

THE TOWN OF  
**Windermere**



**MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE**

**Mayor Jim O'Brien**

**Council Members**

**Robert McKinley**

**Andy Williams**

**Chris Sapp**

**Bill Martini**

**Liz Andert**

*Agenda*

*Agenda*

**August 13, 2019**

**6:00 PM**

**WINDERMERE TOWN HALL**

**520 MAIN STREET**

**WINDERMERE, FL 34786**

**PLEASE TURN OFF ALL CELL PHONES AND PAGERS**

**PLEASE NOTE:** IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceeding should contact the Office of the Town Clerk at least 48 hours beforehand at (407) 876-2563

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversations shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council.
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Town Council meeting by an officer and such other actions as may be appropriate. **PLEASE NOTE:** IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the

# AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- FLAG SALUTE
- INVOCATION

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

- a. Mayoral Proclamation declaring the third Friday in September as the Annual West Orange Healthy Selfie Day (Attachment-Mayor to Present)

3. TIMED ITEMS AND PUBLIC HEARING

- a. ORDINANCE NO. 2019-05 (Attachment-Limiting hours for garbage pickup-Board Option)

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING THE TOWN'S CODE OF ORDINANCES TO ADD A NEW SECTION 28-8 TO CHAPTER 28 OF THE TOWN'S CODE OF ORDINANCES TO BE TITLED "PERMISSIBLE HOURS FOR GARBAGE COLLECTION"; PROVIDING THAT RESIDENTIAL AND NON-RESIDENTIAL GARBAGE MAY BE COLLECTED ONLY DURING THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M., EACH DAY OF THE WEEK; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING AN EFFECTIVE DATE.

- b. First Public Hearing for First Amendment to Sunset Bay Developers Agreement (Attachments-DRB Recommends Approval 5-0)
- c. Resolution 2019-03 of the Town Council for the Town of Windermere, Florida regarding Voting Requirements under Section 12.04 of the Town Charter for Rezoning (Attachment-Board Option)
- d. Public Hearing Cases for Amendment to Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoing-111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue
- i. An ordinance to amend the Town Center Design Guidelines Master Plan Boundary to remove the properties located at 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue (Ordinance 2019-02) (Attachments-DRB Recommends Denial 5-0);
- ii. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Overlay District (Ordinance 2019-03) (Attachments-DRB Recommends Denial 5-0); and
- iii. An ordinance to rezone the property at 111 W 5<sup>th</sup> Avenue to Commercial (Ordinance 2019-04) (DRB Recommends Denial 4-1)

4. CONSENT AGENDA:

- a. Town of Windermere Arbor and Treebute Date Approvals: January 16-18, 2020. (Tree Board Recommends Approval)
- b. Windermere Police Department Foundation 3<sup>rd</sup> Annual St. Patrick's Day Celebration and Officer Robert "Robbie" German remembrance Saturday 4-8pm March 14, 2020 (Board Option)

- c. Windermere Craft Beer Fest Saturday 4-8pm October 12, 2019 (DBC Recommends Approval)
- d. Cops & Bobbers Fishing Event 7:30-12pm September 21, 2019 (WPD Funded)
- e. Agreement between The School Board of Orange County, Florida and Town of Windermere Police Department for School Resource Officer Program (Attached-Staff Recommends Approval)

**5. NEW BUSINESS**

**a. MINUTES**

- i. Town Council Meeting Minutes July 9, 2019 (Attachments-Staff Recommends Approval)
- ii. Town Council Workshop Meeting Minutes July 23, 2019 (Attachment-Staff Recommends Approval)

**b. APPOINTMENTS: COMMITTEES AND BOARDS**

- i. Development Review Board: William Yeager (Attachment-DRB Recommends Approval)

**c. CONTRACTS AND AGREEMENTS**

- i. RFP 2019-03 Bayshore Drive Drainage Improvements: Not to Exceed \$65,000 (Attachments-Staff Recommends Gregori Construction Inc.)
- ii. RFP 2019-05 Park Avenue Drainage and Sidewalk Improvements: Not to Exceed \$260,000 (Attachments-Staff Recommends Barracuda Building Corp)
- iii. Marina Bay Stormwater Pond Repairs Not to exceed \$85,000 (Attachments-Staff Recommends Gregori Construction Inc.)
- iv. Willows Road Milling & Resurfacing Approval Not to exceed \$660,000 (Attachments-Staff Recommends All State Paving & Development)
- v. Renewal of Agreement for On Call Land Planning Services; Wade Trim (Attachments-Staff Recommends Approval)

**d. OTHER ITMES FOR CONSIDERATION**

- i. Town Facilities Concept Approval (Attachments-Board Option: LRP, DBC & HPB Recommend Concept 1)

**6. MAYOR & COUNCIL LIAISON REPORTS**

- a. MAYOR O'BRIEN
- b. COUNCILMAN MCKINLEY
- c. COUNCILMAN WILLIAMS
- d. COUNCILMAN SAPP
- e. COUNCILMAN MARTINI
- f. COUNCILMEMBER ANDERT

**7. STAFF REPORTS**

- a. TOWN MANAGER ROBERT SMITH
- b. TOWN ATTORNEY TOM WILKES
- c. POLICE CHIEF DAVE OGDEN
- d. PUBLIC WORKS DIRECTOR SCOTT BROWN

**8. ADJOURN**

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- **REPORTS: NO ACTION REQUIRED**

- **FILED ITEMS**

- a. August Project Meeting Notes
- b. Town Council Liaison Reports

- **IMPORTANT DATES**

**August**

- **8/15 – Windermere Tree Board Meeting**
- **8/16 – Farmers Market**
- **8/20 – Development Review Board Meeting**
- **8/22 – Long Range Planning Committee Meeting**
- **8/23 – Farmers Market**
- **Food Truck Night**
- **8/27 – Special Town Council Meeting**
- **8/28 – Historical Preservation Board Meeting**
- **8/30 – Farmers Market**

**September**

- **9/2 – Labor Day. Town Offices CLOSED**
- **9/3 – Code Enforcement Hearing**
- **9/5 – Food Truck / Farmers Market Selection Committee Meeting**
- **Oral History Project Subcommittee Meeting**
- **9/6 – Farmers Market**
- **9/10 – Town Council**
- **9/11 – Tentative Budget Hearing**
- **9/12 – Parks & Recreation Meeting**
- **9/13 – Farmers Market**
- **9/17 – Development Review Board Meeting**
- **9/19 – Windermere Tree Board Meeting**
- **9/20 – Farmers Market**
- **9/23 – Final Budget Hearing**
- **9/24 – Town Council Workshop**
- **9/25 – Historical Preservation Board Meeting**

- 9/26 – Long Range Planning Committee Meeting
- 9/27 – Farmers Market
- Food Truck Night

#### October

- 10/1 – Elders Luncheon
- Code Enforcement Hearing
- 10/2 – Downtown Business Committee Meeting
- 10/3 – Food Truck / Farmers Market Selection Committee Meeting
- 10/4 – Farmers Market
- 10/8 – Town Council
- 10/10 – Parks & Recreation Meeting
- 10/11 – Farmers Market
- 10/12 – Craft Beer Fest
- 10/15 – Development Review Board Meeting
- 10/17 – Windermere Tree Board Meeting
- 10/18 – Farmers Market
- 10/22 – WOCC Lunch & Learn @ Town Hall
- Town Council Workshop
- 10/25 – Farmers Market
- Food Truck Night
- Halloween Movie (?) TBD
- 10/26 – Halloween Hayride & Costume Parade
- 10/30 – Historical Preservation Board Meeting

#### November

- 11/1 – Farmers Market
- 11/5 – Code Enforcement Hearing
- 11/7 – Food Truck / Farmers Market Selection Committee Meeting
- 11/8 – Farmers Market
- 11/12 – Town Council
- 11/14 – Parks & Recreation Meeting
- 11/15 – Farmers Market
- 11/19 – Development Review Board Meeting
- 11/21 – Windermere Tree Board Meeting
- 11/22 – Farmers Market
- Food Truck Night
- Light Up Windermere (?) TBD
- Holiday Movie Night (?) TBD
- 11/26 – Town Council Workshop
- 11/27 – Historical Preservation Board Meeting

- **11/28 – Thanksgiving. Town Offices CLOSED**
- **Long Range Planning Committee Meeting RESCHEDULE TBD**
- **11/29 – Town Offices CLOSED**

**December**

- **12/3 – Code Enforcement Hearing**
- **12/4 – Downtown Business Committee Meeting**
- **12/5 – Food Truck / Farmers Market Selection Committee Meeting**
- **Oral History Project Subcommittee Meeting**
- **12/6 – Farmers Market**
- **Holiday Hoopla**
- **12/10 – Elders Luncheon**
- **12/12 – Parks & Recreation Meeting**
- **12/13 – Farmers Market**
- **12/17 – Development Review Board Meeting**
- **12/19 – Windermere Tree Board Meeting**
- **12/20 – Farmers Market**
- **12/24 – Christmas Eve. Town Offices CLOSED**
- **Town Council Workshop RESCHEDULE TBD**
- **12/25 – Christmas Day. Town Offices CLOSED**
- **12/26 – Long Range Planning Committee Meeting**
- **12/27 – Farmers Market**
- **Food Truck Night**
- **12/31 – New Year’s Eve. Town Offices CLOSED**



## Proclamation

**Whereas,** Healthy West Orange inspires healthy behaviors and provides resources to help residents make better lifestyle choices; and

**Whereas,** Healthy West Orange champions healthy programs that deliver health and wellness activities; and

**Whereas,** Healthy West Orange unites health-minded organizations for whom a healthy community provides meaningful benefits; and

**Whereas,** Healthy West Orange advocates for healthy community decisions and encourages local leaders to keep their communities' health and wellness a top priority; and

**Whereas,** Healthy West Orange declares the third Friday in September as the Annual West Orange Healthy Selfie Day.

**Therefore,** it is my great pleasure and privilege as the Mayor of the Town of Windermere to declare Friday, September 20, 2019 as

### *West Orange Healthy Selfie Day*

and I urge all citizens to join in supporting this initiative.

**In witness thereof,** I have hereunto set my hand and caused the City Seal to be affixed this 13th day of August, 2019.

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Jim O'Brien, Mayor

Attest:

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Dorothy Burkhalter, MMC. FCRM  
Town Clerk

# HEALTHY SELFIE DAY

Friday, September 20!

THIS SEPTEMBER  
SHOW US YOUR

#HEALTHYSELFIE

AND TAG

HEALTHY WEST ORANGE

You'll be entered to win amazing prizes, including two YMCA Annual Memberships for the whole family!



HEALTHY  
WEST ORANGE



Healthy West Orange is a grassroots movement to inspire west Orange County to become the healthiest community in the nation. We provide important tools and social connections to help local residents eat well, stay active, and enjoy life.

MORE INFO AT [HEALTHYWESTORANGE.ORG](http://HEALTHYWESTORANGE.ORG)



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Show  
Us Your

Healthy

Selfies



HEALTHY WEST ORANGE

THE TOWN OF  
**Windermere**



**EXECUTIVE SUMMARY**

**SUBJECT:** ORDINANCE NO. 2019-05

**REQUESTED ACTION:** 2<sup>nd</sup> Final Reading Public Hearing-Board Option

Work Session (Report Only)

Regular Meeting

**DATE OF MEETING:** 7/9/19

Special Meeting

**CONTRACT:**  N/A

Effective Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_

Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual

Capital

N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

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**HISTORY/FACTS/ISSUES:**

Mayor & Council,

Based on complaints from residents that live in relatively close proximity to both commercial and institutional areas that are not included in the Waste Pro agreement, staff has asked legal to amend the Town's code to limit non-emergency pick up times consistent with that agreement.

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**ORDINANCE NO. 2019-05**

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**AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING THE TOWN’S CODE OF ORDINANCES TO ADD A NEW SECTION 28-8 TO CHAPTER 28 OF THE TOWN’S CODE OF ORDINANCES TO BE TITLED “PERMISSIBLE HOURS FOR GARBAGE COLLECTION”; PROVIDING THAT RESIDENTIAL AND NON-RESIDENTIAL GARBAGE MAY BE COLLECTED ONLY DURING THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M., EACH DAY OF THE WEEK; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

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*Whereas*, there have been numerous complaints regarding garbage being picked up at early hours in the morning within the Town and the Town Council of the Town of Windermere, Florida (the “Town Council”) desires to regulate the times during which garbage may be collected.

**BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

**Section 1. Recitals.** The recitals set forth above are true and correct and constitute the legislative findings of the Town Council.

**Section 2. Amendments to the Town of Windermere’s Code of Ordinances.** A new Sec. 28-8 is hereby added to Chapter 28 of the Town of Windermere’s Code of Ordinances as follows:

**Sec. 28-8. Permissible hours for garbage collection.**

Unless previously approved in writing by the Town Manager, hours for residential and non-residential garbage collection within the incorporated areas of the Town is between the hours of 7:00 a.m. and 10:00 p.m., each day of the week. Failure to comply with the provisions of this section shall constitute a code violation and shall subject the collection company to the code enforcement provisions and procedures set forth in the Town’s Code of Ordinances.

**Section 3. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 4. Codification.** The provisions of this Ordinance shall become and be made a part of the Town’s Code of Ordinances.

**Section 5. Effective Date.** This Ordinance takes effect immediately upon its enactment.

47           **ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2019, at a regular meeting of the Town Council of  
48 the Town of Windermere, Florida.

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Town of Windermere, Florida  
by: Town Council

by: \_\_\_\_\_  
Jim O'Brien, Mayor

Attest:

\_\_\_\_\_  
Dorothy Burkhalter, MMC, FCRM  
Town Clerk

First reading: July 9, 2019  
Second reading: August 13, 2019

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

**To: Mayor and Town Council**

**From: Brad Cornelius, AICP, Contracted Town Planner**

**Date: August 1, 2019**

**Re: Public Hearing for First Amendment to Sunset Bay Development Agreement**

For the Town's consideration, attached is the proposed First Amendment to the Sunset Bay Development Agreement. The original development agreement for Sunset Bay was approved by the Town on March 8, 1988. It has been determined that there is a need to amend the original development agreement to resolve some uncertainties related to certain maintenance obligations. The provisions of the proposed First Amendment to the Sunset Bay Development Agreement include the following:

1. Road Maintenance. Notwithstanding anything to the contrary in Paragraph 9 of the Development Agreement, the Parties hereby acknowledge and agree that: (1) the Town shall assume and be solely responsible for the day-to-day maintenance of the street improvements within the Sunset Bay subdivision, including, but not limited to, the repair of potholes, sealing of cracks, and other routine road maintenance; and (2) the Town and the Association shall split evenly (50/50) the costs for any future milling and resurfacing of Down Point Lane and Sunset Court, with the Association being responsible for the share allocated to its members. In no event, however, shall the Association bear any financial responsibility for any milling and/or resurfacing done solely upon that portion of Down Point Lane located outside of Sunset Bay and within the Down Point subdivision, as such demarcation is reflected on the Plat of Sunset Bay recorded at Plat Book 21, Pages 55-56 of the Official Records of Orange County, Florida. Further, nothing within this Paragraph shall alter or otherwise impact the 10-year special assessment imposed by the Town upon lots within Sunset Bay in 2016 for the milling and resurfacing of that portion of Down Point Lane that runs through Sunset Bay.

2. Street Lighting. Upon the Effective Date of this First Amendment, the Town shall assume the sole responsibility for the costs of the street lighting along that portion of Down Point Lane located within the Down Point subdivision, including, but not limited to, utility invoices, lease payments for the light poles and lights, and any costs imposed for repair or replacement, and the Association shall be relieved of any and all future responsibility for such street lighting. The Association will continue to be responsible for the costs of the street lighting along Sunset Court and that portion of Down Point Lane located within Sunset Bay, including, but not limited to, utility invoices, lease payments for the light poles and lights, and any costs imposed for repair or replacement.

3. Sidewalk Maintenance. The Town acknowledges and agrees that the Town is responsible at its sole expense for the inspection, repair, and maintenance, as needed, of the existing sidewalks located along Sixth Avenue adjacent to Sunset Bay. The Association acknowledges and agrees that its members are responsible for the repair and maintenance of sidewalks located on their individual platted lots within Sunset Bay.

4. Street Signage Maintenance. The Town acknowledges and agrees that the Town is responsible at its sole expense for the maintenance, repair, and replacement, as needed, of street signage within Sunset Bay. The Town, however, shall bear no responsibility for the maintenance, repair, and replacement of the Association's entry feature sign for Sunset Bay, the maintenance, repair, and replacement of which shall continue to be the sole responsibility and obligation of the Association and its members.

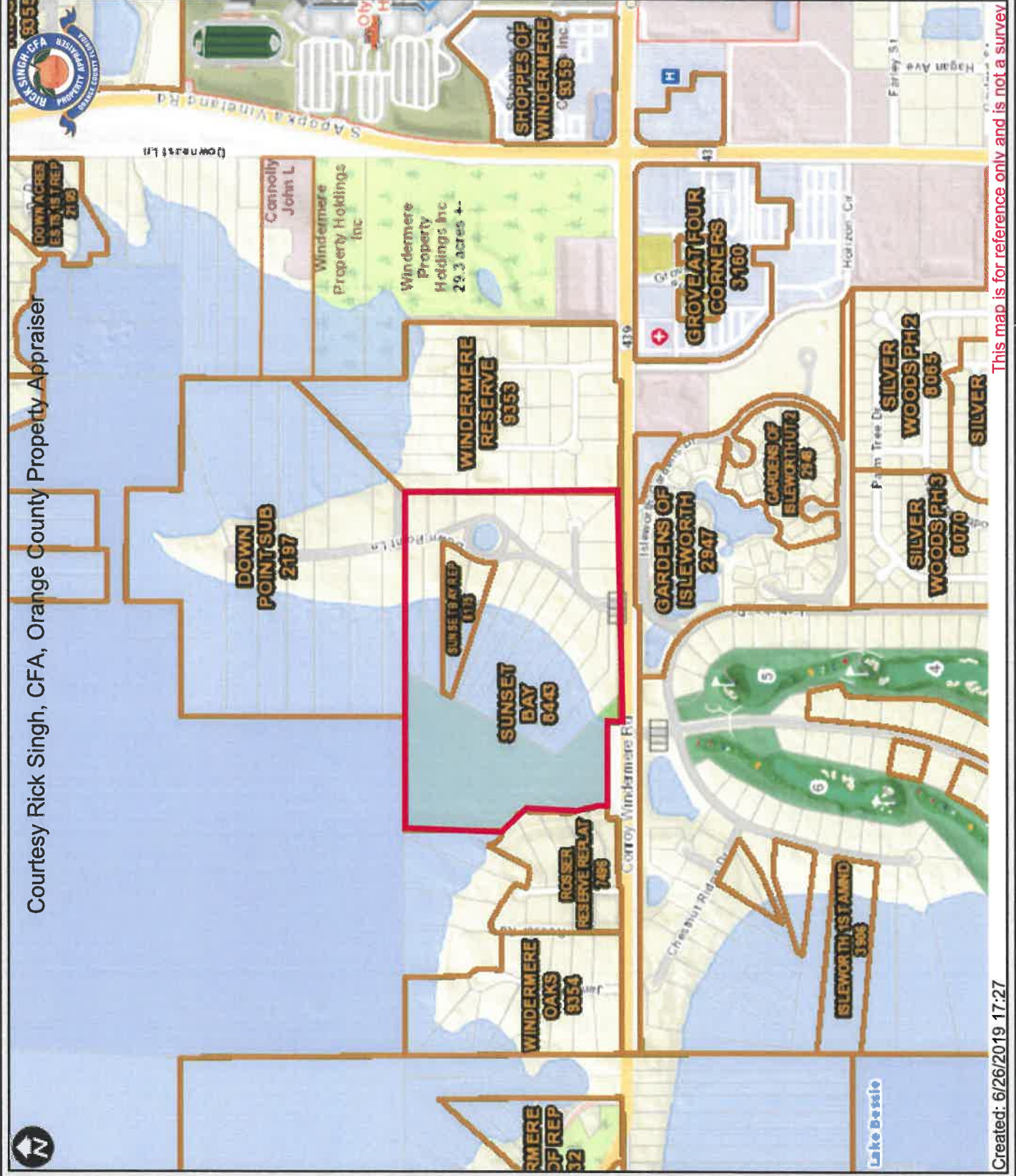
5. Perimeter Wall. The Parties hereby acknowledge and agree that the Association and its members may seek approval from the Town to install a privacy wall along that portion of Sunset Bay bordering Sixth Avenue in accordance with the regular application and review process prescribed in the Town's Land Development Regulations. To the extent Paragraphs 3.b and 7 of the Development Agreement purport to prohibit the installation or restrict the height of any such wall, such Paragraphs are hereby amended to remove any such prohibition or limitation.

The First Amendment to the Sunset Bay Development Agreement requires two (2) public hearings. The first public hearing is August 13, 2019, and the second public hearing is September 10, 2019.

The Development Review Board (DRB), at their meeting on July 17, 2019, recommended the Town Council approve the First Amendment to the Sunset Bay Development Agreement (5-0).

On June 27, 2019, 68 public notices were mailed to property owners within Sunset Bay and surrounding properties within 500 feet of Sunset Bay. As of August 1, 2019, seven (7) responses have been received in support and one (1) in opposition.

Courtesy Rick Singh, CFA, Orange County Property Appraiser



	Florida turnpike
	Interstate 4
	Toll Road
	Major Roads
	Public Roads
	Gated Roads
	Road Under Construction
	Proposed Road
	US Road
	State Road
	County Road
	Toll Ramp
	Interstate Ramp
	One Way
	Briqk Road
	Rail Road
	Proposed SunRail
	Block Line
	Lot Line
	Residential
	Agriculture
	Commercial/Institutional
	Governmental/Institutional/Misc
	Commercial/Industrial/Vacant Land
	Hydro
	Waste Land
	Agricultural Curflage
	County Boundary
	Parks
	Golf Course
	Lakes and Rivers
	Building
	Power Plant

Created: 6/26/2019 17:27

This map is for reference only and is not a survey

Prepared by and Return to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (“First Amendment”) is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between TOWN OF WINDERMERE, FLORIDA, a Florida municipal corporation (“Town”), and SUNSET BAY HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (“Association”).

RECITALS:

WHEREAS, the Town and Sonana Systems, Inc., as the original developer of the Sunset Bay subdivision, entered into that certain Development Agreement dated March 8, 1988, a copy of which is recorded at Book 3968, Page 3312 of the Official Records of Orange County, Florida, to govern the development of the Sunset Bay subdivision in Windermere, Florida; and

WHEREAS, Sonana Systems, Inc., subsequently turned over control of the common area improvements and maintenance obligations for the Sunset Bay subdivision to the Association; and

WHEREAS, uncertainty has recently arisen between the Town and the Association regarding the responsibility for certain maintenance obligations within the Sunset Bay subdivision pursuant to the Development Agreement; and

WHEREAS, the Town and the Association desire to enter into this First Amendment for purposes of amending the Development Agreement and clarifying certain maintenance obligations related to the Sunset Bay subdivision.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and the Association (collectively, the “Parties”), intending to be legally bound, do hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein.

2. Road Maintenance. Notwithstanding anything to the contrary in Paragraph 9 of the Development Agreement, the Parties hereby acknowledge and agree that: (1) the Town shall assume and be solely responsible for the day-to-day maintenance of the street improvements within the Sunset Bay subdivision, including, but not limited to, the repair of potholes, sealing of cracks,



and other routine road maintenance; and (2) the Town and the Association shall split evenly (50/50) the costs for any future milling and resurfacing of Down Point Lane and Sunset Court, with the Association being responsible for the share allocated to its members. In no event, however, shall the Association bear any financial responsibility for any milling and/or resurfacing done solely upon that portion of Down Point Lane located outside of Sunset Bay and within the Down Point subdivision, as such demarcation is reflected on the Plat of Sunset Bay recorded at Plat Book 21, Pages 55-56 of the Official Records of Orange County, Florida. Further, nothing within this Paragraph shall alter or otherwise impact the 10-year special assessment imposed by the Town upon lots within Sunset Bay in 2016 for the milling and resurfacing of that portion of Down Point Lane that runs through Sunset Bay.

3. Street Lighting. Upon the Effective Date of this First Amendment, the Town shall assume the sole responsibility for the costs of the street lighting along that portion of Down Point Lane located within the Down Point subdivision, including, but not limited to, utility invoices, lease payments for the light poles and lights, and any costs imposed for repair or replacement, and the Association shall be relieved of any and all future responsibility for such street lighting. The Association will continue to be responsible for the costs of the street lighting along Sunset Court and that portion of Down Point Lane located within Sunset Bay, including, but not limited to, utility invoices, lease payments for the light poles and lights, and any costs imposed for repair or replacement.

4. Sidewalk Maintenance. The Town acknowledges and agrees that the Town is responsible at its sole expense for the inspection, repair, and maintenance, as needed, of the existing sidewalks located along Sixth Avenue adjacent to Sunset Bay. The Association acknowledges and agrees that its members are responsible for the repair and maintenance of sidewalks located on their individual platted lots within Sunset Bay.

5. Street Signage Maintenance. The Town acknowledges and agrees that the Town is responsible at its sole expense for the maintenance, repair, and replacement, as needed, of street signage within Sunset Bay. The Town, however, shall bear no responsibility for the maintenance, repair, and replacement of the Association's entry feature sign for Sunset Bay, the maintenance, repair, and replacement of which shall continue to be the sole responsibility and obligation of the Association and its members.

6. Perimeter Wall. The Parties hereby acknowledge and agree that the Association and its members may seek approval from the Town to install a privacy wall along that portion of Sunset Bay bordering Sixth Avenue in accordance with the regular application and review process prescribed in the Town's Land Development Regulations. To the extent Paragraphs 3.b and 7 of the Development Agreement purport to prohibit the installation or restrict the height of any such wall, such Paragraphs are hereby amended to remove any such prohibition or limitation.

7. Recording; Binding Effect. This First Amendment shall be recorded in the Official Records of Orange County, Florida. The terms and provisions of this First Amendment, and all rights, privileges, benefits, and burdens created hereunder shall be binding upon the Parties and their respective successors, assigns, and representatives.

8. Ratification. Except as specifically modified and amended by this First Amendment, the remainder of the Development Agreement remains in full force and effect. From and after the last date of execution of this First Amendment, all references to the Development Agreement shall be deemed to refer to the Development Agreement as amended and supplemented by this First Amendment.

9. Counterparts. This First Amendment may be executed in counterparts, each of which shall be deemed to be an original and need not be signed by more than one of the parties hereto and all of which shall constitute one and the same agreement.

10. Effective Date. This First Amendment shall become effective upon the date of execution by the last of the Parties.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be executed in a manner sufficient to bind them on the Effective Date as defined above.

Signed, sealed, and delivered before me:

**TOWN OF WINDERMERE, FLORIDA**

\_\_\_\_\_  
JIM O'BRIEN, MAYOR

**ATTTEST:**

**APPROVED AS TO FORM AND LEGALITY** for use and reliance by the Town of Windermere, Florida, only.

\_\_\_\_\_  
DOROTHY BURKHALTER

Town Clerk

\_\_\_\_\_  
HEATHER M. BLOM-RAMOS

Town Attorney

WITNESSES

**SUNSET BAY HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation,

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2019, by \_\_\_\_\_, as \_\_\_\_\_ of Sunset Bay Homeowners Association, Inc., a Florida not-for-profit corporation. Said person (check one) G is personally known to me or G produced \_\_\_\_\_ as identification.

(Notary Seal)

Printed Name: \_\_\_\_\_

Notary Public, State of \_\_\_\_\_

Commission No. \_\_\_\_\_

My commission expires: \_\_\_\_\_

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT, made this 8<sup>th</sup> day of MARCH, 1988, by and between SONANA SYSTEMS, INC. (hereinafter referred to as "Developer" or "Owner"), and THE TOWN OF WINDERMERE, a municipal corporation existing under the laws of the State of Florida ( hereinafter referred to as the "Town").

THOMAS H. LOCKER,  
Orange County  
Comptroller  
By [Signature] Deputy Clerk  
Rec Fee \$ 45.00  
Add Rec \$ 6.00  
Dut Tax \$ 6.00  
Int Tax \$ 51.00  
Total \$ 108.00

WITNESSETH:

WHEREAS, the Owner is the record title holder of approximately 24.5 acres of land lying in the Town of Windermere located on the North side of Windermere-Conroy Road. Said Property is more particularly described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Town, by an ordinance dated July 15, 1986, did annex the Property into the town limits of Windermere; and

WHEREAS, the usage permitted to be undertaken on the Property shall be consistent with the Town of Windermere's Comprehensive Plan adopted in 1981, as amended, and the existing zoning; and

WHEREAS, the parties wish to ensure that the subdivision to be located on the Property known as Sunset Bay will be compatible with the surrounding area of Windermere. The parties have agreed to certain terms and conditions that will assist in regulating the development and use of the Property for the mutual benefit of the parties, adjacent land owners and the community in general.

4147.1

2972502 ORANGE CO. FL.  
09:24:40AM 03/30/88

03968 PG3312

NOW THEREFORE, in consideration of the premises, the parties agree as follows:

1. Developer agrees that the retention pond shown on the proposed plat of Sunset Bay will be constructed with a five to one slope.

2. Developer agrees to establish a homeowner's association as a non-profit corporation under Florida law and charge that association with the responsibility of maintaining the improvements and landscaping on portions of the subdivision which are not within the boundaries of platted lots including, but not limited to, Lake Down Common Area Tract A, retention ponds and the right of way and land adjacent to Conroy Road, in a neat, attractive, safe and functional manner. Developer also agrees that Tract A shall be designed and/or landscaped to physically prevent boat launching. All of said Property shall be deeded to the homeowner's association at the time of recording the plat.

