

Board of Adjustments



October 25, 2016 at 5 p.m.

Commission Chambers • City Hall Second Floor
401 South Park Avenue • Winter Park, Florida

1 Opening comments

2 Approval

Minutes for the September 20, 2016, meeting. _____

3 New Business

1. Request of Steve O'Brien for a variance to allow an addition onto a garage resulting in a rear setback of 5 feet, in lieu of the required setback of 10 feet. _____

Located at 1806 Barker Drive

Zoned R-1A

2. Request of David Runnels for a variance to allow the construction of an addition to be located 7.5 feet from the north side lot line and 8 feet from the rear lot line, in lieu of the required setbacks of 10 feet and 25 feet respectively. _____

Located at 266 Chase Avenue

Zoned R-1AA

appeals & assistance

"If a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need 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: OCTOBER 11, 2016

SUBJ: OBRIEN VARIANCE REQUEST, 1806 BARKER DRIVE

CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

The applicant is requesting a variance to allow an addition onto an existing garage resulting which will result in a rear setback of 5 feet, whereas the required setback is 10 feet.

This property is a through lot extending from Barker Drive (a Winter Park street) to Donna Drive (an Orlando street). The prevailing yard pattern along Donna Drive is rear yards on the west side, therefore, the applicant can utilize a 10 foot setback to the rear lot line for the garage. Two homes are located to the west along Donna Drive, and are located in Baldwin Park. Both of these homes are on corner lots with closest building setbacks of 15 feet and a swimming on one lot located 10 feet from Donna Drive. To facilitate making the existing garage more functional for parking and access, the applicant is requesting permission to enlarge the area of the garage by extending it five more feet toward the rear lot line.

The existing garage has an area of 612 square feet (30.3' by 20.2'), and is proposed to be expanded 10 feet in length for a total new area of 814 square feet. The purpose is to allow greater usability of the garage. Currently, side entry access is compromised by a swimming pool enclosure.

The applicant has two different options to accomplish having better access to an enclosed parking space. One option is to enlarge the existing garage and access a parking area inside from the existing non-improved driveway on the south side of the property as a side entry garage. The other "preferred" option is to access the garage on the north side of the property by creating a new driveway entrance from Donna Drive.

With this addition to the garage the allowable impervious coverage and maximum allowable floor area for this property is not exceeded.

A utility easement which is 5 feet wide is located at the rear of this property along Donna Drive. This plan was routed to City departments with utilities and the responses I've received have indicated that there are no utilities in this easement and they have no object to placing a driveway across the easement.

At this point in time we have not received any letters regarding this request.

VARIANCE APPLICATION
BUILDING and PERMITTING SERVICES DEPARTMENT

Building & Permitting Department
401 South Park Avenue
Winter Park, FL 32789
Ph: 407-599-3237

Date Received 9/28/2016
Assigned 1
Date of Hearing OCT 25, 2016

Applicant: Steve OBrien

Owner: Steve OBrien

1806 Barker DR
(Address)
Winter Park FL 32789
(City, State) (Zip)

1806 Barker DR
(Address)
Winter Park FL 32789
(City, State) (Zip)

(Phone - Home)
321-436-2572
(Phone - Work or Cell)
pease3@embargo mail.com
(Email Address)

(Phone - Home)
321 436 2572
(Phone - Work or Cell)
pease3@embargo mail.com
(Email Address)

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 58-71, Paragraph (1), Zoning R-1A.

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

Note: Submit E-Mail address to have application forwarded to you for word processing.

Street address of property 1806 Barker DR Winter Park FL 32789
Legal description of property _____

Describe variance request Requesting Rear setback of 5' instead of the Required 10' for an outbuilding or Garage with a Side entrance or 5' setback in lieu of 20' for straight access

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?

The shape and access of the garage is unique and A to the lot. Making it difficult to have covered enclosed parking

How long have you owned the property? 1998

How long have you occupied the property? 1998

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?

Access to detached garage due to positioning of garage on property

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.

Access to detached garage due to positioning of garage on property

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?

