Agenda Items

1. Opening & Public Comments

2. Approval
   A. Minutes for April 16, 2019

3. New Business
   A. Request of Shannon Gridley-Hetz for variances to allow the construction of one story enclosed garage addition with a side setback of 5 feet in lieu of the required setback of 10 feet and allow omission of garage articulation in front or behind front wall of home by two (2) feet OR to allow the garage to project two feet into the front setback.
      Property Parcel ID #09-22-30-0940-06-070 in the Public Records of Orange County, Fl.
      Located at 525 Berwick Drive, Zoned: R-1A

   B. Request of Sepet Sabiha & Isik-Widener Didem for variances to allow the demolition of more than 50% of an existing home with the reconstruction of an existing carport into a porch addition with a side setback of 6 feet, in lieu of the required setback of 10 feet (with a 16 foot high side wall), and allow omission of wall articulation on the west and east sides of the home.
      Property Parcel ID # 32-21-30-4536-01-031 in the Public Records of Orange County, Fl.
      Located at 1681 Chestnut Avenue, Zoned: R-1A
      UPDATE: Request B withdrawn 5-14-2019

appeals & assistance

“If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.” (F.S. 286.0105).

“Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk’s Office (407-599-3277) at least 48 hours in advance of the meeting.”
TO: BOARD OF ADJUSTMENTS MEMBERS  
FROM: GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS  
DATE: MAY 21, 2019  
SUBJECT: GRIDLEY-HERTZ VARIANCE REQUEST, 525 BERWICK DRIVE

The applicant is requesting variances allow the construction of one story enclosed garage addition with a side setback of 5 feet whereas the required setback is 10 feet and to allow omission of garage articulation in front of or behind the front wall of the home by two (2) feet OR to allow the garage to project two feet into the front setback.

Currently a one car open carport exists at this home, and the owner requests permission to remove the carport and construct a two car garage with an extended storage area in line with the side of the new garage also at the side setback of 5 feet. The total length of the new garage and storage wall is 27.5 feet, and the total new area be added is 575 square feet.

The proposed addition is well under the allowable gross floor area and impervious coverage for this property, which has an area of 9,315 square feet, which will allow up to 3,540 square feet of floor area.

As designed, the plan for the new garage does not have the front offset or inset articulation which is required to be two feet in front of the main front wall of the home or two feet recessed from the main front wall of the home. The purpose of this requirement is to minimize the impact of front facing garages.

This home has a covered entry area which includes an inset front wall set back 2.7 feet, and is directly adjacent to the proposed new front wall of the garage. The Board may want to consider this feature as sufficient to meet the two foot front articulation feature for the new garage requirement instead of having the garage project two feet into the front setback.

One mitigating factor is that the home is only one story which should minimize the impact of the encroachment into the setback. All new homes in this area are being built with two stories and at the maximum allowable gross floor area.

One email correspondence expressing no objection to this variance has been provided from the most impacted adjacent property owner, and the applicant states that she will be obtaining more letters from surrounding residents.
CITY OF WINTER PARK
VARIANCE APPLICATION
BUILDING and PERMITTING SERVICES DEPARTMENT

Applicant: Shannon Gridley-Hetz

525 Berwick Dr.
Winter Park, FL 32792

(City, State) (Zip)

(Phone – Home) (407) 432-8771

(Email Address) shannoncarrell@yahoo.com

If the applicant is not the owner, attach a copy of the purchase contract, or option on the property, or a letter signed by the owner of record authorizing the applicant to act as an agent for the owner.

*This request is for a variance from requirements of Article III, Zoning of the Land Development Code of Winter Park, Section_______, Paragraph_______, Zoning_______.

State briefly (Clearly Printed or Word Processed) answers to all questions.

Street address of property 525 Berwick Dr. Winter Park, FL 32792

Legal description of property Brookshire Heights V/127 Lot 7 Blk F

Describe variance request

1) Right side variance to change from 10'-0" to 5'-0"; and

2) Exemption from the garage articulation in Winter Park City Code Section 58-71 to have the front wall of the garage to be in line with the main wall of the home (and not 2" behind or 2" in front of the main wall).