3. Developer agrees to and agrees to deed restrict the Property as follows:

A. That no boat ramp will be located anywhere in the subdivision.

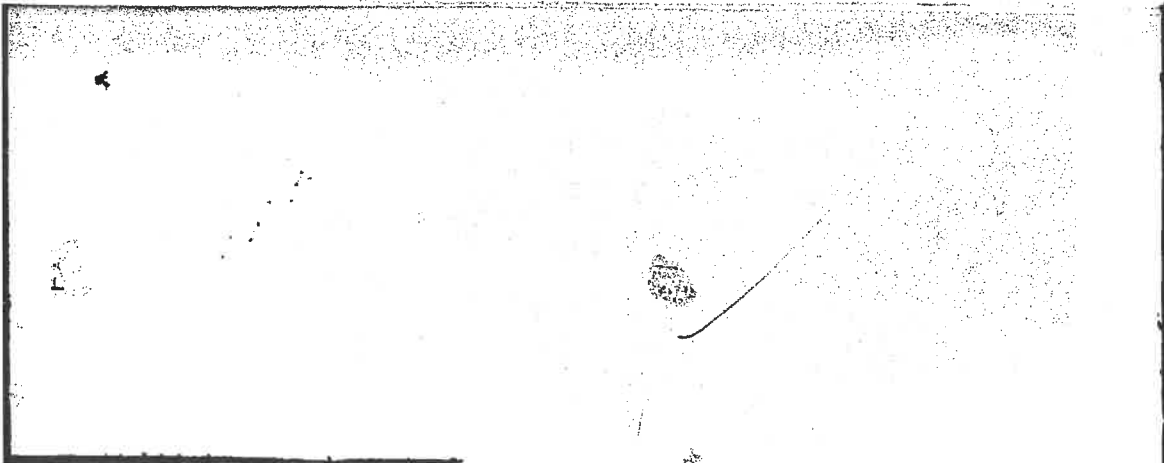
B. That the lots adjacent to the privacy berm shall restrict their private fences and walls along said berm to a height of one foot lower than said berm and be of a material and color that blends in with said landscape berm to be approved by the Town at the time of permitting.

4. Developer agrees to furnish the Town with a letter from a surveyor/engineer stating that the total land area of the subdivision is not less than 24.65 acres and that the total lots in the subdivision do not exceed 23, and that there is one lot for every 1.07 acres of land in the subdivision.

5. Developer shall furnish the Town evidence in recordable form of an access right of way across Lot 16 of adjacent Down Point Subdivision so as to connect to Down Point Lane. Orange County shall also evidence that the easement along the East side of the Property has been vacated and an agreement from all affected Property owners must be recorded in the Public Records of Orange County.

6. Developer shall furnish the Town an agreement from the County allowing the Developer to utilize the right of way for ingress, egress and landscaping.

7. The Developer agrees to furnish to the Town Council for its approval a detailed site plan for that portion of the subdivision which abuts Conroy Road. Said plan shall show a four-foot wide sidewalk along Conroy Road, a detailed landscaping plan, a landscaped privacy berm (comparable to Windermere Oaks berm) with no wall (except retaining wall on interior side of berm) or fencing permitted and no subdivision sign permitted, an irrigation plan for the landscaping, together with a water source for the landscaping and irrigation system, and sketches of the entryway, deceleration and turn lanes with design speed of 35 miles per hour into the subdivision from Conroy Road, together



with the location of all the pavement from Conroy Road into the subdivision. The Developer also agrees to plant at his expense live and laurel oaks, alternating each variety, on 40 foot centers along the street frontage of all lots and along all Conroy Road frontage, said oaks shall be a minimum 3" caliper.

8. The Owner shall comply with all applicable state, county and local ordinances and regulations in effect at the time of development of the Property, except as provided for in Florida Statutes Section 163.3213. The Owner agrees to indemnify and hold harmless the Town from and against any and all claim, including, but not limited to, attorneys' fees, costs and damages incurred as a result of any such claim, that may arise as a result of the Owner's negligent or willful violation of said governmental regulations or as a result of any comprehensive plat change, rezoning, development approval or permit or any other official action taken by the Town in good faith, at the Owner's request, which affected or affects the Owner's Property or development of same. Owner hereby agrees, at a minimum, to pay all court costs and other expenses and to provide, at Owner's sole expense, an attorney for the Town of Windermere in its legal representation in the event any such claim may arise. Owner also agrees to pay all costs and attorneys' fees incurred by the Town in enforcing any provision of this Agreement, at trial or on appeal. This provision shall only apply to actions filed within two (2) years from the date of acceptance of the improvements by the Town for which a claim may arise or any

separate claim not otherwise barred by an applicable statute of limitations; and shall not apply to claims arising as a result of the Town's maintenance of or failure to maintain any facilities within the Property.

9. At the conclusion of the site improvements for the subdivision and prior to the issuance of any building permits, the Developer will furnish to the Town a certificate of an engineer licensed in the State of Florida which certifies that all subdivision improvements have been properly constructed and comply with all governmental regulations and this Agreement. In addition to furnishing the one year Maintenance, Materials and Workmanship Warranty Bond required by the Orange County Subdivision Regulations, Developer hereby guarantees the Improvements for a period of one (1) year from the date of completion and acceptance by the Town and agrees to maintain said Improvements for said one (1) year period and to make any necessary repairs or remedy any defects in materials or workmanship upon notice from Town. After said one year period, Town will thereafter assume the cost of day-to-day maintenance of said street improvements but the cost of resurfacing said streets shall remain with the benefitting property.

10. The Owner shall install and complete, according to County specifications, all of the improvements which are required by this Agreement and the subdivision regulations of the County within twelve (12) months after the date of approval of the plat of subdivision by the Town. The Owner shall provide a surety



company completion bond, a cash escrow agreement, an irrevocable letter of credit or other alternative documents or agreements acceptable to the Town, at the time of platting, to guarantee that sufficient funds will be made available for completion of the required on-site improvements which have not been completed at the time of platting. The amount of said bond, escrow or letter of credit shall be in the penal sum of the amount of the estimated cost of the required on-site improvements which have not been completed at the time of platting, which estimate shall be reviewed and approved by the Town. Should the Developer neglect to install or complete the required improvements within the above-mentioned time limit, the Town, after thirty (30) days written notice to the Developer, his successors in interest or assigns, and the surety bond company may, without prejudice to any other rights or remedies it may have, install or have installed or completed in the subdivision tract said required improvements. In the event the surety bond company defaults hereunder, the Town is hereby authorized to assess the Town's actual out of pocket cost of installing or completing the improvements which the Developer is required to install and complete or the amount that said costs exceed the surety bond limit against the benefited Property in the subdivision tract. Such improvement assessment shall constitute a lien thereon until paid, which lien shall be superior and paramount to the interest of any other owner, lessee, tenant, or mortgagee of the Property.

The Owner shall, upon the execution of this Agreement, pay the cost of recording this Agreement in Orange County, Florida.

11. Shoreline clearing and alteration will be limited in accordance with the Orange County Lakeshore Protection Ordinance, effective June 10, 1983 and any successor ordinances and subject to the prior written approval of the Windermere Water Navigation and Control District.

12. Where the Final Plat requires the installation of berms and reverse swales, along lakeshores on lakefront lots to impede direct drainage into lakes, the plat shall clearly reflect a drainage/swale easement of sufficient width to accommodate such berms and swales and their associated retention areas and clearly indicate that alteration and/or removal of the berm and swale system is prohibited. The development rights to this easement area shall be dedicated to Orange County and the Town. The bottom swale elevation shall be at no less than the 103 foot elevation. An easement and restrictive covenants shall also prohibit alteration or removal of any such berms and swales. Enforcement responsibility shall be assigned to mandatory homeowner's association, Orange County and the Town. This swale/berm system shall be included in and installed as part of individual lot owners' construction requirements and shown on the Plat as part of the developer's primary drainage plan.

13. All Conservation Areas shall be clearly designated as "Conservation Areas" on the Final Plat of Sunset Bay. On the plat of lakefront residential lots platted to the normal high

water elevation, and which contain only narrow band conservation areas shall be clearly identified as "narrow band Conservation Areas". Development rights to all "Conservation Areas" including the "narrow band Conservation Areas" shall be dedicated to Orange County and Town provided, however, that such dedication of development rights to the narrow band Conservation Areas shall not preclude the construction of private docks and/or boathouses pursuant to applicable Orange County and Town permitting procedures. Within the dedication there shall be a provision allowing clearing and vegetation removal for lake access of an area of not more than 20% or 30 feet, whichever is greater, within "narrow band Conservation Areas" by the owner of a lakefront residential lot. Except as to this clearing and vegetation removal of the aforesaid 20% or 30 feet, whichever is greater for lake access, such dedication and the restrictive covenants applicable to the Sunset Bay development shall prohibit all but selective trimming of undergrowth to permit lake views on lakefront lots with prior written approval of undergrowth trimming plan from Windermere Water and Navigation Control District. Enforcement responsibility shall be assigned to a mandatory homeowner's association, Orange County and/or Town.

14. Trees (other than citrus trees) shall not be removed from lakefronts without prior written consent given by Windermere Water and Navigation Control District after a tree removal plan is first submitted.

15. The Developer agrees to furnish to the Town a letter from a professional engineer registered in the State of Florida which certifies to the Town that he has reviewed the subdivision construction plans, specifications, computations, and related matter; and that the storm water system has been designed so as to meet the design and performance standards of the Department of Environmental Regulation, the South Florida Water Management District and Windermere Water and Navigation Control District with regard to storm water runoff. He shall further certify to the Town that the first inch of rainfall shall be retained on all portions of the subdivision which are not in platted lots.

16. This Agreement shall be binding, and shall inure to and benefit the subject Property and be binding upon any person, firm, or corporation who may become the successor in interest, directly or indirectly, to the Subject Property.

IN WITNESS WHEREOF, the parties have executed this Agreement for the purposes stated herein on the date and year first above written.

WITNESSES:

Donna F. Bethel  
John [unclear]

Patricia L. Hayes  
Kate [unclear]

OWNER:

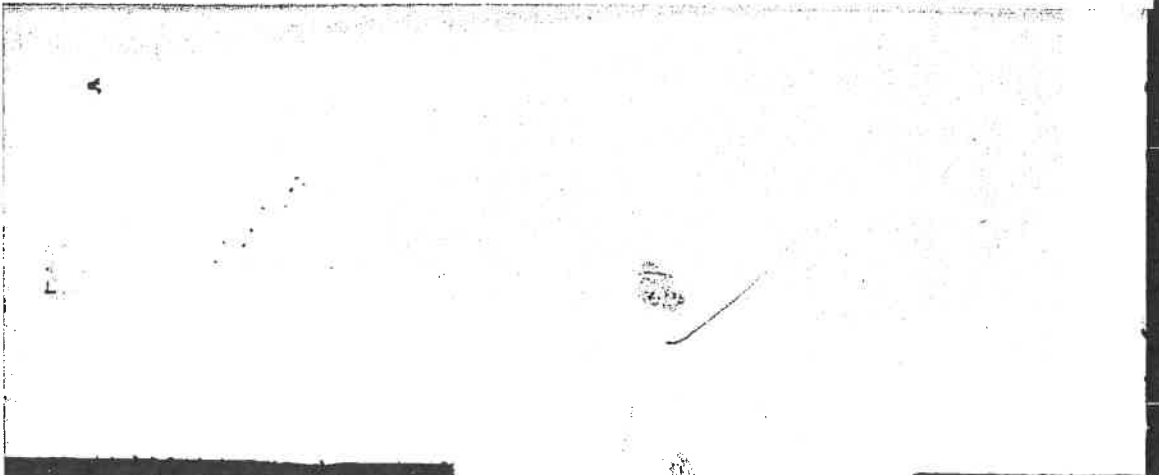
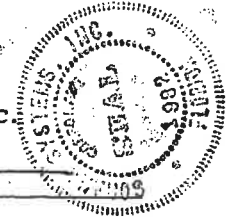
SONANA SYSTEMS, INC

By: [Signature]  
President

THE TOWN OF WINDERMERE

By: [Signature]  
Mayor

Attest: [Signature]  
Town Clerk



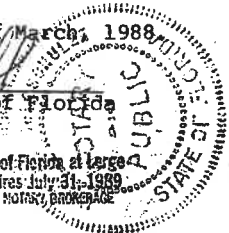
STATE OF FLORIDA  
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared J. D. Nana well known to me to be the President of Sonana Systems, Inc., a corporation, and that he acknowledges executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

SWORN to and SUBSCRIBED before me this 8th day of March, 1988

*M. J. Bull*  
Notary Public, State of Florida  
My commission expires:

Notary Public, State of Florida at Large  
My Commission Expires July 31, 1989  
BONDED THRU AGENT'S NOTARY BROKERAGE



STATE OF FLORIDA  
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Robert J. Pleus, Jr., and Cecilia Bernier, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

SWORN to and SUBSCRIBED before me this 8th day of March, 1988

*M. J. Bull*  
Notary Public, State of Florida  
My commission expires:

Notary Public, State of Florida at Large  
My Commission Expires July 31, 1989  
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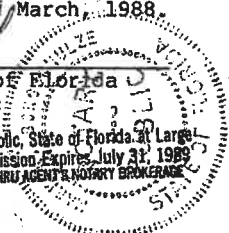


EXHIBIT "A"

83968 PG3322

Parcel One: The Southeast 1/4 of the Southwest 1/4 of Section 9, Township 23 South, Range 28 East, Orange County, Florida, LESS that part lying West and Southwesterly of Lake Down, and LESS the right-of-way for Conroy-Windermere Road.

Parcel Two: The West 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 9, Township 23 South, Range 28 East, Orange County, Florida, LESS the South 30 feet thereof for Conroy-Windermere Road.

(851/MAGUIRES)

RECORDED & RETURNED  
*Thomas H. Locker*  
County Comptroller, Orange Co., FL

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 05 2019

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 27, 2019

YONGE BENJAMIN G  
5035 DOWN POINT LN  
WINDERMERE, FL 34786

## RE: Public Notice of First Amendment to Sunset Bay Development Agreement

The Town of Windermere and Sunset Bay Homeowner Association, Inc. have proposed an amendment to the Sunset Bay Development Agreement. The purpose of the amendment is to clarify certain maintenance obligations related to the Sunset Bay Subdivision.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **June 12, 2019**.

This matter will be presented to the Development Review Board on **Tuesday, July 16, 2019 at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, August 13, 2019 at 6:00 p.m. and again on Tuesday, September 10, 2019** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

### RECOMMEND – Z19-013 (Sunset Bay)

APPROVAL:  \_\_\_\_\_ DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE:  \_\_\_\_\_ DATE: 7/2/19

YONGE BENJAMIN G

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 10 2019

Wade Trim



Mayor  
JIM O'BRIEN

Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 27, 2019

RENNER GREGORY A  
5076 SUNSET CT  
WINDERMERE, FL 34786

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888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

RECOMMEND - Z19-013 (Sunset Bay)

APPROVAL:  DISAPPROVAL

COMMENTS: Assuming use had until July 12, 2019  
to deliver comments - when will this  
take effect? How will we know if approved?

SIGNATURE: [Signature] DATE: 7/8/19  
RENNER GREGORY A



# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 10 2019

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH  
Wade Trim

Clerk  
DOROTHY BURKHALTER

June 27, 2019

MILFORD COURTNEY W  
5095 SUNSET CT  
WINDERMERE, FL 34786

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888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

RECOMMEND – Z19-013 (Sunset Bay)

APPROVAL: X DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

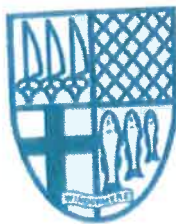
SIGNATURE: Courtney W. Milford DATE: 7-10-19

MILFORD COURTNEY W

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 15 2019



Mayor  
JIM O'BRIEN

Town Manager  
ROBERT SMITH

Wade Trim

Clerk  
DOROTHY BURKHALTER

June 27, 2019

GORSCAK RICHARD D  
5040 DOWN POINT LN  
WINDERMERE, FL 34786

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888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

**RECOMMEND – Z19-013 (Sunset Bay)**

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE: Richard D Gorscak DATE: 7/12/19

GORSCAK RICHARD D

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

JUL 22 2019

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 27, 2019

KATA EDWARD J JR  
5066 SUNSET CT  
WINDERMERE, FL 34786

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Encl.

**RECOMMEND – Z19-013 (Sunset Bay)**

APPROVAL:   X   DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE:   [Signature]   DATE:   7/15/19  

KATA EDWARD J JR

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 22 2019  
Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 27, 2019

BRAUN STEPHEN H  
5000 DOWN POINT LN  
WINDERMERE, FL 34786

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Encl.

---

RECOMMEND -- Z19-013 (Sunset Bay)

APPROVAL: X DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE:  DATE: 7/16/19

BRAUN STEPHEN H

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 15 2019

Town Manager  
ROBERT SMITH  
Wade Trim

Mayor  
JIM O'BRIEN



Clerk  
DOROTHY BURKHALTER

June 27, 2019

JOSEPH GEORGE  
5055 DOWN POINT LN  
WINDERMERE, FL 34786

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Encl.

---

RECOMMEND - Z19-013 (Sunset Bay)

APPROVAL: \_\_\_\_\_ DISAPPROVAL

COMMENTS: See attachment

---

SIGNATURE: George Joseph DATE: 7/11/19

JOSEPH GEORGE

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
AUG 01 2019  
Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 27, 2019

LAKE DOWN LAND TRUST / NANA JASVANT D  
PO BOX 2340  
WINDERMERE, FL 34786

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Encl.

---

**RECOMMEND – Z19-013 (Sunset Bay)**

**APPROVAL:**  **DISAPPROVAL:**

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURE:** Brad Cornelius **DATE:** 6-12-19

**LAKE DOWN LAND TRUST / NANA JASVANT D**

Sunset Bay residents had apparently agreed to a Development Agreement (SBDA) although all the people I talked to only saw the by-laws and covenants at closing. We had asked the city to repave our roads for the last 6 years since our roads hadn't been repaved for 29 years. They informed us that the SBDA obligated that our "private roads" be repaved by the owners. We were confused that our roads were declared "private" since we have no gates and the public drives on them 7 days a week, night and day. However, we were also surprised when they informed us that they were going to put us 1<sup>st</sup> on the repaving list and they have a deal for us. The city proposed that they would repave the road on land we didn't own (non-Sunset Bay residents in the back of Down Pt Lane) if we would agree to a ten year plan to repay the city for repaving Sunset Bay's roads.

The agreement also proposed to start paying for street light maintenance and electricity on the same land that nobody in Sunset Bay even owned that we had paid for thirty years! We didn't see understand why the city thought paying for road repair and street lights on land we didn't own was such a great deal for us but they said that the SBDA obligated us to do so.

We agreed to the deal. Just a little while later we found out that the SBDA had a 30 year expiration date coming up that the Homeowner Association didn't know anything about. How fortunate for the city that they got us to agree to their repaving proposal just before the SBDA was scheduled to expire.

Just when will we be treated like other residents of Windermere. For 30 years we have paid for services that most Windermere residents receive for nothing. Isn't that enough? We are treated liked 2<sup>nd</sup> class citizens in that we do not have the same benefits as almost everyone else in the city. For them, the street lighting, storm sewer, and paved roads are paid out of the general tax revenue budget while we pay for it out of our homeowner's dues.

I always wondered why Isleworth didn't agree to be annexed into Windermere. Maybe they knew more than we did. Considering your treatment of us, if given the choice, I wouldn't agree to be annexed either.

I refuse to obligate my family for the next 30years by a document that should have expired.

George

Prepared by and Return to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (“First Amendment”) is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between TOWN OF WINDERMERE, FLORIDA, a Florida municipal corporation (“Town”), and SUNSET BAY HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (“Association”).

RECITALS:

WHEREAS, the Town and Sonana Systems, Inc., as the original developer of the Sunset Bay subdivision, entered into that certain Development Agreement dated March 8, 1988, a copy of which is recorded at Book 3968, Page 3312 of the Official Records of Orange County, Florida, to govern the development of the Sunset Bay subdivision in Windermere, Florida; and

WHEREAS, Sonana Systems, Inc., subsequently turned over control of the common area improvements and maintenance obligations for the Sunset Bay subdivision to the Association; and

WHEREAS, uncertainty has recently arisen between the Town and the Association regarding the responsibility for certain maintenance obligations within the Sunset Bay subdivision pursuant to the Development Agreement; and

WHEREAS, the Town and the Association desire to enter into this First Amendment for purposes of amending the Development Agreement and clarifying certain maintenance obligations related to the Sunset Bay subdivision.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and the Association (collectively, the “Parties”), intending to be legally bound, do hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct and are hereby incorporated herein.

2. Road Maintenance. Notwithstanding anything to the contrary in Paragraph 9 of the Development Agreement, the Parties hereby acknowledge and agree that: (1) the Town shall assume and be solely responsible for the day-to-day maintenance of the street improvements within the Sunset Bay subdivision, including, but not limited to, the repair of potholes, sealing of cracks,



and other routine road maintenance; and (2) the Town and the Association shall split evenly (50/50) the costs for any future milling and resurfacing of Down Point Lane and Sunset Court, with the Association being responsible for the share allocated to its members. In no event, however, shall the Association bear any financial responsibility for any milling and/or resurfacing done solely upon that portion of Down Point Lane located outside of Sunset Bay and within the Down Point subdivision, as such demarcation is reflected on the Plat of Sunset Bay recorded at Plat Book 21, Pages 55-56 of the Official Records of Orange County, Florida. Further, nothing within this Paragraph shall alter or otherwise impact the 10-year special assessment imposed by the Town upon lots within Sunset Bay in 2016 for the milling and resurfacing of that portion of Down Point Lane that runs through Sunset Bay.

3. Street Lighting. Upon the Effective Date of this First Amendment, the Town shall assume the sole responsibility for the costs of the street lighting along that portion of Down Point Lane located within the Down Point subdivision, including, but not limited to, utility invoices, lease payments for the light poles and lights, and any costs imposed for repair or replacement, and the Association shall be relieved of any and all future responsibility for such street lighting. The Association will continue to be responsible for the costs of the street lighting along Sunset Court and that portion of Down Point Lane located within Sunset Bay, including, but not limited to, utility invoices, lease payments for the light poles and lights, and any costs imposed for repair or replacement.

4. Sidewalk Maintenance. The Town acknowledges and agrees that the Town is responsible at its sole expense for the inspection, repair, and maintenance, as needed, of the existing sidewalks located along Sixth Avenue adjacent to Sunset Bay. The Association acknowledges and agrees that its members are responsible for the repair and maintenance of sidewalks located on their individual platted lots within Sunset Bay.

5. Street Signage Maintenance. The Town acknowledges and agrees that the Town is responsible at its sole expense for the maintenance, repair, and replacement, as needed, of street signage within Sunset Bay. The Town, however, shall bear no responsibility for the maintenance, repair, and replacement of the Association's entry feature sign for Sunset Bay, the maintenance, repair, and replacement of which shall continue to be the sole responsibility and obligation of the Association and its members.

6. Perimeter Wall. The Parties hereby acknowledge and agree that the Association and its members may seek approval from the Town to install a privacy wall along that portion of Sunset Bay bordering Sixth Avenue in accordance with the regular application and review process prescribed in the Town's Land Development Regulations. To the extent Paragraphs 3.b and 7 of the Development Agreement purport to prohibit the installation or restrict the height of any such wall, such Paragraphs are hereby amended to remove any such prohibition or limitation.

7. Recording; Binding Effect. This First Amendment shall be recorded in the Official Records of Orange County, Florida. The terms and provisions of this First Amendment, and all rights, privileges, benefits, and burdens created hereunder shall be binding upon the Parties and their respective successors, assigns, and representatives.

8. Ratification. Except as specifically modified and amended by this First Amendment, the remainder of the Development Agreement remains in full force and effect. From and after the last date of execution of this First Amendment, all references to the Development Agreement shall be deemed to refer to the Development Agreement as amended and supplemented by this First Amendment.

9. Counterparts. This First Amendment may be executed in counterparts, each of which shall be deemed to be an original and need not be signed by more than one of the parties hereto and all of which shall constitute one and the same agreement.

10. Effective Date. This First Amendment shall become effective upon the date of execution by the last of the Parties.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be executed in a manner sufficient to bind them on the Effective Date as defined above.

Signed, sealed, and delivered before me:

**TOWN OF WINDERMERE, FLORIDA**

\_\_\_\_\_  
JIM O'BRIEN, MAYOR

**ATTTEST:**

**APPROVED AS TO FORM AND LEGALITY** for use and reliance by the Town of Windermere, Florida, only.

\_\_\_\_\_  
DOROTHY BURKHALTER

Town Clerk

\_\_\_\_\_  
HEATHER M. BLOM-RAMOS

Town Attorney

WITNESSES

**SUNSET BAY HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation,

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 2019, by \_\_\_\_\_, as \_\_\_\_\_ of Sunset Bay Homeowners Association, Inc., a Florida not-for-profit corporation. Said person (check one) G is personally known to me or G produced \_\_\_\_\_ as identification.

(Notary Seal)

Printed Name: \_\_\_\_\_

Notary Public, State of \_\_\_\_\_

Commission No. \_\_\_\_\_

My commission expires: \_\_\_\_\_

# RESOLUTION 2019-03

*of the  
Town Council  
for the*

**Town of Windermere, Florida**

*regarding*

## **Voting Requirements under Section 12.04 of the Town Charter for Rezoning**

*Whereas*, Section 12.04 of the Charter of the Town of Windermere provides: “Any rezoning of land for any use other than single-family residential must be approved by an affirmative vote of seventy percent (70%) of the members of the Town Council.”

*Whereas*, an application has been filed to rezone certain parcels of property from residential to commercial and the Town Council will be reviewing and taking action on a rezoning ordinance.

*Whereas*, a member of the Town Council has a voting conflict and legally must abstain from voting and a question has been raised regarding how to interpret the affirmative vote requirement of 70% of the “members of the Town Council” in the Town’s Charter.

*Whereas*, Section 112.3143 of the Florida Statutes was amended in 1984 to provide in part that “No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained. . . .”

*Whereas*, in Florida Attorney General Opinion 85-40, May 22, 1985, the Attorney General opined on the new statutory voting abstention requirement and stated: “The abstention requirement of the amended statute causes a legal infirmity as to the public officer’s authority on the matter in question and therefore has the effect, in my opinion, of eliminating that individual from being considered as part of the quorum for purposes of that matter.”

*Whereas*, when applying the analysis in AGO 85-40 to Section 12.04 of the Charter, the affirmative vote of 70% of the members of the Town Council applies to only the Council Members that are entitled to vote, for instance, if one Council Member has a voting conflict and cannot legally vote, an affirmative vote of 3 Council Members is necessary to approve a rezoning of land for any use other than single-family residential.

***Now Therefore, Be It Resolved by the Town Council of the Town of Windermere, Florida:***

Unless and until judicially determined otherwise, the Town Council hereby adopts the opinion set forth in AGO 85-40 and declares that the voting abstention requirements of section 112.3143 of the Florida Statutes causes the “members” of the Town Council to be composed of only those members of the Town Council entitled to vote. This resolution applies to the voting requirements in Section 12.04 of the Town’s Charter as well as to votes taken from time-to-time

by the Town Council to enact an ordinance or adopt a resolution for which a Council Member may have a voting conflict and legally must abstain from voting.

*Resolved this \_\_\_\_ day of \_\_\_\_\_, 2019*

**TOWN OF WINDERMERE, FLORIDA**

By: Town Council

By: \_\_\_\_\_  
Jim O'Brien, Mayor

Attest:

\_\_\_\_\_  
Dorothy Burkhalter, MMC, FCRM  
Town Clerk

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

**To: Mayor and Town Council**

**From: Brad Cornelius, AICP, Contracted Town Planner**

**Date: August 1, 2019**

**Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning -111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue**

This memorandum provides information regarding the three (3) public hearing cases that will come before the the Town Council at their meetings on August 13, 2019, for the first reading, and September 10, 2019, for the seconding reading.

The three (3) pubic hearing cases are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5<sup>th</sup> Avenue to Commercial (Ordinance 2019-04).

It is important to understand that all three (3) of these cases are related and dependent on each other. In addition, the order of consideration of the cases by Town Council must be as presented herein.

In 2018, the Town Council adopted the State required update to the Town's Comprehensive Plan and Future Land Use Map. As part of update the Town Council, unanimously, approved amending the underlying future land use designation of 111 W 5<sup>th</sup> Avenue from Residential to Commercial and 119 W 5<sup>th</sup> Avenue from Residential to Public Use. The Comprehensive Plan and Future Land Use Map update proceeded through several public hearings with the DRB and Town Council over a period of approximately 12 months. In addition, the Comprehensive Plan and Future Land Use Map update was properly noticed as required by Florida Statute.

However, when the Town Council amended the future land use designations of 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue, the Town Council did not remove the properties from the Town Center Overlay District. In fact, the way the Town Center Design Guidelines were originally adopted into the Town's Comprehensive Plan, and was not changed during the 2018 update, the Town Center Overlay District allows for a wide-range of commercial, office, and public uses and implements the requirements of the Town Center Design District Guidelines. The amendment to Commercial on 111 W 5<sup>th</sup> Avenue and to Public Use on 119 W 5<sup>th</sup> Avenue were compliant with the Town Center Design District Guidelines Master Plan since it did not remove the requirements of the Town Center Design District Guidelines Master Plan from the properties. What the amendment to Commercial and Public Use did was assign a future land use designation that was more appropriate for the subject properties. 119 W 5<sup>th</sup> Avenue was developed by the Town as a public parking lot. 111 W 5<sup>th</sup> Avenue is a property that has a commercial plaza adjacent to the east, a church adjacent to the north, a public parking lot adjacent to the west, and Town facilities adjacent to the south. In addition, 111 W 5<sup>th</sup> Avenue was designated as parking to support potential future commercial uses in the downtown. A Commercial future land use designation is the appropriate designation for a property that is surrounded by non-residential uses and is designated for potential future commercial parking.

With the recent construction of the public parking lot on 119 W 5<sup>th</sup> Avenue and the proximity of 111 W 5<sup>th</sup> Avenue to both the new parking lot and to the adjacent commercial center, the need for these two (2) properties to remain within the Town Center Design District Guideline Master Plan boundary may no longer be needed. Parking that is contemplated within the Town Center Design District Guidelines Master Plan on the west side of Main Street is provided by the new public parking lot on Forest Street. In addition, the new public parking lot provides for the buffer contemplated by the Town Center Design District Guidelines Master Plan for the existing residential areas across Forest Street. Given, these characteristics, it may not be necessary to continue to require additional commercial parking on 111 W 5<sup>th</sup> Avenue. Removing 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Design District Guidelines Master Plan would remove the requirement for 111 W 5<sup>th</sup> Avenue to be used for future commercial parking. The removal of 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Design District Guidelines Master Plan is the subject of the first case: an ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue. The ordinance (Ordinance 2019-02) proposes to amend Section 3.05.00 of the Land Development Code to include a new sub-section to remove the two (2) properties. This section of the Land Development Code adopts the Town Center Design District

Guidelines and includes other existing exceptions to the design guidelines related to building height and balconies. The new section would include an additional exception to remove the two (2) properties from the Town Center Design District Master Plan Boundary. Attached is the current Town Center Design District Master Plan. The properties proposed for removal are shown on the attached Master Plan.

