**Date:** October 22, 2025                      **Meeting Date:** November 3, 2025  
**Subject:** Ordinance 25-36  
**Project Name:** N/A  
**Parcel ID:** N/A  
**Issue:** Ordinance 25-36 amending City of Winter Garden Code of Ordinances Chapter 78, Article II, Water and Sanitary Sewer Systems.

**Supplemental Material / Analysis:**

**Owner / Applicant:** City of Winter Garden  
**Current Zoning:** N/A  
**Proposed Zoning:** N/A  
**Current FLU:** N/A  
**Proposed FLU:** N/A

**Summary:** Ordinance 25-36 amends City of Winter Garden Code of Ordinances Chapter 78, Article II, Water and Sanitary Sewer Systems to increase Water, Wastewater, and Irrigation Impact Fees.

**Staff Recommendation(s):**

Staff recommends approval of Ordinance 25-36.

**Next Step(s):**

The first reading by City Commission is scheduled for November 13, 2025, with the second reading and adoption anticipated to be on December 11, 2025.

**Attachment(s):**

Ordinances 25-36  
Business Impact Estimate

## **ORDINANCE 25-36**

**AN ORDINANCE OF THE CITY OF WINTER GARDEN,  
FLORIDA AMENDING CHAPTER 78, ARTICLE II,  
WATER AND SANITARY SEWER SYSTEMS OF THE  
CITY OF WINTER GARDEN CODE OF ORDINANCES BY  
AMENDING SECTION 78-59 TO MODIFY WATER AND  
WASTEWATER IMPACT FEE AMOUNTS, ADOPT  
METHODOLOGY FOR WATER AND WASTEWATER  
IMPACT FEES AND OTHER RELATED AMENDMENTS;  
PROVIDING FOR CONFLICTS, SEVERABILITY,  
CODIFICATION AND AN EFFECTIVE DATE**

**WHEREAS**, the City of Winter Garden, Florida (“City”) owns and operates a water and wastewater system within an exclusive water and wastewater service area;

**WHEREAS**, the City has adopted a comprehensive plan containing various elements, including a capital improvements element, which projects significant expansions to the City’s water and wastewater system;

**WHEREAS**, the City is currently constructing its Crest Avenue Wastewater Treatment Facility and Reclaimed Water Expansion and Upgrade Program which has a cost exceeding one hundred and thirty million dollars and it has caused a substantial strain on the City’s water and wastewater system fiscal resources; and

**WHEREAS**, Florida law authorizes cities to fund capital expansion by imposing and collecting impact fees;

**WHEREAS**, the City has engaged Raftelis as a consultant who has analyzed the data, applied the dual rational nexus test, and determined that the impact fees adopted by this Ordinance have a reasonable connection, or rational nexus, between the anticipated need for additional capital facilities and the growth in population;

**WHEREAS**, extraordinary circumstances exist that have been put into the record during the public workshops and public hearings on this Ordinance that justify the need to make the substantial increases in impact fees as adopted by this Ordinance and to not phase in the increases; and

**WHEREAS**, the City has conducted at least two publicly noticed workshops concerning the impact fee increases set forth herein and has conducted public hearings on this Ordinance before the P&Z Board and City Commission;

**WHEREAS**, the City Commission hereby accepts and adopts the Raftelis Water and Wastewater Impact Fee Study and methodology for the impact fee changes adopted by this Ordinance and accepts the finding of extraordinary circumstances for the impact fee increases set forth herein;

**WHEREAS**, the City Commission finds that the impact fees adopted by this Ordinance are in the best interest of and for the health, safety and welfare of the citizens of the City of Winter Garden and users of the City utility system and are consistent with the requirements of Florida Law.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY OF WINTER GARDEN, FLORIDA, AS FOLLOWS:**

**Section I Recitals.** The recitals above are true and correct and incorporated into as legislative findings of the City Commission.