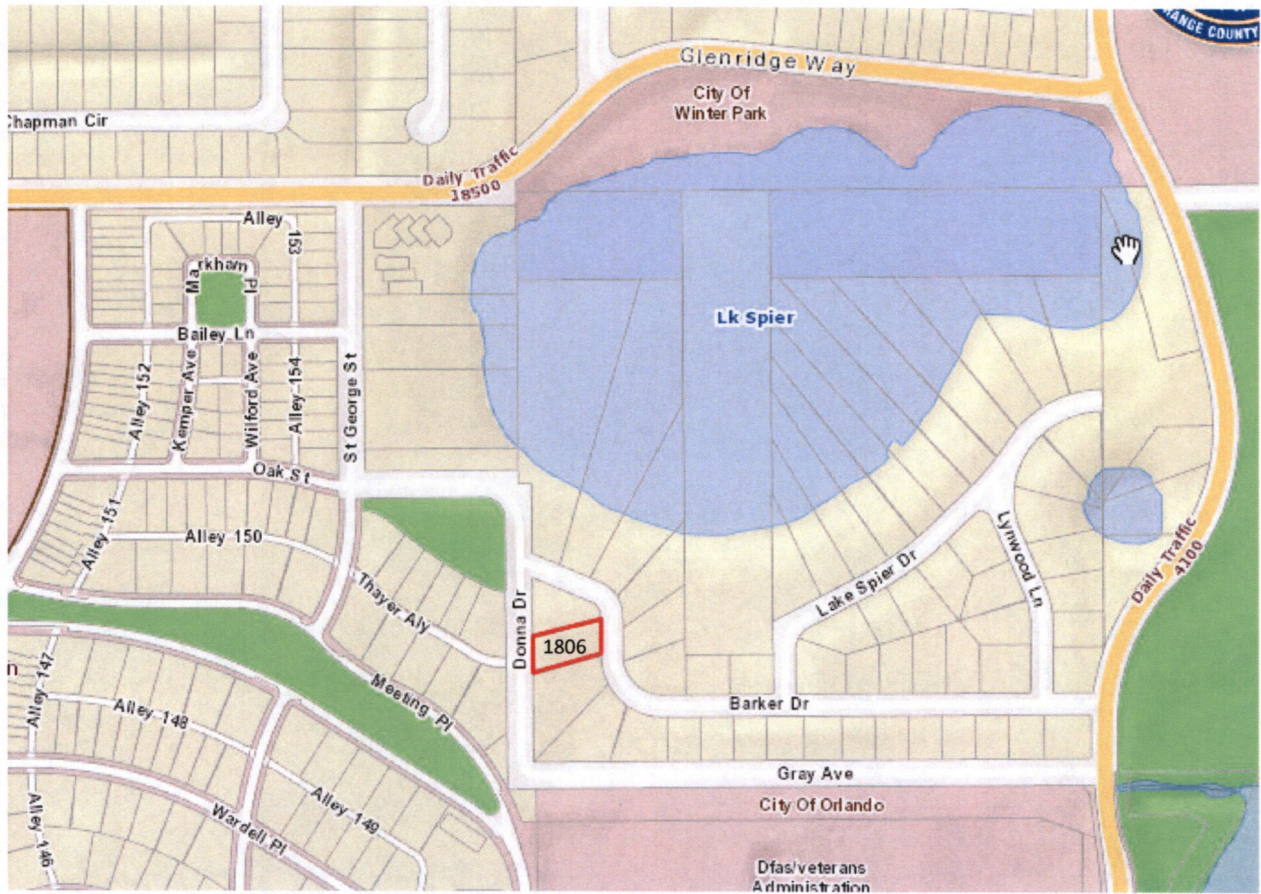
yes


Signature of Applicant

9/27/14
Date

Steve O'Brien
Name of Applicant (PRINT)