If the Town Council approves the removal of the two (2) properties from the Town Center Design District Boundary, then a small-scale amendment to the Town's future land use map (Ordinance 2019-03) must be adopted by the Town to remove the two (2) properties from the Town Center Overlay District Master Plan boundary. This maintains compliance between the amended boundary of the Town Center Design District Guidelines Master Plan, if approved by Ordinance 2019-02, and the Town's Comprehensive Plan and future land use map. It is important to note that if the amendment to the Town Center Design District Master Plan Boundary, as proposed in Ordinance 2019-02, is not approved by Town Council, then there is no need to amend the Town's future land use map and the proposed small-scale amendment is moot. If the Town Center Overlay District is not amended on the future land use map, then the subject properties can continue to be used in their current uses (i.e. public parking on 119 W 5<sup>th</sup> Avenue and single-family residential on 111 W 5<sup>th</sup> Avenue). However, future redevelopment of 111 W 5<sup>th</sup> Avenue would have to be consistent with the Town Center Design District Guidelines Master Plan and only be developed as supporting commercial parking. The Town Center Overlay District future land use boundary, with the subject properties highlighted, is shown on the attached map.

The last of the three (3) cases is needed if the Town Council approves Ordinance 2019-02 to remove 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Design District Master Plan Boundary and approves Ordinance 2019-03 to amend the future land use map to remove the two (2) properties from the Town Center Overlay District. The third case is to assign a zoning classification to 111 W 5<sup>th</sup> Avenue that is consistent with its underlying adopted Commercial future land use (Ordinance 2019-04).

Currently, as part of the Town Center Design District Guidelines Master Plan, 111 W 5<sup>th</sup> Avenue has a Residential with Town Center Design District Overlay zoning classification. This limits development of the subject property to be consistent with Town Center Design District Guidelines and Master Plan. However, if the subject property is removed from the Town Center Design District Master Plan, then it will need to be assigned a new zoning district. Zonings must be consistent with the underlying adopted future land use of a property. With the underlying future land use of the subject property as Commercial, the subject property must be assigned a zoning district that is consistent with the Commercial future land use designation. The Town's zoning districts provided in the Land Development Code mirror the future land uses of the Town's future land use map. Consequently, the Town only has one Commercial zoning district. However, the Land Development Code does provide the Town Council with the ability to place limits or restrictions on Commercial zoning designations. Section 2.02.01(A) of the Land Development Code states:

2.02.01(A) *Restrictive rezoning.*



- (1) Notwithstanding the provision of any section of this Land Development Code, in amending the land use district at the request or concurrence of the applicant, the development review board may recommend that the town council approve such amendment with restrictions applicable only to the property involved in the change, provided that such restrictions confer upon the applicant or subject property no privileges otherwise denied by these articles to other lands, structures or buildings in the same district. The applicant's request shall include a development plan. Such restrictions may include one or more of the following:
  - a. Use restrictions greater than those otherwise specified for the particular district.
  - b. Density restrictions greater than those otherwise specified for the particular district.
  - c. Setbacks greater than those otherwise specified for the particular district, including setbacks from lakes and major arterials.
  - d. Height limits more restrictive than otherwise permitted in the particular district.
  - e. Minimum lot areas or minimum widths greater than otherwise specified for the particular district.
  - f. Minimum floor area greater than otherwise specified for structures in the particular district.
  - g. Open space requirements greater than otherwise required for property in the particular district.
  - h. Parking, loading, driveway or traffic requirements more restrictive than otherwise required for the particular district.
  - i. Fencing or screening requirements greater than otherwise required for the particular district.
  - j. Restrictions on any other matters which the town council may regulate under this Land Development Code.

In addition, the uses that are permitted in the Town's Commercial zoning district are provided in Section 2.02.02(2), Section 2.02.02(9), and Section 2.02.03(3) of the Land Development Code:

- 2.02.02(2) *Commercial*. A wide variety of commercial uses are included in this category to include those listed and other substantially similar types of uses:
  - a. Shopping centers.
  - b. Personal service establishments, such as; barbershops, beauty parlors, medical and dental clinics, restaurants, financial institutions, professional and other offices, travel agencies, service stations, laundry and dry cleaning pickup stations, self-service coin-operated laundry and dry cleaning establishments, shoe repair, and locksmiths.

- c. Retail business, such as; drug, liquor, hardware stores, book, stationery, china and luggage shops, newsstands, photographic supplies and studios, ladies', men's and children's apparel.
- d. Automobile repair shops for ignition, fuel, brake and suspension systems.
- e. Theatres, except drive-in theatres.
- f. Florist shops, the products of which are displayed and sold wholly within an enclosed building.
- g. Grocery, fruit, vegetable and meat market stores.
- h. Health baths.
- i. Interior decorating, home furnishings and furniture stores.
- j. Music conservatory, dancing schools and art studios.
- k. Music, radio and television shops.
- l. Retail paint and wallpaper stores.
- m. Dry cleaning establishments using equipment which emits no smoke or escaping steam, and which use nonflammable synthetic cleaning agents (perchloroethylene, trichloroethylene, etc.).
- n. Bakeries, the product of which are sold only at retail on the premises.
- o. Other uses which are similar or compatible to the uses permitted herein, which would promote the intent and purposes of this district. Determination shall be made by the town council which shall be without public notice or public hearing.

2.02.02(9) *Restricted commercial*. This group of uses includes business and professional offices, medical offices or clinics, government offices, financial institutions without drive up facilities, day care facilities, convenience stores and personal service businesses where the service is performed on an individual-to-individual basis as opposed to services which are performed on objects or personal property. Examples of personal service businesses are barbershops, beauty shops, photography studios and travel agencies.

2.02.03(3) *Commercial*. The following uses are allowed in the commercial land use district. All others are prohibited.

- a. Commercial.
- b. Restricted commercial.
- c. Public service.
- d. Government offices and facilities.
- e. Single-family residential, as an additional alternative, but not concurrent use in a restricted commercial area (Ord. No. 98-1).
- f. Public elementary school.

Please be aware that the Town Charter requires that 70% of the Town Council members are required to approve a rezoning to Commercial. The Town Attorney has provided an opinion regarding the determination of the 70% with a Town Council member having to abstain from the voting. Based on the Town Attorney's recommendation, which is attached, the 70% is calculated based on the four (4) voting Town Council members. Three (3) of the four (4) voting Town Council members are required to approve the rezoning.

Public notices were mailed out on June 24, 2019, to 43 properties within 500 feet of the subject properties. For the smallscale land use amendment, as of August 1, 2019, eight (8) responses were received in support (excluding the support response from the owner of 111 W 5th Avenue) and six (6) responses were received in objection from property owners within 500 feet of the subject properties. For the rezoning, as of August 1, 2019, nine (9) responses were received in support (excluding the support response from the owner of 111 W 5th Avenue) and five (5) responses were received in objection from property owners within 500 feet of the subject properties.

In addition, 35 responses in support from property owners outside of the 500 feet, but within the Town, and two (2) responses in support from property owners, not within the Town, were also received.

At the Development Review Board (DRB) meeting on July 16, 2019, the DRB considered the information provided in the staff report and testimony provided at the meeting and recommended that the Town Council deny all three (3) ordinances. The DRB vote was 5-0 to recommend denial of Ordinance 2019-02 to amend the Land Development Code to revise the Town Center District; vote 5-0 to recommend denial of Ordinance 2019-03 for the small scale future land use amendment to revise the Town Center District; and vote 4-1 to recommend denial of Ordinance 2019-04 to rezone 111 W 5th Avenue to commercial. The DRB found that the proposal to remove the properties from the Town Center Design District and rezoning to allow the development of 111 W 5th Avenue as commercial was inconsistent with the intent and purpose of the Town Center Design District Guideline Master Plan. The DRB found that the expansion of a commercial building onto 111 W 5th Avenue would be incompatible with the residential area along Forest Street. The DRB was concerned with the feasibility of the property being able to support the required parking and other design standards.

Attached to this memorandum are the proposed ordinances and case materials for the three (3) cases for your review prior to the upcoming public hearings. Please note that the information contained within this memorandum serves as the staff report for the three (3) cases. Given that the three (3) cases are interrelated, it is more effective to provide a unified staff report in this memorandum.

## MEMORANDUM

**TO:** Robert Smith, Town Manager

**FROM:** GrayRobinson, P.A.

**DATE:** August 5, 2019

**SUBJECT:** Action by the Town Council on the Proposed Amendment to the Town Center Design District Boundaries and Commercial Rezoning

---

You have been asked whether action taken by the Town Council to approve (or not approve) changes to the Town Center Design District boundaries and a proposed commercial rezoning will set a precedent for similar-type applications that may come before the Town Council for action. *The short answer is no. Matters involving land use decisions are dependent on the facts and circumstances of each case.* However, while legal precedent will not be set, political precedent could be set and residents may expect the same or similar treatment.

**Brief discussion:** For the proposed amendment to the Town Center Design District boundaries and the commercial rezoning, the Town Council action will fall into two categories: legislative and quasi-judicial. The proposed boundary changes require a Future Land Use Map (FLUM) amendment which is legislative action of the Town Council. Legislative actions result in the formulation of a general rule or policy, and the Town Council has broad discretion in making the decision. If a legislative action of the Town is challenged, the standard of review is the “fairly debatable” standard. This is a very deferential standard that prevents a court from substituting its judgment for that of the Town Council. When the Town Council rezones property, as is often done in conjunction with or after the FLUM is amended, the Town Council acts in a quasi-judicial capacity. A rezoning must be supported by competent and substantial fact-based testimony and evidence.

**Summary:** Land use decisions made by the Town Council are made on an individual basis, dependent on the unique facts, evidence and circumstances of each individual case.

**From:** [Heather M. Ramos](#)  
**To:** [Cornelius, Brad](#); [Robert Smith](#)  
**Cc:** [Warner, Amanda](#); [Mastison, Sarah](#); [Thomas J. Wilkes](#); [Burkhalter, Dorothy](#)  
**Subject:** Town Charter and Commercial Rezoning  
**Date:** Friday, July 26, 2019 5:00:49 PM  
**Attachments:** [Advisory Legal Opinion - Voting abstentions and quorums.pdf](#)

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Robert and Brad – we found **one** attorney general opinion that addresses this issue – AGO 85-40, copy attached. Here is a summary of what it states: The inability to vote under the voting conflict statute -- Section 112.3143 causes a quorum to be composed of only those members of the governing body that do not have a voting conflict and are entitled to vote. In other words, the abstention requirements eliminate the council member from being considered as part of the quorum for that specific matter.

Reading the attorney general opinion in conjunction with the charter provision, we now suggest that 3 of the 4 remaining council members would need to vote yes to approve the commercial rezoning.

The AGO makes sense – under the Windermere Charter provision requiring an affirmative vote of 70% of the members, if two or more council members had a voting conflict and were counted as part of the members which had to vote, but couldn't because of the conflict, the business could not be transacted by the Town Council unless there were a charter amendment to change the 70% affirmative voting requirement. And that would arguably constitute a taking.

Unless you tell us otherwise, we will prepare a simple resolution for the August meeting for the Town Council to adopt which states that unless and until judicially determined otherwise, based on AGO 85-40 the Town Council will eliminate a council member with a voting conflict from being considered as part of the quorum/membership of the Town Council for purposes of Section 12.04 of the Charter. We can explain the resolution prior to the first reading of the rezoning ordinance at the August meeting.

Have a great weekend everyone!

**Heather M. Ramos | Shareholder**  
**GRAY | ROBINSON**

301 East Pine Street, Suite 1400 | Orlando, Florida 32801  
**T:** 407-843-8880 | **F:** 407-244-5690 | **D:** 407-244-5670 | **M:** 407-620-7438  
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# Florida Attorney General Advisory Legal Opinion

Number: AGO 85-40

Date: May 22, 1985

Subject: Voting abstentions and quorums

---

Mr. Michael Kahn  
Town Attorney  
Town of Malabar  
494 North Harbor City Boulevard  
Melbourne, Florida 32935

RE: MUNICIPALITIES--Effect of abstention on quorum and voting requirements

Dear Mr. Kahn:

This is in response to your request for an opinion on substantially the following question:

Do the abstentions required by Ch. 84-357, Laws of Florida, affect the numerical balance of both the quorum present and the majority of the quorum present?

Chapter 84-357, Laws of Florida, amended s. 112.3143, F.S., to add subsection (3), which provides:

"No county, municipal, or other local public officer shall vote in his official capacity upon any measure which inures to his special private gain or shall knowingly vote in his official capacity upon any measure which inures to the special gain of any principal, other than an agency as defined in s. 112.312(2), by whom he is retained. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of his interest in the matter from which he is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. However, a commissioner of a community redevelopment agency created or designated pursuant to s. 163.356 or s. 163.357 or an officer of an independent special tax district elected on a one-acre, one-vote basis is not prohibited from voting."

This amendment changes the law with regard to abstention under the circumstances described in the new law. Previously, a public officer was not prohibited from voting in his official capacity on a matter in which he had a personal, private or professional interest and which inured to his special private gain or to the special gain of any principal by whom he was retained, but if such officer voted on such a matter, he was required to file a memorandum within 15 days disclosing the nature of his

interest. See s. 112.3143, F.S. 1983. See generally Op. Comm. Ethics, 74-13, Oct. 4, 1974. Any question, however, concerning what constitutes a conflict of interest under the recent legislation must be submitted to the Commission on Ethics. See s. 112.322(3), F.S.

You wish to know whether in those instances in which a member of the governing body of a municipality is prohibited from voting by s. 112.3143(3), as amended, the quorum present is constructively reduced; and as a concomitant, whether the majority of the quorum needed to enact legislation or take other official action would thereby be reduced. For example, in the situation you describe in your letter, where all members of the five member town council are present and two members have a conflict which precludes them from voting, you question whether the quorum "present" would be constructively reduced to three and it would thus require only a vote of two members (a majority of a quorum present) to take official action.

Section 166.041, F.S., establishes a uniform procedure for the adoption and enactment of municipal ordinances and resolutions. See, e.g., AGO's 76-197, 75-173 and 74-371. Subsection (4) of s. 166.041 provides:

*"A majority of the members of the governing body shall constitute a quorum. An affirmative vote of a majority of a quorum present is necessary to enact any ordinance or adopt any resolution; except that two-thirds of the membership of the board is required to enact an emergency ordinance. On final passage, the vote of each member of the governing body voting shall be entered on the official record of the meeting. All ordinances or resolutions passed by the governing body shall become effective 10 days after passage or as otherwise provided therein." (e.s.)*

This office has previously concluded that this provision provides the minimum, mandatory requirements for the enactment of ordinances and resolutions by a municipality. See AGO's 81-71 and 74-160. Further, subsection (6) of s. 166.041, F.S., provides that the procedures set forth in that statute "shall constitute a uniform method for the adoption and enactment of municipal ordinances and resolutions" and although a municipality may specify additional requirements, "a municipality shall not have the power or authority to lessen or reduce the requirements of this section . . ." Thus, the requirements of subsection (4), which provides that a majority of the governing body shall constitute a quorum and that an affirmative vote of a quorum present shall be necessary to enact an ordinance or resolution, cannot be lessened or reduced by a municipality.

In AGO 74-160, this office concluded that where only four members of a five-member town commission are present at a meeting of such body, the adoption of a resolution requires the affirmative vote of three members irrespective of the fact that one of the members present abstained from voting. That opinion stated that "[t]he fact that one member abstained from voting has no effect on the statutory provision that the adoption of a resolution requires the affirmative vote of a majority of the members present." The conclusion reached in AGO 74-160, however, was premised on the provisions of s. 286.012, F.S., in conjunction with s. 112.3143, F.S., which prior to the 1984 amendments to these statutes did not mandate a

voting abstention in the case of a conflict of interest but rather afforded the officer a choice as to whether to abstain from voting or to vote and file a memorandum within 15 days disclosing the nature of his interest. See also AGO 75-244 which determined that although a member of a downtown development authority under Florida law could abstain from voting on a question in which he was personally interested, he was not disqualified and thus could be counted for purposes of computing a quorum for a vote on that question. The statute prior to the 1984 amendment therefore did not prohibit a public officer from voting in any situation; after the 1984 amendment, a local public officer is prohibited from voting on those measures which inure to his special private gain or which to his knowledge inure to the special gain of any principal by whom he is retained. In light of the 1984 amendment, a question has been raised as to whether in those situations in which a public officer is prohibited from voting, the quorum present is affected.

In 74 C.J.S. *Quorum*, p. 171, it is stated that the word "quorum" "has come to signify such a number of the officers or members of any body as is competent by law or constitution to transact business; such a number of an assembly as is competent to transact its business; such a number of the members of any body as is, when duly assembled, legally competent to transact business; such a number of a body as is competent to transact business in the absence of the other members." And see Black's Law Dictionary 1421 (Rev. 4th ed. 1968) wherein it is stated: "When a committee, board of directors, meeting of shareholders, legislature or other body of persons cannot act unless a certain number at least of them are present, that number is called a 'quorum.' . . . In the absence of any law or rule fixing the quorum, it consists of a majority of those entitled to act." Thus, a quorum is a certain number of a governing or legislative body who are legally entitled to act.

Subsection (4) of s. 166.041, F.S., expressly provides that a majority of the members of the governing body of a municipality shall constitute a quorum. The absence or voting infirmity of the members of the town council would not appear to affect the number of members required to constitute a quorum. Thus where you have a governing body composed of five members, s. 166.041 requires three members to constitute a quorum. The statute goes on to provide that "[a]n affirmative vote of a majority of a quorum present is necessary to enact any ordinance or adopt any resolution . . ." In the scenario you presented all five members are present but two members are prohibited by statute from voting on the matter under consideration. Thus, only three members of the town council are present who are legally entitled to act. Based upon the foregoing definitions of quorum it is my opinion that since s. 166.041, F.S., requires a majority of the members of the governing body to constitute a quorum and an affirmative vote of a majority of a quorum present to enact an ordinance or resolution, the effect of s. 112.3143, F.S. (1984 Supp.), precludes such members who are prohibited from voting from being considered to be part of the quorum for purposes of such matter. Therefore, if the members of a governing body who are legally entitled to vote still constitute a quorum (numerical majority of the entire governing body), then a majority of such a quorum may legally enact any ordinance or adopt any resolution.

To the extent of any inconsistency with previous opinions of this office,



those opinions are modified because of the effect of the change in the law with regard to local public officers qualifications to vote in cases of conflict. The abstention requirement of the amended statute causes a legal infirmity as to the public officer's authority on the matter in question and therefore has the effect, in my opinion, of eliminating that individual from being considered as part of the quorum for purposes of that matter.

In conclusion, I am of the opinion that, unless and until judicially determined otherwise, the abstention requirements of s. 112.3143, F.S. (1984 Supp.), causes the quorum to be composed of only those members of the governing body entitled to vote. The quorum must be a majority of the governing body and a majority of such a quorum entitled to vote is necessary to enact any ordinance or adopt any resolution. Any question as to what constitutes a conflict of interest for purposes of this statute will have to be addressed to the Commission on Ethics.

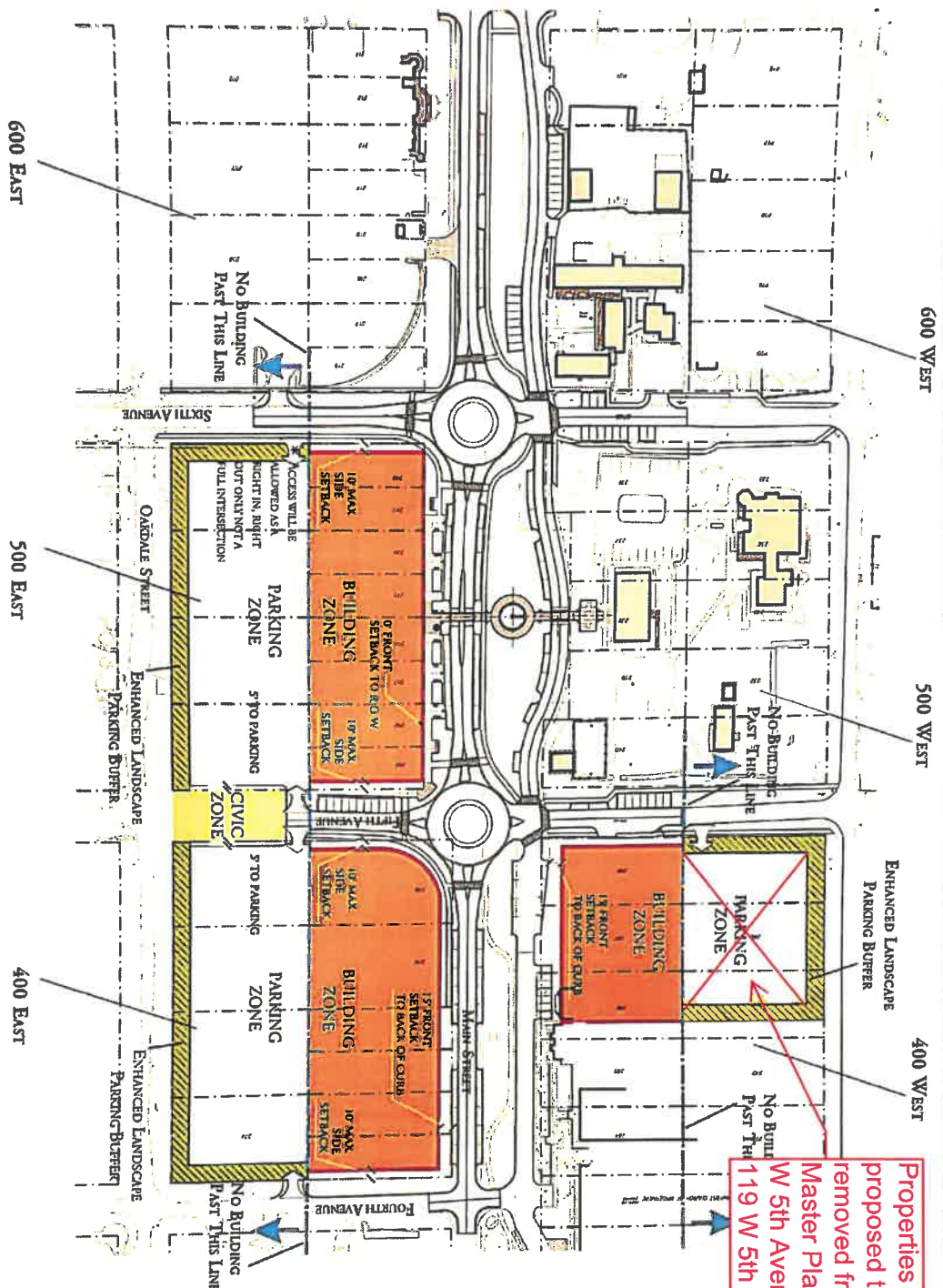
Sincerely,

Jim Smith  
Attorney General

Prepared by:

Craig Willis  
Assistant Attorney General

MASTER PLAN



Properties proposed to be removed from Master Plan - 111 W 5th Avenue and 119 W 5th Avenue

- NOTES:
1. PARKING MAY ENCROACH INTO BUILDING ZONE.
  2. BUFFER ZONES MAY ENCROACH INTO BUILDING ZONE.
  3. SEE LANDSCAPE SECTION FOR DETAILED PARKING LOT DESIGN, AND LANDSCAPE PARKING BUFFERS.

**Building:**  
Rear Setback: 120' Min. from Buffer Zone  
Building Frontage: 80% Min. on Main Street

**Parking Spaces:**  
Required off-street Parking Spaces:  
A. Req. Off-Street: 4 parking spaces per 1,000 SF  
B. Mitigation Measures: 3.5 parking spaces per 1,000 SF

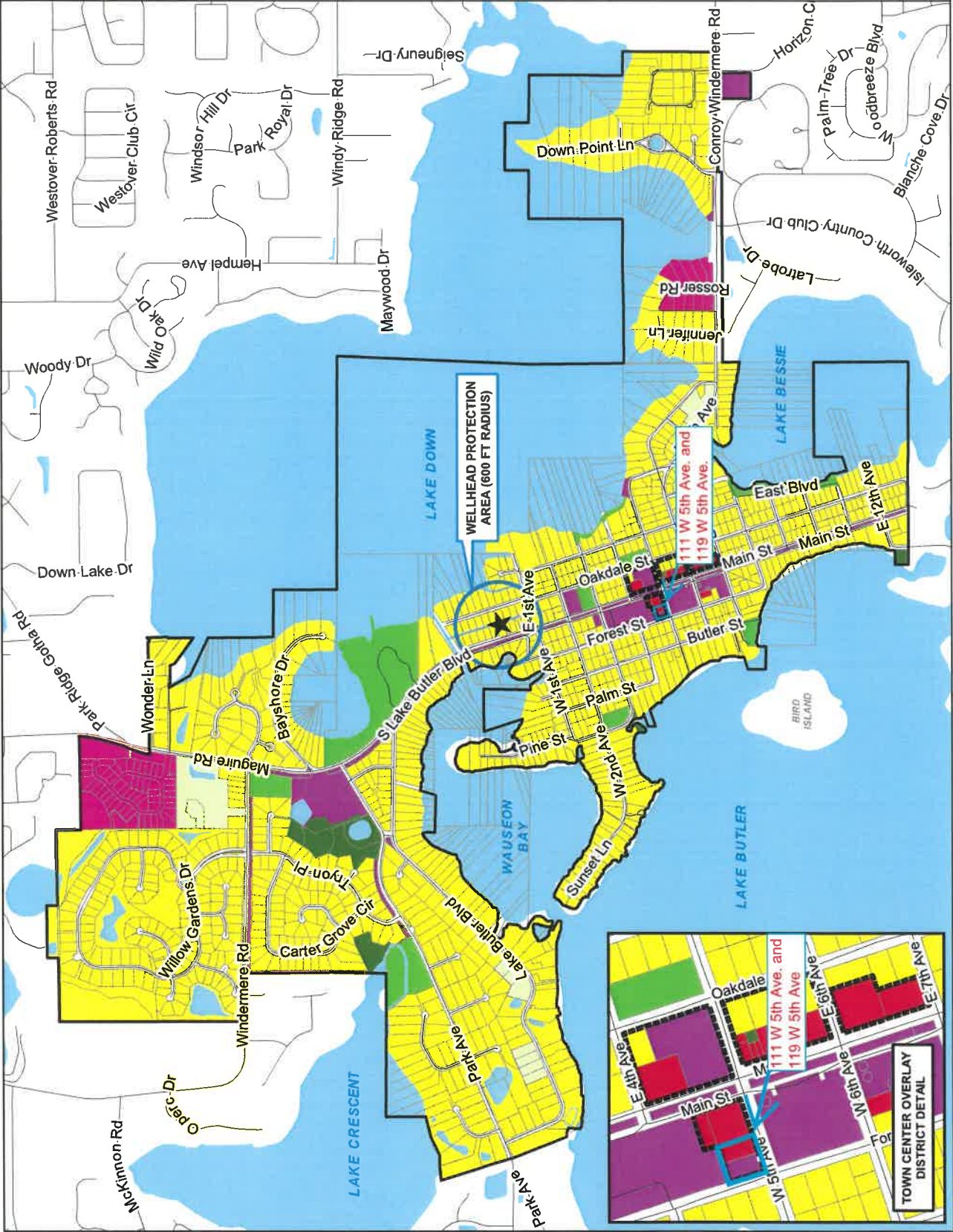
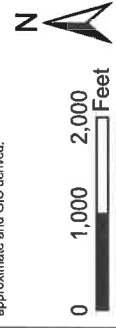


**TOWN OF WINDERMERE  
FUTURE LAND USE MAP  
APRIL 2018**

**Legend**

- Town Limits
- Town Center Overlay District
- Potable Water Wellhead
- Wellhead Protection Area
- Roads
- Parcel Boundaries
- Description**
- Agricultural
- Commercial
- Conservation
- Public Use
- Planned Unit Development (PUD)
- Recreation
- Single Family Residential
- Lakes
- Lakes or Ponds

Sources: Town of Windermere, Orange County  
 Note: This map and digital data are for planning purposes only and should not be used to determine the precise location of a feature. Acreage is approximate and GIS derived.



WELLHEAD PROTECTION AREA (600 FT RADIUS)

111 W 5th Ave. and 119 W 5th Ave.

TOWN CENTER OVERLAY DISTRICT DETAIL



**ORDINANCE NO. 2019-02**

**AN ORDINANCE BY THE TOWN OF WINDERMERE, FLORIDA, AMENDING THE TOWN OF WINDERMERE CODE OF ORDINANCES, LAND DEVELOPMENT CODE, TO ADD A NEW SUBSECTION (C) TO SECTION 3.05.00 TO EXCLUDE TWO PROPERTIES LOCATED AT 111 W 5TH AVENUE AND 119 W 5TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM THE TOWN CENTER DESIGN DISTRICT GUIDELINES MASTER PLAN AS ADOPTED IN THE LAND DEVELOPMENT CODE; PROVIDING FOR APPLICABILITY; SEVERABILITY; CONFLICTS; CODIFICATION; AND AN EFFECTIVE DATE.**

**WHEREAS**, the Legislature of the State of Florida has, in **Chapter 166**, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

**WHEREAS**, in 2004, by Ordinance 2004-09, the Town Council adopted, with revisions, the Town Center Design District Guidelines, which applies to certain properties within the downtown area as depicted on the Town Center Design District Guidelines Master Plan;

**WHEREAS**, the Town Center Design District Guidelines Master Plan includes the properties located at 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue and designates the properties as future parking areas;

**WHEREAS**, the Town developed 119 W 5<sup>th</sup> Avenue into a public parking area;

**WHEREAS**, the Town Council has determined the need for 111 W 5<sup>th</sup> Avenue to be used as a future parking area as shown in Town Center District Guidelines Master Plan is no longer applicable;

**WHEREAS**, the Town Council has determined that the removal of 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Design District Guidelines Master Plan will not result in adverse impacts to the further implementation of the Town Center Design District Guidelines and Master Plan in the remainder of the Town Center Design District Guidelines Master Plan area;

**WHEREAS**, the Town Council has considered the recommendation of the Development Review Board and testimony provided at the public hearings and has determined that it is in the public interest to remove 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Design District Guidelines Master Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Windermere, Florida, that the following ordinance is hereby adopted.