**Section II Adoption.** Chapter 78, Article II, Section 78-59 of the City of Winter Garden Code is amended to delete the existing Impact Fee Schedule in subsection (b)(1) and replace it with the Impact Fee Schedule set forth herein and to make the wording changes as reflected below (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

**Sec. 78-59. Water and wastewater impact fees.**

- (a) *Imposition.* A water impact fee, irrigation impact fee and wastewater impact fee is hereby imposed and levied on all development requesting capacity from the city's water system and/or wastewater system to provide service to their properties and on all properties presently connected to the city's water system or wastewater collection system when structural changes, additions, or changes in permitted use result in an additional impact to the city's water system or wastewater system. The water impact fee, irrigation impact fee and wastewater impact fee will be charged based on water meter size to be installed in accordance with the fee schedule adopted in this section. A water impact fee, irrigation impact fee and wastewater impact fee shall be paid for each individual water meter to be installed. When an existing development increases its water meter size, the development shall pay an additional water, irrigation and wastewater impact fee equal to the difference between the current impact fee charged for the desired increased water meter size and the existing water meter size. The impact fee will be charged over and above any service connection fee, lateral charge, inspection fee, monthly user charge, and monthly service charge as may be established by city from time to time.
- (b) *Impact fees.* Water impact fees, irrigation impact fees and wastewater impact fees shall be paid in accordance with this subsection.
  - (1) *Impact fee schedule.* The following water impact fees, irrigation impact fees and wastewater impact fees shall be paid based on water meter size for each water meter to be connected to the city's system:

Impact Fees for Water and Wastewater Service—Water Meter Based			
Water Meter Size	ERUs	Water Impact Fees	Wastewater Impact Fees
¾" meter	1.00	\$1,086	\$1,767
1" meter	2.50	\$2,715	\$4,418

2" meter	8.00	\$8,688	\$14,136
3" meter	15.00	\$16,290	\$26,505
4" meter	25.00	\$27,150	\$44,175
6" meter	50.00	\$54,300	\$88,350
8" meter	80.00	\$86,880	\$141,360
10" meter	115.00	\$124,890	\$203,205

Description	Water Impact Fees			Wastewater Impact Fees		Irrigation Impact Fees	
	ERUs	Service Level (gpd)	Amount Charged	Service Level (gpd)	Amount Charged	Service Level (gpd)	Amount Charged
<u>3/4" Meter</u>	<u>1.00</u>	<u>250</u>	<u>\$1,343</u>	<u>250</u>	<u>\$5,843</u>	<u>500</u>	<u>\$2,685</u>
<u>1" Meter</u>	<u>2.50</u>	<u>625</u>	<u>\$3,356</u>	<u>625</u>	<u>\$14,606</u>	<u>1,250</u>	<u>\$6,713</u>
<u>1.5" Meter</u>	<u>5.00</u>	<u>1,250</u>	<u>\$6,713</u>	<u>1,250</u>	<u>\$29,213</u>	<u>2,500</u>	<u>\$13,425</u>
<u>2" Meter</u>	<u>8.00</u>	<u>2,000</u>	<u>\$10,740</u>	<u>2,000</u>	<u>\$46,740</u>	<u>4,000</u>	<u>\$21,480</u>
<u>3" Meter</u>	<u>15.00</u>	<u>3,750</u>	<u>\$20,138</u>	<u>3,750</u>	<u>\$87,638</u>	<u>7,500</u>	<u>\$40,275</u>
<u>4" Meter</u>	<u>25.00</u>	<u>6,250</u>	<u>\$33,563</u>	<u>6,250</u>	<u>\$146,063</u>	<u>12,500</u>	<u>\$67,125</u>
<u>6" Meter</u>	<u>50.00</u>	<u>12,500</u>	<u>\$67,125</u>	<u>12,500</u>	<u>\$292,125</u>	<u>25,000</u>	<u>\$134,250</u>
<u>8" Meter</u>	<u>80.00</u>	<u>20,000</u>	<u>\$107,400</u>	<u>20,000</u>	<u>\$467,400</u>	<u>40,000</u>	<u>\$214,800</u>
<u>10" Meter</u>	<u>115.00</u>	<u>28,750</u>	<u>\$154,388</u>	<u>28,750</u>	<u>\$671,888</u>	<u>57,500</u>	<u>\$308,775</u>
<u>Single Metered Service [2]</u>							
<u>3/4" Meter</u>	<u>1.00</u>	<u>350</u>	<u>\$1,880</u>	<u>250</u>	<u>\$5,843</u>		
<u>1" Meter</u>	<u>2.50</u>	<u>875</u>	<u>\$4,699</u>	<u>625</u>	<u>\$14,606</u>		
<u>1.5" Meter</u>	<u>5.00</u>	<u>1,750</u>	<u>\$9,398</u>	<u>1,250</u>	<u>\$29,213</u>		
<u>2" Meter</u>	<u>8.00</u>	<u>2,800</u>	<u>\$15,036</u>	<u>2,000</u>	<u>\$46,740</u>		
<u>3" Meter</u>	<u>15.00</u>	<u>5,250</u>	<u>\$28,193</u>	<u>3,750</u>	<u>\$87,638</u>		
<u>4" Meter</u>	<u>25.00</u>	<u>8,750</u>	<u>\$46,988</u>	<u>6,250</u>	<u>\$146,063</u>		
<u>6" Meter</u>	<u>50.00</u>	<u>17,500</u>	<u>\$93,975</u>	<u>12,500</u>	<u>\$292,125</u>		
<u>8" Meter</u>	<u>80.00</u>	<u>28,000</u>	<u>\$150,360</u>	<u>20,000</u>	<u>\$467,400</u>		
<u>10" Meter</u>	<u>115.00</u>	<u>40,250</u>	<u>\$216,143</u>	<u>28,750</u>	<u>\$671,888</u>		

