



For More Information, Contact:
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407.656.4111 ext. 2021
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 January 5, 2026 at 6:30 PM City Hall Commission Chambers 300 W. Plant Street, Winter Garden, Florida

1. Call to Order

Determination of Quorum, Moment of Silence and Pledge of Allegiance

2. Approval of Minutes

A. Minutes of December 1, 2025 Meeting

3. Variance (Public Hearing)

A. 1600 Daniels Road - (Center for Digestive Health) VARIANCE
Parcel ID # 26-22-27-1989-03-000

B. 34 W Story Road (Legacy Homes Headquarters) VARIANCE
Parcel ID # 23-22-27-3992-00-140

4. Adjourn

Next regular Planning and Zoning Board meeting on Monday, February 2, 2026 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida

Posted: December 23, 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.



DRAFT

**Planning and Zoning Board
Regular Meeting Minutes
December 1, 2025**

1. CALL TO ORDER

Chairman Will Hawthorne called the meeting of the City of Winter Garden Planning and Zoning Board to order at 6:32 p.m. in the City Hall Commission Chambers. A moment of silence was followed by the Pledge of Allegiance.

Quorum was declared present.

Present: Chairman Will Hawthorne and Board Members: Linda Bennett, Myron Brown and TJ Ryan.

Absent: Co-Chairman Steve Ambielli (excused), Board Members: Jimmy Dunn (excused) and Jeff Ewing (excused).

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

Attendees: John Spears of 632 Meadow Glade Drive, Ryan Dehsle and Jason Schlegel of Orlando Outdoor Living, Thomas and Carolyn Stefanik of 159 Timbercreek Pines Circle, and Sara Farese of 361 N Boyd Street.

2. APPROVAL OF MINUTES

Motion by Board Member Bennett to approve the regular meeting minutes of November 3, 2025. Seconded by Board Member Brown and carried unanimously 4 – 0.

3. VARIANCE (PUBLIC HEARING)

3.A. 632 Meadow Glade Drive (Spears Residence) – VARIANCE
Parcel ID # 13-22-27-1793-03-310

Senior Planner Conatser presented a Variance request for the property located at 632 Meadow Glade Drive to allow a 12 foot – 3.75 inch rear yard setback to construct a covered patio area as an attached pergola. Staff recommends approval subject to staff conditions.

Board members inquired if the Homeowner Association approval is required or obtained, why the very exact setback size noted, are there any encroachments of

drainage or utility easements in the backyard, noted letters of support were provided in the staff report? City staff stated the Homeowner Association approval is not required for review nor for Building permit approval; it is up to the applicant to obtain their HOA approval, the exact size is typically stated based on what the applicant has proposed and detailed on the Site Plans and the easements will not be affected.

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

Motion by Board Member Bennett to approve the Variance at the location of 632 Meadow Glade Drive subject to staff conditions. Seconded by Board Member Ryan and carried unanimously 4 – 0.

3.B. 159 Timbercreek Pines Circle (Stefanik Residence) – VARIANCE
Parcel ID # 15-22-27-8665-00-380

Planner McDonald presented a Variance request for the property located at 159 Timbercreek Pines Circle to allow a rear yard setback of 21 feet for construction of a new covered patio with a composite roof and screen enclosure. Staff recommends approval subject to staff conditions.

Board members inquired if the pool was included, if the structure up to the edge of the pool required a Variance, was the pool already built and if there were any letters of support or objections from the neighbors? City staff confirmed the cause for the Variance, the pool is currently under construction and did not have any letters from the neighbors. Applicant Thomas Stefanik of 159 Timbercreek Pines Circle submitted four letters of support from his neighbors for the record (Exhibit A).

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

Motion by Board Member Bennett to approve the Variance at the location of 159 Timbercreek Pines Circle subject to staff conditions. Seconded by Board Member Brown and carried unanimously 4 – 0.

Chairman Will Hawthorne adjourned the meeting at 6:44 pm. He noted the 2026 Planning and Zoning Board meeting schedule had been handed out to each board member. Adjourned to the regular Planning and Zoning Board meeting on Monday, January 5, 2026 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, Winter Garden, Florida.

ATTEST:

APPROVED:

Recording Secretary Ellen King

Chairman Will Hawthorne

Exhibit A
Item#3.B. 159 Timbercreek Pines Circle - Variance

Subject: Neighbor support for Variance Approval

Home Owners: Thomas Stefanik & Carolyn Stefanik

Address: 159 Timbercreek Pines Circle Winter Garden, FL 34787

Original declined request: ZPA25-0644

Variance Request:

We are applying for a variance to install an elite or composite roof that will extend 9 feet off the back of our home. The current setback is 25 feet for any solid roof structures according to R-1B zoning requirements. We are applying for a variance to adjust the setback from 25 feet to 20 feet so we can install the 9 foot elite/composite roof extending off the rear of our home.

By signing below, I validate that I am ok with the requested variance as a neighboring property.

Name: ROSA DALBYW

Signature: R. Dalbyw

Phone Number: 407-717-4801

Address: 159 Timbercreek Pines, WINTER GARDEN, FL 34787

Date: 11/30/25

Photos/drafts for reference:

Subject: Neighbor support for Variance Approval

Home Owners: Thomas Stefanik & Carolyn Stefanik

Address: 159 Timbercreek Pines Circle Winter Garden, FL 34787

Original declined request: ZPA25-0644

Variance Request:

We are applying for a variance to install an elite or composite roof that will extend 9 feet off the back of our home. The current setback is 25 feet for any solid roof structures according to R-1B zoning requirements. We are applying for a variance to adjust the setback from 25 feet to 20 feet so we can install the 9 foot elite/composite roof extending off the rear of our home.

By signing below, I validate that I am ok with the requested variance as a neighboring property.

Name: Norma Paucar

Signature: N. Paucar

Phone Number: (904) 770-6294

Address: 39 Timbercreek pine circle

Date: 11/30/25

Photos/drafts for reference:

Subject: Neighbor support for Variance Approval

Home Owners: Thomas Stefanik & Carolyn Stefanik

Address: 159 Timbercreek Pines Circle Winter Garden, FL 34787

Original declined request: ZPA25-0644

Variance Request:

We are applying for a variance to install an elite or composite roof that will extend 9 feet off the back of our home. The current setback is 25 feet for any solid roof structures according to R-1B zoning requirements. We are applying for a variance to adjust the setback from 25 feet to 20 feet so we can install the 9 foot elite/composite roof extending off the rear of our home.

By signing below, I validate that I am ok with the requested variance as a neighboring property.