**SECTION 1: AMENDMENT TO LAND DEVELOPMENT CODE SECTION. 3.05.00. – TOWN CENTER DESIGN GUIDELINES.**

Section 3.05.00 of the Land Development Code is hereby amended to include a new subsection (c) as shown below. Text additions are underlined and deletions are stricken.

(c) The Town Center Design District Master Plan excludes both 111 W 5<sup>th</sup> Avenue (PLAT OF WINDERMERE G/36 THE E 80 FT OF LOT 289 & E 80 FT OF LOT 290) and 119 W 5<sup>th</sup> Avenue (PLAT OF WINDERMERE G/36 LOTS 289 & 290 (LESS E 80 FT THEREOF)).

**SECTION 2. MAP OF REVISED TOWN CENTER DESIGN DISTRICT MASTER PLAN BOUNDARY.**

See Exhibit A for a map illustrating the revised Town Center Design District Guidelines Master Plan boundary.

**SECTION 3. APPLICABILITY.**

For the purposes of jurisdictional applicability, this ordinance shall apply in the Town of Windermere, Florida.

**SECTION 3. INCLUSION INTO THE CODE OF ORDINANCES.**

It is the intent of the Town Council that the provisions of this ordinance shall become and be made a part of the Town of Windermere’s Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word “ordinance” may be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 4. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

**SECTION 5. EFFECTIVE DATE.**

This ordinance shall take effect upon adoption by the Town Council.

**PASSED** on first reading \_\_\_\_\_.

**PASSED and ADOPTED** in regular session, with a quorum present and voting, by the Town Council, upon second and final reading this \_\_\_\_\_.

**Town of Windermere, Florida  
By: its Town Council**

\_\_\_\_\_  
**Jim O’Brien, Mayor**

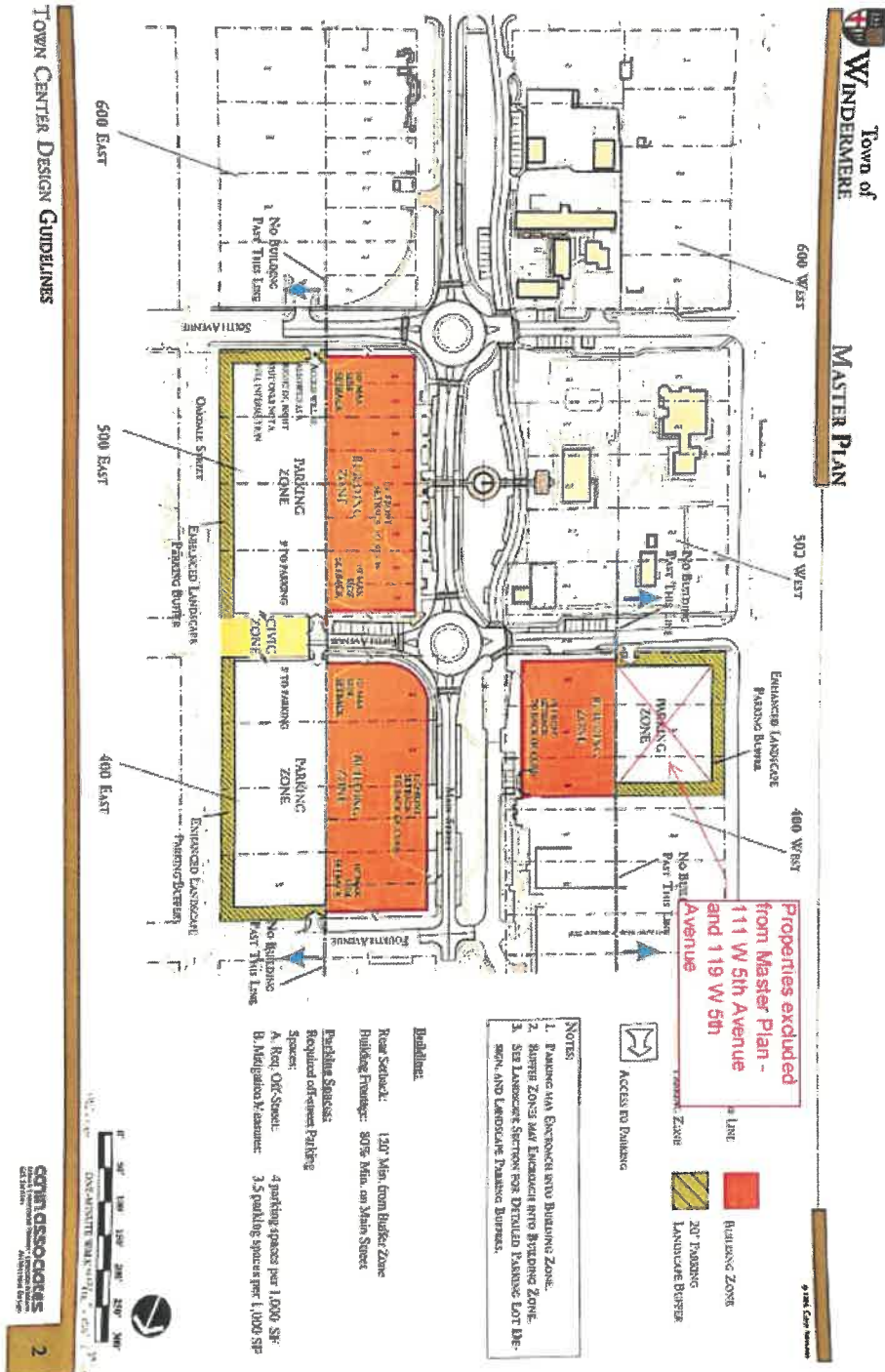
**ATTEST:**

\_\_\_\_\_  
**Dorothy Burkhalter, CMC  
Town Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Town Attorney**

# EXHIBIT A AMENDED TOWN CENTER DESIGN DISTRICT GUIDELINES MASTER PLAN



**ORDINANCE NO. 2019-03**

**AN ORDINANCE BY THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO A SMALL SCALE FUTURE LAND USE MAP AMENDMENT PURSUANT TO SECTION 163.3187 OF THE FLORIDA STATUTES; AMENDING THE TOWN OF WINDERMERE'S FUTURE LAND USE MAP TO REMOVE TWO PARCELS FROM THE TOWN OF WINDERMERE'S TOWN CENTER OVERLAY DISTRICT BOUNDARY, ACCOUNTING FOR 0.61 ACRES MORE OR LESS OF REAL PROPERTY LOCATED AT 111 W 5TH AVENUE AND 119 W 5TH AVENUE, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING FOR APPLICABILITY; SEVERABILITY; CONFLICTS; CODIFICATION; AND AN EFFECTIVE DATE.**

*Whereas*, the Town Council of the Town of Windermere, Florida, recognizes the need to plan for orderly growth and development;

*Whereas*, the Town Council of the Town of Windermere adopted the Town's comprehensive plan on October 9, 2018, which includes the Town of Windermere's Existing Land Use Map and 2035 Future Land Use Map;

*Whereas*, the Town Council considered a small scale future land use amendment amending the Town of Windermere's comprehensive plan 2035 Future Land Use Map to remove two parcels located at 111 W 5<sup>th</sup> Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Overlay District;

*Whereas*, the Town Council has determined that the amendment to the Town's 2035 Future Land Use Map is compatible with the Future Land Use Element goals, objectives, and policies, and other affected elements and policies of the Town's comprehensive plan;

*Whereas*, the proposed 2035 Future Land Use Map amendment meets the criteria of a small scale amendment as defined by Section 163.3187, Florida Statutes. The statutory public hearing requirement requires only a public hearing by the Town Council.

**BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

**Section 1. Legislative Findings.** The foregoing recitals are incorporated herein by reference as the legislative findings of the Town Council of the Town of Windermere.

**Section 2. Amendment to the 2035 Future Land Use Map.**

The Town of Windermere’s 2035 Future Land Use Map is amended to remove two parcels accounting for 0.614 acres of real property located at 111 W 5th Avenue and 119 W 5th Avenue as more specifically described in Attachments A and B of this ordinance from the Town of Windermere’s Town Center Overlay District.

**Section 3. Severability.** If a provision of this ordinance is held invalid or unconstitutional in judicial proceedings, the holding shall not affect other provisions that can be given effect. To that end, this ordinance is declared to be severable.

**Section 4. Conflicts.** In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

**Section 5. Codification.** The amendments to the 2035 Future Land Use Map in Section 2 of this Ordinance shall be codified and made part of the official comprehensive plan for the Town of Windermere.

**Section 6. Effective Date.** This Ordinance shall become effective 31 days after its passage as a non-emergency ordinance at two regular meetings of the Town Council. If challenged pursuant to Section 163.3187(5), Florida Statutes, within 30 days after adoption, this small-scale amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining this small-scale amendment is in compliance with applicable state law.

**ENACTED** by ordinance this \_\_\_\_ day of \_\_\_\_\_ 2019, at a meeting of the Town Council of the Town of Windermere, Florida.

**TOWN OF WINDERMERE, FLORIDA**

by: its Town Council

by: \_\_\_\_\_  
Jim O’Brien, Mayor

Attest:

\_\_\_\_\_  
Dorothy Burkhalter, CMC  
Town Clerk

First reading: \_\_\_\_\_  
Second reading: \_\_\_\_\_



**Attachment A  
to the  
Town of Windermere  
Ordinance No. 2019-03**

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**Map of the Small-Scale Amendment Area**



**Attachment B  
to the Town of Windermere  
Ordinance No. 2019-03**

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**Legal Description of the  
Small-Scale Amendment Area**

**111 W 5<sup>th</sup> Avenue Windermere, Florida 34786**

**Property Description**

PLAT OF WINDERMERE G/36 LOTS 289 & 290 (LESS E 80 FT THEREOF)

**119 W 5<sup>th</sup> Avenue Windermere, Florida 34786**

**Property Description**

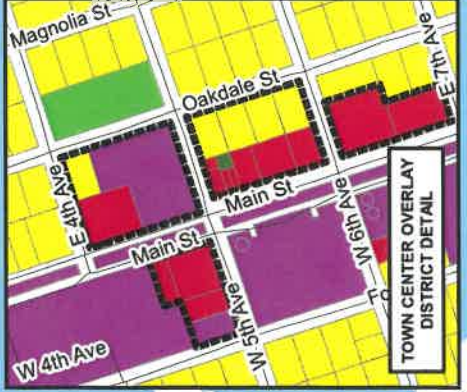
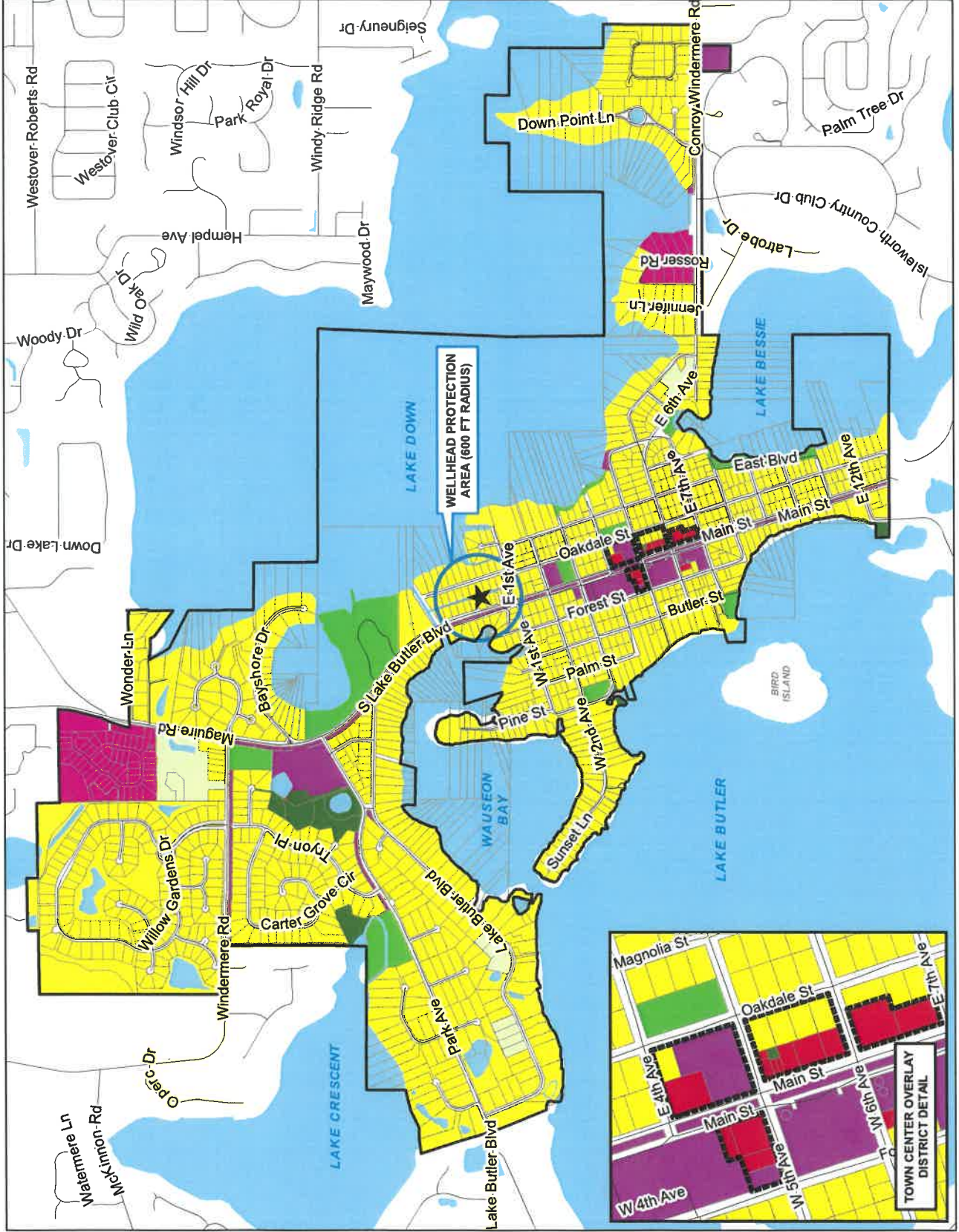
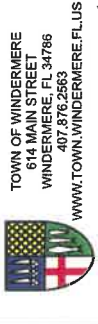
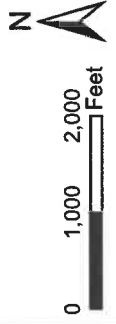
PLAT OF WINDERMERE G/36 THE E 80 FT OF LOT 289 & E 80 FT OF LOT 290

# TOWN OF WINDERMERE FUTURE LAND USE MAP 2035

## Legend

- Town Limits
- Town Center Overlay District
- Potable Water Wellhead
- Wellhead Protection Area
- Roads
- Parcel Boundaries
- Description**
- Agricultural
- Commercial
- Conservation
- Public Use
- PUD - Residential
- Recreation
- Single Family Residential
- Lakes

Sources: Town of Windermere, Orange County.  
 Note: This map and digital data are for planning  
 purposes only. It is not intended to determine  
 the precise location of a feature. Acreage is  
 approximate and GIS derived.

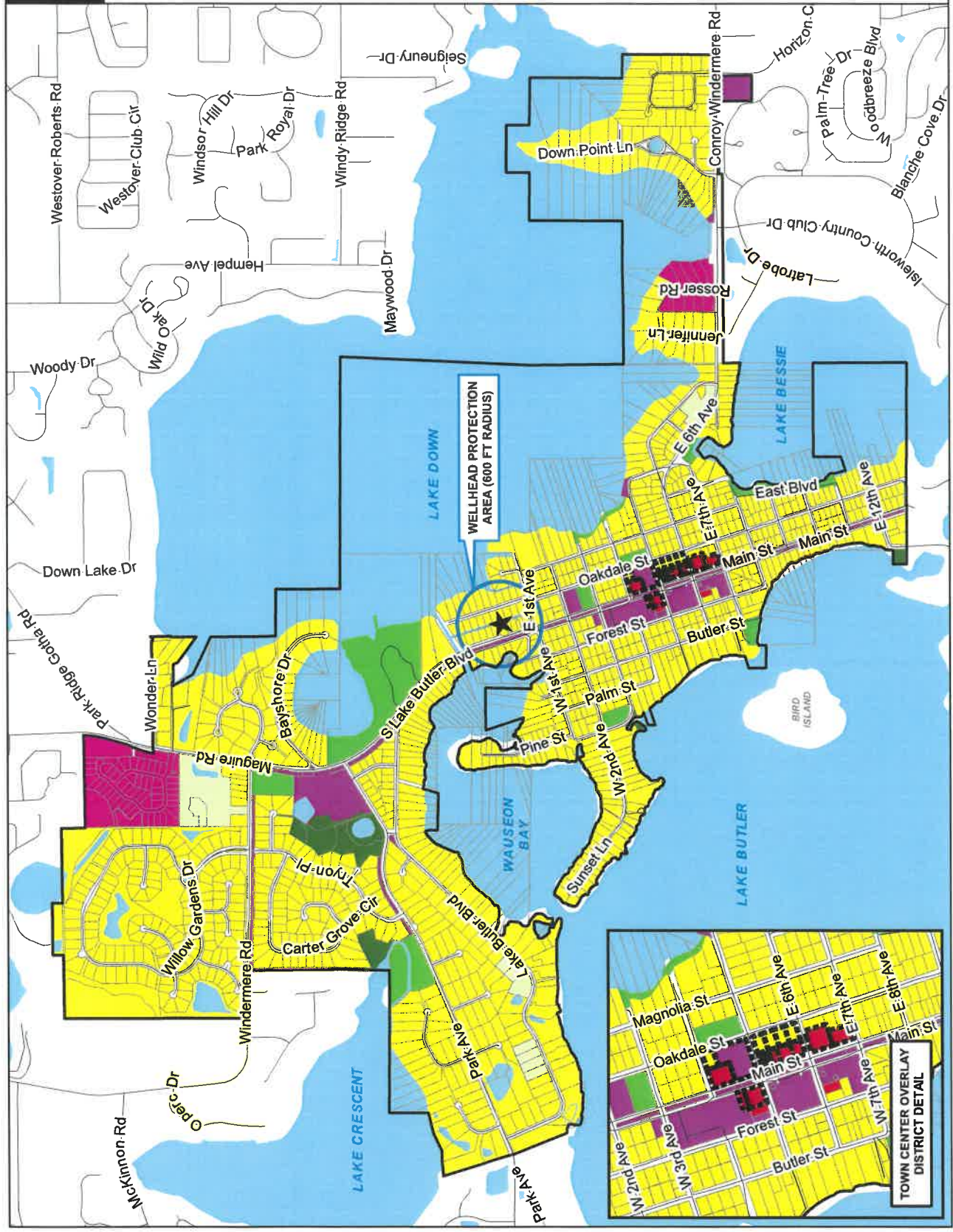
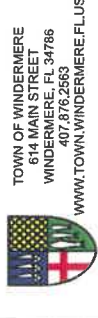
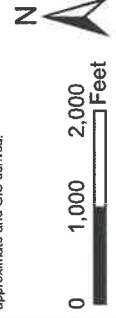


# TOWN OF WINDERMERE FUTURE LAND USE MAP AFTER AMENDMENT

## Legend

- Town Center Overlay District
- Town Limits
- Potable Water Wellhead
- Wellhead Protection Area
- Roads
- Parcel Boundaries
- Description**
- Agricultural
- Commercial
- Conservation
- Public Use
- Planned Unit Development (PUD)
- Recreation
- Single Family Residential
- Lakes
- Lakes or Ponds

Sources: Town of Windermere, Orange County.  
 Note: This map and digital data are for planning purposes only and should not be used to determine the precise location of a feature. Acreage is approximate and GIS derived.



## ORDINANCE NO. 2019-04

**AN ORDINANCE BY THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO REZONING; AMENDING THE TOWN OF WINDERMERE'S ZONING MAP FOR 0.29 ACRES MORE OR LESS OF REAL PROPERTY LOCATED AT 111 W 5<sup>th</sup> AVENUE, AS MORE SPECIFICALLY DESCRIBED HEREIN, FROM RESIDENTIAL ZONING WITH TOWN CENTER DESIGN DISTRICT OVERLAY TO COMMERCIAL ZONING; PROVIDING FOR APPLICABILITY; SEVERABILITY; CONFLICTS; CODIFICATION; AND AN EFFECTIVE DATE.**

*Whereas*, the Town Council of the Town of Windermere, Florida, recognizes the need to plan for orderly growth and development;

*Whereas*, pursuant to a request by the property owner, 5<sup>th</sup> Ave LLC, is requesting a zoning map amendment for the 0.29 acres, located at 111 W 5<sup>th</sup> Avenue, from a Residential zoning with Town Center Design District Overlay to Commercial zoning;

*Whereas*, the Town Council is committed to the goal of enacting and implementing sound growth management practices within the Town and finds that this Ordinance is consistent with the goals, objectives, and policies of the Town's comprehensive plan and that it is in the best interests of the Town of Windermere.

### **BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

**Section 1. Amendment to the Zoning Map.** The Town of Windermere's official Zoning Map for 0.29 acres of property described and depicted in **Attachments A and B** is hereby rezoned to Commercial zoning.

**Section 2. Conditions of Approval.** The Town Council has determined that the requested zoning change is consistent with the public interest, encourages the appropriate use of land, is consistent with and further the goals and objectives of the Town of Windermere's comprehensive plan, and is in compliance with the Town of Windermere's land development code zoning designation of Commercial, with the following conditions:

- (1) The rezoning applies only to the property described in **Attachments A and B**.
- (2) Development shall be subject to the requirements contained in the Town of Windermere's comprehensive plan and land development code, and code of ordinances.

**Section 3. Severability.** If a provision of this ordinance is held invalid or unconstitutional in judicial proceedings, the holding shall not affect other provisions that can be given effect. To that end, this ordinance is declared to be severable.

**Section 4. Conflicts.** In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

**Section 5. Codification.** The amendments to the official Zoning Map in Section 1 of this Ordinance shall be codified and made part of the official land development code for the Town of Windermere.

**Section 6. Effective Date.** This Ordinance shall become effective 31 days after its passage as a non-emergency ordinance at two regular meetings of the Town Council. **If the related small-scale future land use amendment adopted by Ordinance 2019-03 is challenged pursuant to Section**

163.3187(5), Florida Statutes, within 30 days after adoption, this Ordinance shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the small-scale amendment adopted by Ordinance 2019-03 is in compliance with applicable state law.

**ENACTED** by ordinance this \_\_\_\_\_ day of \_\_\_\_\_ 2019, at a meeting of the Town Council of the Town of Windermere, Florida.

**TOWN OF WINDERMERE, FLORIDA**

by: its Town Council

by: \_\_\_\_\_  
Jim O'Brien, Mayor

Attest:

\_\_\_\_\_  
Dorothy Burkhalter, CMC  
Town Clerk

First reading: \_\_\_\_\_  
Second reading: \_\_\_\_\_

**Attachment A  
Town of Windermere  
Ordinance No. 2019-04**

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**Map of the Rezoning Area**



**Attachment B  
Town of Windermere  
Ordinance No. 2019-04**

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**Metes and Bounds Legal Description of the  
Rezoning Area**

**111 W 5TH AVE WINDERMERE FL 34786 - 17-23-28-9336-02-891**

**Legal Description**

THE EAST 80 FEET OF LOT 289 AND THE EAST 80 FEET OF LOT 290, REPLAT OF WINDERMERE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK G, PAGES 36-39 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA





**TOWN OF WINDERMERE  
REZONING APPLICATION FORM**

**TYPE or PRINT the following information:**

Owner(s) 5th Ave LLC Applicant/Agent Williams Family  
 Address 901 Rosser Rd Address 901 Rosser Rd  
 City Windermere City Windermere  
 State Florida Zip Code 34786 State Florida Zip Code 34786  
 Phone ( ) \_\_\_\_\_ Phone (407) 590- 5468  
 (Cell) ( ) \_\_\_\_\_ (Cell) (407) 947-3195  
 (Fax) ( ) \_\_\_\_\_ (Fax) ( ) \_\_\_\_\_  
 Email Address \_\_\_\_\_ Email Address 5thAvePelican@gmail.com

**TYPE OF REQUEST (Check all that apply)**

**Zoning Change**

Non-PUD

From: Residential To: Commercial

PUD Other (explain) \_\_\_\_\_

From: \_\_\_\_\_ To: \_\_\_\_\_

**Text Change (To the Land Development Code)**

Article(s): \_\_\_\_\_

Sections: \_\_\_\_\_

**PROPERTY INFORMATION**

Parcel Identification Number (Tax I.D. Number) 17-23-28-9336-02-891

Address (if available) 111 W 5th ave Windermere FL 34786

Gross Acreage 0.29 acres Developable Acreage 0.29 acres (less water bodies/wetlands acreage)

Project Name (if any) \_\_\_\_\_

**LAND USE IDENTIFICATION**

<b>Residential (Specify type)</b>	<b>Non residential (Specify type)</b>
Existing Future Land Use:	Existing Future Land Use: Commercial
Existing Use:	Existing Use: Residential
Acres/Number of units:	Acres/Sq. Ft.: .029
Future Land Use:	Future Land Use: Commercial
Number of Proposed Units:	Maximum Square Footage: TBD
Existing Zoning:	Existing Zoning: Residential
Proposed Zoning:	Proposed Zoning: Commercial

<b>Adjacent Future Land Uses</b>	<b>N: Public Facility</b>
For example "Single Family"	<b>S: Public Facility</b>
	<b>E: Commercial</b>
	<b>W: Public Facility</b>
<b>Adjacent Land Uses</b>	<b>N: Church &amp; Prof Office</b>
For example "Office"	<b>S: Town Of Windermere Town Hall</b>
	<b>E: Commerical</b>
	<b>W: Public Parking Lot</b>

111 5th Ave LLC  
901 Rosser Rd  
Windermere FL 34786

To Whom it May Concern

I am applying for a rezoning application for the property located at 111 W 5th Ave. I would request that this property be converted to a commercial zoning designation to match other surrounding parcels. This property is now surrounded on all sides by commercial uses. To the East is the Windermere Market Shopping Center that includes a restaurant, retail wine shop and professional offices. To the North is First Baptist Church and an orthodontist office, as well as another real estate office. To the West is now a Public Parking lot that the town is now leasing from the First Baptist Church. To the South are Municipal buildings.

This property has always been viewed as non-residential use because of its location adjacent to the restaurant. In the past a Day Care was run out of this home through an exception in the zoning law for in-home daycare services.

Thank you

Lavina Williams  
111 5th Ave LLC

**111 W 5TH AVE WINDERMERE FL 34786 - 17-23-28-9336-02-891**

Legal Description

THE EAST 80 FEET OF LOT 289 AND THE EAST 80 FEET OF LOT 290, REPLAT OF WINDERMERE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK G, PAGES 36-39 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA



282317933602891 06/06/2006

Info as of Wed May 22 2019 15:47

RECORD CARD	2017 Property Record Card	NBHD COOD	181915138
PARCEL ID	17-23-28-9336-02-891	FEAT COOD	
STREET ADDRESS	111 W 5TH AVE	NC FLAG	0
NAME(1)	111 5TH AVE LLC	CONDO FLAG	
NAME(2)		ST PLANE X-COORD	484015.98
MAILING ADDRESS	901 ROSSER RD	ST PLANE Y-COORD	1513308.93
CITY	WINDERMERE	ACREAGE	0.293
STATE	FL	ACRE CODE	System Generated
ZIP CODE	34786	LOT AREA (SQFT)	12798.585189
CITY CODE	WND	PARCEL	282317933602891

MILLAGE CODE	75	PARENT ID	
PROPERTY USE CODE	0100		

Values as of Wed May 22 2019 15:47			
LAND (MKT) VALUE	working...	PREVIOUS YEAR ASSESSED VALUE	\$335,652.00
BUILDING VALUE	working...	PREVIOUS YEAR MARKET (JUST)	\$335,652.00
EXTRA FEATURE VALUE	working...	PREVIOUS YEAR TAXABLE VALUE	\$335,652.00
MARKET (JUST) VALUE	working...	MARKET (JUST) VALUE CHANGE PCT	8.29%
ACCESSED VALUE	working...		

Land as of Wed May 22 2019 15:47			
LAND LINE ORDER #	1	MKT VALUE	\$175,000.00
LAND ID	2517835	UNIT PRICE	\$175,000.00
LAND DOR CODE	0100	UNIT CODE	LT
ZONING	SFR	LAND QTY	1

Building as of Wed May 22 2019 15:47			
BUILDING #	1	BEDS/BATHS/FLOORS	4/3/2
AYB	Invalid Date	LIVING AREA (SF)	2667
EYB	Invalid Date	EXTERIOR WALL	17
TYPE/MODEL CODE	0103/01	INTERIOR WALL	05

Craig S. Pearlman  
Killgore, Pearlman, Stamp, Ornstein &  
Squires  
Post Office Box 1913  
Orlando, Florida 32802

DOC # 20080722171 B: 9796 P: 4566

12/01/2008 03:41:27 PM Page 1 of 2  
Rec Fee: \$18.50 Doc Type: D  
Deed Doc Tax: \$2100.00  
Intangible Tax: \$0.00  
Mortgage Stamp: \$0.00  
Martha O. Haynie, Comptroller  
Orange County, FL  
MB - Ret To: CRAIG S PEARLMAN ESQUIRE



### QUIT CLAIM DEED

**THIS INDENTURE**, made this 25th day of November, 2008, between Robert W. Williams and Lavina M. Williams, his wife of P.O. Box 247, Windermere, FL 34786, party of the first part, and 111 5<sup>th</sup> Ave, LLC of P.O. Box 247, Windermere, FL, party of the second part.

**WITNESSETH**, that the said party of the first part, for and in consideration of the sum of Ten Dollars, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in Orange County, Florida, to wit:

THE EAST 80 FEET OF LOT 289 AND THE EAST 80 FEET OF LOT 290,  
REPLAT OF WINDERMERE, ACCORDING TO THE PLAT THEREOF, AS  
RECORDED IN PLAT BOOK G, PAGES 36-39 OF THE PUBLIC  
RECORDS OF ORANGE COUNTY, FLORIDA.