- (2) *Irrigation meter.* For potable or reclaimed water meters used for irrigation only, the water irrigation impact fee shall be paid for each irrigation meter based on meter size; ~~however, the wastewater impact fee is not charged.~~
- (3) *Connection not provided.* In the event that the city provides a connection for only water, irrigation or wastewater service to a development, only the impact fee applicable to the service provided shall be paid.
- (c) *Payment schedule for impact fees.* The water, irrigation and wastewater impact fees based on water meter size as described in this section shall be due and payable as follows:
- (1) *New residential development.* For proposed residential development, except development described in subsection (c)(2), an amount equal to 50 percent of the water, irrigation and wastewater impact fees based on all requested water meters for the proposed development shall be due and payable to the city at the time of application for a FDEP permit and prior to issuance of the FDEP permit in order to temporarily reserve water and wastewater capacity for the development. When 50 percent of the water, irrigation and wastewater impact fees are paid at the time of application for a FDEP permit, the remaining 50 percent of the water, irrigation and wastewater impact fees shall be paid at the time of application for each building

permit requested commencing with the first building permit issued and continuing until 100 percent of the water, irrigation and wastewater impact fees have been paid for the requested water meters which are reserved. The water, irrigation and wastewater impact fee payment made at the time of application for each building permit shall equal 100 percent of the impact fees for water meters associated with the building permit requested, so that the city collects the full amount of water and wastewater impact fees for the development when approximately half of the building permits for the development have been sought. Any sewer and water reserve capacity for and any partial impact fee payment previously made concerning any remaining water meters for the project for which water, irrigation and wastewater impact fees have not been paid in full shall be forfeited by the applicant unless 100 percent of the entire projects' water, irrigation and wastewater impact fees have been paid no later than 24 months after the date of issuance of the FDEP permit or 12 months from the date of final plat approval, whichever comes first. The applicant may choose to pre-pay remaining impact fees for the development in order to avoid forfeiture of reserve capacity and partial impact fee payments. In the event additional water meters are requested for the development that were not originally contemplated when applying for the FDEP permit, 100 percent of water, irrigation and wastewater impact fee associated with such additional water meters shall be paid to the city at the earlier of at the time of application for a building permit associated with water meter requested, and prior to installation of the water meter requested.