*This section may be left blank for completion by city staff*

Residential Fee-$200.00 / Commercial, Multi-Family Fee-$400.00 payable upon submission of application.(The fee is doubled for after-the-fact requests.) Applicants tabled at the request of the applicant, within 10 days of the Planning and Zoning meeting or Board of Adjustment meeting will be charged for addition advertising and notification costs, plus $100.00.
Variance Application
Page 2 of 2

What are the special conditions and circumstances, peculiar to the land, structures or buildings involved?

1) The house currently only has a one car carport and a one car driveway. With the current 10 foot setback, there is only 5 feet left to widen the parking area.

2) Both the main front wall and the carport are currently 30 feet back from front lot line. There is a 2.7’ by 16.7 entryway in between the main front wall and carport.

How long have you owned the property? 4.5 years
How long have you occupied the property? 4.5 years

What rights or privileges commonly enjoyed by other properties in the same zoning district will the applicant be deprived of because of enforcement of the Zoning Ordinance?

Many of my neighbors enjoy a two car garage. I have 4 teenagers and in order to avoid parking vehicles on the street, a two car garage is needed. This cannot be accomplished without a variance from the side set back. 2) The Exemption from the garage articulation is requested because the roof line cannot be extended without significant additional cost. The 16.7 foot entry is in between the carport and main front wall and will still create a step line like effect.

Describe fully the hardship (from zoning requirements) upon which this request is based, be specific in describing the hardship and give all reasons explaining why you need to vary from the Zoning Code requirements. Note: Financial reasons are not considered a hardship.

1) I currently have a 11.2’ wide carport. Under existing requirements I can only widen it to be 16.2’. I need it to be at least 21.2’ to be able to park 2 cars inside.

With four teenagers (13,13,14 and 16yoa), our 1263 square foot home has no storage space. The narrow carport is unattractive and not safe.

2) If I have to shorten the length of the garage by 2 feet, there will not be room for cars to park. If I add on an additional 2 feet of length to the garage, I would have to change the whole roof line and have a gable installed. There would be a significant cost increase for something I don’t otherwise need.

The current carport is in line with the main front wall and I am requesting to be able to stay on that same line.

Will applicant accept a limited variance? For example: Height, lengths, position, etc. of signs, fences, shrubbery, enclosures of structures or carports, parking spaces, etc? If so, to what extent?

Not really, I need the right side setback reduced to 5 feet in order for the expense to make sense. It doesn’t make financial sense to enclose a one car garage.

Signature of Applicant ___________________________ Date ___________________________ Name of Applicant (PRINT) ___________________________

Variance app 12/00 - Instructions, and setback sheet - attached.

Shannon Gridley-Hetz
### SETBACKS (complete boxes A and B first)

<table>
<thead>
<tr>
<th></th>
<th>Minimum Allowable Dimensions</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FRONT</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SIDES</strong> 1,2</td>
<td>1st Floor</td>
<td>See pages 3&amp;4</td>
<td>15'-0&quot;</td>
</tr>
<tr>
<td></td>
<td>2nd Floor</td>
<td></td>
<td>15'-0&quot;</td>
</tr>
<tr>
<td><strong>REAR</strong> 1,3,4</td>
<td>1st Floor</td>
<td>25 ft.</td>
<td>46'-6&quot;</td>
</tr>
<tr>
<td></td>
<td>2nd Floor</td>
<td>35 ft²</td>
<td>N.A.</td>
</tr>
<tr>
<td></td>
<td>Lakefront</td>
<td>see note 6</td>
<td>N.A.</td>
</tr>
<tr>
<td><strong>CORNER LOT</strong></td>
<td>1st Floor</td>
<td>Lot width ≤ 65 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td></td>
<td>Lot width &gt; 65 ft³</td>
<td>20 ft.</td>
<td>N.A.</td>
</tr>
<tr>
<td></td>
<td>2nd Floor</td>
<td>Lot width ≤ 65 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td></td>
<td>Lot width &gt; 65 ft³</td>
<td>22.5 ft.</td>
<td>N.A.</td>
</tr>
<tr>
<td><strong>BUILDING HEIGHT</strong> 8,9,10,11,12</td>
<td>30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 &amp; 12)</td>
<td>12'-0&quot;</td>
<td>12'-0&quot;</td>
</tr>
</tbody>
</table>