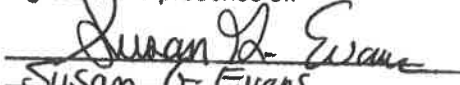
Parcel I.D. No. 17-23-28-9336-02-891  
Address: 111 5<sup>th</sup> Ave

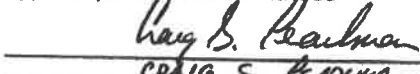
**TO HAVE AND TO HOLD** the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.


**AND** this property is not the homestead of the party of the first part.

**IN WITNESS WHEREOF**, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed in the presence of:

  
Susan G. Evans  
Type or print name of witness

  
Craig S. Pearlman  
Type or print name of witness

  
Robert W. Williams

Address:  
P.O. Box 247  
Windermere, FL 34786

Signed in the presence of:

Susan G. Evans

Susan G. Evans  
Type or print name of witness

Craig S. Pearlman

Craig S. Pearlman  
Type or print name of witness

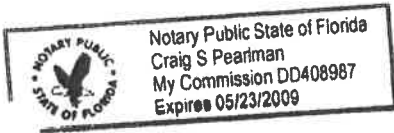
Lavina M. Williams

Lavina M. Williams

Address:  
P.O. Box 247  
Windermere, FL 34786

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 25th day of November, 2008, by Robert W. Williams, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath.



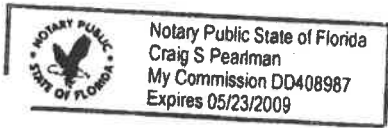
NOTARY PUBLIC:

Craig Stuart Pearlman

SIGN: \_\_\_\_\_  
PRINT: Craig Stuart Pearlman  
State of Florida at Large  
My Commission Expires:  
Commission No./Serial No: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 25th day of November, 2008, by Lavina M. Williams, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did (did not) take an oath.



NOTARY PUBLIC:

Craig Stuart Pearlman

SIGN: \_\_\_\_\_  
PRINT: Craig Stuart Pearlman  
State of Florida at Large  
My Commission Expires:  
Commission No./Serial No: \_\_\_\_\_





# Parcel Report for: 17-23-28-9336-02-891

Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: Wed May 22 2019 15:47:15 GMT-0400 (EDT)

This map is for reference only and is not a survey.

OCA Web Map		Proposed Road		Residential		Commercial/Industrial		Parks		Lot Number	
	Major Roads		Erick Road						6	Lot Number	
	Public Roads		Block Line						06050	Parcel Number	
	Gated Roads		Lot Line						3106	Parcel Address	
	Road Under Construction								111.9	Parcel Dimension	

7/12/12

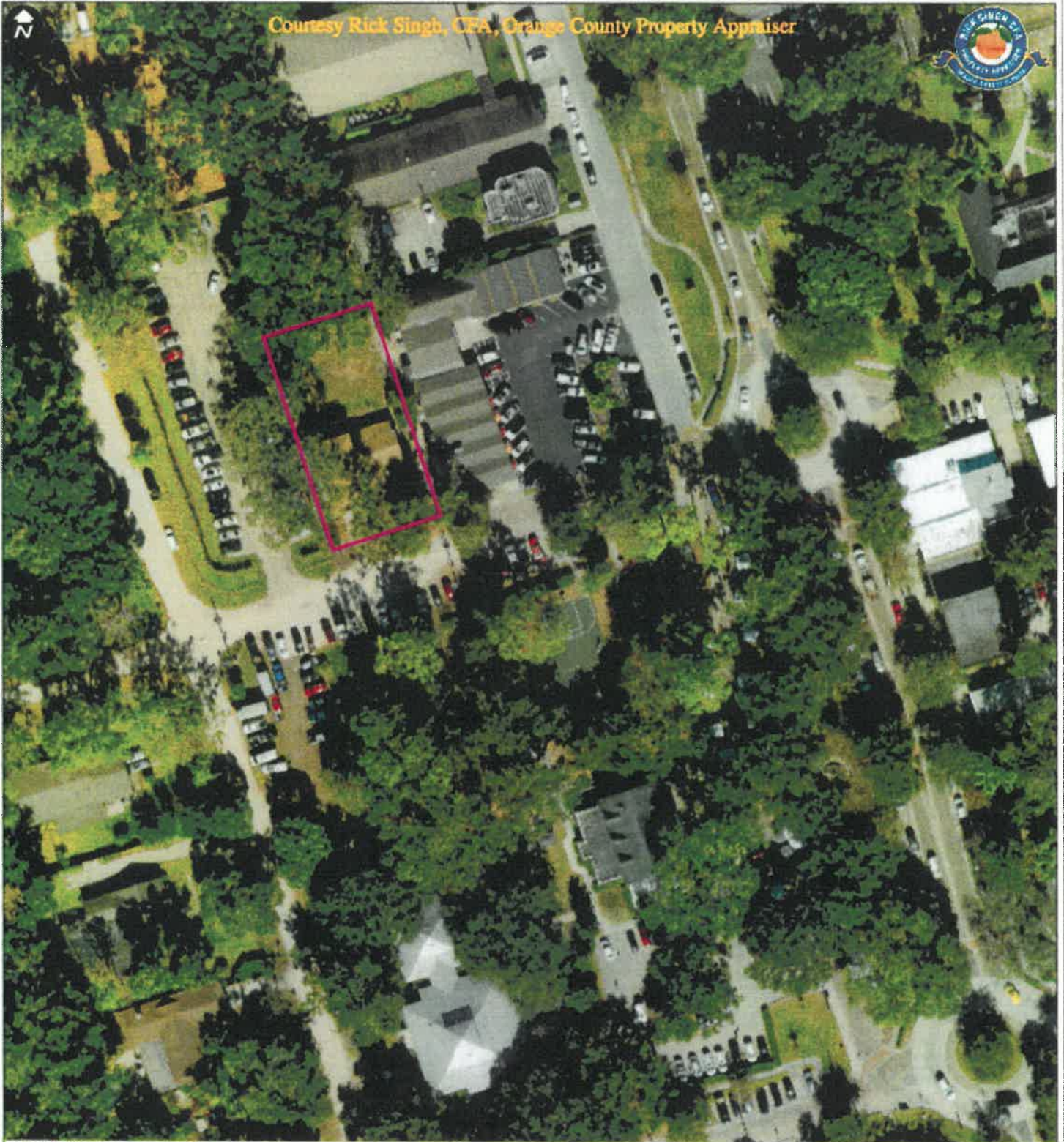
<b>OCPA Web Map</b>	Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Florida Turnpike	Public Roads	Brick Road	Lot Line	Governmental/Institutional/Misc	Waste Land	Lakes and Rivers
Interstate 4	Gated Roads	Rail Road	Residential	Commercial/Industrial	County Boundary	Building
Toll Road	Road Under Construction	Proposed Sunfall	Agriculture	Agricultural Curbside	Parks	Hospital

Courtesy Rick Singh, CFA, Orange County Property Appraiser



Parcel Report for: 17-23-28-9336-02-891

Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: Wed May 22 2019 15:49:12 GMT-0400 (EDT)

This map is for reference only and is not a survey.

OCPA Web Map		Proposed Road		Residential		Commercial/Industrial		Parks		Lot Number	
	Florida Turnpike		Public Road		Brick Road		Agriculture		Parks		6
	Interstate 4		Block Line		Commercial/Institutional		Hydro		Lakes and Rivers		06060
	Toll Road		Road Under Construction		Governmental/Institutional		Waste Land		Building		3105
	Major Roads		Lot Line		Gated Roads		Block Number		Parcel Dimension		111.9

*Current Map*

OCPA Web Map											
	Major Roads		Proposed Road		Block Line		Commercial/Institutional		Hydro		Golf Course
	Florida Jurisdictions		Brick Road		Lot Line		Governmental/Institutional/Misc		Waste Land		Lakes and Rivers
	Interstate 4		Gated Roads		Rail Road		Residential		Commercial/Industrial/Vacant Land		County Boundary
	Toll Road		Road Under Construction		Proposed Sunfall		Agriculture		Agricultural/Curbage		Parks
							Commercial/Institutional		Hydro		Golf Course
							Governmental/Institutional/Misc		Waste Land		Lakes and Rivers
							Residential		Commercial/Industrial/Vacant Land		County Boundary
							Agriculture		Agricultural/Curbage		Parks
							Commercial/Institutional		Hydro		Hospital

Courtesy Rick Singh, CFA, Orange County Property Appraiser



# National Flood Hazard Layer FIRMette







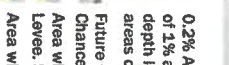
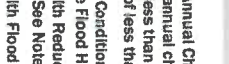
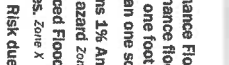
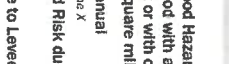










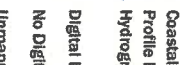

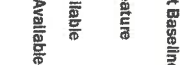




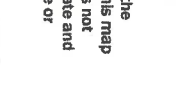
28°29'59.47"N

81°32'27.43"W



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR RIRM PANEL LAYOUT

<b>SPECIAL FLOOD HAZARD AREAS</b>	 Without Base Flood Elevation (BFE) <small>Zone A, X, A99</small>  With BFE or Depth Zone AE, AO, AH, VE, AP  Regulatory Floodway
<b>OTHER AREAS OF FLOOD HAZARD</b>	 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <small>Zone X</small>  Future Conditions 1% Annual  Chance Flood Hazard <small>Zone X</small>  Area with Reduced Flood Risk due to Levee, See Notes, <small>Zone X</small>  Area with Flood Risk due to Levee <small>Zone D</small>
<b>OTHER AREAS</b>	 NO SCREEN Area of Minimal Flood Hazard <small>Zone X</small>  Effective LOMIRs  Area of Undetermined Flood Hazard <small>Zone D</small>
<b>GENERAL STRUCTURES</b>	 Channel, Culvert, or Storm Sewer  Levee, Dike, or Floodwall  Cross Sections with 1% Annual Chance Water Surface Elevation  Coastal Transect  Base Flood Elevation Line (BFE)  Limit of Study
<b>OTHER FEATURES</b>	 Jurisdiction Boundary  Coastal Transect Baseline  Profile Baseline  Hydrographic Feature
<b>MAP PANELS</b>	 Digital Data Available  No Digital Data Available  Unmapped
 The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.	 N

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/22/2019 at 4:24:50 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, RIRM panel number, and RIRM effective date. Map images for unmapped and unmapped areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet

1:6,000

81°31'49.97"W 28°29'27.84"N

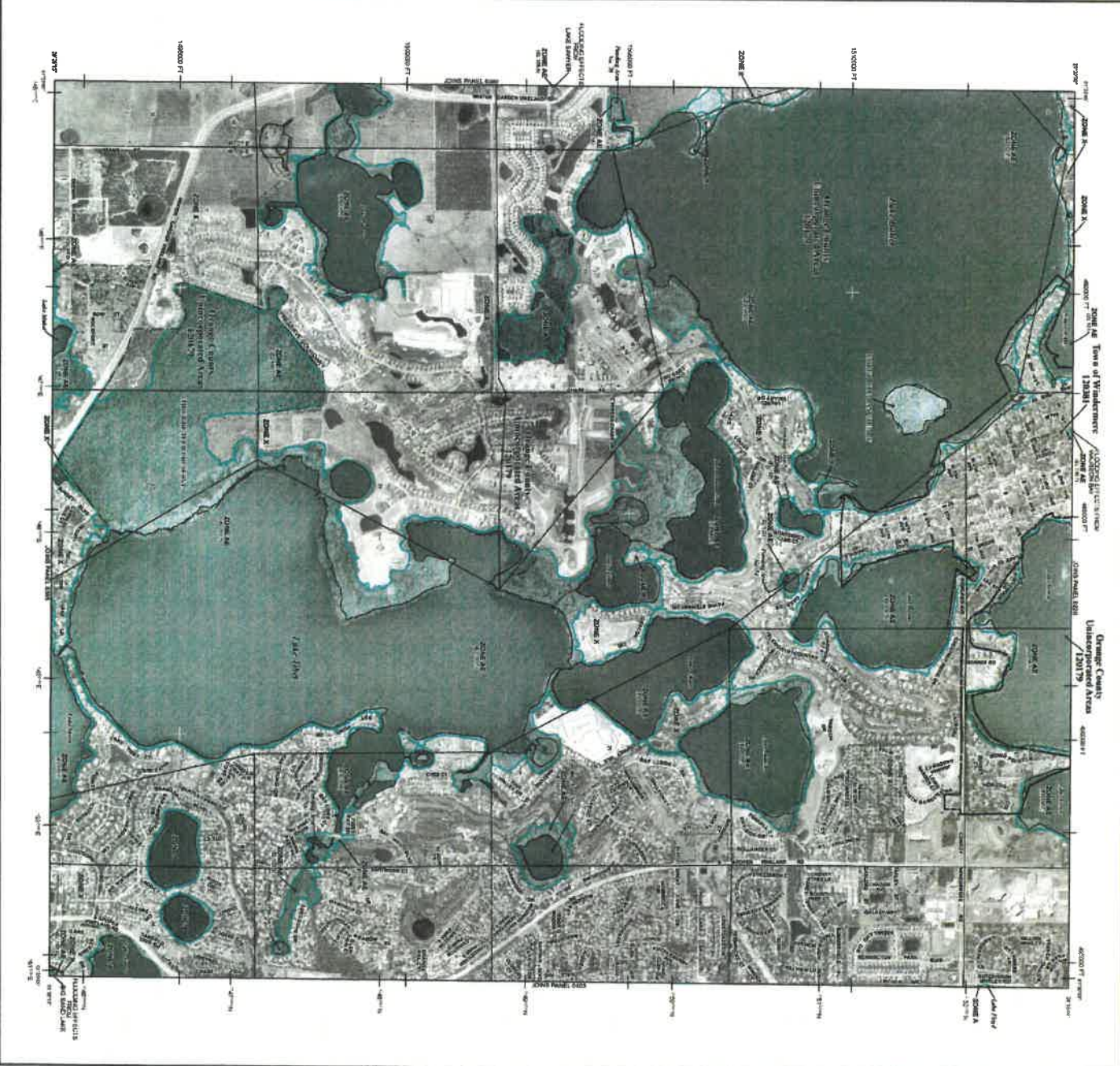
USGS The National Map Orthimagery Data refreshed April 2019

**NOTES TO USERS**

This map is the result of a partnership between Federal Flood Insurance Program (FFIP) and Florida's Statewide Flood Insurance Program (SFIP). The SFIP is a state-run program that provides flood insurance to Florida residents. The FFIP is a federal program that provides flood insurance to Florida residents who are not eligible for the SFIP. This map shows the areas that are covered by the SFIP and the areas that are covered by the FFIP. The SFIP coverage areas are shown in light blue, and the FFIP coverage areas are shown in dark blue. The map also shows the areas that are not covered by either program. The map is intended to provide information to users about the flood insurance coverage available in their area. It is not intended to be used as a basis for any other action.

**Legend**  
 SFIP Coverage Areas  
 FFIP Coverage Areas  
 Not Covered Areas

Map Sheet	Scale	Area	Population
1	1:50,000	100 sq. miles	100,000
2	1:50,000	100 sq. miles	100,000
3	1:50,000	100 sq. miles	100,000
4	1:50,000	100 sq. miles	100,000
5	1:50,000	100 sq. miles	100,000
6	1:50,000	100 sq. miles	100,000
7	1:50,000	100 sq. miles	100,000
8	1:50,000	100 sq. miles	100,000
9	1:50,000	100 sq. miles	100,000
10	1:50,000	100 sq. miles	100,000



**LEGEND**

- SHRIMP FLOOD INSURANCE RATE MAP**
- FFIP Coverage Areas**
- SFIP Coverage Areas**
- Not Covered Areas**
- Zone A**
- Zone B**
- Zone C**
- Zone D**
- Zone E**
- Zone F**
- Zone G**
- Zone H**
- Zone I**
- Zone J**
- Zone K**
- Zone L**
- Zone M**
- Zone N**
- Zone O**
- Zone P**
- Zone Q**
- Zone R**
- Zone S**
- Zone T**
- Zone U**
- Zone V**
- Zone W**
- Zone X**
- Zone Y**
- Zone Z**

**SCALE**

1 inch = 1 mile

1 centimeter = 1000 meters

**FFIP Coverage Areas**

**SFIP Coverage Areas**

**Not Covered Areas**

**Zone A**

**Zone B**

**Zone C**

**Zone D**

**Zone E**

**Zone F**

**Zone G**

**Zone H**

**Zone I**

**Zone J**

**Zone K**

**Zone L**

**Zone M**

**Zone N**

**Zone O**

**Zone P**

**Zone Q**

**Zone R**

**Zone S**

**Zone T**

**Zone U**

**Zone V**

**Zone W**

**Zone X**

**Zone Y**

**Zone Z**

**SCALE**

1 inch = 1 mile

1 centimeter = 1000 meters

**NATIONAL FLOOD INSURANCE PROGRAM**

**FFIP**

**FIRM**

**ORANGE COUNTY, FLORIDA**

**AND INCORPORATED AREAS**

**RINEL 318 OF 730**

**(SEE MAP INDEX FOR FIRM PANEL LOCATION)**

**CONTRACT NO. 12050300357**

**DATE: 09/28/2008**

**MAP NUMBER: 12050300357**

**DATE: 09/28/2008**

**MAP REVISION: 09/28/2008**

**PREPARED BY: FEDERAL BUREAU OF SURVEYING**

Small Scale  
Future Land Use Map  
Amendment Responses



Received

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

KOFFARNUS MARK L  
515 BUTLER ST  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Small Scale Amendment to the Future Land Use Map, 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave. - Z19-09**

The Town of Windermere is proposing to remove two parcels located at 111 W 5th Avenue and 119 W 5<sup>th</sup> Avenue from the Town Center Overlay District Boundary on the Future Land Use Map. The Town identified the need for an amendment to the Town's Future Land Use Map.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **July 12, 2019**.

This matter will be presented to the Development Review Board on **Tuesday, July 16, 2019 at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, August 13, 2019 at 6:00 p.m.** and **Tuesday, September 10, 2019 at 6:00 p.m.** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.


---

RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE:  DATE: 6/28/2019

KOFFARNUS MARK L

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

PARK RESIDENTIAL RENTALS LLC  
4 PINE ST  
WINDERMERE, FL 34786

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[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL:  | DISAPPROVAL

COMMENTS: \_\_\_\_\_

SIGNATURE: Valery Tucker DATE: 6/27/19

PARK RESIDENTIAL RENTALS LLC  
Dary Tucker

Received

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

111 5TH AVE LLC  
901 ROSSER RD  
WINDERMERE, FL 34786

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[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL: X DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE: Robert Williams DATE: 6-28-19

111 5TH AVE LLC

Received

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

WINDERMERE MARKET LLC  
901 ROSSER RD  
WINDERMERE, FL 34786

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Encl.

---

**RECOMMEND - Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL:   X   DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE:   Robert Williams   DATE:   6-28-19  

WINDERMERE MARKET LLC

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

JUN 24 2019

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

PEARL CYNTHIA E  
525 BUTLER ST  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Small Scale Amendment to the Future Land Use Map, 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave. - Z19-09**

The Town of Windermere is proposing to remove two parcels located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District Boundary on the Future Land Use Map. The Town identified the need for an amendment to the Town's Future Land Use Map.

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Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL:  DISAPPROVAL

COMMENTS: NO COMMENT.

SIGNATURE:  DATE: 6/26/19.

PEARL CYNTHIA E

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 05 2019  
Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

DIEDERICH ANDREA  
635 BUTLER ST  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Small Scale Amendment to the Future Land Use Map, 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave. - Z19-09**

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Encl.

---

**RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL: X

COMMENTS: \_\_\_\_\_

SIGNATURE: [Signature] DATE: 7.2.19

DIEDERICH ANDREA

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 05 2019  
Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

CRAVEN BARRY T  
PO BOX 574  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Small Scale Amendment to the Future Land Use Map, 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave. - Z19-09**

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[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

**APPROVAL:**   X   **DISAPPROVAL** \_\_\_\_\_

**COMMENTS:** \_\_\_\_\_

\_\_\_\_\_

**SIGNATURE:**   *Barry T Craven*   **DATE:**   7/2/19  

**CRAVEN BARRY T**

Received two responses  
from the same person/  
address.

**RECOMMEND** – Z19-09 111 W 5th Ave. and 119 W 5th Ave.

**APPROVAL:**  **DISAPPROVAL**

**COMMENTS:** Approve

**SIGNATURE:** *Amanda L Black* **DATE:** 7-9-19

**BLACK AMANDA L**

**RECEIVED**  
JUL 09 2019  
By \_\_\_\_\_



**Mastison, Sarah**

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support letter for public hearing on cases 2019-02, 2019-03, 2019-04

Received two responses from the same person/ address.

**Diane Edwards**  
*Administrative Assistant*  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)  
Phone: 407-876-2563 Ext 5321  
Fax: 407-876-0103



Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Amanda Black <amandablackfl@gmail.com>  
**Sent:** Friday, July 19, 2019 5:51 PM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support letter for public hearing on cases 2019-02, 2019-03, 2019-04

To: Mayor and Town Council and Development Review Board

From: Amanda Black

Date: 7/19/19

Address: 414 Forest St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Amanda Black

--

AMANDA BLACK  
Realtor | Interior Designer  
407.616.0140

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 11 2019

Wade Trim



Mayor  
JIM O'BRIEN

Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

THOMAS RICK Q  
325 BUTLER ST  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Small Scale Amendment to the Future Land Use Map, 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave. - Z19-09**

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Sincerely,  
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Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

**RECOMMEND - Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE:  DATE: 7/9/19

THOMAS RICK Q

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

JUL 09 2019

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

501 MAIN L L C  
901 ROSSER RD  
WINDERMERE, FL 34786

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Encl.

---

RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.

APPROVAL:       *✓*       DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE:       *Robert Williams*       DATE:       *7-3-19*      

501 MAIN L L C

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 09 2019  
Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

435 BUTLER TRUST  
435 BUTLER ST  
WINDERMERE, FL 34786

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Encl.

**RECOMMEND - Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL

COMMENTS: *The Master Plan was approved for the back 50% of Main to be only parking. We don't want commercial moving*

SIGNATURE: *Debra D. Farney* DATE: *5 July 2019*

*closer to our homes,*

435 BUTLER TRUST

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

POTTHAST THOMAS JR  
425 BUTLER ST  
WINDERMERE, FL 34786

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Encl.



**RECOMMEND – Z19-09 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL:

COMMENTS: *The Town Center Overlay District was designed to protect residential areas from the spread of commercial properties and to provide parking and buffering. We do not wish to have commercial properties closer to our home.*

SIGNATURE: *Simon M. Potthast* DATE: *July 12, 2019*

POTTHAST THOMAS JR

*See enclosed response*

Genevieve and Tom Potthast  
425 Butler Street  
Windermere, FL 34786  
June 28, 2019

Response in Regards to:  
Z19-09: 111 and 119 West 5th Avenue  
Z19-10: 111 West 5th Avenue

The Town Center Overlay District (Master Plan) was designed to protect residential areas from the spread of commercial properties, to provide buffering for residential areas, and to ensure adequate parking for existing commercially zoned parcels. As a resident within 500 feet of these properties, we are against any commercial development encroaching on the parking and buffering areas.

Much thought was put into the Town of Windermere Master Plan, to support limited commercial development with appropriate amounts of necessary parking and buffering for town residents. It was executed as a result of a difficult time in the history of our town when we were faced with unexpected development requests. It should not be set aside lightly. Due to the conflict between these requests and the Master Plan, we recommend that Z19-09 and Z19-10 be **DISAPPROVED**.

Although the letter received stated that one of these properties (111) is shown as "commercial" in the town's *Future Land Use Map*, the Town Of Windermere Master Plan is an **overlay** which imposes *additional* restrictions on this property, and the Master Plan does **not** allow commercial use on this or the adjacent property (119). The other property (119) is still designated PUBLIC USE on the Future Land Use Map.

A few important points on the Master Plan:

- This plan was developed over a period of several years, and much thought for the general welfare of the entire town, both commercial and residential, was put into this plan. Extreme caution must be exercised when considering changing the Master Plan, or removing properties from the Master Plan, for the benefit of one or two individuals.
- The Master Plan has quite specifically limited commercial use to the 50% of any town block that faces Main Street, while completely restricting the 50% of any town block that faces Forest or Oakdale Streets to parking and residential buffers, to protect the residents and the residential character of their properties.
- Parking is gravely needed on the back 50% of blocks that have commercial properties on Main Street. Nearby residents suffer from cars parking on their lawns and have resorted to installing impediments to parking.

About our current town uses:

- There is currently **not one** property zoned commercial on the back 50% of a town block facing Main Street, or any other block. This is to protect the residential character of our town, and nearby residents.
- This would be a **very dangerous precedence** to set. If either of these properties is changed to commercial, we will not have a leg to stand on when any other adjacent or other property owner realizes that commercial property is usually more valuable than residential, and decides to apply for a change before selling their property. Fifteen years ago we were deep in defensive battle over the

desired over-development of commercial properties in Windermere. The Master Plan was the Town's answer to protect the Town against random commercial development, and to protect the nearby residents with buffers from the existing commercial development. These two properties are part of the designated parking and buffer zone.

- Commercial properties can be a nuisance to nearby residential properties. There have been countless disturbances to residents at all hours of the night from commercial properties (dumpsters repeatedly being emptied at 4 or 5 AM, despite town codes regulating noise before 7 AM).
- It can already be quite difficult for residents to get through 5th Avenue to their homes, due to the Farmer's Market, the Food Trucks, deliveries to Dixie Creamery, and waste removal vehicles. Additional impediments that naturally occur with commercial development should not be added to an already difficult street.

In summary:

Many years of analysis were put into the Town of Windermere Master Plan, to support limited commercial development with appropriate amounts of necessary parking and to provide buffering for town residents. Approving these proposals would be a grave mistake. It would set the precedences of (1) allowing for the first time, commercial development on the back 50% of a town block, and (2) allowing a parking zone to be developed commercially. These are very dangerous precedences to set. If this is done, the town should then expect to then face expensive lawsuits when other property owners realize that commercial properties are far more valuable than parking lots, and request changes as well. In particular, the owners of parking zones on Oakdale would be interested in converting to commercial developments as well. The town must realize that parking zones are required, commercial must be limited to the front 50% of blocks facing Main Street for the protection of the residents, and that *above all*, the plan of the entire town must be considered over the request of one or two individuals.

NB:

- The Future Land Use Map was just recently changed in October of 2018 to designate 111 W 5th Avenue as potential commercial, but prior to that it was residential. The manner in which the change was executed did not require individual notices. Although we are property owners within 307' of the property, we were not aware of this recent change and would have objected had we received notice, due to the conflict with the Master Plan.
- The Town of Windermere Master Plan designates both of these properties as **Parking Zones**, to support the nearby commercial, institutional, and government uses. Therefore, the current use of these properties is still currently restricted to either their current use (single family residential (111) and parking(119)), or in the future, to Parking Zones. They have never in the past been considered commercial. Many residents have licenses to operate a small business out of their home; we ourselves have had this in the past. This does not mean that a property is viewed as non-residential.
- Both properties are currently zoned residential and until a very short time ago, both had single family homes on them. Just recently, 119 W 5th Avenue was turned into a town parking lot as there was a desperate need for parking to support the existing town and commercial activities.



# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103



Mayor  
JIM O'BRIEN

Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

SPEARS JOHN A  
PO BOX 411  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Small Scale Amendment to the Future Land Use Map, 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave. - Z19-09**

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888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.



**RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL

COMMENTS: WILL BE AT MEETING

SIGNATURE:  DATE: 7/11/19

SPEARS JOHN A

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103



Mayor  
JIM O'BRIEN

Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

SPEARS CHARLES E  
PO BOX 527  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Small Scale Amendment to the Future Land Use Map, 111 W 5<sup>th</sup> Ave. and 119 W 5<sup>th</sup> Ave. - Z19-09**

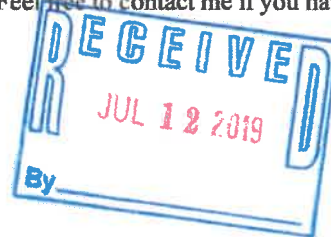
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Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **July 12, 2019**.

This matter will be presented to the Development Review Board on **Tuesday, July 16, 2019 at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, August 13, 2019 at 6:00 p.m.** and **Tuesday, September 10, 2019 at 6:00 p.m.** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.



**RECOMMEND – Z19-09 111 W 5th Ave. and 119 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL

COMMENTS: \_\_\_\_\_

SIGNATURE: *Charles E Spears* DATE: 7/11/19

SPEARS CHARLES E

219-09

111 W 5th Ave

Yes \_\_\_ NO X

Signature: Francis K Jones

Date: July 12, 2019

Home owner name: Francis Keeffe Jones

Address: 412 Forest St. Windermere, FL 34786



119 W. 5th Ave

Yes \_\_\_ NO X

Signature: Francis K Jones

Date: July 12, 2019

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



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**From:** Joe pauley <jp386901@gmail.com>

**Sent:** Friday, July 19, 2019 5:22 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMckinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Joe Pauley

Date: 7/19/2019

Address: 79 Main St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Joe Pauley

<[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
Cc: Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
Subject: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Jessica Strack

Date: 7/21/19

Address: 39 Pine Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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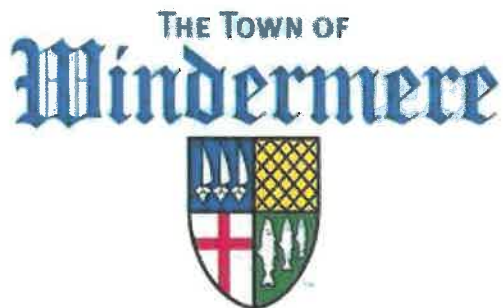
I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Jessica Strack

Administrative Assistant  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)  
Phone: 407-876-2563 Ext 5321  
Fax: 407-876-0103



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**From:** Andrew McGhee <[andy@windermerebrewing.com](mailto:andy@windermerebrewing.com)>  
**Sent:** Friday, July 19, 2019 12:04 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Andrew R. McGhee

Date: 7/19/2019

Address: 226 Butler Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.



Regards,

Andrew R. McGhee

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:17 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

**Diane Edwards**  
*Administrative Assistant*  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)  
Phone: 407-876-2563 Ext 5321  
Fax: 407-876-0103

Received two letters from  
the same address.