1806 Barker Dr

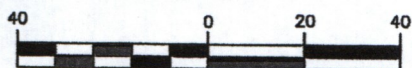


1806 Barker Dr



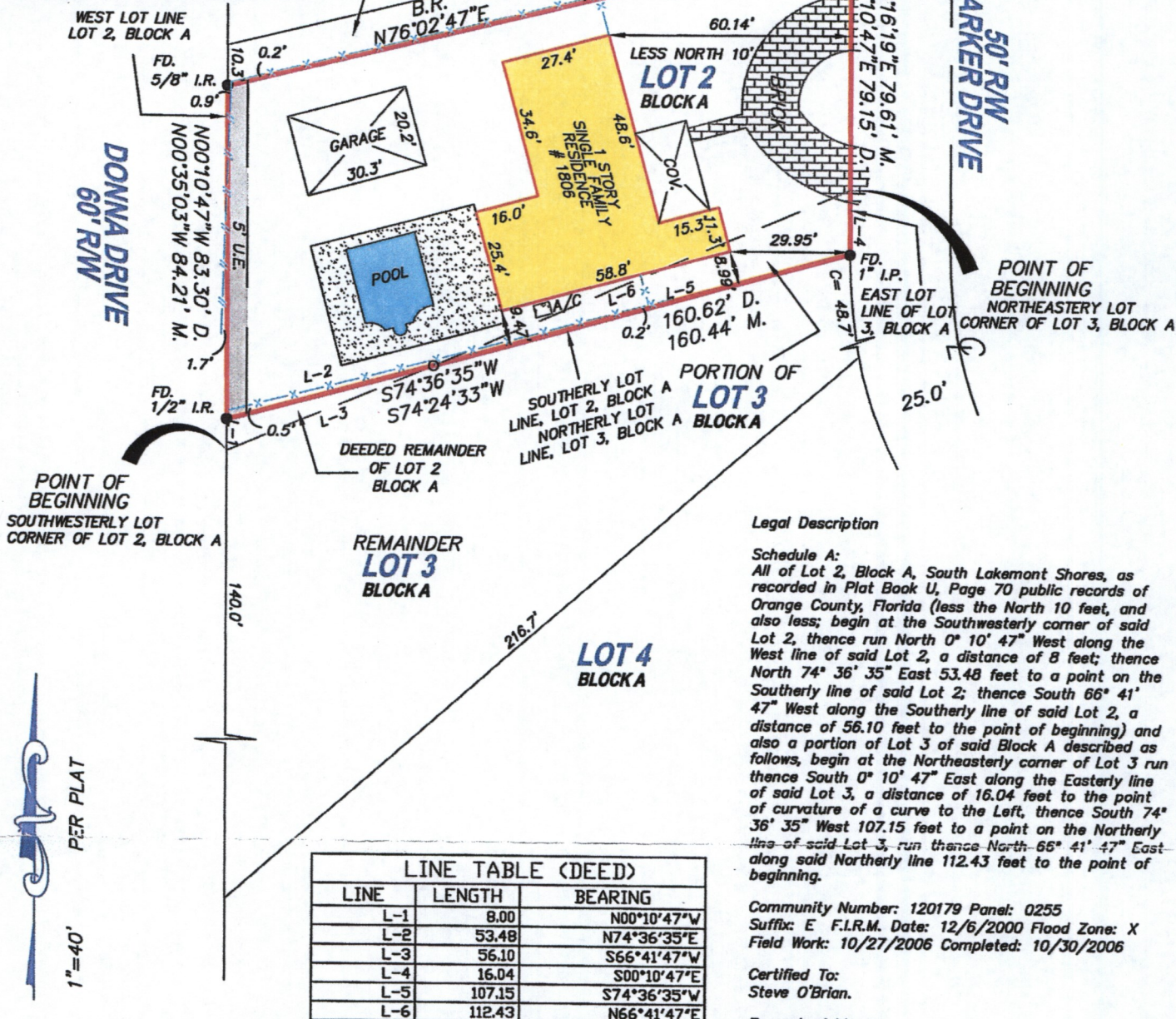
SKETCH OF SURVEY

TYPE OF SURVEY: BOUNDARY



GRAPHIC SCALE (In Feet)

NOTE: 1 inch = 40 ft.
BEARINGS SHOWN ARE BASED UPON
RECORD PLAT OR DEED DESCRIPTION



GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS.
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- ONLY VISIBLE ENCROACHMENTS LOCATED.
- NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS OTHERWISE SHOWN.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS IF SHOWN ARE BASED UPON N.G.V.D. UNLESS OTHERWISE NOTED.
- BEARINGS REFERENCED TO LINE NOTED B.R.
- THIS SURVEY DEPICTED HERE FORMS A CLOSED GEOMETRIC FIGURE.
- NO UNDERGROUND IMPROVEMENTS OR VISIBLE INSTALLATIONS HAVE BEEN LOCATED OTHER THAN SHOWN.
- ALL TURNED ANGLES ON CURVES ARE SHOWN TO THE CHORD DISTANCE
- THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.
- NOTICE THIS DRAWING MAY NOT BE TO SCALE DUE TO ELECTRONIC TRANSFER
- NOTICE: THIS DRAWING PREPARED IN COLOR. SURVEY VOID IF NOT IN COLOR.
- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
- FENCE CORNERS AND BUILDING CORNERS ARE WITNESS MONUMENTS TO OBSTRUCTED CORNERS. DIMENSIONS ARE AS SHOWN.