**Notes:**

1. Any building wall that exceeds 12 ft. in height measured from natural grade to top of wall plate or truss kneewall must meet the setbacks for the 2nd floor.
2. Accessory buildings' maximum side wall height (natural grade to roof sheathing) shall not exceed 10.5 ft. and interior side setback is 5 ft. minimum (no gable end allowed) for garages up to 600 sf, pool cabana up to 500 sf and all other accessory buildings up to 320 sf. Other accessory buildings used for habitation shall meet setbacks of the main residence.
3. Rear setbacks for properties abutting non-residential zoned, R-3/R-4, or a permanent stormwater retention area over 25 ft. in width may be 10 ft. For lots that are 75 ft deep or less a first floor setback of 10 ft and a second floor setback of 25 ft is allowed. For lots which are 105 sf deep or less a first floor setback of 15 ft and a second floor setback of 30 ft is allowed.
4. Accessory buildings: garage/carport up to 820 sf, pool cabana up to 500 sf and storage bldg up to 320 sf - minimum rear setback shall be 10 ft. Other accessory buildings used for habitation shall meet setbacks of the main residence.
5. The rear setback may be reduced to 25 ft. for two-story components when those consist of a second story loft or mezzanine that is within the normal scale and 18-ft max height of a typical one-story structure.
6. Require Planning & Zoning commission approval. Lakefront setback is based on the average setback established by the adjacent residences within 200 ft. or 50 ft., whichever is greater, measured from ordinary high water line.
7. Setbacks given are measured on the side yard adjacent to the street & lots over 75 ft. with 1st and 2nd floor setbacks of 25 ft. may reduce the rear setback by 5 ft. on each floor.
8. Building height is the vertical distance measured from the average elevation of the existing lot grade measured directly adjacent to the front of the building or proposed building.
9. No building or portion thereof shall exceed 30 ft. in height except for homes with a roof slope of 8:12 or greater may be permitted to have 2 ft. additional building height.
10. Accessory building that exceeds 18 ft. in height shall meet the same setbacks as the principal building on the property.
11. Properties or lots with at least 80 ft. of width at the building line are permitted to have a building height of 35 ft. if the side setbacks are increased to 20 ft. at 30 ft. above the side lot line. Exception: homes with a roof slope of 8:12 or greater are permitted 2 ft. of additional building height.
12. Properties or lots exceeding 50,000 sq.ft. in size with at least 100 ft width at the building line may be permitted building heights of 40 ft. if side setbacks are increased to 35 ft. to the portion of the roof over 30 ft. in height.
13. This column only applies to existing homes.
### Setback / Coverage Worksheet

For Single Family Zoning Districts (R-1A, R-1AA & R-1AAA)¹

| Address: 525 Berwick Drive, Winter Park, FL 32792 | Lot width²: 81 ft. |
| Submitted by: Shannon Hetz | Lot area³: 9,315 |

#### Impervious Lot Coverage

<table>
<thead>
<tr>
<th>Area</th>
<th>Maximum % Allowed⁴</th>
<th>Existing Area¹¹</th>
<th>Additional Proposed Area¹¹</th>
<th>New Total Area</th>
<th>Maximum Allowed Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 story - 50%</td>
<td></td>
<td>2,255</td>
<td>475</td>
<td>2,730</td>
<td>5,589</td>
</tr>
<tr>
<td>1 story - 60%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Floor Area Ratio (F.A.R.)⁵,⁶,⁷

For one and two story bldgs (include 1st & 2nd floors, garages/carports, stair areas on both floors, areas on 2nd floors which are open to the 1st floor⁶, and accessory bldgs.

**Exclude -** pad screen enclosure areas and certain open front, side & rear porches⁹.

<table>
<thead>
<tr>
<th>Area</th>
<th>Maximum % Allowed Area</th>
<th>Proposed Area</th>
<th>New Total Area</th>
<th>Maximum Allowed Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lots &lt; 11,600 sf:</td>
<td></td>
<td>1,650</td>
<td>275</td>
<td>1,925</td>
</tr>
<tr>
<td>Use 38% Base FAR or w/ increased side setbacks: 43% Max FAR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lots 11,600 sf to 13,600 sf</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use 4,500 sf Base area &amp; 5,200 sf Maximum area</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lots &gt; 13,600 sf</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use 33% Base FAR or w/ increased side setbacks: 38% Max FAR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Screen Pool Enclosure

8%¹⁰

#### Front Yard Landscape Coverage

Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (perVIOUS & IMPERVIOUS).