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**From:** luciaroca.dds@gmail.com <luciaroca.dds@gmail.com>  
**Sent:** Sunday, July 21, 2019 11:35 PM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>  
**Cc:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMckinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Re: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Ana Lucia Roca Mendro

Date: 7/21/19

Address: [101 Lee St., Windermere FL. 34786](#)

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of [111 W 5th Avenue](#).

It has come to my attention that a public hearing for the rezoning of [111 W 5th Avenue](#) will be heard before Town Council [on August 13, 2019](#). The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at [111 W 5th Avenue](#) to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of [111 W 5th Avenue](#) to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

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Once again, I am in full support of [111 W 5th Avenue](#) adopting commercial Zoning.

Regards,

Ana Lucia Roca Mendro

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

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the same address.



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**From:** Ryan Mendro <rlmendro@gmail.com>  
**Sent:** Friday, July 19, 2019 8:28 PM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Ryan L. Mendro

Date: 7/19/19

Address: 101 Lee St., Windermere FL. 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Ryan L Mendro

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

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**From:** Simon Simaan <simon@simonsimaan.com>  
**Sent:** Friday, July 19, 2019 6:59 PM  
**To:** Simon Simaan, Realtor <simon@simonsimaan.com>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Simon and Simona Simaan

Date: 7/19/2019

Address: 812 East Blvd and 820 East Blvd Windermere FL

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Regards,

Simon and Simona Simaan

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:17 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Rezoning of 111 W 5th Avenue

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

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**From:** Dionne Beggrow <dionnewenke@hotmail.com>

**Sent:** Sunday, July 21, 2019 8:36 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMckinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Rezoning of 111 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Dionne Beggrow



Date: July 21, 2019

Address: 929 Oakdale Street, Windermere

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Kind Regards,

Dionne Beggrow

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Frank Krens  
727 Forest Street  
Windermere, FL 34786  
407-443-5212

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:17 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03 & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Judy Black <judyblackfla@gmail.com>

**Sent:** Saturday, July 20, 2019 9:32 AM

**To:** Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>; Jim Obrien <jobrien.windermere@gmail.com>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03 & 2019-04

To: Mayor and Town Council and Development Review Board

From: Judy Black

Date: 7/20/19

Address: 405 W. 3<sup>rd</sup> Ave., Windermere, 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

**JUDY BLACK**

Co-Creator | CEO Real Estate Agent

[Upside Real Estate](#)

407.810.1803

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103

Received two letters  
from the same address.



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**From:** Joseph Ata <drjosephata@gmail.com>  
**Sent:** Friday, July 19, 2019 9:16 PM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Joseph Ata

Date: 07/19/2019

Address: 5 Pine St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Joseph Ata D.M.D.

[DrJosephAta@gmail.com](mailto:DrJosephAta@gmail.com)

407-857-6501

**From:** Jill Ata <[jilledwardsata@gmail.com](mailto:jilledwardsata@gmail.com)>  
**Sent:** Thursday, July 25, 2019 2:12 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Jill Ata

Date: July 25, 2019

Received two letters  
from the same address.

Address: 5 Pine St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique

situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Jill Ata

--

Jill Ata D.M.D

Ata Dental Associates  
(407)408-3177 cell  
(407)857-6501 office



<[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>

Cc: Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

Subject: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Monica Semaan

Address outside of Town Limits.

Date: 07/19/2019

Address: 1485 Dingens Avenue, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Monica Semaan

Sent from my iPhone

<[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

Good Morning Mayor, Town Council and Development Review Board,

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Bruce Skinner  
1938 Hempel Ave.  
Windermere, FL 34786

Address outside of Town Limits.

To: Mayor and Town Council and Development Review Board

From: Bryan Crist

Date: July 23, 2019

Address: 7005 Horizon Circle Windermere, Florida 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Stephanie Crist

To: Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

Subject: 111 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Dean Miller

Date: 7-23-19

Address: 625 Butler Street

Three responses received  
from the same address.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Dean Miller

<RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>; Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** 111 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Lesha Miller

Date: 7-23-19

Three responses received from the same address.

Address: 625 Butler Street

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Lesha Miller

<RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>; Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** 11 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Tyler Miller

Date: 7-23-19

Address: 625 Butler Street

Three responses received from the same address.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Tyler Miller

To: Mayor and Town Council and Development Review Board

From: Chad McShee

Date: 7/24/2019

Address: 125 Forest St. 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,



Chad McGhee

**From:** [bconnors@cfl.rr.com](mailto:bconnors@cfl.rr.com) <[bconnors@cfl.rr.com](mailto:bconnors@cfl.rr.com)>  
**Sent:** Thursday, July 25, 2019 3:40 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Brynna Connors

Date: 7/25/19

Address: 217 Oakdale Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Brynna Connors

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 29, 2019 9:05 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Bonny Elder <bonny.elder@gmail.com>

**Sent:** Saturday, July 27, 2019 1:24 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, 2019-04

To: Mayor and Town Council and Development Review Board

From: John and Bonny Elder

Date: 7/27/19

Address: 3340 S. Lake Butler Blvd., Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to our attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

We would like to voice our approval for these three items. It is understandable how 111 W 5th Avenue would be suitable for commercial use now, since the construction of the parking lot at 119 W 5th Ave. If the above items are approved, we would like to see the architecture of the building match the downtown Windermere style (possibly similar to the new Town office/WPD design).

The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Once again, we are in support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
John and Bonny Elder

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 29, 2019 9:03 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103

Two responses from  
the same address.



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**From:** Ruffner, Steven <Steven.Ruffner@disney.com>

**Sent:** Saturday, July 27, 2019 9:22 AM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMckinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

To: Mayor and Town Council and Development Review Board

From: Steve Ruffner

Date: 07/27/19

Address: 2108 Kane Park Way, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Steve Ruffner

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 29, 2019 9:03 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

**Diane Edwards**  
*Administrative Assistant*  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)  
Phone: 407-876-2563 Ext 5321  
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Two responses from the  
same address.



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**From:** ruffinit5@aol.com <ruffinit5@aol.com>  
**Sent:** Saturday, July 27, 2019 9:33 AM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

To: Mayor and Town Council and Development Review Board

From: Sara Ruffner

Date: 07/27/19



Address: 2108 Kane Park Way, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Sara Ruffner

**From:** K HPNW <[kirsten.koci@gmail.com](mailto:kirsten.koci@gmail.com)>  
**Sent:** Monday, July 29, 2019 8:32 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Kirsten Henry

Two responses received from the same address.

Date: 7/29/2019

Address: 619 Magnolia St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my approval for these three items. Transforming the land use of 111 W 5th Avenue to a commercial property would fit well with the businesses that are around the property. The property is on an

island within commercial and public use zoning. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must continue to adapt and support a downtown that evolves with the changing desires of the community. Supporting small, local businesses, from a variety of trades and services, will create an even stronger community and gathering place for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Kirsten Henry

**From:** Matt Henry <[m4tt.henry@gmail.com](mailto:m4tt.henry@gmail.com)>  
**Sent:** Monday, July 29, 2019 8:29 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Matt Henry

Two responses received from the same address.

Date: 7/29/2019

Address: 619 Magnolia St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique

situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards, Matt Henry

**From:** Rebecca True <[rebeccatrue@hotmail.com](mailto:rebeccatrue@hotmail.com)>  
**Sent:** Tuesday, July 30, 2019 3:31 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Rebecca True

Two responses received from the same address.

Date: July 30, 2019

Address: 1111 Oakdale Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common-sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single-family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting Commercial zoning.

Regards,

Rebecca True

**From:** Travis True <[travistrue@hotmail.com](mailto:travistrue@hotmail.com)>  
**Sent:** Wednesday, July 31, 2019 8:40 AM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor, Town Council, and Development Review Board

From: Travis True

Date: July 30, 2019

Address: 1111 Oakdale Street, Windermere, FL 34786

Two responses received from the same address.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Travis True



To: Mayor and Town Council and Development Review Board

From: Eric A Graham

Date: July 28, 2019

Two responses received  
from the same address.

Address: 235 Palm Street, Windermere, Florida 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Eric A Graham

To: Mayor and Town Council and Development Review Board

From: Jeanne F Graham

Date: July 28, 2019

Two responses received  
from the same address.

Address: 235 Palm Street, Windermere, Florida 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Jeanne F Graham

**From:** Derek DeBoer <[debod001@gmail.com](mailto:debod001@gmail.com)>  
**Sent:** Wednesday, July 31, 2019 8:24 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Derek DeBoer

Date: 7/31/19

Two responses received from the same address.

Address: 306 Butler Street, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

**From:** Derek DeBoer <[debod001@gmail.com](mailto:debod001@gmail.com)>  
**Sent:** Wednesday, July 31, 2019 8:26 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Anne DeBoer

Date: 7/31/19

Two responses received  
from the same address.

Address: 306 Butler Street, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Anne DeBoer

**From:** Leigh Andrus <[leigh@2andrus.com](mailto:leigh@2andrus.com)>  
**Sent:** Wednesday, July 31, 2019 9:00 PM  
**To:** Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Jackie Leigh Andrus

Two responses received from the same address.

Date: July 31, 2019

Address: 11416 Willow Stowe Lane, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards, Jackie Leigh Andrus

**From:** Todd Andrus <[todd@2andrus.com](mailto:todd@2andrus.com)>  
**Sent:** Wednesday, July 31, 2019 9:04 PM  
**To:** Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Todd Andrus

Two responses received  
from the same address.

Date: July 31, 2019

Address: 11416 Willow Stowe Lane, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards, Todd Andrus



**From:** Angie Winn <[angiewinn@gmail.com](mailto:angiewinn@gmail.com)>  
**Sent:** Tuesday, July 30, 2019 6:16 PM  
**To:** Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Angie Winn

Two responses received from the same address.

Date: July 30, 2019

Address: 908 Rosser Road, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Angie Winn

**From:** jeff winn <[jajawinn@gmail.com](mailto:jajawinn@gmail.com)>  
**Sent:** Wednesday, July 31, 2019 6:56 AM  
**To:** Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** 111 W. 5th Ave

To: Mayor and Town Council and Development Review Board

From: Jeff Winn

Two responses received from the same address.

Date: July 30, 2019

Address: [908 Rosser Road, Windermere, FL 34786](#)

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of [111 W 5th Avenue](#).

It has come to my attention that a public hearing for the rezoning of [111 W 5th Avenue](#) will be heard before Town Council [on August 13, 2019](#). The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at [111 W 5th Avenue](#) and [119 W 5th Avenue](#) (Ordinance 2019-02);
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I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of [111 W 5th Avenue](#) to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

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Once again, I am in full support of [111 W 5th Avenue](#) adopting commercial Zoning.

Regards,

Jeff Winn

**From:** Karen Parks <[karen.parks@ymail.com](mailto:karen.parks@ymail.com)>

**Sent:** Tuesday, July 30, 2019 5:21 PM

**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Karen Chambliss

Date: 7/30/19

Address: 117 Palm St.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Karen Chambliss

Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Ken Hufstater <[khufstater@gmail.com](mailto:khufstater@gmail.com)>

**Sent:** Thursday, August 01, 2019 11:46 AM

**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>

**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Kenneth & Mary Hufstater

Date: 8/1/2019

Address: 10864 Bayshore Drive

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Ken and Mary Hufstater



To: Mayor and Town Council and Development Review Board

From: Don Huber

Date: 8/1/2019

Address: 625 and 709 Main Street

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:


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2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

A handwritten signature in blue ink, appearing to read "Donald M. Huber", with a long horizontal flourish extending to the right.

# Rezoning Responses

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

111 5TH AVE LLC  
901 ROSSER RD  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Rezoning for 111 W 5<sup>th</sup> Ave. Z19-10**

5<sup>th</sup> Ave., LLC owner of 111 W 5<sup>th</sup> Ave in the Town of Windermere is requesting a rezoning for the subject. The rezoning is from Residential to Commercial. The subject property is currently designated as Commercial on the Town's adopted Future Land Use Map of the Comprehensive Plan. The rezoning is to bring the subject property into compliance with the Future Land Use designation.

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Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

RECOMMEND – Z19-10 111 W 5th Ave.

APPROVAL:   X   DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE: Robert Williams DATE: 6-28-19

111 5TH AVE LLC

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Receiver

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

WINDERMERE MARKET LLC  
901 ROSSER RD  
WINDERMERE, FL 34786

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888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

**RECOMMEND – Z19-10 111 W 5th Ave.**

APPROVAL:   X   DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE:   Robert Williams   DATE:   6-28-19  

WINDERMERE MARKET LLC

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

KOFFARNUS MARK L  
515 BUTLER ST  
WINDERMERE, FL 34786

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Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-10 111 W 5th Ave.**

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

SIGNATURE: Mark L Koffarnus DATE: 6/28/2019

KOFFARNUS MARK L

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

PARK RESIDENTIAL RENTALS LLC  
4 PINE ST  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Rezoning for 111 W 5<sup>th</sup> Ave. Z19-10**

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Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-10 111 W 5th Ave.**

APPROVAL: ✓ DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

Excited about more commercie  
development downtown. Hopefully it will be comple

SIGNATURE: Val C. Fuchs DATE: 6-27-19

**PARK RESIDENTIAL RENTALS LLC**

The town people can visit with each other

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

PEARL CYNTHIA E  
525 BUTLER ST  
WINDERMERE, FL 34786

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888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

RECOMMEND – Z19-10 111 W 5th Ave.

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

SIGNATURE:  DATE: 6/25/19

PEARL CYNTHIA E

RECOMMEND - Z19-10 111 W 5th Ave.

APPROVAL: X DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE: [Signature] DATE: 7/1/19

ROSS SCOTT M

Received  
JUL 05 2019  
Wade Trim



# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 05 2019

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

501 MAIN L L C  
901 ROSSER RD  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Rezoning for 111 W 5<sup>th</sup> Ave. Z19-10**

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Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-10 111 W 5th Ave.**

APPROVAL:   Y   DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE:   Robert Williams   DATE:   7-2-19  

501 MAIN L L C

**Town of Windermere**  
614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

**Received**  
**JUL 05 2019**  
**Wade Trim**

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

CRAVEN BARRY T  
PO BOX 574  
WINDERMERE, FL 34786

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Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z19-10 111 W 5th Ave.**

**APPROVAL:**   X   **DISAPPROVAL** \_\_\_\_\_

**COMMENTS:** \_\_\_\_\_

**SIGNATURE:**   *Barry T Craven*   **DATE:**   7/2/19  

**CRAVEN BARRY T**

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received

JUL 11 2019

Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

THOMAS RICK Q  
325 BUTLER ST  
WINDERMERE, FL 34786

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[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND -- Z19-10 111 W 5th Ave.**

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

SIGNATURE:  DATE: 7/9/19

THOMAS RICK Q

RECOMMEND - Z19-10 111 W 5th Ave.

APPROVAL:  DISAPPROVAL

COMMENTS: Approve

SIGNATURE: [Signature] DATE: 7-9-19

BLACK AMANDA L



Received two responses  
from the same address.

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support letter for public hearing on cases 2019-02, 2019-03, 2019-04

Received two responses  
from the same address.

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Amanda Black <amandablackfl@gmail.com>

**Sent:** Friday, July 19, 2019 5:51 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support letter for public hearing on cases 2019-02, 2019-03, 2019-04

To: Mayor and Town Council and Development Review Board

From: Amanda Black

Date: 7/19/19

Address: 414 Forest St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Amanda Black

--

AMANDA BLACK  
Realtor | Interior Designer  
407.616.0140

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 05 2019  
Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

DIEDERICH ANDREA  
635 BUTLER ST  
WINDERMERE, FL 34786

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Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

RECOMMEND – Z19-10 111 W 5th Ave.

APPROVAL: \_\_\_\_\_ DISAPPROVAL X

COMMENTS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: 7/2/19

DIEDERICH ANDREA

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Received  
JUL 09 2019  
Wade Trim

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH  
  
Clerk  
DOROTHY BURKHALTER

June 24, 2019

435 BUTLER TRUST  
435 BUTLER ST  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Rezoning for 111 W 5<sup>th</sup> Ave. Z19-10**

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888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND - Z19-10 111 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL   X  

COMMENTS: We do not approve of the rezoning of residential into commercial where it starts encroaching into our neighborhoods. The Master Plan was put into designed to limit commercial development.

SIGNATURE: Mall July 1 DATE: 7/2/19

435 BUTLER TRUST

We agree with the Master Plan



# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

POTTHAST THOMAS JR  
425 BUTLER ST  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Rezoning for 111 W 5<sup>th</sup> Ave. Z19-10**

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Enclosed is additional information regarding this request.

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This matter will be presented to the Development Review Board on **Tuesday, July 16, 2019 at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, August 13, 2019 at 6:00 p.m.** and **Tuesday, September 10, 2019 at 6:00 p.m.** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.



**RECOMMEND – Z19-10 111 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL

COMMENTS: *The Master Plan was designed to limit commercial development and protect residents through buffers and providing adequate parking. We do not wish to have additional commercial*

SIGNATURE: *Kevin M. Potthast* DATE: *7-12-19*

POTTHAST THOMAS JR

*development coming into residential buffer and parking zones. See enclosed response.*

Genevieve and Tom Potthast  
425 Butler Street  
Windermere, FL 34786  
June 28, 2019

Response in Regards to:  
Z19-09: 111 and 119 West 5th Avenue  
Z19-10: 111 West 5th Avenue

The Town Center Overlay District (Master Plan) was designed to protect residential areas from the spread of commercial properties, to provide buffering for residential areas, and to ensure adequate parking for existing commercially zoned parcels. As a resident within 500 feet of these properties, we are against any commercial development encroaching on the parking and buffering areas.

Much thought was put into the Town of Windermere Master Plan, to support limited commercial development with appropriate amounts of necessary parking and buffering for town residents. It was executed as a result of a difficult time in the history of our town when we were faced with unexpected development requests. It should not be set aside lightly. Due to the conflict between these requests and the Master Plan, we recommend that Z19-09 and Z19-10 be **DISAPPROVED**.

Although the letter received stated that one of these properties (111) is shown as "commercial" in the town's *Future Land Use Map*, the Town Of Windermere Master Plan is an **overlay** which imposes *additional* restrictions on this property, and the Master Plan does **not** allow commercial use on this or the adjacent property (119). The other property (119) is still designated PUBLIC USE on the Future Land Use Map.

A few important points on the Master Plan:

- This plan was developed over a period of several years, and much thought for the general welfare of the entire town, both commercial and residential, was put into this plan. Extreme caution must be exercised when considering changing the Master Plan, or removing properties from the Master Plan, for the benefit of one or two individuals.
- The Master Plan has quite specifically limited commercial use to the 50% of any town block that faces Main Street, while completely restricting the 50% of any town block that faces Forest or Oakdale Streets to parking and residential buffers, to protect the residents and the residential character of their properties.
- Parking is gravely needed on the back 50% of blocks that have commercial properties on Main Street. Nearby residents suffer from cars parking on their lawns and have resorted to installing impediments to parking.

About our current town uses:

- There is currently **not one** property zoned commercial on the back 50% of a town block facing Main Street, or any other block. This is to protect the residential character of our town, and nearby residents.
- This would be a **very dangerous precedence** to set. If either of these properties is changed to commercial, we will not have a leg to stand on when any other adjacent or other property owner realizes that commercial property is usually more valuable than residential, and decides to apply for a change before selling their property. Fifteen years ago we were deep in defensive battle over the

desired over-development of commercial properties in Windermere. The Master Plan was the Town's answer to protect the Town against random commercial development, and to protect the nearby residents with buffers from the existing commercial development. These two properties are part of the designated parking and buffer zone.

- Commercial properties can be a nuisance to nearby residential properties. There have been countless disturbances to residents at all hours of the night from commercial properties (dumpsters repeatedly being emptied at 4 or 5 AM, despite town codes regulating noise before 7 AM).
- It can already be quite difficult for residents to get through 5th Avenue to their homes, due to the Farmer's Market, the Food Trucks, deliveries to Dixie Creamery, and waste removal vehicles. Additional impediments that naturally occur with commercial development should not be added to an already difficult street.

In summary:

Many years of analysis were put into the Town of Windermere Master Plan, to support limited commercial development with appropriate amounts of necessary parking and to provide buffering for town residents. Approving these proposals would be a grave mistake. It would set the precedences of (1) allowing for the first time, commercial development on the back 50% of a town block, and (2) allowing a parking zone to be developed commercially. These are very dangerous precedences to set. If this is done, the town should then expect to then face expensive lawsuits when other property owners realize that commercial properties are far more valuable than parking lots, and request changes as well. In particular, the owners of parking zones on Oakdale would be interested in converting to commercial developments as well. The town must realize that parking zones are required, commercial must be limited to the front 50% of blocks facing Main Street for the protection of the residents, and that *above all*, the plan of the entire town must be considered over the request of one or two individuals.

NB:

- The Future Land Use Map was just recently changed in October of 2018 to designate 111 W 5th Avenue as potential commercial, but prior to that it was residential. The manner in which the change was executed did not require individual notices. Although we are property owners within 307' of the property, we were not aware of this recent change and would have objected had we received notice, due to the conflict with the Master Plan.
- The Town of Windermere Master Plan designates both of these properties as **Parking Zones**, to support the nearby commercial, institutional, and government uses. Therefore, the current use of these properties is still currently restricted to either their current use (single family residential (111) and parking(119)), or in the future, to Parking Zones. They have never in the past been considered commercial. Many residents have licenses to operate a small business out of their home; we ourselves have had this in the past. This does not mean that a property is viewed as non-residential.
- Both properties are currently zoned residential and until a very short time ago, both had single family homes on them. Just recently, 119 W 5th Avenue was turned into a town parking lot as there was a desperate need for parking to support the existing town and commercial activities.

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

SPEARS CHARLES E  
PO BOX 527  
WINDERMERE, FL 34786

**RE: Public Notice of Public Hearing a Rezoning for 111 W 5<sup>th</sup> Ave. Z19-10**

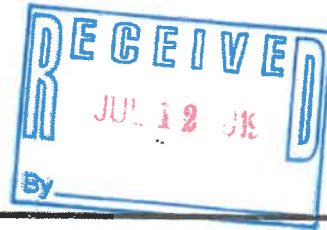
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Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
888-499-9624  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.



**RECOMMEND – Z19-10 111 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL X \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: Charles E Spears DATE: 7-11-19

SPEARS CHARLES E

# Town of Windermere

614 Main Street Windermere, FL 34786  
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

June 24, 2019

SPEARS JOHN A  
PO BOX 411  
WINDERMERE, FL 34786

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Encl.



**RECOMMEND – Z19-10 111 W 5th Ave.**

APPROVAL: \_\_\_\_\_ DISAPPROVAL

COMMENTS: WILL BE AT MEETING

SIGNATURE: [Signature] DATE: 7/11/19

SPEARS JOHN A



2.19.09

111 W 5. th Ave

Yes \_\_\_ NO X

bio  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Francis K Jones

Date: July 12, 2019

119 W. 5th Ave

Yes \_\_\_ NO X

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: Francis K Jones

Date: July 12, 2019

Home owner name: Francis Keefe Jones

Address: 412 Forest St. Windermere, FL 34786

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



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**From:** Joe pauley <jp386901@gmail.com>

**Sent:** Friday, July 19, 2019 5:22 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Joe Pauley

Date: 7/19/2019

Address: 79 Main St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Joe Pauley



<[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
Cc: Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
Subject: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Jessica Strack

Date: 7/21/19

Address: 39 Pine Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Jessica Strack

*Administrative Assistant*  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)  
Phone: 407-876-2563 Ext 5321  
Fax: 407-876-0103



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**From:** Andrew McGhee <[andy@windermerebrewing.com](mailto:andy@windermerebrewing.com)>  
**Sent:** Friday, July 19, 2019 12:04 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Andrew R. McGhee

Date: 7/19/2019

Address: 226 Butler Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Regards,

Andrew R. McGhee

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:17 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

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Windermere, FL 34786

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**From:** [luciaroca.dds@gmail.com](mailto:luciaroca.dds@gmail.com) <[luciaroca.dds@gmail.com](mailto:luciaroca.dds@gmail.com)>  
**Sent:** Sunday, July 21, 2019 11:35 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>  
**Cc:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Re: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Ana Lucia Roca Mendro

Date: 7/21/19

Address: [101 Lee St., Windermere FL. 34786](#)

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Once again, I am in full support of [111 W 5th Avenue](#) adopting commercial Zoning.

Regards,

Ana Lucia Roca Mendro

## Mastison, Sarah

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**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

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**From:** Ryan Mendro <rlmendro@gmail.com>

**Sent:** Friday, July 19, 2019 8:28 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Ryan L. Mendro

Date: 7/19/19

Address: 101 Lee St., Windermere FL. 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Ryan L Mendro



## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Simon Simaan <simon@simonsimaan.com>  
**Sent:** Friday, July 19, 2019 6:59 PM  
**To:** Simon Simaan, Realtor <simon@simonsimaan.com>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Simon and Simona Simaan

Date: 7/19/2019

Address: 812 East Blvd and 820 East Blvd Windermere FL

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Simon and Simona Simaan

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:17 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Rezoning of 111 W 5th Avenue

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

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**From:** Dionne Beggrow <dionnewenke@hotmail.com>  
**Sent:** Sunday, July 21, 2019 8:36 PM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Rezoning of 111 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Dionne Beggrow

Date: July 21, 2019

Address: 929 Oakdale Street, Windermere

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Kind Regards,

Dionne Beggrow

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Frank Krens  
727 Forest Street  
Windermere, FL 34786  
407-443-5212

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:17 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03 & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



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**From:** Judy Black <judyblackfla@gmail.com>  
**Sent:** Saturday, July 20, 2019 9:32 AM  
**To:** Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>; Jim Obrien <jobrien.windermere@gmail.com>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03 & 2019-04

To: Mayor and Town Council and Development Review Board

From: Judy Black

Date: 7/20/19

Address: 405 W. 3<sup>rd</sup> Ave., Windermere, 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

**JUDY BLACK**

Co-Creator | CEO Real Estate Agent

[Upside Real Estate](#)

407.810.1803

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 22, 2019 8:18 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103

Received two letters  
from the same address.



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**From:** Joseph Ata <drjosephata@gmail.com>

**Sent:** Friday, July 19, 2019 9:16 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Joseph Ata

Date: 07/19/2019



Address: 5 Pine St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Joseph Ata D.M.D.

[DrJosephAta@gmail.com](mailto:DrJosephAta@gmail.com)

407-857-6501

**From:** Jill Ata <jilledwardsata@gmail.com>

**Sent:** Thursday, July 25, 2019 2:12 PM

**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>

**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Jill Ata

Received two letters from the same address.

Date: July 25, 2019

Address: 5 Pine St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Jill Ata

--

Jill Ata D.M.D

Ata Dental Associates  
(407)408-3177 cell  
(407)857-6501 office

<[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>

**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Monica Semaan

Address outside of Town Limits.

Date: 07/19/2019

Address: 1485 Dingens Avenue, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Monica Semaan

Sent from my iPhone

<[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

Good Morning Mayor, Town Council and Development Review Board,

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Bruce Skinner  
1938 Hempel Ave.  
Windermere, FL 34786

Address outside of Town Limits.

To: Mayor and Town Council and Development Review Board

From: Bryan Crist

Date: July 23, 2019

Address: 7005 Horizon Circle Windermere, Florida 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Stephanie Crist

To: Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

Subject: 111 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Dean Miller

Date: 7-23-19

Address: 625 Butler Street

Three responses received  
from the same address.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Dean Miller



<[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** 111 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Lesha Miller

Date: 7-23-19

Address: 625 Butler Street

Three responses received from the same address.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Lesha Miller

<[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** 11 W 5th Avenue

To: Mayor and Town Council and Development Review Board

From: Tyler Miller

Date: 7-23-19

Three responses received from the same address.

Address: 625 Butler Street

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Tyler Miller

To: Mayor and Town Council and Development Review Board

From: Chad McGehee

Date: 7/24/2019

Address: 125 Forest St. 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W

5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,



Chad McGhee

**From:** [bconnors@cfl.rr.com](mailto:bconnors@cfl.rr.com) <[bconnors@cfl.rr.com](mailto:bconnors@cfl.rr.com)>  
**Sent:** Thursday, July 25, 2019 3:40 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Brynna Connors

Date: 7/25/19

Address: 217 Oakdale Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Brynna Connors

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 29, 2019 9:05 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03, 2019-04

### Diane Edwards

*Administrative Assistant*

Town of Windermere

614 Main Street

Windermere, FL 34786

Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)

Phone: 407-876-2563 Ext 5321

Fax: 407-876-0103



Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Bonny Elder <bonny.elder@gmail.com>  
**Sent:** Saturday, July 27, 2019 1:24 PM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, 2019-04

To: Mayor and Town Council and Development Review Board

From: John and Bonny Elder

Date: 7/27/19

Address: 3340 S. Lake Butler Blvd., Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to our attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

We would like to voice our approval for these three items. It is understandable how 111 W 5th Avenue would be suitable for commercial use now, since the construction of the parking lot at 119 W 5th Ave. If the above items are approved, we would like to see the architecture of the building match the downtown Windermere style (possibly similar to the new Town office/WPD design).

The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Once again, we are in support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
John and Bonny Elder



## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 29, 2019 9:03 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

**Diane Edwards**  
*Administrative Assistant*  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)  
Phone: 407-876-2563 Ext 5321  
Fax: 407-876-0103

Two responses from  
the same address.



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**From:** Ruffner, Steven <Steven.Ruffner@disney.com>  
**Sent:** Saturday, July 27, 2019 9:22 AM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

To: Mayor and Town Council and Development Review Board

From: Steve Ruffner

Date: 07/27/19

Address: 2108 Kane Park Way, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Steve Ruffner

## Mastison, Sarah

---

**From:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Sent:** Monday, July 29, 2019 9:03 AM  
**To:** Cornelius, Brad  
**Subject:** FW: Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

**Diane Edwards**  
*Administrative Assistant*  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
Email: [dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)  
Phone: 407-876-2563 Ext 5321  
Fax: 407-876-0103

Two responses from the  
same address.