NOTE:

IN COMPLIANCE WITH FLORIDA STATUTES 61G17-6.0031 (5) (E), IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.

FOR REFERENCE ONLY

NOT VALID UNLESS SEALED WITH EMBOSSED SEAL
UNLESS THE SURVEYOR'S ELECTRONIC SEAL IS AUTHORIZED.
PHOTOCOPYING FORBIDDEN. COPYRIGHTED MATERIAL. ©

LEGEND

ABBREVIATIONS

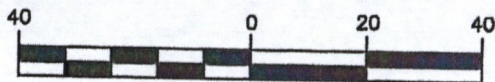
A/C AIR CONDITIONER
B.R. BEARING REFERENCE
C. CALCULATED
C.M. CONCRETE MONUMENT
CALC. CALCULATED
CATV CABLE RISER
CB CHORD BEARING
CH CHORD

M. FIELD MEASURED
M.E. MAINTENANCE EASEMENT
N. NORTH
N&D NAIL & DISC
N.R. NON RADIAL
N.T.S. NOT TO SCALE
O.H.L. OVERHEAD LINES
O.R.B. OFFICIAL RECORDS BOOK
P. PLAT

S.B.L. SET BACK LINE
S/W SIDEWALK
SEC. SECTION
TEL. TELEPHONE FACILITIES
T.O.B. TOP OF BANK
TX TRANSFORMER
TYP. TYPICAL
U.E. UTILITY EASEMENT
W. WEST
W.C. WITNESS CORNER