Name: Rachel Serrano

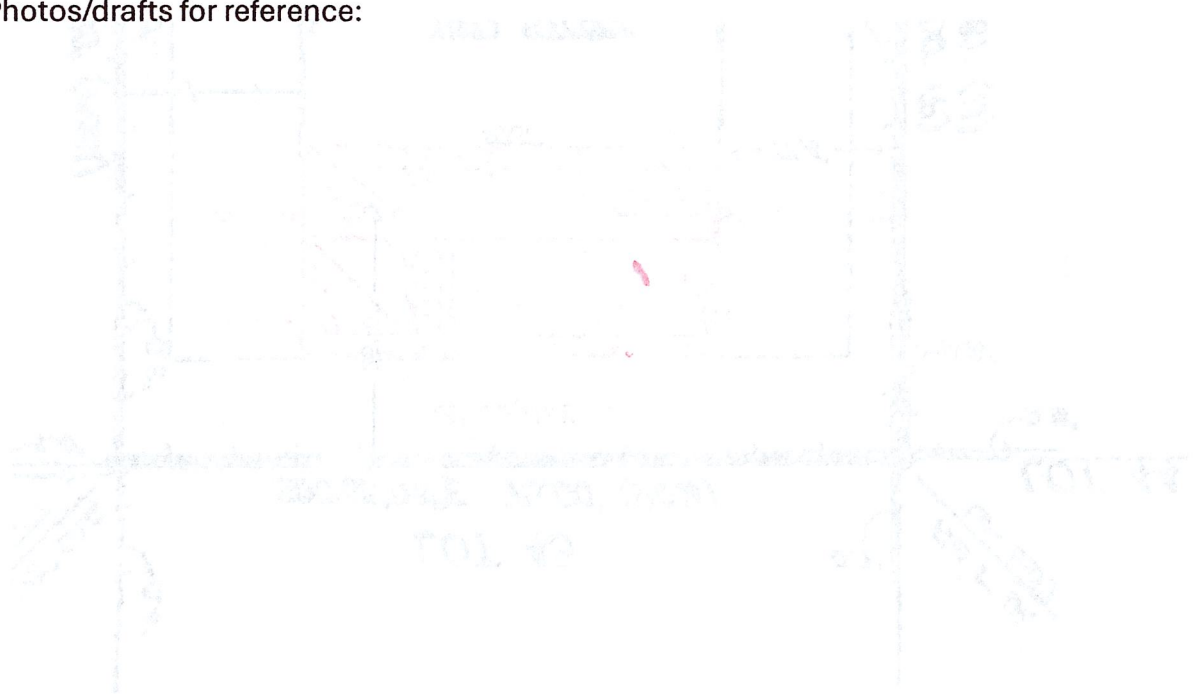
Signature: Rachel Serrano

Phone Number: 321-230-3561

Address: 158 Timbercreek Pines Circle Winter Garden, FL 34787

Date: 11/30/25

Photos/drafts for reference:



Subject: Neighbor support for Variance Approval

Home Owners: Thomas Stefanik & Carolyn Stefanik

Address: 159 Timbercreek Pines Circle Winter Garden, FL 34787

Original declined request: ZPA25-0644

Variance Request:

We are applying for a variance to install an elite or composite roof that will extend 9 feet off the back of our home. The current setback is 25 feet for any solid roof structures according to R-1B zoning requirements. We are applying for a variance to adjust the setback from 25 feet to 20 feet so we can install the 9 foot elite/composite roof extending off the rear of our home.

By signing below, I validate that I am ok with the requested variance as a neighboring property.

Name: John O'Hearn

Signature: John O'Hearn

Phone Number: 201-739-1998

Address: 62 Timber Creek Pines

Date: 11/30/25

Photos/drafts for reference:

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

Date: December 24, 2025 **Meeting Date:** January 5, 2026

Subject: 1600 Daniels Road
Project Name: Center for Digestive Health
Parcel ID: 26-22-27-1989-03-000

Issue: The applicant is requesting a variance for the property located at 1600 Daniels Road.

Supplemental Material / Analysis:

Owner / Applicant: Sunshine Medical Plaza, LLC
Current Zoning: C-2 (Arterial Commercial)
Proposed Zoning: N/A
Current FLU: COM(Commercial)
Proposed FLU: N/A

Summary: The applicant is requesting a variance to Section 118-586(1)(a)&(c) to allow a front yard setback of 12 feet in lieu of the required 40 feet, and side corner yard setback of 21.81 feet in lieu of the required 40 feet, in order to build a two-story medical office building.

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

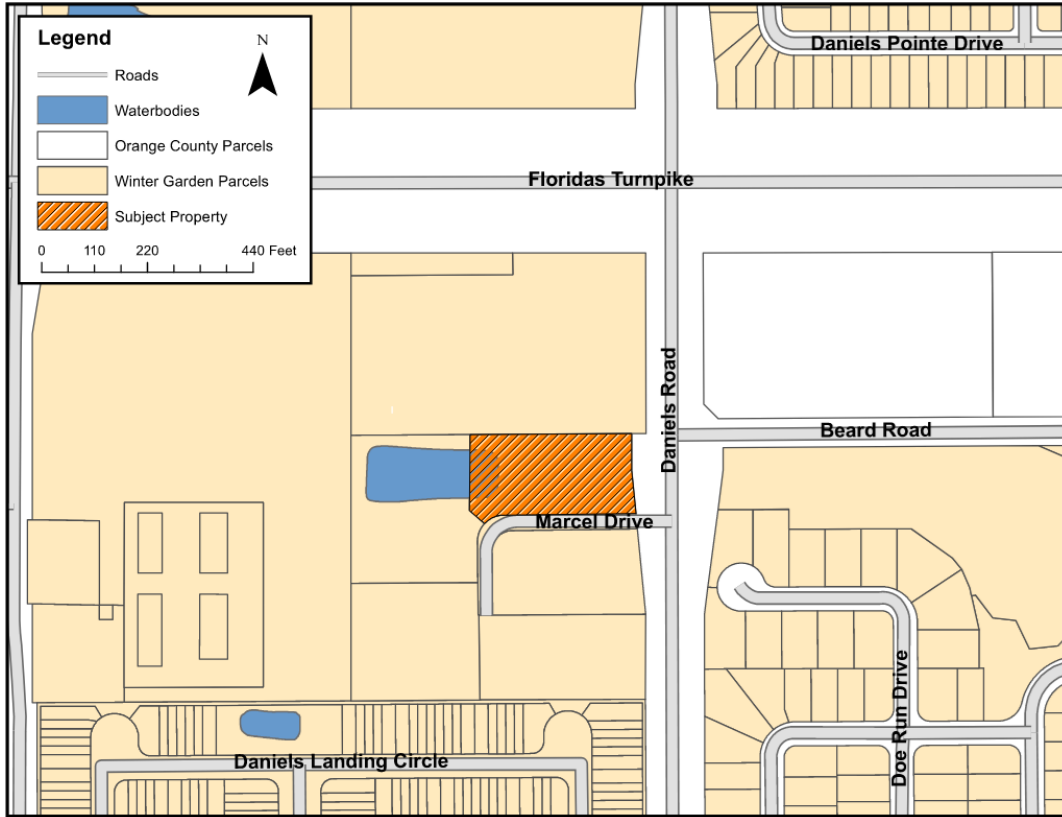
Next Step(s): The applicant is responsible for following all City regulations and obtaining the required building permits.