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**From:** ruffinit5@aol.com <ruffinit5@aol.com>  
**Sent:** Saturday, July 27, 2019 9:33 AM  
**To:** Jim O'Brien <jobrien@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Frank Chase <fchase@town.windermere.fl.us>; Peter Fleck <pfleck@town.windermere.fl.us>; Jennifer Roper <jroper@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; Norma Sutton <nsutton@town.windermere.fl.us>; Stephen Withers <swithers@town.windermere.fl.us>  
**Cc:** Diane Edwards <dedwards@town.windermere.fl.us>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03 and 2019-04

To: Mayor and Town Council and Development Review Board

From: Sara Ruffner

Date: 07/27/19

Address: 2108 Kane Park Way, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Sara Ruffner

**From:** K HPNW <[kirsten.koci@gmail.com](mailto:kirsten.koci@gmail.com)>  
**Sent:** Monday, July 29, 2019 8:32 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Kirsten Henry

Two responses received from the same address.

Date: 7/29/2019

Address: 619 Magnolia St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my approval for these three items. Transforming the land use of 111 W 5th Avenue to a commercial property would fit well with the businesses that are around the property. The property is on an

island within commercial and public use zoning. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must continue to adapt and support a downtown that evolves with the changing desires of the community. Supporting small, local businesses, from a variety of trades and services, will create an even stronger community and gathering place for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Kirsten Henry

**From:** Matt Henry <[m4tt.henry@gmail.com](mailto:m4tt.henry@gmail.com)>  
**Sent:** Monday, July 29, 2019 8:29 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Matt Henry

Two responses received from the same address.

Date: 7/29/2019

Address: 619 Magnolia St, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique

situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards, Matt Henry



**From:** Rebecca True <[rebeccatrue@hotmail.com](mailto:rebeccatrue@hotmail.com)>  
**Sent:** Tuesday, July 30, 2019 3:31 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Rebecca True

Date: July 30, 2019

Two responses received from the same address.

Address: 1111 Oakdale Street, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting Commercial zoning.

Regards,

Rebecca True

**From:** Travis True <[travistrue@hotmail.com](mailto:travistrue@hotmail.com)>  
**Sent:** Wednesday, July 31, 2019 8:40 AM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor, Town Council, and Development Review Board

From: Travis True

Date: July 30, 2019

Address: 1111 Oakdale Street, Windermere, FL 34786

Two responses received from the same address.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Travis True

To: Mayor and Town Council and Development Review Board

From: Eric A Graham

Date: July 28, 2019

Two responses received  
from the same address.

Address: 235 Palm Street, Windermere, Florida 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Eric A Graham

To: Mayor and Town Council and Development Review Board

From: Jeanne F Graham

Date: July 28, 2019

Two responses received  
from the same address.

Address: 235 Palm Street, Windermere, Florida 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Jeanne F Graham

**From:** Derek DeBoer <[debod001@gmail.com](mailto:debod001@gmail.com)>  
**Sent:** Wednesday, July 31, 2019 8:24 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Derek DeBoer

Date: 7/31/19

Two responses received from the same address.

Address: 306 Butler Street, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

**From:** Derek DeBoer <[debod001@gmail.com](mailto:debod001@gmail.com)>  
**Sent:** Wednesday, July 31, 2019 8:26 PM  
**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Anne DeBoer

Date: 7/31/19

Two responses received  
from the same address.

Address: 306 Butler Street, Windermere FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Anne DeBoer

**From:** Leigh Andrus <[leigh@2andrus.com](mailto:leigh@2andrus.com)>  
**Sent:** Wednesday, July 31, 2019 9:00 PM  
**To:** Robert McKinley <[RMckinley@town.windermere.fl.us](mailto:RMckinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Jackie Leigh Andrus

Two responses received  
from the same address.

Date: July 31, 2019

Address: 11416 Willow Stowe Lane, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards, Jackie Leigh Andrus

**From:** Todd Andrus <[todd@2andrus.com](mailto:todd@2andrus.com)>  
**Sent:** Wednesday, July 31, 2019 9:04 PM  
**To:** Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Todd Andrus

Two responses received from the same address.

Date: July 31, 2019

Address: 11416 Willow Stowe Lane, Windermere, FL 34786

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards, Todd Andrus

**From:** Angie Winn <[angiewinn@gmail.com](mailto:angiewinn@gmail.com)>  
**Sent:** Tuesday, July 30, 2019 6:16 PM  
**To:** Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>  
**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Angie Winn

Two responses received from the same address.

Date: July 30, 2019

Address: 908 Rosser Road, Windermere, FL 34786

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

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3. An ordinance to rezone the property at 111 W 5th Avenue to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is

undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Angie Winn

**From:** jeff winn <[jajawinn@gmail.com](mailto:jajawinn@gmail.com)>  
**Sent:** Wednesday, July 31, 2019 6:56 AM  
**To:** Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>  
**Subject:** 111 W. 5th Ave

To: Mayor and Town Council and Development Review Board

From: Jeff Winn

Two responses received from the same address.

Date: July 30, 2019

Address: [908 Rosser Road, Windermere, FL 34786](#)

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of [111 W 5th Avenue](#).

It has come to my attention that a public hearing for the rezoning of [111 W 5th Avenue](#) will be heard before Town Council [on August 13, 2019](#). The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at [111 W 5th Avenue](#) and [119 W 5th Avenue](#) (Ordinance 2019-02);
2. An ordinance for a small-scale amendment to the Future Land Use Map of the Town's Comprehensive Plan to remove the properties located at [111 W 5th Avenue](#) and [119 W 5th Avenue](#) from the Town Center Overlay District (Ordinance 2019-03); and
3. An ordinance to rezone the property at [111 W 5th Avenue](#) to Commercial (Ordinance 2019-04)

I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of [111 W 5th Avenue](#) to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of [111 W 5th Avenue](#) adopting commercial Zoning.

Regards,

Jeff Winn

**From:** Karen Parks <[karen.parks@ymail.com](mailto:karen.parks@ymail.com)>

**Sent:** Tuesday, July 30, 2019 5:21 PM

**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Karen Chambliss

Date: 7/30/19

Address: 117 Palm St.

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
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I would like to voice my strong approval for these three items. It is a common sense decision to transform the land use of 111 W 5th Avenue to one befitting the highest and best use of the property. The property is on an island within commercial and public use zoning and is undesirable as a single



family home. No other property in the Town proper is in this unique situation and this property should be adopted into the commercial center of the Town of Windermere Central Business District.

Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

Karen Chambliss

Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Ken Hufstater <[khufstater@gmail.com](mailto:khufstater@gmail.com)>

**Sent:** Thursday, August 01, 2019 11:46 AM

**To:** Jim O'Brien <[jobrien@town.windermere.fl.us](mailto:jobrien@town.windermere.fl.us)>; Robert McKinley <[RMcKinley@town.windermere.fl.us](mailto:RMcKinley@town.windermere.fl.us)>; Bill Martini <[bmartini@town.windermere.fl.us](mailto:bmartini@town.windermere.fl.us)>; Liz Andert <[landert@town.windermere.fl.us](mailto:landert@town.windermere.fl.us)>; Chris Sapp <[csapp@town.windermere.fl.us](mailto:csapp@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Norma Sutton <[nsutton@town.windermere.fl.us](mailto:nsutton@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>

**Cc:** Diane Edwards <[dedwards@town.windermere.fl.us](mailto:dedwards@town.windermere.fl.us)>

**Subject:** Support Letter for Public Hearing on cases 2019-02, 2019-03, & 2019-04

To: Mayor and Town Council and Development Review Board

From: Kenneth & Mary Hufstater

Date: 8/1/2019

Address: 10864 Bayshore Drive

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

1. An ordinance to amend the Town Center Design District Guidelines Master Plan Boundary to remove the properties located at 111 W 5th Avenue and 119 W 5th Avenue (Ordinance 2019-02);
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Part of the charm of living in Windermere is its unique downtown district, our town square is where residents come together as a community. I believe we must foster and grow our small businesses to create an even better quality of life for the residents of Windermere.

Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,  
Ken and Mary Hufstater

To: Mayor and Town Council and Development Review Board

From: Don Huber

Date: 8/1/2019

Address: 625 and 709 Main Street

Re: Public Hearing Cases for Amendment of Town Center Design District Guidelines Master Plan Boundary and Commercial Rezoning of 111 W 5th Avenue.

It has come to my attention that a public hearing for the rezoning of 111 W 5th Avenue will be heard before Town Council on August 13, 2019. The three (3) public hearing cases that must be approved for this change to happen are:

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Once again, I am in full support of 111 W 5th Avenue adopting commercial Zoning.

Regards,

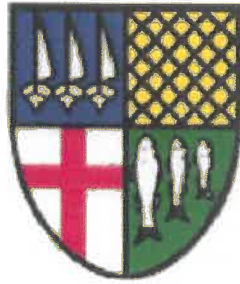
A handwritten signature in blue ink that reads "Donald M. Huber". The signature is written in a cursive style with a long horizontal line extending to the right.

List of responses received outside of 500 ft

Response:	Address:	Approximate Distance to Subject Property:
Y (2)	5 PINE ST	3,090 feet (0.6 mi)
Y	39 PINE ST	2,469 feet (0.4 mi)
Y	79 MAIN ST	1,812 feet (0.3 mi)
Y	405 W 3RD AVE	1,200 feet (0.2 mi)
Y	226 BUTLER ST	996 feet (0.2 mi)
Y (2)	101 LEE ST	2,277 feet (0.4 mi)
Y	812 EAST BLVD	1,751 feet (0.3 mi)
Y	820 EAST BLVD	1,838 (0.3 mi)
Y	929 OAKDALE ST	2,222 feet (0.4 mi)
Y	7005 HORIZON CIR	7,562 feet (1.4 mi)
Y (3)	625 BUTLER ST	751 feet (0.1 mi)
Y	125 FOREST ST	1,324 feet (0.3 mi)
Y	217 OAKDALE ST	1,150 feet (0.2 mi)
Y	3340 S LAKE BUTLER BLVD	3,338 Feet (0.6 mi)
Y (2)	2108 KANE PARK WAY	7,957 Feet (1.5 mi)
Y (2)	1111 OAKDALE ST	3,000 feet (0.6 mi)
Y (2)	619 MAGNOLIA ST	1,235 feet (0.2 mi)
Y (2)	235 PALM ST	992 feet (0.2 mi)
Y (2)	306 BUTLER ST	761 feet (0.1 mi)
Y (2)	11416 WILLOW STOWE LN	7,321 feet (1.4 mi)
Y (2)	908 ROSSER RD	4,600 feet (0.9 mi)
Y	117 PALM ST	1,570 feet (0.3 mi)
Y	10864 BAYSHORE DR	5,137 feet (1.0 mi)
Y (Same owner both properties) 625 MAIN ST & 709 MAIN ST 797 feet (0.2 mi) & 1,034 feet (0.2 mi)		

Responses outside Town limit

Response:	Address:	Approximate Distance to Subject Property:
Y	1485 DINGENS AVE	11,377 feet (2.2 mi)
Y	1938 HEMPEL AVE	8,979 feet (1.7 mi)



**TOWN OF WINDERMERE  
EXECUTIVE SUMMARY**

**SUBJECT:** Windermere St. Patrick’s Day Festival Sponsored by Windermere Police  
Department Foundation Inc. Insurance Coverage

**REQUESTED ACTION:** Board Option

- Work Session (Report Only)
- Regular Meeting

**DATE OF MEETING:** 8/13/19

Special Meeting

**CONTRACT:**  N/A

Effective Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_

Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** NA

- Annual
- Capital
- N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

---

**HISTORY/FACTS/ISSUES:**

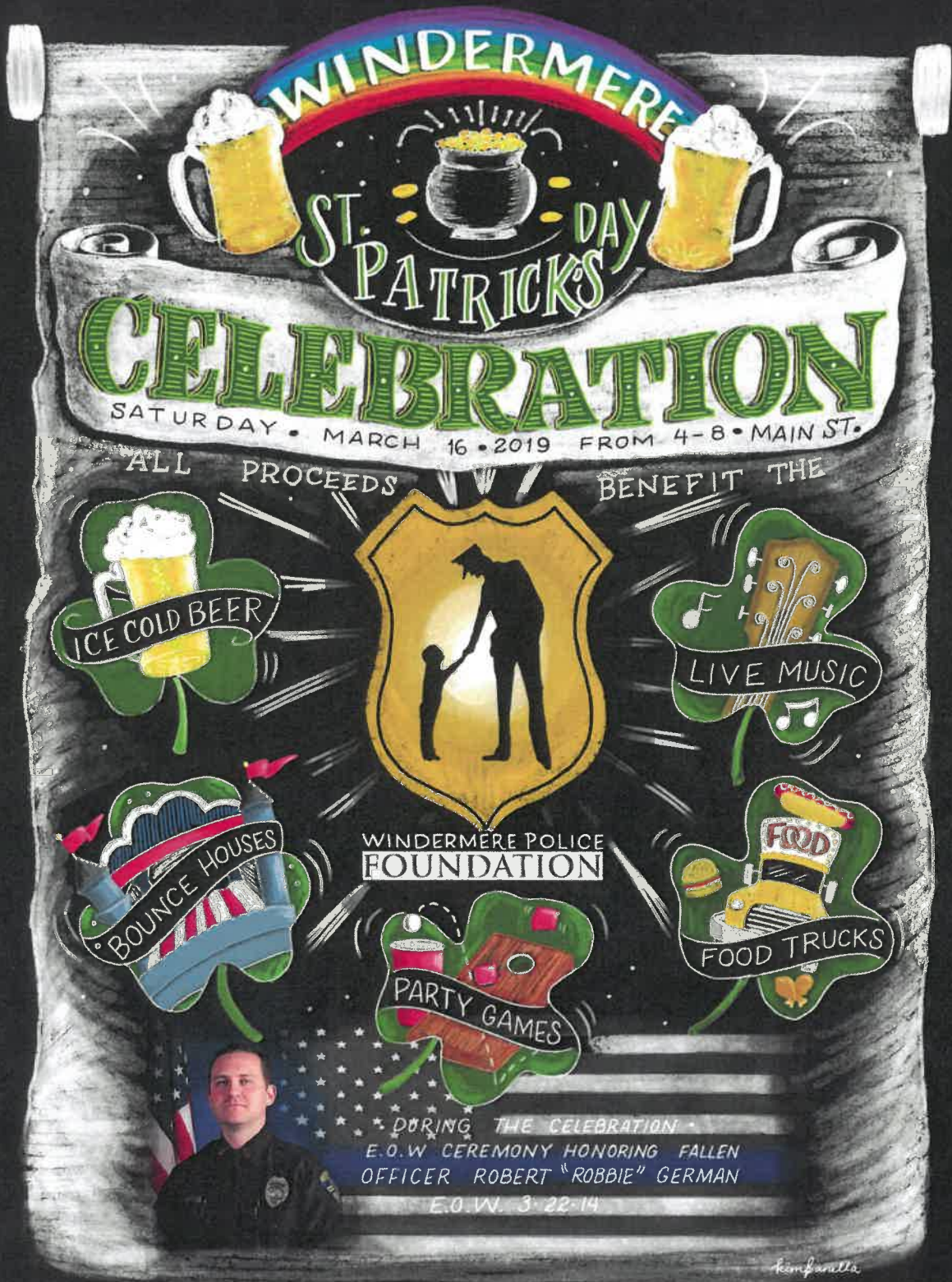
Mayor & Council,

Mayor O’Brien sits on the Windermere Police Department Foundation Inc Board as an Officer. AS you now, on March 22nd, 2014, The Town of Windermere Family lost a son, a brother, and a hero when Officer Robert “Robbie” German was killed in the line of duty. The entire community came together during this tragic time and truly demonstrated why the Town of Windermere and Central Florida is such a great place to work, live, and raise a family. From the various memorials, blue ribbon campaigns, and outpouring of support, the Town came together and honored our fallen hero.

The Windermere Police Department Foundation, Inc. was established and gained 501C(3) in the wake of this tragedy. The mission is to support, encourage, and benefit the citizens served by the Windermere Police Department, the employees and families of the Windermere Police Department, and the Central Florida community. The Foundation will also seek innovative ways to improve the quality of life of the citizens served by the Windermere Police Department and the Central Florida community, through advancements in safety and crime reduction, all with the goal of enhancing services within the area.

The 3rd Annual Windermere St. Patrick’s Day Celebration will be held on March 14, 2020 in Downtown Windermere 520 Main St from 4-8pm. This event will hopefully accomplish two goals, celebrate Robbie’s life and raise money to help support his family and fellow officers. We hope that you will help support our efforts since this is both a fundraising event and memorial for Officer German. We would respectfully request allowing this event to fall under the Town of Windermere Insurance as a Town Sponsored Event.

Thank you for your consideration.





## EXECUTIVE SUMMARY

**SUBJECT:** Cops & Bobbers Fishing Event

**REQUESTED ACTION:** WPD Foundation Funded and Requests Approval

Work Session (Report Only)

Regular Meeting

**DATE OF MEETING:** 8/13/19

Special Meeting

**CONTRACT:**  N/A

Effective Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_

Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \$0

Annual

Capital

N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

---

### HISTORY/FACTS/ISSUES:

Mayor & Council,

The Windermere Police Department Foundation would like to request approval and fund the Cops & Kids Fishing Event to be held on Saturday September 21, 2019 from 7:30-12pm. This is a great first annual event that was initiated by Chief Ogden that would promote not only the Windermere Police Department but also build trust in the Department with the younger community all while having a great time (making memories).

Registration 7:30 am – 8:00 am

Event 8:00 am – 12:00 pm

Location(s):

Meet up & registration

Town Hall – 520 Main. St. Windermere Fl. (Reserved for our date)

Windermere Recreational Area (checking on availability)

Fishing

Shoreline Fishing

Lake Bessie Park

Lake Street Park (new dock off 4th & dock off 5th street)

Windermere Recreation Area (new dock & a lot of shoreline and canal access)

Boat Launch

Fernwood Park – located at 7th & Butler St.

Possibly of residents getting involved



## Participation

Kids will be broken down into 3 categories


Tiny Hooks = 3 – 5-year old (No boating – shoreline fishing only)

Little Hooks = 6-10-year old (eligible for boating, but we will cap at first 100)

Jr Hooks = 11 – 17-year old (eligible for boating, but with cap 1st 100)

The is free to the public and the Windermere Police Department Foundation would request Approval

407-347-3072  
**GET HOOKED**  
BAIT AND TACKLE  
&  
PROFESSIONAL GUIDE SERVICE

 **WINDERMERE POLICE FOUNDATION**

Sign up: Ms. Lori Sipek [Lsipek@town.windermere.fl.us](mailto:Lsipek@town.windermere.fl.us)  
Phone: 407-876-3757 Mon-Fri. 9am -5pm

# **COPS & BOBBERS**

**SEPTEMBER 21, 2019**      **8:00 AM TO 12:00 PM**

*Registration & Meetup @ Town Hall, 520 Main St, Windermere, FL 34786*  
*Registration 7:30 AM- 8:00 AM. Kids from 3- 17 years old welcome!*  
*3-5 Years old will be fishing from the shoreline.*

*Age Groups:*  
*Tiny Bobbers: 3-5 Years Old*  
*Little Bobbers: 6-10 Years Old*  
*Jr Bobbers: 11-17 Years Old*

*The first 100 Little and Junior Bobbers who sign up may be eligible to fish from a boat!*

61XTH Windermere ANNUAL

# Craft Beer Fest

OCTOBER  
SAT. 12

4pm - 8pm  
DOWNTOWN  
WINDERMERE  
under the Oaks



Get social  
@WindermereCBF  
WindermereCraftBeerFest

21 and up  
Drink Responsibly

Tickets Available at [www.WindermereCraftBeerFest.com](http://www.WindermereCraftBeerFest.com)

## **AGREEMENT**

between

The School Board of Orange County, Florida

and

Town of Windermere Police Department

for

The School Resource Officer Program

This agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019 between the School Board of Orange County, Florida, a public body corporate organized and existing under the Constitution and laws of the State of Florida, hereinafter referred to as “SBOC” and the Town of Windermere, hereinafter referred to as the “Law Enforcement Agency” or “the Agency.”

WHEREAS, the Florida Legislature has amended Section 1006.12, Florida Statutes, entitled “Safe-School officers at each public school”, requiring each District School Board and School District Superintendent to partner with law enforcement agencies to establish or assign one or more safe-school officers at each school facility within the district by implementing a security option which best meets the needs of the school district.

WHEREAS, SBOC has elected to comply with Section 1006.12, Florida Statutes, with a School Resource Officer program as defined in Section 1006.12(1), Florida Statutes.

WHEREAS, SBOC has identified those schools within each agency’s jurisdiction that requires the assignment of an SRO in order to comply with Section 1006.12, Florida Statutes.

WITNESSETH NOW, THEREFORE, in mutual consideration of the covenants herein, the Law Enforcement Agency and SBOC agree as follows:

### **DEFINITIONS**

- A. School Resource Officers (SROs) – Sworn Law enforcement officers, employed by a law enforcement agency, who have completed the SRO Basic Certification course, and who have successfully completed training in accordance with Section 1006.12 (1), Florida Statutes.
- B. TDY Officers (non-SROs) - Sworn Law enforcement officers, employed by a law enforcement agency or working in an off-duty capacity, who may not have completed the SRO Basic Certification course or all training required in accordance with Section 1006.12(1), Florida Statutes.
- C. School Safety Officers – Sworn Law Enforcement Officers employed by SBOC.
- D. School Year – the ten (10) month, regular school year, consisting of 1441 hours worked.

- E. Summer School – the period of time at the end of the regular school where certain identified schools are open for students to receive additional instruction.

### **SCOPE OF SERVICES**

The Law Enforcement Agency shall make all reasonable efforts to assign one or more SRO or non-SRO at each school within its jurisdiction as identified in “**Exhibit A.**”

- A. Any requests for additional SRO services during the term of this Agreement and during regular school hours by any SBOC school shall be further negotiated through SBOC’s District Police and the Law Enforcement Agency. Any changes to the staffing levels contained in this agreement shall be in writing and signed by both parties.
- B. SBOC shall provide notice to the Law Enforcement Agency for the jurisdiction where the school is located, at least two (2) years prior to the commencement of any new school construction or conversion or the elimination of any school within the agency’s jurisdiction, to discuss and negotiate the need for changes to the law enforcement agency’s staffing levels at the subject school. Both parties acknowledge that the budgetary cycle for the Law Enforcement Agency requires sufficient lead time to properly budget for, select, train and equip law enforcement officers. Notwithstanding the foregoing, SBOC shall provide the Law Enforcement Agency with SBOC’s adopted five (5) year Capital Improvement Plan (“5 Year CIP”) on a yearly basis, no later than October 1 of each year. SBOC shall also promptly provide the Law Enforcement Agency any amendments to the 5 Year CIP adopted by SBOC.
- C. Each SRO and non-SRO work year will follow the schedule established by SBOC for 10-month teachers.
- D. If SBOC schedules summer school in 2020 or 2021, the Law Enforcement Agency shall make all reasonable efforts to assign one or more SROs or non-SROs at each school located within its jurisdiction. SBOC shall provide the Law Enforcement Agency a list of schools scheduled to host summer school as soon as reasonably practicable but no later than 45 days prior to the end of the regular school year. The list will include the school’s address, the number of SROs requested for each location, the specific dates and times that the services are needed and the number of students expected to attend at each location.
- E. The agency will provide SBOC an invoice at the end of Summer School providing the same level of detail as those invoices provided during the regular school year. OCPS shall remit payment to the agency within forty-five (45) days from receipt.
- F. The SROs or non-SROs, shall make reasonable efforts to arrive at their assigned campus one half (½) hour before the school day begins and shall remain on campus one half (½) hour after the school day ends. This schedule may be altered if the SRO or non-SRO determines there is a need to address an issue involving students in areas adjacent to the school. The SRO or non-SRO will make reasonable efforts to notify the school of the change. The SROs and non-SROs shall notify the principal or designee of their presence on the campus as soon as practical.
- G. The Law Enforcement Agency will make reasonable efforts to provide additional SRO or non-SRO services at the request of the SBOC District Police. All such requests will be reviewed

and approved by the Law Enforcement Agency based upon staffing availability and internal agency policy.

- H. SROs and non-SROs are required to be absent from campus from time to time to attend training, because of illness, military obligations, to appear in court and to perform certain administrative functions required by their position with the Law Enforcement Agency. The SRO supervisor will approve all SRO and non-SRO absences from campus and notify the school administration and OCPS District Police in advance, when possible. The Law Enforcement Agency shall make reasonable efforts to replace SROs or Non-SROs who are absent from campus in a timely manner, but in no event more than two (2) hours after the SRO has to leave campus . If the agency staffs two SROs at a particular school, but one is temporarily absent, a relief SRO may or may not be provided depending on the staffing needs of the Law Enforcement Agency. Notwithstanding the foregoing, the agency shall have at least one SRO on campus at all times.
- I. SBOC and the Law Enforcement Agency will coordinate all safety protocols required by statute in a mutually agreeable manner.
- J. SROs and non-SROs should wear their department issued uniforms while working on campus and at school events, unless exempted by their immediate supervisor.
- K. The parties agree that representatives of the SBOC District Police and Agency management will hold a pre-school year planning meeting and a post school year debriefing meeting to address operational issues and concerns.

## RATE

The rates described below apply to the school year beginning July 1, 2019 through June 30, 2021:

- A. SBOC agrees to reimburse the Law Enforcement Agency at a rate of \$49,000.00 per full-time SRO for the 10-month school year at schools identified in “**Exhibit A**” for the 2019-2020 school year. SBOC agrees to reimburse the Law Enforcement Agency at a rate of pay of \$50,000.00 per full-time SRO for the 10-month school year at the schools identified in “**Exhibit A**” for the 2020-2021 school year.
- B. SBOC agrees to reimburse the Law Enforcement Agency at a rate of \$50.00 an hour (\$72,050.00 per regular school year for 1441 hours) for each non-SRO officer or off-duty officer assigned to SRO duties or covering SRO duties temporarily, for the 10-month school year at schools identified in “**Exhibit A**” .
- C. In the event the Law Enforcement Agency assigns a full time SRO to a school previously serviced by a non-SRO officer, the Law Enforcement Agency shall immediately notify SBOC and the following change will be made:
  - 1. SBOC will reimburse the Agency for the new SRO at the rate of \$49,000.00 for the 2019-2020 school year and \$50,000.00 for the 2020-2021, prorated based upon the SRO’s start date at the school.
- D. Rates for Summer School will be on a pro rata basis of the 10 month rate for SROs. Should the Agency have to utilize non-SROs to provide adequate coverage, SBOC will reimburse the Agency at a rate of \$50.00 per hour for non-SROs providing services.

- E. SBOC will reimburse the Law Enforcement Agency at a rate of \$49,000.00 for supervisors in the 2019-2020 school year and \$50,000.00 for the 2020-2021 school year. Supervisors include, but are not limited to, sergeants and corporals, or others in similar positions assigned whose primary responsibility is to provide direct supervision of the sworn law enforcement officers or SROs providing services hereunder. If the Law Enforcement Agency has a designated supervisor for School Resource Officers who have additional duties, the supervisor will be paid on the following pro rata rate:
1. If the SRO Sergeant or SRO Corporal or other in similar position supervises 1 to 2 SROs or non-SROs assigned SRO duties, SBOC will pay the agency \$12,250.00 for supervision costs in the 2019-2020 school year, and \$12,500.00 in the 2020-2021 school year.
  2. If the SRO Sergeant or SRO Corporal or other in similar position supervises 3 to 4 SROs or non-SROs assigned SRO duties, SBOC will pay the agency \$24,500.00 for supervision costs in the 2019-2020 school year, and \$25,000.00 in the 2020-2021 school year.
  3. If the SRO sergeant or SRO Corporal or other in similar position supervises 5 to 7 SROs or non-SROs assigned SRO duties, SBOC will pay the agency \$36,750.00 for supervision costs in the 2019-2020 school year, and \$37,500.00 in the 2020-2021 school year.
  4. If the SRO sergeant or SRO Corporal or other in similar position supervises 8 or more SROs or non-SROs assigned SRO duties, SBOC will pay the agency \$, 49,000.00 for supervision costs in the 2019-2020 school year, and \$50,000,.00 in the 2020-2021 school year.

A list of said positions shall be attached hereto as **“Exhibit B.”**

- F. The compensation provided for herein shall only be for those hours when school is in session during the regular school year and as provided in “Scope of Services”. Law enforcement personnel needed for extracurricular activities involving students, staff or SBOC facilities shall be available through the Agency’s “Off Duty Services” program. This agreement does not guarantee the availability of off-duty officers.
- G. If the monies that OCPS receives for the “Guardian Program” as established in the Marjory Stoneman Douglas High School Public Safety Act are converted into money which may be used by SBOC to fund or reimburse the Agency for SRO positions, SBOC will notify the Law Enforcement Agency of this new money.
- H. Provided the Law Enforcement Agency is not in violation of any of the terms of this Agreement, payment shall be made in two installments (one half of each school year rate) with payments due on or before January 31, 2020, June 30, 2020, January 31, 2021 and June 30, 2021. If SBOC believes that the Law Enforcement Agency is in violation of the terms of this Agreement, SBOC shall deliver written notice to the head of the Law Enforcement Agency of the violation(s) and allow the Law Enforcement Agency thirty (30) days to correct any violation. If SBOC does not provide written notice of the violation and provides the Law Enforcement Agency the opportunity to correct said violation(s), SBOC shall not withhold payment. Additionally, if SBOC provides written notice of a violation and the Law Enforcement Agency corrects the

violation(s) within the thirty (30) days, SBOC shall not withhold payment. The Law Enforcement Agency will deliver an invoice to SBOC at least forty-five (45) days prior to the agreed upon payment date.

- I. The Law Enforcement Agency shall submit invoices that reference valid SBOC Purchase Order numbers on all requests for payment. Any invoice submitted as a result of this Agreement shall be submitted in an Excel formatted spreadsheet itemized to identify the SRO, assigned school and dates of services provided. Non-SRO services shall be billed on a separate Excel Spreadsheet itemized to identify the non-SRO, assigned school, dates of service and hours on duty. Lump Sum invoices shall not be submitted and will not be accepted for multiple line Purchase Orders.

### **QUALIFICATIONS OF SROs**

Law Enforcement Agencies will train officers to be statutorily qualified as an SRO. SBOC will pay for the SRO Basic Certification as funding permits.