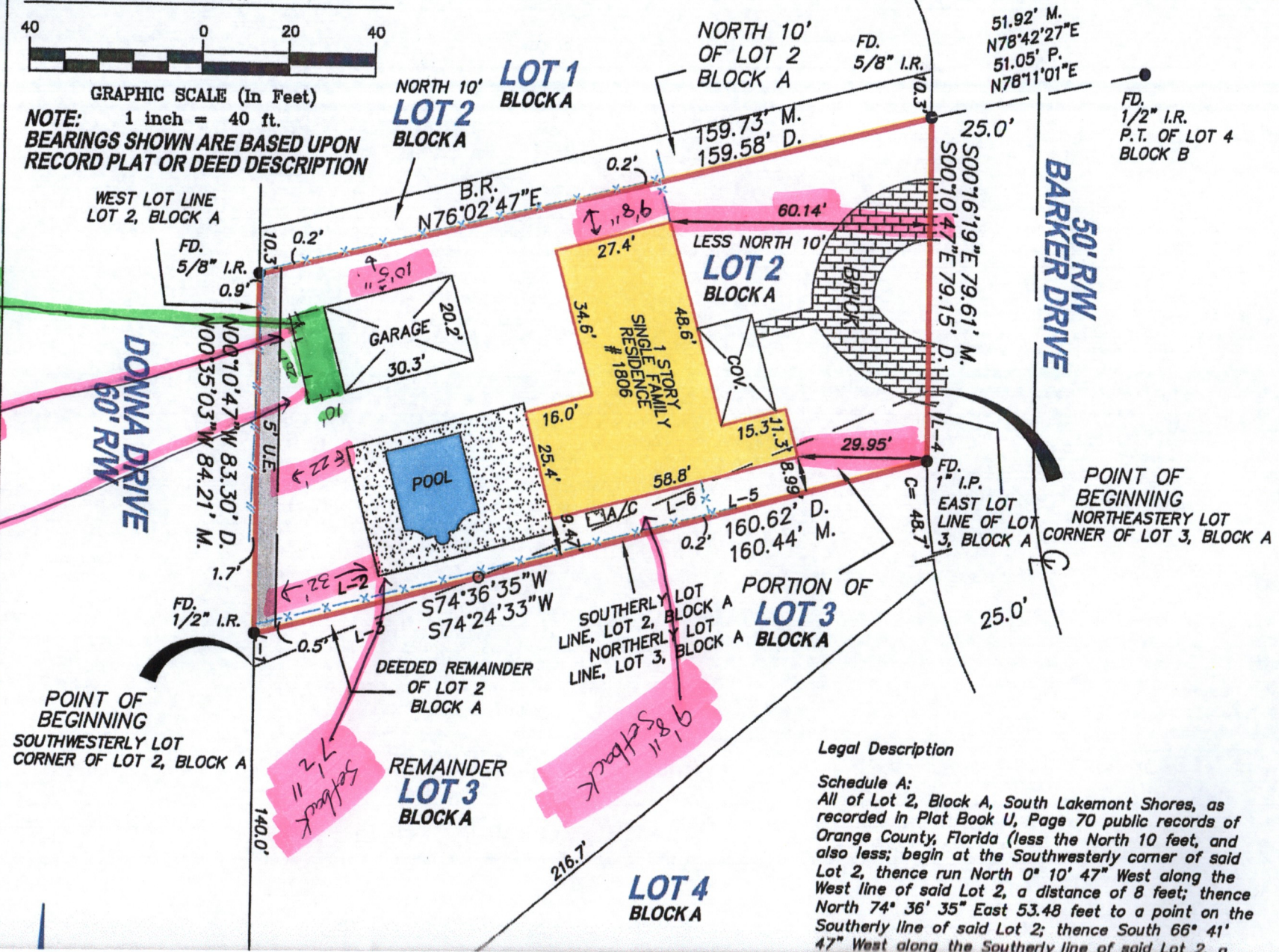
SKETCH OF SURVEY

TYPE OF SURVEY: BOUNDARY



GRAPHIC SCALE (In Feet)