Attachment(s):
Staff Report
Location Map

LOCATION MAP

1600 Daniels Road

Variance



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

STAFF REPORT

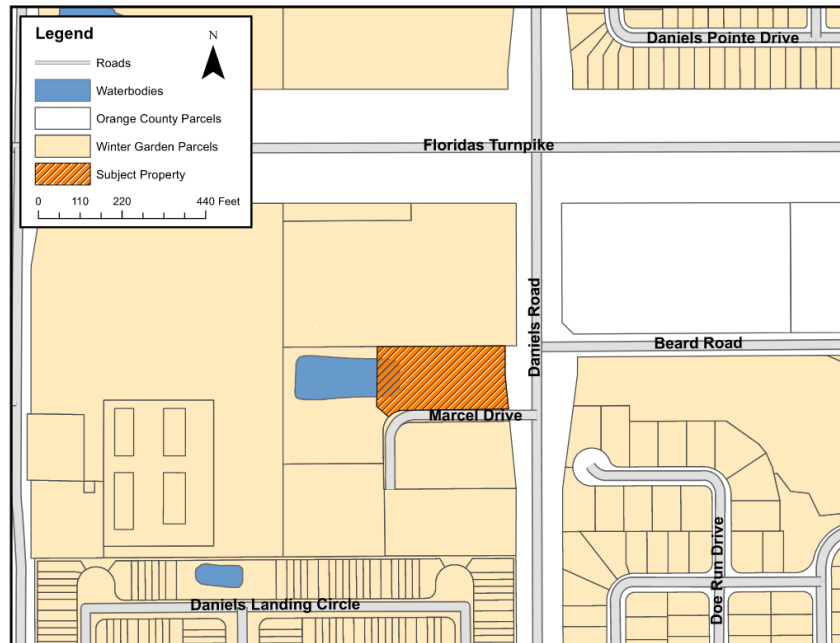
TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Planning Supervisor
DATE: January 5, 2026
SUBJECT: VARIANCE
1600 Daniels Road (1.31 ± ACRES)
PARCEL ID #26-22-27-1989-03-000

APPLICANT: Sunshine Medical Plaza, LLC

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 1600 Daniels Road. The request is to allow a front yard setback of 12 feet in lieu of the required 40 feet, and side corner yard setback of 21.81 feet in lieu of the required 40 feet, in order to build a two-story medical office building.

The subject property, located on Daniels Road, is an approximately 1.31 ± acre lot. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The subject property carries the zoning designation C-2 (Arterial Commercial) and is designated COM (Commercial) on the Future Land Use Map of the City's Comprehensive Plan.

EXISTING USE

The property is currently undeveloped and is part of the Daniels Commerce Center commercial subdivision (Lot 3).

ADJACENT LAND USE AND ZONING

The property to the south of the subject property is developed with a commercial office building, is zoned C-2, and is located within the City of Winter Garden’s Municipal limits. The property to the west is Tract B (stormwater pond) of the Daniels Commerce Center commercial subdivision. The property to the north is owned by the City of Winter Garden, is zoned R-1, and located within the City of Winter Garden’s Municipal limits. The properties to the east are developed with single-family homes, are zoned PUD, and are located in the City of Winter Garden’s Municipal limits. The properties to the east are on the eastern side of Daniels Road and are located within the Deerfield Place subdivision.

PROPOSED USE

The applicant is requesting the variance to allow the construction of a 15,348 sf two-story medical office building.

CODE REFERENCE

Sec. 118-586(1)(a)&(c) of the City Code of Ordinances addresses minimum building setbacks in C-2 Arterial Commercial zoning district. This section states,

In the C-2 arterial commercial district, the minimum building setbacks are as follows:

(1) Generally.

- a. Front: 40 feet, except State Road 50 shall be 50 feet.*
- b. Side interior lot: 20 feet when abutting a residential zoning district.*
- c. Side corner lot: 40 feet.*
- d. Rear: 20 feet when abutting a residential zoning district.*

The applicant is seeking a variance to the front and corner building setback in order to construct a 15,348 square foot two-story medical office building.

CODE REQUIREMENTS / CRITERIA

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

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

The closest developed property is to the south (Shannon Till Office Building) which has almost the exact same setback from Daniels Road. The proposed variance will allow parking to be placed in the interior of the proposed development and not abutting Daniels Road. The variance should have little if any negative impacts to any nearby property owners.

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

The requested variance does not change the commercial nature of the property and aligns with the commercial properties to the south with similar setbacks.

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

Although the applicant is asking for a 12' front yard setback, the actual distance of the building from the edge of pavement on Daniels Road is 60+ feet. This distance is 20 feet more than what would be required if the right-of-way did not have such a unique alignment and width at this location. Strict compliance with the City's land development regulations will not further any legitimate City objective.

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

The variance is consistent with the provisions of the City's Comprehensive Plan relating to commercial character.

- (5) *The variance requested is the minimum variance that will make reasonable use of the land, building, or structure or the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under these criteria if the variance were denied.*

The variance requested is the minimum variance that will make reasonable use of the land as the request is to construct a commercial building that is on Daniels Road. Many of the commercial buildings along Daniels Road such as the Nemours Clinic, Sonata West, and Winter Garden Village have their buildings pushed up to the right-of-way creating a more pedestrian scaled built environment that is more suitable for the surrounding neighborhoods that exist along Daniels Road.

SUMMARY

City Staff recommends approval of a variance to 118-586(1)(a)&(c) to allow a front yard setback of 12 feet in lieu of the required 40 feet, and side corner yard setback of 21.81 feet in lieu of the required 40 feet, in order to build a two-story medical office building.