### **OPTIONAL SERVICES**

An SRO or non-SRO's main function on the school campus, as articulated in the Marjory Stoneman Douglas High School Public Safety Act, is to be a uniformed, armed presence on the school campus. If time permits, the SRO or non-SRO may also engage in additional activities while on school campus:

- A. An SRO assigned to a school may, by mutual agreement, teach programs to the students. Any curriculum the SRO teaches should be an approved program or be submitted to the SBOC District Police for approval.
- B. SROs and non-SROs are encouraged to engage in individual and small group discussion with students, faculty and parents about matters related to law enforcement.
- C. SROs and non-SROs are encouraged to make referrals to community agencies offering assistance to juveniles and their families, such as mental health clinics, drug treatment centers, etc. when the officer deems appropriate.
- D. SROs and non-SROs may assist other law enforcement officers in matters relating to the SRO school assignments.
- E. The assigned SROs and non-SROs will be on the premises of the school as a uniformed presence while the SBOC District Police conduct their weapons screening program. The weapons screening is solely the responsibility of SBOC and the SROs and non-SROs will not participate in screening or searching any student, SBOC employee, or any other person as part of SBOC's screening program, unless the officer can articulate reasonable suspicion that the person is armed justifying a pat down or probable cause to search based upon the belief weapons or contraband are illegally possessed. Where staffing levels permit temporary re-assignment of

SROs from other schools is permissible. SBOC must provide a minimum of two (2) business days' notice to the Law Enforcement Agency management staff.

- F. If the Law Enforcement Agency cannot temporarily re-assign an SRO or non-SRO to another school for the weapons screening program, SBOC will decide if they want to operate the weapons screening with just the assigned SRO or if they want to request an off-duty officer to be present. This agreement does not guarantee the availability of off-duty officers.
- G. Upon receiving a records request from SBOC and as permitted by law and agency policy, any reports or documentation created in the course of a criminal investigation may be forwarded to the OCPS District Police for appropriate action and dissemination to the affected school as necessary.
- H. SROs and non-SROs shall not be assigned any duties regularly given to school personnel, such as lunchroom or hall duty. The SRO and non-SROs, shall be visible in student populated areas before school, during class change, at lunch, and during dismissal when not involved in other Law Enforcement duties. The SRO and non-SRO shall patrol the perimeter and external portion of the school when the SRO's or non-SRO's schedule permits.

#### **COOPERATION BETWEEN PARTIES**

- A. The Law Enforcement Agency may submit a combined agency SRO activity log to SBOC District Police by the 15<sup>th</sup> day of the following month. This activity log can be combined with any duty log created or already in place by an individual agency, and it may include statistical data of any arrests, Juvenile Release Agreements, At-Large Affidavits, or Juvenile Civil Citations issued on SBOC-owned property taken by the SRO or other law enforcement officer while school is in session.
- B. Law Enforcement Agencies, within statutory and policy guidelines, shall share criminal information (to include specific incidents and trends), potential threats to the school, criminal gang activities, and other issues that could affect the safety of the school environment with the SBOC District Police.
- C. SROs and non-SROs are under the direct supervision and control of the Law Enforcement Agency. They remain employees of the Law Enforcement Agency and are responsible and accountable to the Law Enforcement Agency's chain of command. SROs and non-SROs will coordinate their activities with a single point of contact identified by SBOC.
- D. The SRO and non-SRO will, in a reasonable and practical time frame and within statutory and agency guidelines, communicate any law enforcement action the SRO or non-SRO takes on campus with the principal or his/her designee. The SRO and non-SRO shall make reasonable efforts to inform the principal or his/her designee prior to removing any student from class to conduct custodial interrogations unless there is a threat to school safety that requires immediate action. School administrators will not interfere with criminal investigations involving students. Any student information provided to the SRO, non-SRO, or Law Enforcement Agency by SBOC shall be subject to student privacy laws.
- E. School administration shall advise the SRO or non-SRO, or if the SRO or non-SRO is not available, the Law Enforcement Agency, of any incidents occurring on: school campus, school transportation or involving current or past students which a reasonable person would believe to



be criminal activity or which constitutes a potential threat. Said notification shall be made immediately.

- F. Behavior that could be defined as a "petty act of misconduct" which are not threats to school safety, and do not require consultation with law enforcement under Section 1006.13(c), Florida Statutes, shall be discussed by school administration and the SRO or non-SRO to determine if there is an appropriate student discipline remedy in lieu of criminal prosecution. If the parties agree that the offense should be handled by the school, the offense will be handled by OCPS. Notwithstanding the foregoing, nothing herein shall preclude the Law Enforcement Agency's discretion to conduct a criminal investigation.
- G. If criminal activity is suspected, the primary investigative party will be the Law Enforcement Agency. The status and findings of the investigation, where permitted by Florida law and the law enforcement agency's policy, will be communicated with school administration. A school investigation may be done concurrently, but shall not interfere with law enforcement activities.
- H. SROs and non-SROs are not school disciplinarians. The SRO or non-SRO will not transport suspended or disruptive students unless authorized by their supervisor. The parties shall cooperate in informing the student's parents in the event the student is being transported to another location.
- I. Should it become necessary to conduct formal law enforcement interviews on school grounds with students or staff, the SRO or non-SRO shall abide by applicable State law and the Law Enforcement Agency's policy and procedure. SBOC personnel shall cooperate with those efforts.
- J. Nothing herein shall be construed as imposing a legal duty for school and/or student security upon the Law Enforcement Agency. This Agreement shall not be construed as creating a special relationship between the Law Enforcement Agency and any person or entity.

#### **TERM AND TERMINATION**

- A. This Agreement shall be in effect from July 1, 2019, through June 30, 2021.
- B. Either party may terminate this Agreement without cause upon thirty (30) days written notice to the other party. In the event of such a termination, the Law Enforcement Agency shall be paid on a pro rata basis for services rendered to the date of termination. Further, either party may immediately terminate this Agreement for cause upon giving written notice to the other party and a 30-day opportunity to cure any material default.
- C. The terms and provisions of this Agreement constitute the entire contract between the parties with respect to the subject matter hereof and shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties. No change, alteration, or modification of this Agreement shall be effective unless in writing and signed by both parties hereto.
- D. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The venue of any litigation arising hereunder shall be Orange County, Florida.

- E. All concerns and conflicts regarding SROs and SBOC schools will be administered through the Chief - District Police and the appropriate designee from the Law Enforcement Agency unless otherwise prohibited by law or agency policy.
- F. It is understood and agreed to by the parties that at no time shall a law enforcement officer acting pursuant to this Agreement be an employee or agent of SBOC. The law enforcement officer shall always be and remain an employee of the Law Enforcement Agency when performing their function herein.
- G. The parties agree that they will engage in meaningful, face to face negotiations beginning in January 2021 in preparation for the 2021-2022 school years, with the intent of having a finalized agreement on or about July 1, 2021. Each party will assign personnel to their respective team that have the ability to negotiate on behalf of their organization.
- H. In the event SBOC enters into an agreement with another law enforcement agency, which contains terms more favorable to either party than those contained in this Agreement, the parties hereto agree to amend this Agreement to mirror all terms contained in the more favorable agreement.

#### **MISCELLANEOUS TERMS**

- A. The Law Enforcement Agency is responsible for deciding which equipment is best suited for the SRO and non-SRO to successfully complete their duties.
- B. SBOC and the Law Enforcement Agency shall mutually agree on a location at each school where the Agency may install a gun safe provided by the Agency, in an area accessible by the Agency's sworn personnel, to ensure that equipment is kept in a secure manner throughout the day.
- C. SBOC will provide work space for use by SROs or non-SROs in each assigned school.
- D. Pursuant to Section 1006.07(4)(b)(1), Florida Statutes, the Law Enforcement Agency shall conduct active assailant situation training at schools identified in Exhibit A to this document and may assist in that training at any other schools within its jurisdiction.
- E. Pursuant to Section 1006.07(7), Florida Statutes, the Law Enforcement Agency shall assign a sworn law enforcement officer to serve on the threat assessment team at each school identified in Exhibit A to this document within its jurisdiction. The parties agree that these meetings may be conducted electronically, through internet/video links if needed to ensure the efficiency of the process.
- F. SBOC will, in compliance with Section 1006.07(4)(b)4c, Florida Statutes, establish a schedule to test the functionality and coverage capacity of all emergency communication systems and determine if adequate signal strength is available in all areas of the school's campus. SBOC will advise the Agency of the testing schedule and shall make reasonable efforts to correct any deficiencies. Additionally, each school will provide access to a school radio to the SRO.

- G. SBOC will provide the Agency with the radio frequencies utilized by SBOC, and provide assistance to permit law enforcement to monitor those frequencies in an emergency.
- H. In an emergency, SBOC will make all reasonable efforts to provide the Agency with sufficient physical access to each school facility so the responding agency will have the ability to access the school.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by the undersigned persons as duly authorized.

TOWN OF WINDERMERE

THE SCHOOL BOARD OF ORANGE  
COUNTY, FLORIDA

BY: \_\_\_\_\_  
Jim O'Brien, Mayor

BY: \_\_\_\_\_  
Teresa Jacobs, Chairman

Approved as to Form and Legality

BY: \_\_\_\_\_  
Barbara M. Jenkins, Superintendent

\_\_\_\_\_ Date: \_\_\_\_\_  
Police Legal Advisor

This document has been reviewed by the Office of the General Counsel on behalf of The School Board of Orange County, Florida, for its exclusive use and reliance, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

BY: \_\_\_\_\_  
John Palmerini, Associate General  
Counsel

Exhibit "B"

Windermere Police Department  
2019-2021 School Years  
Reimbursement for School Resource Officer Supervisors

<b>Windermere Police Department (SY 2019-2020)</b>		
	<b>Supervisors</b>	<b>Amount</b>
1	Supervisor	\$12,250.00
<b>TOTAL</b>		<b>\$12,250.00</b>

<b>Windermere Police Department (SY 2020-2021)</b>		
	<b>Supervisors</b>	<b>Amount</b>
1	Supervisor	\$12,500.00
<b>TOTAL</b>		<b>\$12,500.00</b>

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

July 9, 2019

#### CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley, Andy Williams, Chris Sapp, and Liz Andert. Town Attorney Tom Wilkes, Town Manager Robert Smith, Police Chief Dave Ogden, Public Works Director Scott Brown and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated all Council members were present.

#### 1. OPEN FORUM/PUBLIC COMMENT:

Mayor O'Brien commented that the first two speakers have deferred their comments until further in the agenda. Mrs. Angela Withers of 712 Main Street introduced herself. She then stated that she is in favor of the proposed sign at the Windermere Elementary School.

#### 2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS:

##### a. Rep. Geraldine F. Thompson: Legislative Updates

Mayor O'Brien introduced State Representative Geraldine Thompson. He requested that Representative Thompson remain after her presentation to hear the FEMA discussion. Mayor O'Brien then turned the floor over to Representative Thompson. Representative Thompson gave a presentation on the past Legislative session. She then requested any comments or questions from the Town Council. Manager Smith introduced himself. He then questioned Representative Thompson's position on the dissolving Communication Services Tax that impacts the smaller municipalities. Representative Thompson stated that she is a proponent of Home Rule. She then commented that she sits as a Ranking Member on both the Transportation and the Infrastructure Committees. Manager Smith then stated that the Town will be working toward water service for the entire Town in the future. He then commented on the surrounding development that has had a negative traffic impact on the Town. Representative Thompson stated that she is willing to meet with the Town and discuss any concerns there may be so she can work on the issues prior to Session beginning. She then commented on assistance that she provided for the Town of Oakland regarding implementation of a new sewer system. Mayor O'Brien thanked Representative Thompson for attending the Council meeting. Mayor O'Brien questioned if there would be any objections for moving the FEMA discussion item forward. There were no objections.

##### i. FEMA UPDATE – Attorney Brock Magruder

Mayor O'Brien turned the floor over to Mr. Brock Magruder. Mr. Magruder introduced himself. He then gave a recap of the 2004 hurricanes and the FEMA funding reimbursements. Mr. Magruder explained that ten years later, FEMA did an audit and determined that the Town received over \$400,000.00 in error, which FEMA wants back. He further explained that the only way FEMA thought to recover the funds is from future grants. Mr. Magruder commented that the Town had over \$600,000.00 due from Hurricane Irma. He stated that the Department of Emergency Management and the State will offset dollar for dollar the payment to the Town for the previous overpayment, which would be approximately \$140,000.00. Mr. Magruder explained that through working with the Appeals Division, the Town will now be receiving back over \$500,000.00. He then stated that exact numbers will be known at a later date. Manager Smith explained that the Town still has an outstanding debt to FEMA for the remaining amount which will continue to be deducted from future payments. Discussion followed. Mayor O'Brien thanked Mr. Magruder for the update.

##### b. Windermere Mayoral Proclamation Designating the Month of July as Windermere Staff Appreciation Month.

Mayor O'Brien read and proclaimed July as Windermere Staff Appreciation month.

#### 3. TIMED ITEMS AND PUBLIC HEARING: NONE

#### 4. CONSENT AGENDA:

TOWN OF WINDERMERE

Town Council Meeting Minutes

July 9, 2019

- a. **Z19-006 – 235 Magnolia Street – Robert & Leslie Hartog – Variance to allow greater than 10% expansion of nonconforming home and to allow a reduced side setback**
- b. **Z19-007 – Windermere Elementary School – Orange County School Board – Variance to allow a ground sign in excess of 20 square feet and to allow an illuminated LED sign**

Mayor O'Brien introduced the consent agenda. Member McKinley made a motion to approve the two items as presented. Member Andert seconded the motion. Member Sapp stated that there were a few comments regarding the LED sign. He questioned if the sign could go off at 9:00pm and leave the red color for urgent messages. Manager Smith stated that the OCPS guidelines for the signage must be followed. Roll call vote was as follows: Andert – yes, Sapp -yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

**5. NEW BUSINESS:**

**a. MINUTES:**

- i. Town Council Meeting Minutes – June 11, 2019**
- ii. Town Council Workshop Meeting Minutes – June 25, 2019**

Mayor O'Brien introduced the meeting minutes for approval. Member Sapp made a motion to approve the minutes as presented. Member Martini seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp -yes, and Andert – yes. Motion carried 5-0.

**b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING**

- i. Resolution 2019-02 of the town Council for the Town of Windermere, Florida changing the 2020 Municipal Election Date, Canvassing Board and Qualifying Date**

Mayor O'Brien read the Resolution title 2019-02 for the record. Member McKinley made a motion to approve Resolution 2019-02. Member Williams seconded the motion. Roll call vote was as follows: Andert – yes, Sapp -yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.

**ii. ORDINANCE NO. 2019-05**

**AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING THE TOWN'S CODE OF ORDINANCES TO ADD A NEW SECTION 28-8 TO CHAPTER 28 OF THE TOWN'S CODE OF ORDINANCES TO BE TITLED "PERMISSIBLE HOURS FOR GARBAGE COLLECTION"; PROVIDING THAT RESIDENTIAL AND NON-RESIDENTIAL GARBAGE MAY BE COLLECTED ONLY DURING THE HOURS BETWEEN 7:00 A.M. AND 10:00 P.M., EACH DAY OF THE WEEK; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

Mayor O'Brien read the title of proposed Ordinance 2019-05 for the record. He then stated that the second reading/public hearing will be held August 13<sup>th</sup>.

- c. APPOINTMENTS: COMMITTEES AND BOARDS: None**
- d. CONTRACTS AND AGREEMENTS:**
  - i. Ocoee Fire Service Agreement**

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

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Mayor O'Brien introduced this item. Manager Smith explained the standard increase. After some discussion was made, Member Andert made a motion to approve the contract as submitted. Member McKinley seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

#### ii. Architect Design Group Contract New Facilities

Mayor O'Brien introduced this item. Manager Smith explained that Architect Design Group had been selected from an RFQ process for the initial design for the referendum. He then explained that the contract was then piggybacked for the design phase so another RFQ would not need to be done. Manager Smith then commented on the contract negotiations. He then stated that where funds can be saved, they will be. Some discussion followed. Member Sapp questioned if the prices indicated were estimates, not actual, as they seem high. Manager Smith explained that the figures are estimates. Member McKinley made a motion to approve the contract. Member Martini seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

#### iii. Withers-LLC Design Review Schedule & Fee

Mayor O'Brien introduced this item. He stated that a 2/3<sup>rd</sup> vote was needed for approval. Manager Smith stated that the cost per hour had been questioned as to comparison to others. He further stated that the cost for Mr. Withers contract is "more than fair." Member McKinley questioned if one or two motions were needed. Manager Smith stated two would be needed. Member McKinley made a motion to waive the prohibitions and finds that the advisory board member can do business with the Town and can hold a contract with the Town. Member Andert seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0. Discussion regarding the contract began. Member Andert thanked Mr. Withers for his assistance. She then requested that a "market comp" be available, should it be needed. There being no further discussion, Member Williams made a motion to approve the \$15,000.00 contract with Mr. Withers. Member Sapp seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

#### iv. Purchase of Railroad ROW across from 3348 S. Lake Butler Blvd; Sorenson

Mayor O'Brien introduced this item. Member Sapp commented on concerns regarding title issues/defects. Attorney Wilkes stated that the Town will have the right to not close should there be any defects and the seller chooses not to correct the defects. Member Sapp stated that the documents states that the Town will pay for all closing costs and clear any title issues. Attorney Wilkes stated that the Town could pay the costs to clear the title or not. There being no further discussion, Member McKinley made a motion to approve the purchase of the railroad right of way across from 3348 S. Lake Butler Blvd. Member Williams seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

#### v. Purchase/Donation of Railroad ROW across from 10 Main Street: Rubio

Mayor O'Brien introduced this item. Manager Smith explained that this property dead ends into the canal. Mayor O'Brien stated that the owner is willing to donate the property with the following conditions. One, once the multi-model is constructed, a favorable plaque be installed in the area dedicating that portion in honor of her late husband. And, two, pave dirt Main Street in a timely manner (5 years or less) from North Drive to her property. Member McKinley commented on the location, conditions, and the use of this area by children going to Windermere Elementary. He then stated that he spoke with three or the five owners, and they are in favor of the paving. Member McKinley questioned the location of the sidewalk. Manager Smith stated the sidewalk will be relocated to the railroad right-of way. Discussion followed. Member Martini commented on the late Mr. Jess Rubio. He stated that amongst many other projects, he worked with Mr. Rubio on designing the Town entry signage years ago. Manager Smith explained that this portion will complete a section that is located from the south of the bridge to Windermere Elementary School. He then stated that this project does not set a precedence for paving roads in town. Member Martini made a motion to approve the acquisition of the property. Member McKinley seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, Williams – yes, McKinley – yes, and Martini – yes. Motion carried 5-0.



## TOWN OF WINDERMERE

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e. **FINANCIAL**

f. **OTHER ITEMS FOR CONSIDERATION**

i. **Kellogg Boat Dock Request: 416 E 5<sup>th</sup> Avenue**

Mayor O'Brien introduced this item. He explained that Mr. Kellogg is requesting approval to place a boat dock in the lake across the street from his home. Manager Smith explained that Mr. Kellogg has requested approval to replace a previous existing dock across the street from his property. He further explained that the dock was damaged in the 2004 hurricanes. Manager Smith commented that legal counsel stated that if the Town Council approves the request, Mr. Kellogg would need to follow the settlement agreement that is currently in place for the Lake Down and the Lake Bessie property owners. Member McKinley commented that there are eighteen other properties that sit across the street from a lake, the same as Mr. Kellogg. He then stated that it's been fifteen years since a dock has been there. Member McKinley stated he is not in favor of this request. Member Andert stated she is concerned with children's safety in the area. Member Sapp stated he would not support the request. Member Williams stated that the dock has been gone for a long time and doesn't feel it should be replaced. Member Martini commented on the Charter Preamble, Paragraph two, which relates to Town-owned property being for the use of all Town residents. He then stated that this request would not be in line with the qualification. Member McKinley made a motion to deny the request. Member Sapp seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Williams – yes, Sapp – yes, and Andert – yes. Motion carried 5-0.

ii. **Amending Sign Ordinance**

Mayor O'Brien introduced this item. Manager Smith explained that this item is being brought forward due to the LED sign discussion at the past Development Review Board meeting. The Development Review Board members would like to amend the sign code to state that only the Public School can have an LED sign. He further stated that with the existing code, and if a code change was made, a variance would need to be applied for. Member Martini, also liaison to the Development Review Board, commented on their past meeting. He commented that discussion was made that the revision wasn't needed. Member Martini further commented that discussion was made regarding the stricter regulations in the Downtown Business District area. He then stated that he did not feel that the cost would justify the revision. Member Sapp stated that he was on the Downtown Business Committee when the Sign Ordinance was revised. He explained that there was extensive work and research by the time it had been completed. Member Sapp commented that a variance process would be needed, not a revision. Member McKinley commented that a variance procedure is in place should there be any future requests. Consensus of the Council was to not move forward with a revision to the Sign Code.

iii. **Cut Thru Traffic Continued Discussions**

Mayor O'Brien introduced this item. He then reviewed past discussions regarding the cut thru traffic. Manager Smith gave an update from a past workshop regarding the cut thru traffic. He stated that Kimley Horn was task with a possible roundabout at Windermere Road and Maguire Road and the continuous right hand turn on Main Street to Chase Road. Manager Smith commented that he has an upcoming meeting with the Orange County Administrator. Some discussion followed. Mr. David Sharpe of 1027 Oakdale Street introduced himself. He thanked the Police Department for the enforcement. He then stated that he thought that an Urban Planner was going to be implemented. Mr. Sharpe stated that he is disappointed that the barrier project is not moving forward. He stated that the Town needs to retain their roads. Member Sapp commented that there are apps that assist municipalities with counts and information. He then questioned if limiting the use of the back roads during certain hours could be done. Chief Ogden stated that only near the School could that be done, all other roads are public. Member Sapp questioned if signage that states "left hand turn only during 8:00am – 10:00am" could be used for the back roads? Chief Ogden stated that temporary signage is different than permanent. Member Sapp stated that some of the apps will put that specific information to notify drivers. Manager Smith stated that the app can be contacted for specifics. Member Martini stated that research needs to continue. He suggested an Urban Planner for a certain area. Discussion followed. Ms. Brandi Haines of 835 Oakdale Street introduced herself. She then commented on the distrust between the study results and the residents. Ms. Haines commented on the "Pocket Park" possibilities. She then stated that the dirt rounds need to be resolved. Ms. Haines then questioned who is the

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

July 9, 2019

person/persons that is looking further into back roads issue. Mayor O'Brien stated that the traffic study will assist the Town in future needs. Discussion followed regarding single location experiments, costs and an Urban Planner. Member Andert stated that she would like a before, during, and after survey from the residents if an experiment is done. She then stated that the hiring of a Lobbyist needed to be considered. There was no further discussion.

#### 6. MAYOR & COUNCIL LIAISON REPORTS:

Member McKinley reported that Parks and Recreation had met. He reported on the approved water fountain at Central Park, authorized up to \$10,000.00 for clearing of Fernwood Park, met with Public Works and reviewed the work at Lake Down Park, Lake Down and Lake Bessie walkways, and coordination of placing trees in parks through Parks and Recreation.

Member Martini thanked everyone who volunteered for the Pancake Breakfast. He then commented on an issue with non-residents using the boat ramp keys. Member Andert questioned if the keys could be engraved with numbers for tracking. Some discussion followed.

#### 7. STAFF REPORTS:

a. **TOWN MANAGER ROBERT SMITH** – Mr. Smith reported on upcoming meetings/workshops, release of the budget information, and the upcoming Development Review Board meeting. He then thanked staff for covering in his absence.

b. **TOWN ATTORNEY TOM WILKES** – Reported earlier in the meeting.

i. **FEMA UPDATE** – This item was moved forward in the meeting.

c. **CHIEF DAVE OGDEN** – Chief Ogden reported on extra patrolling and enforcement, incident over the weekend on Lake Butler, use of boat ramp keys by non-residents, new Statutes effective July 1<sup>st</sup>, staffing, upcoming professional photos of staff and elected officials August 29<sup>th</sup> and 30<sup>th</sup>, and upcoming training. Member Martini commented on the hours worked by the Reserve Officers.

d. **PUBLIC WORKS DIRECTOR SCOTT BROWN** – Mayor O'Brien thanked Director Brown and his staff for the clean-up efforts after the recent storm. Mr. Brown reported on Metro Plan Orlando meeting, recent projects bids, weather issues, road repairs, and drainage clean outs.

Clerk Burkhalter advised everyone that with the Resolution passage, the new qualifying dates will be posted for the public. She then commented on a group of children from the Pancake Breakfast that worked the "Pancake Topping" table. Clerk Burkhalter stated that the children had fun, worked hard, and worked very well with each other. Their hard work did not go unnoticed.

#### 8. ADJOURN:

Mayor O'Brien adjourned the meeting at 8:14pm.

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Dorothy Burkhalter, Town Clerk

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Jim O'Brien, Mayor

# TOWN OF WINDERMERE

## Town Council Workshop Meeting Minutes

July 24, 2019

### CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley, Chris Sapp, and Liz Andert. Town Manager Robert Smith, Chief Dave Ogden, Finance Director Nora White, and Town Clerk Dorothy Burkhalter were also present. Member Andy Williams and Public Works Director Scott Brown were absent.

Mayor O'Brien called the workshop to order at 6:00pm.

### 1. OPEN FORUM/PUBLIC COMMENT:

There were no public speakers.

### 2. SPECIAL PRESENTATION:

Mayor O'Brien requested to move item 2(b) forward. Everyone agreed.

#### b. **Town of Windermere Town Facilities Concept Discussion**

Mayor O'Brien turned the floor over to Manager Smith. Manager Smith reviewed the past discussion and referendum approval for the new facilities. He explained that the Town Council needed to review the options and by consensus choose an option. Manager Smith then introduced Mr. Roger McManus. Mr. McManus gave a presentation regarding Option One and Option Two. Once completed, Mayor O'Brien opened the floor to the Council for discussion. Consensus of the Council members were Option one. Mayor O'Brien stated that there will be more meetings/workshops for public input regarding the concept and design. Theresa Schretzmann Myers of 2713 Tryon Place introduced herself. She stated that she is in favor of the option that preserves the history of this town and protects the trees. Mrs. Myers stated that the history needs to be incorporated into the new facility. Mr. Withers of 712 Main Street introduced himself. He then gave an update on the Construction Manager At-Risk process. There were no further public comments. Manager Smith stated that the adoption of Option One will be placed on the August Town Council meeting agenda.

#### a. **Fiscal Year 2019/2020 Budget Presentation**

Mayor O'Brien introduced this item. He then turned the floor over to Manager Smith. Manager Smith stated that he has had questions regarding how the revenues are determined. He then explained the process. Manager Smith stated that the current year roll back rate is 3.5709%. He then explained the roll back rate. Manager Smith then gave a detailed presentation of revenues and expenses for proposed fiscal years 2019-2020.

Mayor O'Brien stated that the balanced propose budget of revenues is now \$6,203,335.00, and expenditures are \$6,203,335.00. Member McKinley made a motion to consent to a balanced budget of \$6,203,335.00. Member Sapp seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Sapp – yes, and Andert – yes. Motion carried 4-0.

Mayor O'Brien stated for the record that the Tentative Budget Hearing will be Wednesday, September 11, 2018, at 6:30pm in the Town Hall located at 520 Main Street, Windermere. He then stated for the record that the Final Budget Hearing will be Monday, September 23, 2019, at 6:00pm in the Town Hall located at 520 Main Street, Windermere.

Member Sapp made a motion to approve the Solid Waste Assessment Roll of \$329,318.76. Member Martini seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, McKinley – yes, and Martini – yes. Motion carried 4-0.

Member Andert made a motion to approve the Stormwater Fund Assessment Roll of \$337,390.00. Member Martini seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Sapp – yes, and Andert – yes. Motion carried 4-0.

**TOWN OF WINDERMERE**

**Town Council Workshop Meeting  
Minutes**

**July 24, 2019**

Member McKinley made a motion to approve the Lot Cleaning Assessment of \$663.74. Member Martini seconded the motion. Roll call vote was as follows: Andert – yes, Sapp – yes, McKinley – yes, and Martini – yes. Motion carried 4-0.

Member Martini made a motion to approve the Fire Assessment Roll of \$658,578.00. Member McKinley seconded the motion. Roll call vote was as follows: Martini – yes, McKinley – yes, Sapp – yes, and Andert - yes. Motion carried 4-0.

Manager Smith thanked Finance Director Nora White for all her assistance in preparing the budget. There being no further comments, Mayor O'Brien adjourned the workshop at 7:34pm.

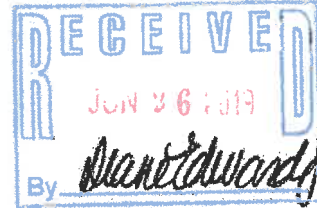
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Dorothy Burkhalter, MMC, FCRM  
Town Clerk

\_\_\_\_\_  
Jim O'Brien, Mayor

DRAFT



Town of Windermere  
 P. O. Drawer 669  
 614 Main Street  
 Windermere, FL 34786



**COMMITTEE APPLICATION FORM**

- 1. Name: William Yeager Home Phone: 407-625-7145 (cell)
- 2. Home Address: 415 W 1st Avenue Windermere
- 3. Business: CNL Financial Group Business Phone: 407-540-7544
- 4. Business Address: 450 S. Orange Ave., Orlando 32801
- 5. Email: wyeager012@gmail.com

6. Brief Summary of Education and Experience:  
 - B.S. Civil Engineering, Licensed P.E. (FL), MBA, 25+yrs land development exp  
 - currently an asset manager for apartment developments around the south and mid-Atlantic.

- 7. Are you a U.S. Citizen? Yes  No
- 8. Are you a registered voter? Yes  No
- 9. Resident of the Town for 6 Months or longer? Yes  No
- 10. Do you hold public office? Yes  No
- 11. Are you employed by the Town? Yes  No
- 12. Do you now serve on a Town Board or Committee? Yes  No

13. Indicate which Board(s) or Committee(s) you are interested in:

- Code Enforcement Board
- Downtown Business Committee
- Historical Preservation Committee
- Parks and Recreation Committee
- Tree Board Committee
- Development Review Board
- Elder's Committee
- Long Range Planning Committee
- Traffic Committee

14. Why do you think you are qualified to serve on this board? In addition to my education & experience, I have acted as G.C. for a home expansion (Orlando 2004) & shed

\*FINANCIAL DISCLOSURE FORMS MAY BE REQUIRED FOLLOWING APPOINTMENT  
 Signature: William Yeager Date: 6/25/19

Note: If you have any questions, please call the Town Clerk at (407) 876-2563 ext. 23.