- (2) *De minimus new residential development.* For the following residential development, 100 percent of water, irrigation and wastewater impact fees based on all requested water meters shall be paid at the time application is made to the city for a building permit that requires use of a water meter(s) and prior to issuance of a building permit: (i) a single user individual lot; or (ii) residential development where no FDEP permit for water or wastewater is required.
- (3) *New nonresidential development.* The water, irrigation and wastewater impact fees for 100 percent of the water meters for a commercial or industrial development are due and payable to the city at the time of application for a FDEP permit, or, if no such permit is required, at the time application is made to the city for a building permit that requires use of the water meter and prior to the issuance of a building permit.
- (4) *Existing development.* When an existing development increases its water meter size, the development shall pay an additional water, irrigation and wastewater impact fee as specified in this section at the earlier of (i) the time application is made to the city for a building permit that requires use of the larger water meter and prior to the issuance of such building permit; and (ii) prior to the installation of the water meter. When an existing development that is not currently connected to the city's system desires to connect to the city's water and/or wastewater system, the development shall pay the city the applicable impact fees based on water meter size prior to connection to the city's system.

- (5) *Non-transferable.* Reserved water and wastewater capacity is not transferable to any other property or development. Water, irrigation and wastewater impact fee payments or credits are not transferable to any other property or development and cannot be applied towards other types of impact fees.
- (6) *Administrative policies.* The city shall have the right to adopt and enforce policies and rules consistent with this section in order to administer the collection of water and wastewater impact fees.
- (d) *Disposition of revenues imposed by water and irrigation impact fee.* All revenues derived from the water and irrigation impact fees imposed by this section shall be accounted for separately in a capital fund of the public services department enterprise fund. Irrigation water is part of the City's water system, thus water impact fees and irrigation impact fees collected will be placed within the same capital fund. All water and irrigation impact fee revenues expended from the impact fee capital fund shall be used for the purpose of providing growth necessitated capital improvements and extending, oversizing, or separating existing water system improvements, or constructing new additions to the water plant, distribution or transmission systems or part thereof as authorized by the city commission, including, but not limited to expenses for: (i) design or construction plan preparation; (ii) permitting and related fees; (iii) land or utility system acquisition, including acquisition or condemnation costs; (iv) construction and design of water systems buildings, facilities, or improvements and additions thereto; (v) design and construction of drainage facilities reasonably required by, or convenient to, the construction of water systems buildings, facilities, or improvements and additions thereto; (vi) relocating utilities required by the construction of water systems buildings, facilities, or improvements and addition thereto; (vii) construction management, inspection, or both; (viii) surveying, soils and material testing, and the evaluation and development of raw water, alternative water, and reuse water resources and supplies; (ix) acquisition of plant or equipment necessary or convenient to expand the water system; and (x) payment of principal and interest, reserves and costs of issuance under any bonds or other indebtedness issued by the city to fund growth impacted improvements, and additions to the water system. No part of such water impact fee revenues shall be budgeted or used for the operating expenses of the water system.
- (e) *Disposition of revenues imposed by wastewater impact fee.* All revenues derived from the wastewater impact fees imposed by this section shall be accounted for separately in a capital fund of the public services department enterprise fund. All wastewater impact fee revenues expended from the impact fee capital fund shall be used for the purpose of providing growth necessitated capital improvements and extending, oversizing, or separating existing wastewater system improvements, or constructing new additions to the sewer plant, distribution or transmission systems or part thereof as authorized by the city commission, including, but not limited to expenses for: (i) design or construction plan preparation; (ii) permitting and related fees; (iii) land or utility system acquisition, including acquisition or condemnation costs; (iv) construction and design of wastewater systems buildings, facilities, or improvements and additions thereto; (v) design and construction of drainage facilities reasonably required by, or convenient to, the

construction of wastewater systems buildings, facilities, or improvements and additions thereto; (vi) relocating utilities required by the construction of wastewater systems buildings, facilities, or improvements and addition thereto; (vii) construction management, inspection, or both; (viii) surveying, soils and material testing, and the evaluation and development of reuse water resources and supplies; (ix) acquisition of plant or equipment necessary or convenient to expand the wastewater system; and (x) payment of principal and interest, reserves and costs of issuance under any bonds or other indebtedness issued by the city to fund growth impacted improvements, and additions to the wastewater system. No part of such wastewater impact fee revenues shall be budgeted or used for the operating expenses of the wastewater system.