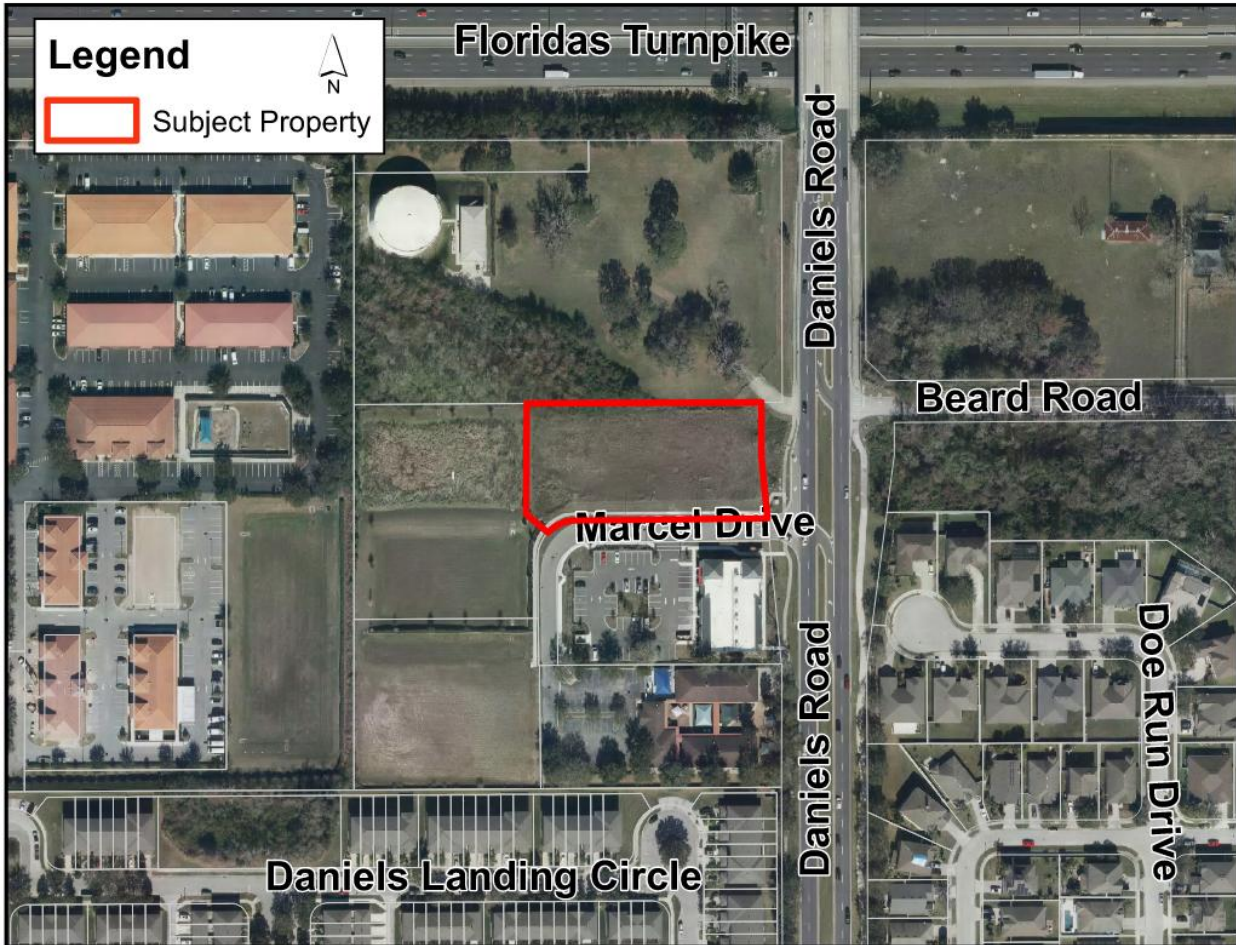
NEXT STEP

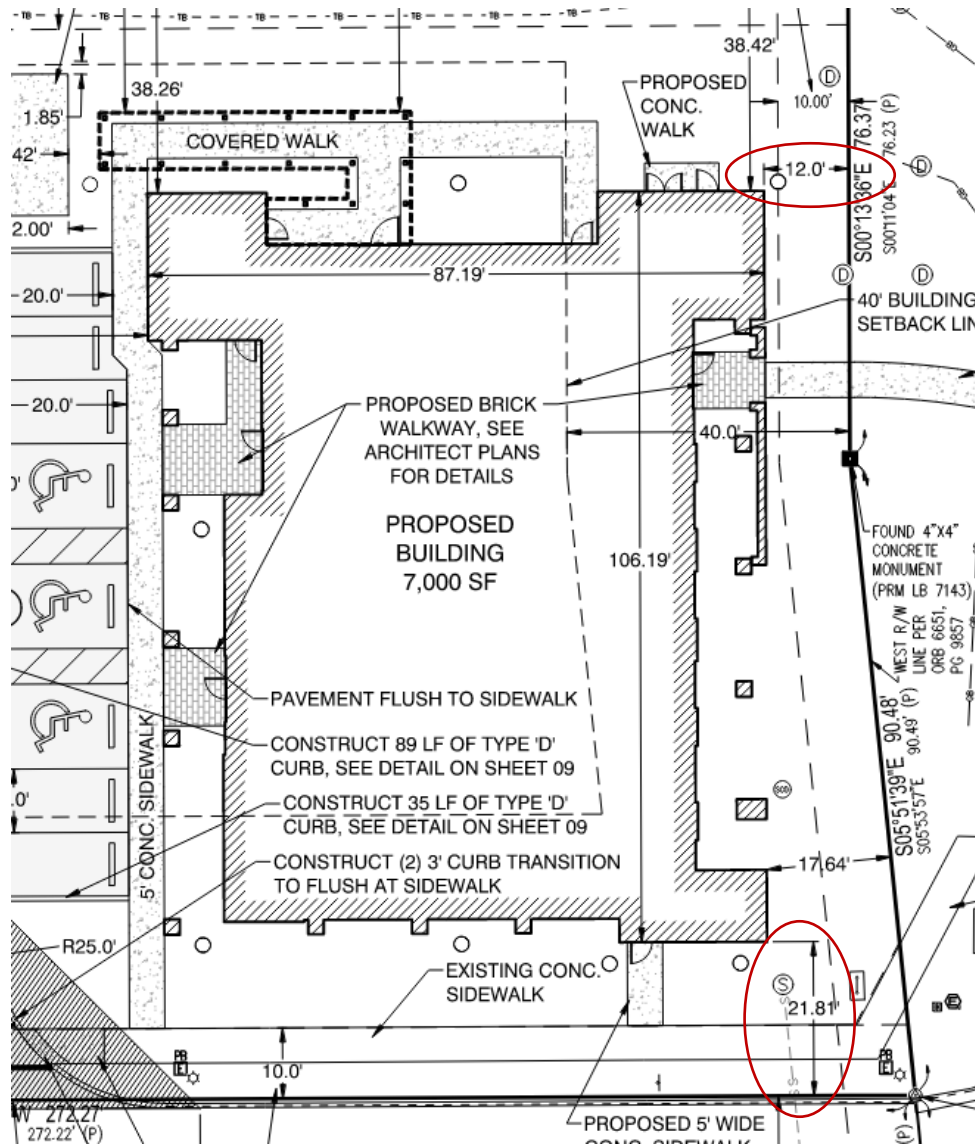
Follow all City regulations and apply for site plan approval and building permits.