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum % Required</th>
<th>Existing Area¹¹</th>
<th>Landscape Area Reduced¹¹</th>
<th>New Total Area</th>
<th>Minimum Required Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Lot Area:</td>
<td>50%</td>
<td>2037</td>
<td>180</td>
<td>1,857</td>
<td>1,215</td>
</tr>
</tbody>
</table>

**NOTES:**

1. Windsong & Waterbridge may use these standards, except lot types A, B, & C in Windsong. Provisions on side articulations & accessory bldgs are mandatory.
2. Lot width measured at the front bldg line across lot. The bldg line is located at the required front setback for vacant lots or front bldg wall closest to the street of existing homes. For unusual (pie) shaped lots, an average lot width may be utilized as measured between the front setback line and the required rear setback line or shall be determined by the Building Director. For a proposed home, determine the front setback as described on page 2.
3. Submerged lands or land across the street shall not be included.
4. Percentage based on the lot area.
5. One story homes with a sloping roof, 12:12 or less, may utilize the maximum F.A.R. and may provide roof dormers, 8 ft. maximum width and 2.5 ft. back from the required setback, occupying 45% of roof area within the same roof plane.
6. Area forming a room behind 2nd floor walls shall be included in the gross floor area.
7. See page 3 on how to achieve maximum F.A.R.
8. Vaulted and cathedral ceiling areas count twice if the height from the floor to the ceiling is 17.5 feet or greater.
9. The area of open front porches and entries may be excluded from the gross floor area subject to a maximum area of 400 square feet. The area within an open or screened rear and/or side porches, lanai, porte cochere or other covered area may be excluded from the gross floor area up to 500 sf of floor area. On 2nd floor, rear and/or side porches shall have an exterior sides that are 75% open in order to utilized up to 300 sf of the total 500 sf excludable gross floor area.
10. Any area not already used in the permitted floor area ratio (F.A.R.) may be added to this 8% for additional screened pool enclosure area.
11. These columns only apply to existing homes.
BOUNDARY SURVEY

LEGAL DESCRIPTION: LOT 7, BLOCK 'F', BROOKSHIRE HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK V, PAGE 127, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.


CERTIFIED TO: SHANNON CARRELL GRIDLEY HETZ
FBC MORTGAGE, LLC
DALE C. WESTLING, SR., P.A.
WESTCOR LAND TITLE INSURANCE COMPANY

525 BERWICK DRIVE

PREPARED FOR: SHANNON CARRELL GRIDLEY HETZ
PROFESSIONAL LAND SURVEYOR
P.O. BOX 1763, APOLKA FLORIDA 32703 (407) 880-9811 427 KNOLL TREE

HEREBY CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS, PURSUANT TO SECTION 5J-17-500, FLR.A., 17-0752, FLORIDA ADMINISTRATIVE CODES, PURSUANT TO SECTION 422.08, 73.031, FLORIDA STATUTES.

PREPARED BY: CHARLES ROB DEFOOR
PROFESSIONAL LAND SURVEYOR
P.O. BOX 1763, APOLKA FLORIDA 32703 (407) 880-9811 427 KNOLL TREE

NOTES
1. BEARINGS ARE BASED ON RECORD PLAT.
2. THE SURVEY SHOWN HEREON WAS SURVEYED BY THE LEGAL DESCRIPTION PROVIDED BY THE CLIENT.
3. ROOF OVERHANGS AND FENCES HAVE NOT BEEN LOCATED.
4. NO IMPROVEMENTS UNDERGROUND UTILITIES HAVE BEEN LOCATED EXCEPT AS SHOWN.
5. THE SURVEY IS NOT VALID WITHOUT EMBOSSED SEAL.
6. THE SURVEY IS NOT VALID FOR ANY REAL ESTATE TRANSACTIONS 90 DAYS UNLESS NOTED OTHERWISE.
7. THE SURVEYOR HAS NOT ABSTRACTED THE LANDS HEREOF FOR EASEMENTS OR RIGHT-OF-WAY OF RECORD.
8. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
9. ALL BEARINGS / ANGLES AND DISTANCES ARE PLAT AND MEASURED UNLESS NOTED OTHERWISE.
BOUNDARY SURVEY

LEGAL DESCRIPTION: LOT 7, BLOCK "F", BROOKSHIRE HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK V, PAGE 127, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.