- (f) *Disposition of funds not expended.* If the impact fees have not been expended or encumbered by the end of the calendar quarter immediately following six years from the date the fees were paid, upon application of the fee payer of proof of payment or the development for which the fees were paid was never begun, the fees shall be returned with interest at the rate determined by the city based upon the average interest earning rate incurred by the city in accordance with the following procedure:
- (1) The then present owner must petition the city commissioners for the refund within one year following the end of the calendar quarter immediately following six years from the date on which the fee was received.
  - (2) The petition must be submitted to the city manager and must contain:
    - (i) A notarized sworn statement that the petitioner is the current owner of the property;
    - (ii) A copy of the dated receipt issued for payment of the fee;
    - (iii) A certified copy of the latest recorded deed; and
    - (iv) A copy of the most recent ad valorem tax bill.
  - (3) If reimbursement is approved, the city shall remit to the present owner of the petition within 60 days of approval.
- (g) *Disposition of funds on deposit.* Any funds on deposit in the utilities impact fee fund not immediately necessary for expenditure shall be invested in interest-bearing accounts up to and including interfund loans. Interfund loans shall be made by resolution by the city commission payable in full over time at the prevailing interest rate. Applicants shall not receive a credit for or be entitled to interest from the investment of funds except as provided in subsection (f) above.

**Section III**    **Conflicts.** In the event of a conflict or conflicts between this ordinance and other ordinances, this Ordinance controls.

**Section IV Severability.** If any portion of this Ordinance is determined to be void, unconstitutional, or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

**Section V Codification.** Section II of this Ordinance shall be codified and made a part of the City of Winter Garden Code of Ordinances; that the Sections and exhibits of this Ordinance may be renumbered or relettered to accomplish such intention. The word “Ordinance” may be change to “Section,” “Article,” or other appropriate word.

**Section VI Effective Date.** This Ordinance shall become effective on April 1, 2026 after its adoption.

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

SECOND READING AND PUBLIC HEARING: \_\_\_\_\_.

APPROVED:

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

ATTESTED:

\_\_\_\_\_  
Angee 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 25-36** - Ordinance 25-36 amending City of Winter Garden Code of Ordinances Chapter 78, Article II, Water and Sanitary Sewer Systems.

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 25-36 amends City of Winter Garden Code of Ordinances City of Winter Garden Code of Ordinances Chapter 78, Article II, Water and Sanitary Sewer Systems to increase Water, Wastewater, and Irrigation Impact Fees.

The purpose of this ordinance is to increase the water, wastewater, and irrigation impact fees to recover capital costs associated with the treatment and backbone transmission infrastructure providing water, wastewater capacity for new development. These fees are based on the current and near-term projected treatment capacities and recommended level of service standards attributable to residential units.

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

The impact this ordinance would have on private, for-profit businesses would be limited to new construction of those businesses, which are required to pay their proportionate share. There should not be any real economic impacts on private, for-profit businesses beyond the administrative costs associated with increasing meter size or constructing a new development.

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

The only direct compliance costs that should be incurred by businesses as a result of adopting this ordinance is the impact fee. The impact fees proposed by the ordinance are:

Description	ERUs	Water Impact Fees		Wastewater Impact Fees		Irrigation Impact Fees	
		Service Level (gpd)	Amount Charged	Service Level (gpd)	Amount Charged	Service Level (gpd)	Amount Charged
<u>3/4" Meter</u>	<u>1.00</u>	<u>250</u>	<u>\$1,343</u>	<u>250</u>	<u>\$5,843</u>	<u>500</u>	<u>\$2,685</u>
<u>1" Meter</u>	<u>2.50</u>	<u>625</u>	<u>\$3,356</u>	<u>625</u>	<u>\$14,606</u>	<u>1,250</u>	<u>\$6,713</u>
<u>1.5" Meter</u>	<u>5.00</u>	<u>1,250</u>	<u>\$6,713</u>	<u>1,250</u>	<u>\$29,213</u>	<u>2,500</u>	<u>\$13,425</u>
<u>2" Meter</u>	<u>8.00</u>	<u>2,000</u>	<u>\$10,740</u>	<u>2,000</u>	<u>\$46,740</u>	<u>4,000</u>	<u>\$21,480</u>
<u>3" Meter</u>	<u>15.00</u>	<u>3,750</u>	<u>\$20,138</u>	<u>3,750</u>	<u>\$87,638</u>	<u>7,500</u>	<u>\$40,275</u>
<u>4" Meter</u>	<u>25.00</u>	<u>6,250</u>	<u>\$33,563</u>	<u>6,250</u>	<u>\$146,063</u>	<u>12,500</u>	<u>\$67,125</u>
<u>6" Meter</u>	<u>50.00</u>	<u>12,500</u>	<u>\$67,125</u>	<u>12,500</u>	<u>\$292,125</u>	<u>25,000</u>	<u>\$134,250</u>
<u>8" Meter</u>	<u>80.00</u>	<u>20,000</u>	<u>\$107,400</u>	<u>20,000</u>	<u>\$467,400</u>	<u>40,000</u>	<u>\$214,800</u>
<u>10" Meter</u>	<u>115.00</u>	<u>28,750</u>	<u>\$154,388</u>	<u>28,750</u>	<u>\$671,888</u>	<u>57,500</u>	<u>\$308,775</u>
<u>Single Metered Service [2]</u>							
<u>3/4" Meter</u>	<u>1.00</u>	<u>350</u>	<u>\$1,880</u>	<u>250</u>	<u>\$5,843</u>		
<u>1" Meter</u>	<u>2.50</u>	<u>875</u>	<u>\$4,699</u>	<u>625</u>	<u>\$14,606</u>		
<u>1.5" Meter</u>	<u>5.00</u>	<u>1,750</u>	<u>\$9,398</u>	<u>1,250</u>	<u>\$29,213</u>		
<u>2" Meter</u>	<u>8.00</u>	<u>2,800</u>	<u>\$15,036</u>	<u>2,000</u>	<u>\$46,740</u>		
<u>3" Meter</u>	<u>15.00</u>	<u>5,250</u>	<u>\$28,193</u>	<u>3,750</u>	<u>\$87,638</u>		
<u>4" Meter</u>	<u>25.00</u>	<u>8,750</u>	<u>\$46,988</u>	<u>6,250</u>	<u>\$146,063</u>		
<u>6" Meter</u>	<u>50.00</u>	<u>17,500</u>	<u>\$93,975</u>	<u>12,500</u>	<u>\$292,125</u>		
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<u>10" Meter</u>	<u>115.00</u>	<u>40,250</u>	<u>\$216,143</u>	<u>28,750</u>	<u>\$671,888</u>		

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

The only new charge imposed will be the impact fee. The impact fees proposed by the ordinance are:

Description	Water Impact Fees			Wastewater Impact Fees		Irrigation Impact Fees	
	ERUs	Service Level (gpd)	Amount Charged	Service Level (gpd)	Amount Charged	Service Level (gpd)	Amount Charged
<u>3/4" Meter</u>	<u>1.00</u>	<u>250</u>	<u>\$1,343</u>	<u>250</u>	<u>\$5,843</u>	<u>500</u>	<u>\$2,685</u>
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<u>2" Meter</u>	<u>8.00</u>	<u>2,800</u>	<u>\$15,036</u>	<u>2,000</u>	<u>\$46,740</u>		
<u>3" Meter</u>	<u>15.00</u>	<u>5,250</u>	<u>\$28,193</u>	<u>3,750</u>	<u>\$87,638</u>		
<u>4" Meter</u>	<u>25.00</u>	<u>8,750</u>	<u>\$46,988</u>	<u>6,250</u>	<u>\$146,063</u>		
<u>6" Meter</u>	<u>50.00</u>	<u>17,500</u>	<u>\$93,975</u>	<u>12,500</u>	<u>\$292,125</u>		
<u>8" Meter</u>	<u>80.00</u>	<u>28,000</u>	<u>\$150,360</u>	<u>20,000</u>	<u>\$467,400</u>		
<u>10" Meter</u>	<u>115.00</u>	<u>40,250</u>	<u>\$216,143</u>	<u>28,750</u>	<u>\$671,888</u>		

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

*The estimated regulatory costs to the City will be minimal and the revenues generated are to cover equivalent costs.*

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

*The proposed ordinance would only potentially have an impact on new construction or any business that desires to increase their meter size.*

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