ATTACHMENTS

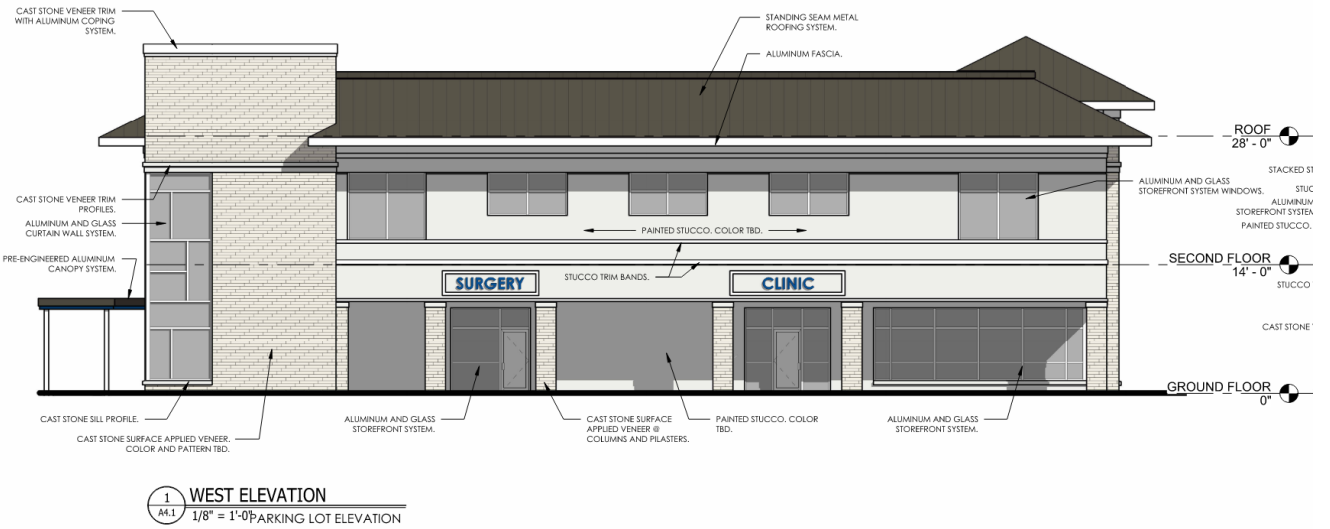
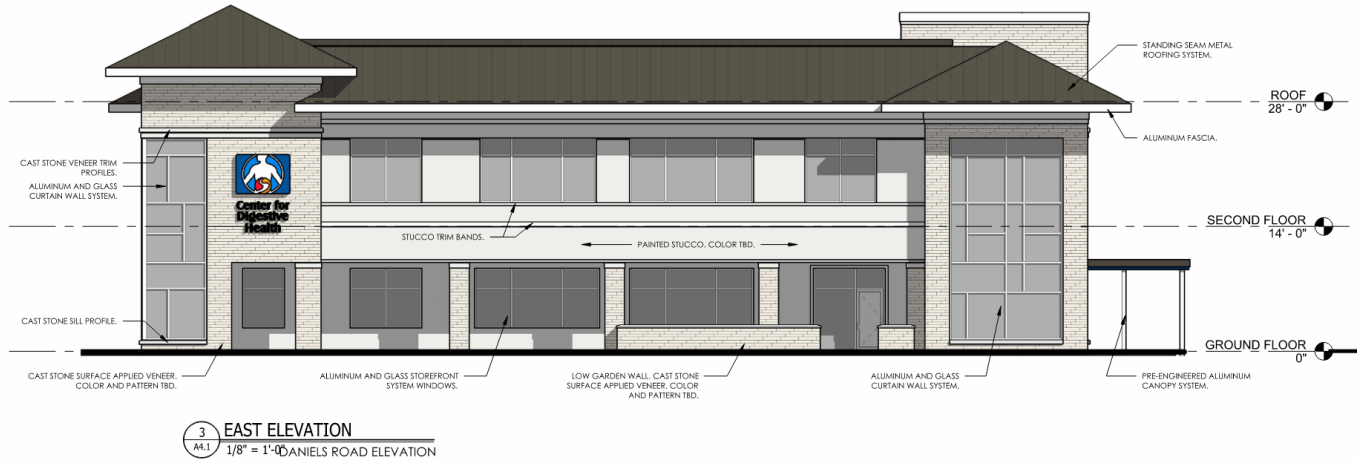
- Aerial Photo
- Site Plans
- Elevations
- Site Photos

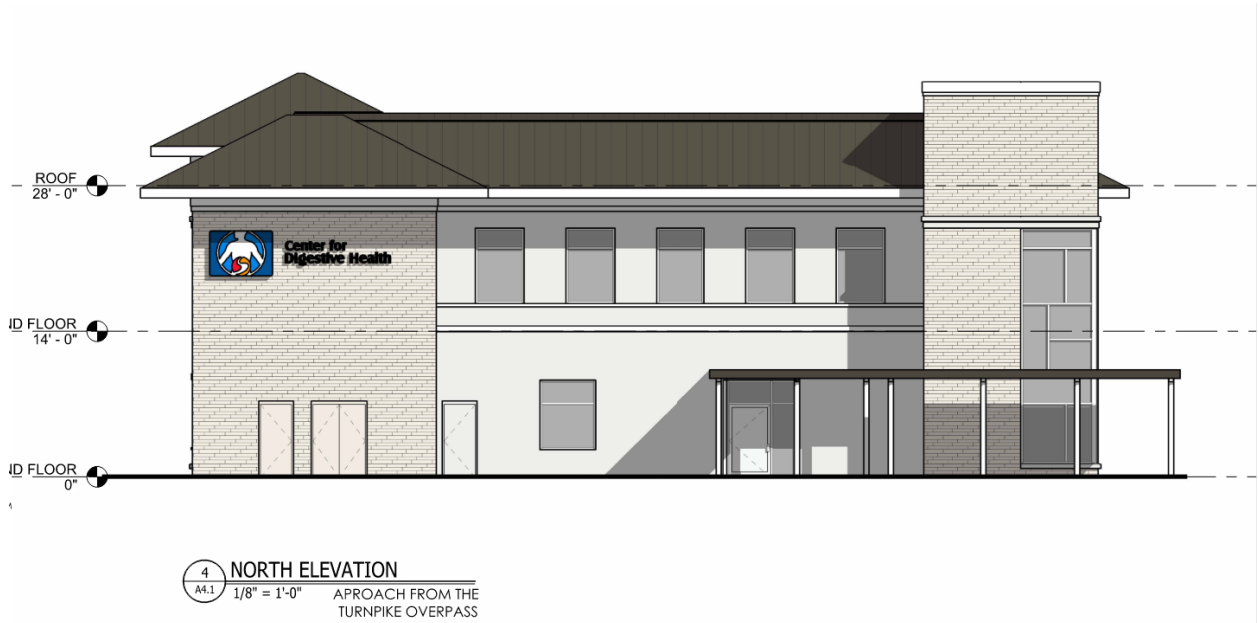
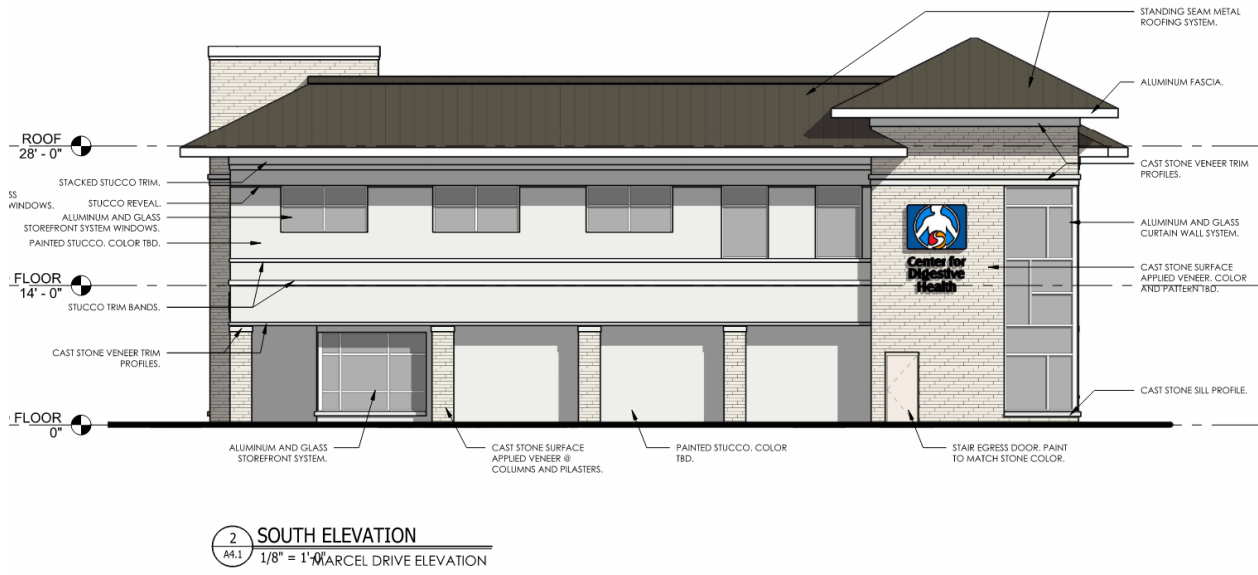
AERIAL PHOTO
1600 Daniels Road