CERTIFIED TO: SHANNON CARRELL GRIDLEY HETZ
FBC MORTGAGE, LLC
DALE G. WESTLING, SR., P.A.
WESTCOR LAND TITLE INSURANCE COMPANY

525 BERWICK DRIVE

NOTES
1. BEARINGS ARE BASED ON RECORD Plat.
2. THE SURVEY SHOWN HEREON WAS SURVEYED BY THE LEGAL DESCRIPTIONS PROVIDED BY THE CLIENT.
3. NO IMPROVEMENTS OR UNDERGROUND UTILITIES HAVE BEEN LOCATED.
4. NO EASEMENTS OR SUBDIVISIONS OR SUPERIMPOSED ON RECORDS.
5. THE SURVEY IS NOT VALID WITHOUT ORERIVED SEAL.
6. THIS SURVEY IS NOT VALID FOR ANY REAL ESTATE TRANSACTIONS 90 DAYS AFTER SURVEY DATE.
7. THE SURVEYOR HAS NOT ADEQUATED THE LANDS HEREIN FOR EASEMENTS OR SUBDIVISIONS OR SUPERIMPOSED ON RECORDS.
8. THERE MAY ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT.
9. PROPERTY BOUNDARIES AND DISTANCES ARE PLAT AND MEASURED UNLESS NOTED OTHERWISE.

PREPARED BY:
SHANNON CARRELL GRIDLEY HETZ
PROFESSIONAL LAND SURVEYOR

P.O. BOX 1763, APOPKA, FLORIDA 32702 (407) 950-9801 437 FINAL TRAC

SHANNON H. DEFOOR, P.L.S., 1989

PREPARED BY:
CHARLES ROB DEFOOR
PROFESSIONAL LAND SURVEYOR

P.O. BOX 1763, APOPKA, FLORIDA 32702 (407) 950-9801 437 FINAL TRAC

525 BERWICK DRIVE
Re: 525 Berwick Dr Variance Request

From: Anne Wedge-McMillen (annewedge@yahoo.com)
To: shannoncarrell@yahoo.com
Date: Wednesday, March 20, 2019, 9:01 AM EDT

Thank you Shannon for giving us the details. We know the construction you choose will be with the improvement of all of our property values in mind and we are confident this work can be done and preserve our neighborhood appeal. Travis and I agree to your application for variance.

Thank you,
Anne and Travis McMillen

Sent from Yahoo Mail for iPhone

On Friday, March 15, 2019, 9:45 AM, Shannon Hetz <shannoncarrell@yahoo.com> wrote:

Hi! I sent you a text but I thought I should show you the sketch, too. I know we discussed this casually, and you said it would be fine - but Let me know what you and Travis think officially. As I said in the text, please be honest! :o)

Shannon Gridley-Hetz

----- Forwarded Message ----- 
From: Shannon Hetz <shannoncarrell@yahoo.com>
To: Theresa Dunkle <tdunkle@cityofwinterpark.org>
Sent: Friday, March 15, 2019, 9:02:17 AM EDT
Subject: Re: 525 Berwick Dr Variance Request

Thank you Theresa!
Attached in red is what I would like...to add 10 feet to the carport side so I can have a 21 foot wide garage for two cars. I have 4 teenagers, the oldest is driving, and we need garage space! It leaves 5 feet in between the houses and my neighbors have already told me they are fine with it and will sign whatever is needed. I want the expense of closing in the carport to make a garage to make sense and enclosing it for one car isn't ideal.

Thank you!
~Shannon

Shannon Gridley-Hetz

On Friday, March 15, 2019, 8:22:19 AM EDT, Theresa Dunkle <tdunkle@cityofwinterpark.org> wrote:

Shannon,
AS-BUILT FLOOR PLAN

Tabulations:

<table>
<thead>
<tr>
<th>Area</th>
<th>Square Feet</th>
</tr>
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<tbody>
<tr>
<td>Living Area</td>
<td>1,283</td>
</tr>
<tr>
<td>Carport</td>
<td>227</td>
</tr>
<tr>
<td>Laundry</td>
<td>85</td>
</tr>
<tr>
<td>Entry</td>
<td>45</td>
</tr>
<tr>
<td>Total Under Roof</td>
<td>1,650</td>
</tr>
<tr>
<td>Aluminum Porch</td>
<td>200</td>
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<tr>
<td>Total</td>
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