Elevations
1600 Daniels Road





3D Rendering
1600 Daniels Road



SITE PHOTOS
1600 Daniels Road



(Facing west towards frontage)



(Facing south along Daniels Road)



(Facing north along Daniels Road)



(Facing west along Marcel Drive)

END OF STAFF REPORT

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

Date: December 24, 2025 **Meeting Date:** January 5, 2026
Subject: 34 W Story Road
Project Name: Legacy Home Headquarters
Parcel ID: 23-22-27-3992-00-140

Issue: The applicant is requesting a variance for the property located at 34 W Story Road.

Supplemental Material / Analysis:

Owner / Applicant: Legacy Homes FL, LLC
Current Zoning: R-NC (Residential-Neighborhood Commercial)
Proposed Zoning: N/A
Current FLU: NC (Residential-Neighborhood Commercial)
Proposed FLU: N/A

Summary: The applicant is requesting a variance to Section 118-492(1)(b) to allow a side yard setback of 8-feet in lieu of the minimum required 10-foot side interior yard setback in order to build a covered patio.

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

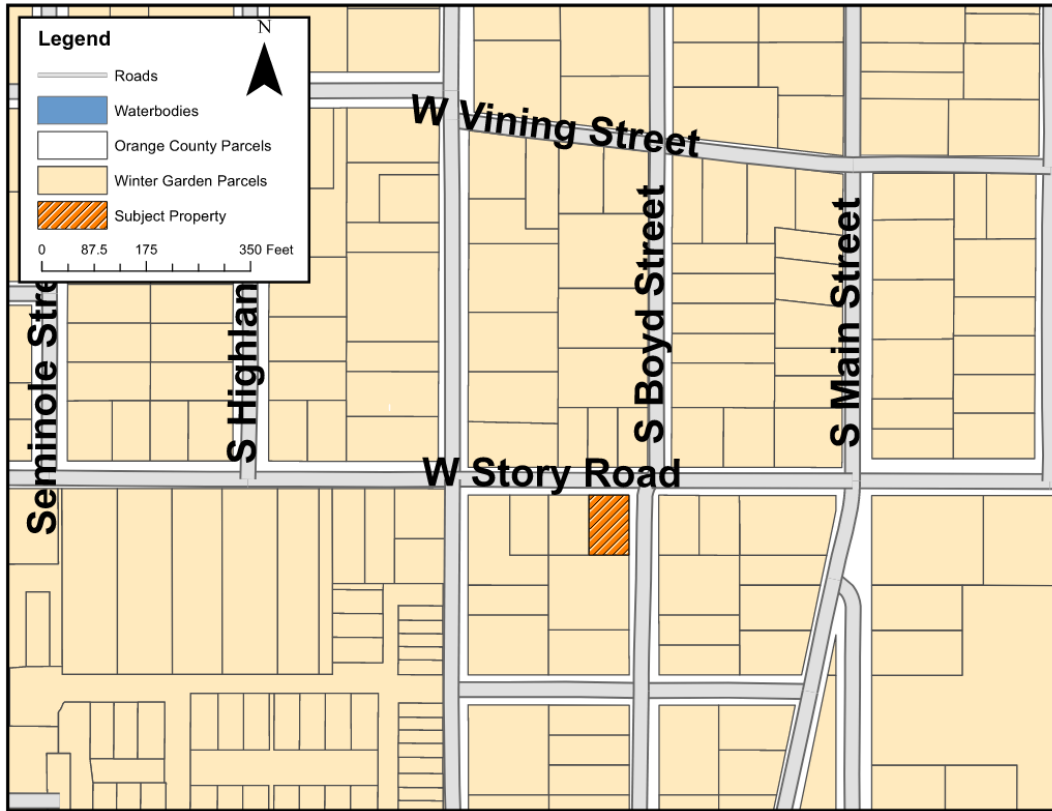
Next Step(s): The applicant is responsible for following all City regulations and obtaining the required building permits.

Attachment(s):
Staff Report
Location Map

LOCATION MAP

34 W Story Road

Variance



CITY OF WINTER GARDEN

PLANNING & ZONING DIVISION

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

STAFF REPORT

TO: PLANNING AND ZONING BOARD
PREPARED BY: Shane Friedman, Planning Supervisor
DATE: January 5, 2026
SUBJECT: VARIANCE
34 W Story Road (0.15 ± ACRES)
PARCEL ID #23-22-27-3992-00-140

APPLICANT: Legacy Homes FL, LLC

INTRODUCTION

The purpose of this report is to evaluate the request for a variance for property located at 34 W Story Road in Winter Garden, Florida. The request is to allow side yard setbacks of 8 feet in lieu of the minimum required 10 foot side interior yard setback in order to build a covered patio.

The subject property, located on W Story Road, is an approximately 0.15 ± acre lot. The map below depicts the location of the subject property within the City of Winter Garden municipal limits:



The subject property carries the zoning designation R-NC (Residential-Neighborhood Commercial District) and is designated NC (Residential-Neighborhood Commercial) on the Future Land Use Map of the City’s Comprehensive Plan.

EXISTING USE

The property is developed with a single-family home built in 1952. This property received special exception permit approval from the Planning & Zoning Board on March 3, 2025, to allow professional office use at this location.

ADJACENT LAND USE AND ZONING

The properties to the north, south, and east of the subject property are developed with single-family residences, are zoned R-2, and are in the City of Winter Garden’s Municipal limits. The property to the west is undeveloped, zoned R-2, and is within the City of Winter Garden’s Municipal limits. The property to the west is also owned by the applicant.

PROPOSED USE

The applicant has received special exception permit approval to have an office at this location. They are now finalizing the site plan as well as the building elevations for renovation. Part of the renovation proposal is to have the rear entrance, which also has the ADA accessible ramp, to be a covered patio (see exhibit).

CODE REFERENCE

Sec. 118-492. of the City Code of Ordinances addresses the minimum yard requirements for single-family dwellings in the R-NC Zoning District. This section states,

In the R-NC residential-neighborhood commercial district, the minimum yard requirements are as follows:

- (1) Single-family and two family.*
 - a. Front: 30 feet*
 - b. Side interior lot: ten feet.*
 - c. Side corner lot: 20 feet.*
 - d. Rear: 20 percent of depth of lot.*

The applicant is seeking variances to the side yard setback in order to build a covered patio.

CODE REQUIREMENTS / CRITERIA

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

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

adjacent or nearby property owners or negatively impact the standard of living of the citizens of the city;

The neighboring property to the west is undeveloped and owned by the applicant. The addition will also maintain the rear yard setback without any encroachments. The setback request should have little if any negative impacts on the standard of living of the adjacent property owners.

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

The applicant is requesting the side yard setback of 8' in order to build a covered patio. Covered patios are not out of character for residential buildings and are encouraged. Although this location will be used for professional offices the city encourages residential neighborhood commercial buildings to maintain a residential aesthetic which this covered patio will do.

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

Strict compliance with the City's land development regulations will not further any legitimate City objective.

- (4) *The granting of the variance is consistent with the city's comprehensive plan; and*
The variance(s) are consistent with the provisions of the City's Comprehensive Plan relating to residential neighborhood commercial 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 home is already setback from the side interior lot line by eight feet and there is an existing carport and 10' x 6' area of the home that is located within the encroachment area. In order to renovate the home and make any addition in the rear, the applicant will have to continue that side setback of eight feet. Denying the variance(s) does not benefit the property owner or the City.

SUMMARY

City Staff recommends approval of a variance to Section 118-492(1)(b) for the property located at 34 W Story Road to allow a side interior yard setback of 8' in lieu of the minimum required 10' side yard setbacks in order to build a covered patio subject to the following conditions:

- 1) This variance is for a covered patio only. At no time can this area be enclosed as an air-conditioned space without receiving new variance approval from the Planning & Zoning Board.

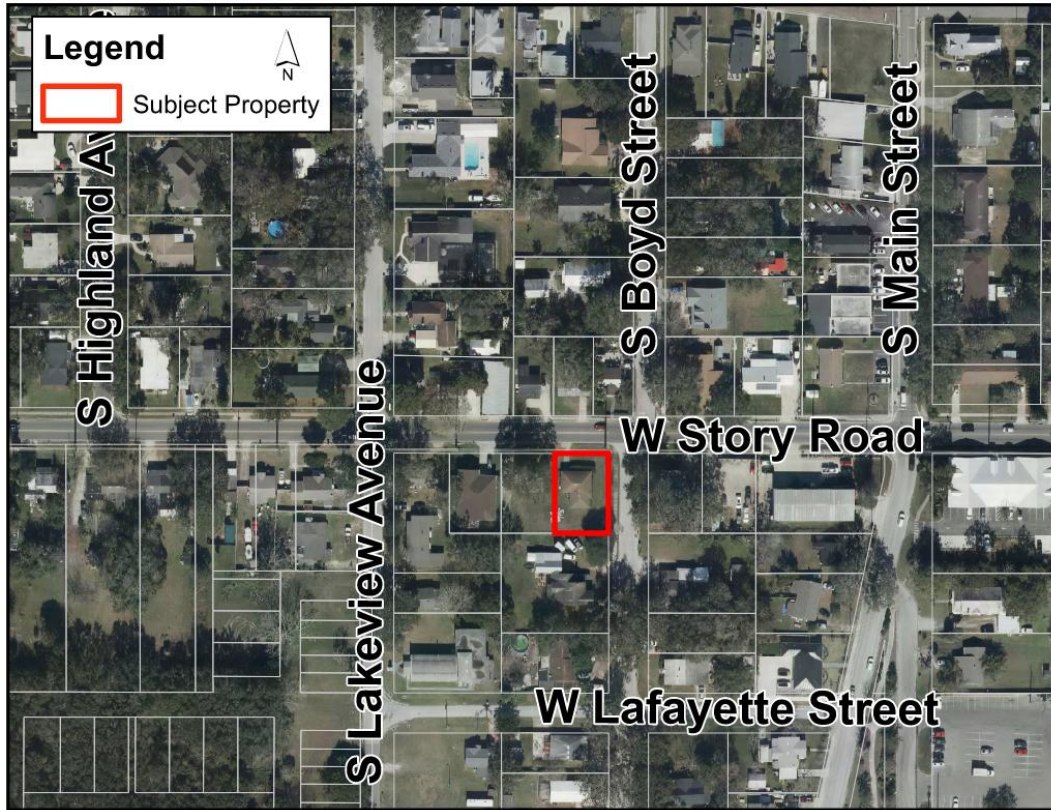
NEXT STEP

Follow all City regulations and apply for /revise building permits.

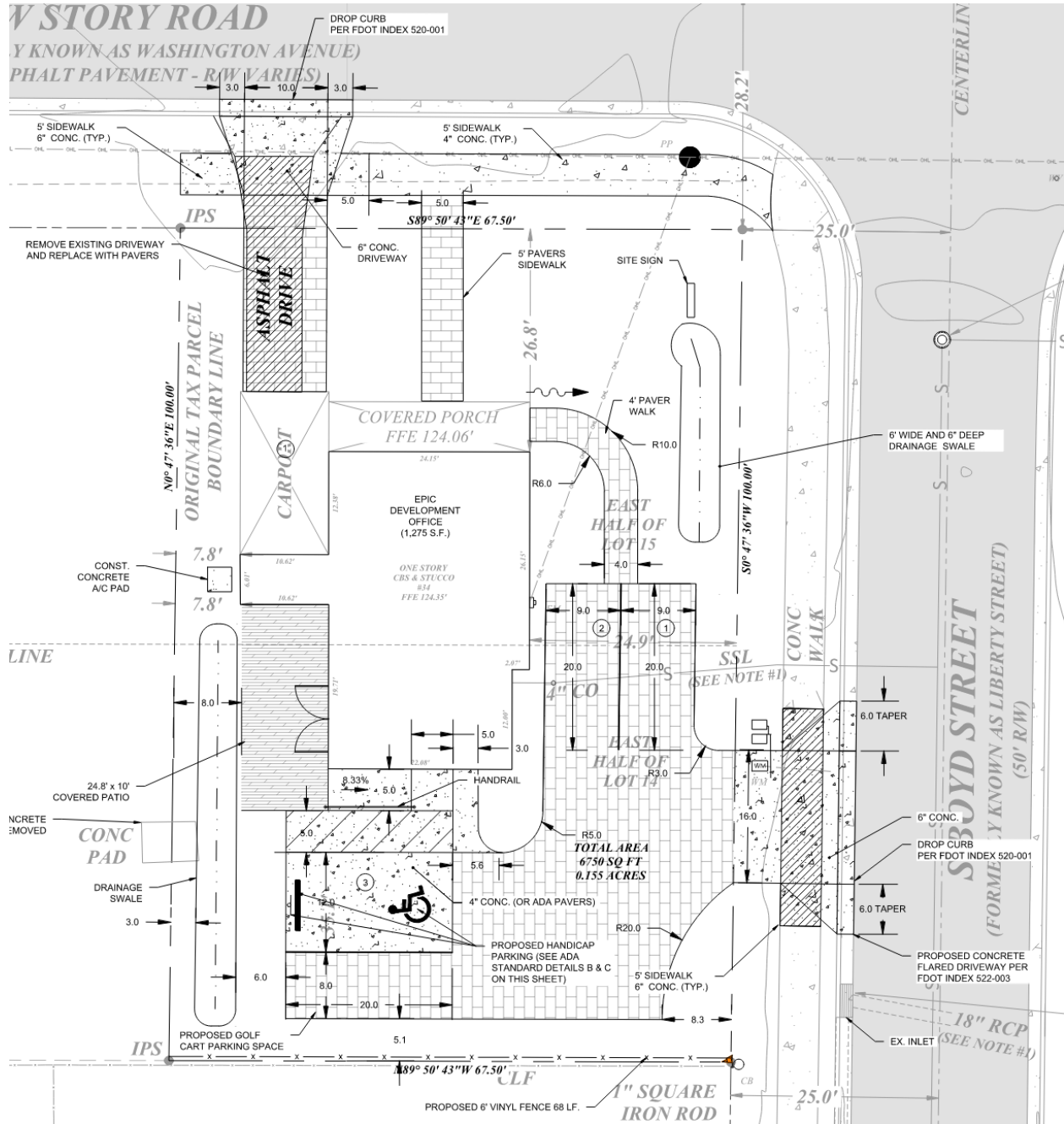
ATTACHMENTS

- Aerial Photo
- Site Plan
- Survey
- Elevation
- Site Photos

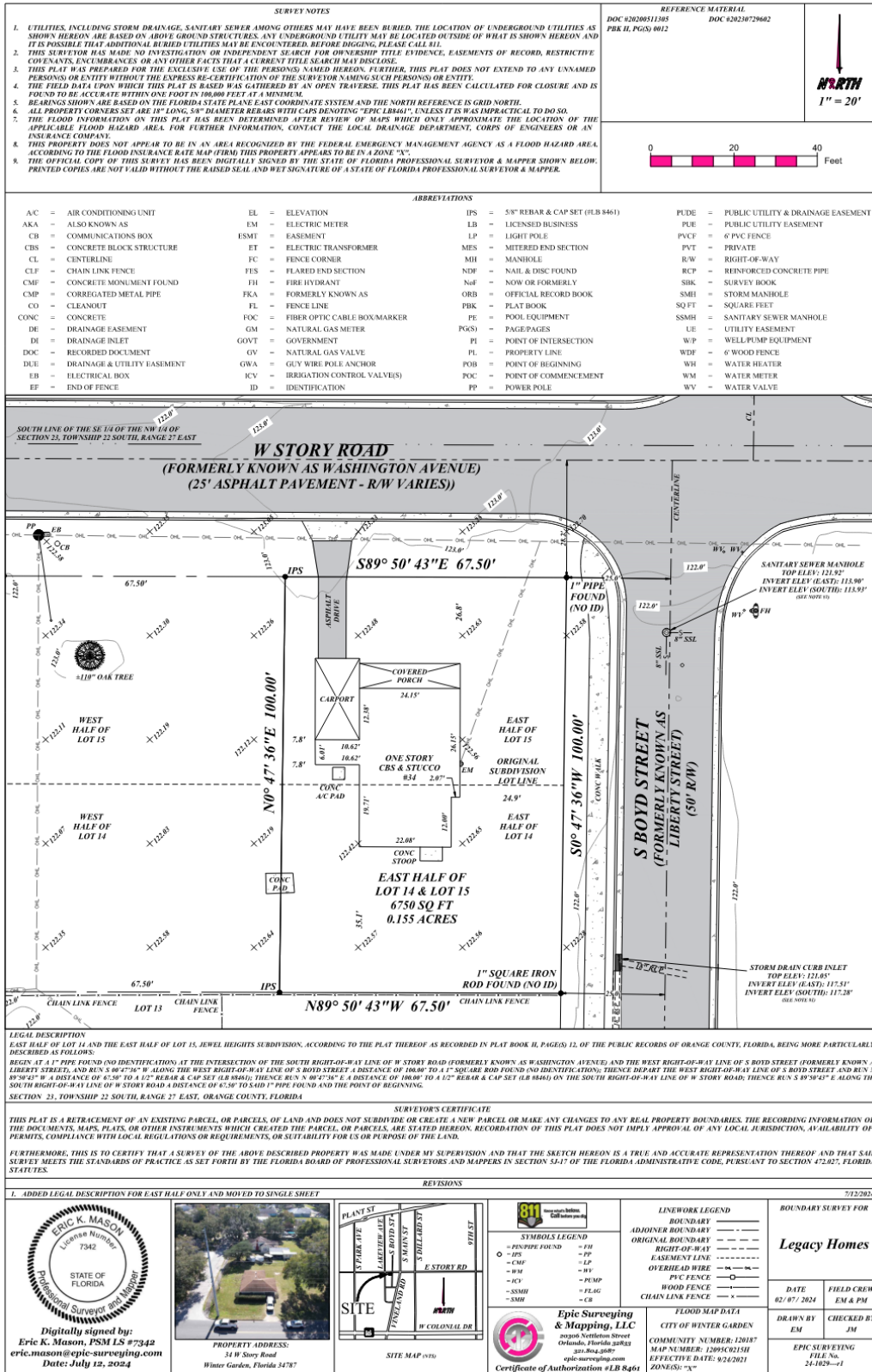
AERIAL PHOTO
34 W Story Road



Site Plan
34 W Story Road



Survey 34 W Story Road



Building Elevation
34 W Story Road





SITE PHOTO
34 W Story Road





END OF STAFF REPORT