NOTE: 1 inch = 40 ft.
BEARINGS SHOWN ARE BASED UPON
RECORD PLAT OR DEED DESCRIPTION



Setbacks are in pink

Proposed addition is in green

Site plan

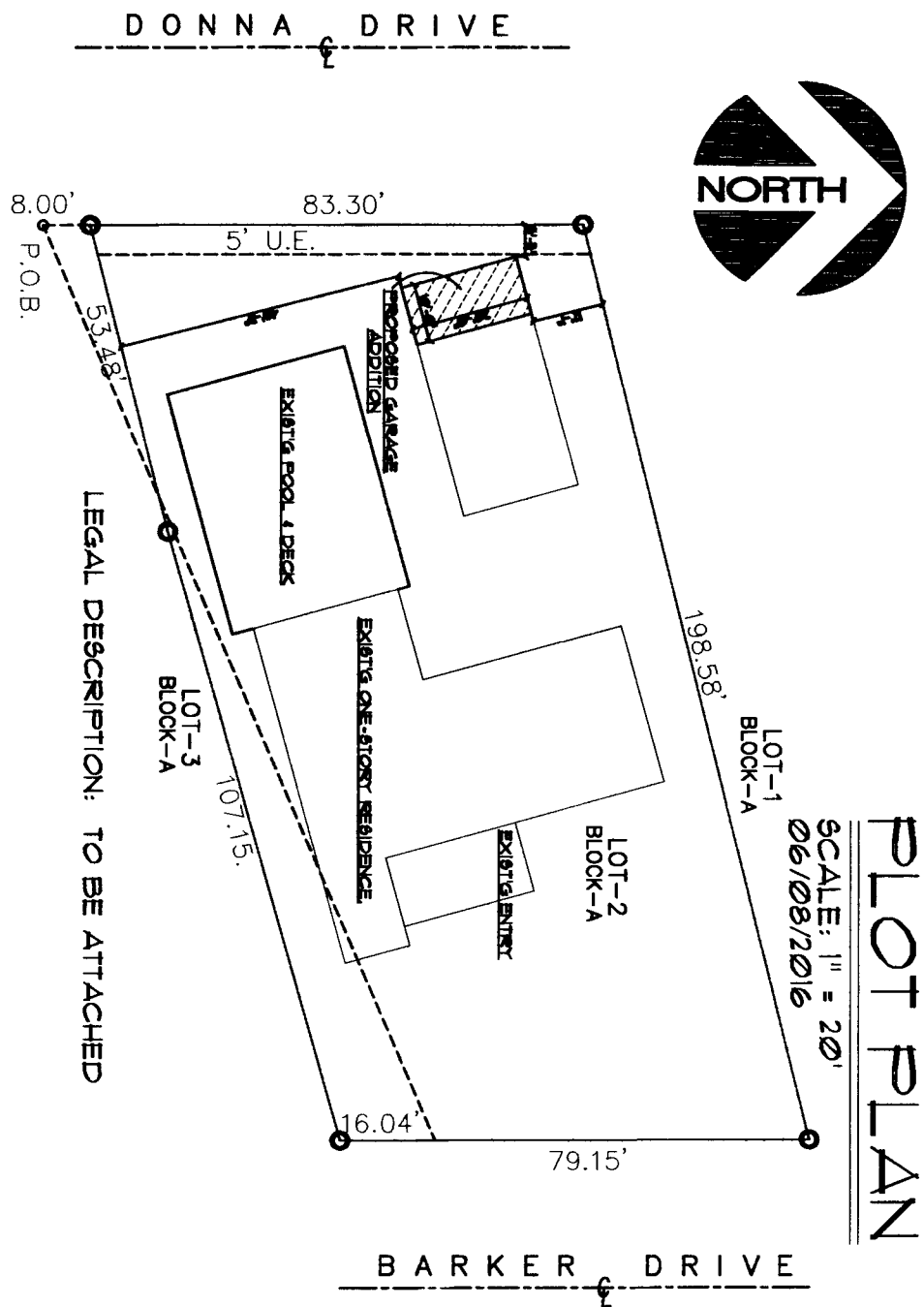
Proposed Addition

New Setback 5' 11"

New Setback 11' 8"

Setback 7' 2"

Setback 9' 8"





SETBACK / COVERAGE WORKSHEET

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

Address: 1806 Barker Dr W.P. FL 32789

Submitted by: Steve O'Brien

Lot width²: 80'

Lot area³: 14800

| | Maximum % Allowed ⁴ | Existing Area ¹⁰ | Additional Proposed Area ¹⁰ | New Total Area | Maximum Allowed Area |
|--|--|-----------------------------|--|----------------|----------------------|
| IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, artificial turf, etc. | 2 story - 50% | | | | |
| | 1 story - 60% | 5010 <i>A</i> | 200 <i>A</i> | 5210 <i>A</i> | 7400 <i>A</i> |
| FLOOR AREA RATIO (F.A.R.)^{5,6} 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 floor ⁷ , and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches ⁸). | Lots < 11,600 sf: Use 38% Base FAR or w/ increased side setbacks: 43% Max FAR | | | | |
| | Lots 11,600 sf to 13,600 sf Use 4,500 sf Base area & 5,200 sf Maximum area | 3855 <i>A</i> | 200 <i>A</i> | 4055 <i>A</i> | 5200 <i>A</i> |
| | Lots > 13,600 sf Use 33% Base FAR or w/ increased side setbacks: 38% Max FAR | | | | |
| SCREEN POOL ENCLOSURE | 8% ⁹ | 1155 <i>A</i> | | 1155 <i>A</i> | 1184 <i>A</i> |

| | Minimum % Required | Existing Area ¹⁰ | Landscape Area Reduced ¹⁰ | New Total Area | Minimum Required Area |
|---|--------------------|-----------------------------|--------------------------------------|----------------|-----------------------|
| FRONT YARD LANDSCAPE COVERAGE Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (pervious & impervious). Front Lot Area: | 50% | 1089 <i>A</i> | N/A | 1089 <i>A</i> | 1575 <i>A</i> |

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. See page 3 on how to achieve maximum F.A.R.
7. Vaulted and cathedral ceiling areas count twice if the height from the floor to the ceiling is 17.5 feet or greater.
8. 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 areas 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. Utilizing this exemption requires a deed covenant to be recorded, outlining the restrictions precluding the enclosing of side and/or rear porches; and enclosing and screening of front porches.
9. Any area not already used in the permitted floor area ratio (FAR) may be added to this 8% for additional screened pool enclosure area.
10. These columns only apply to existing homes.

SETBACKS (complete boxes A and B first)

| | | Minimum Allowable Dimensions | | Existing | Proposed |
|---|-----------|--|----------|-----------------------------------|-------------------------------|
| FRONT | | Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes. | | N/A | N/A |
| SIDES ^{1,2} (see other side setback options on pg 4) | 1st Floor | See pages 3&4 | A | Left N/A Right N/A | Left N/A Right N/A |
| | 2nd Floor | | B | | |
| REAR ^{1,3,4} | 1st Floor | 25 ft. | | 10' | 5' |
| | 2nd Floor | 35 ft ⁵ | | | |
| | Lakefront | see note 6 | | | |
| CORNER LOT | 1st Floor | Lot width ≤ 65 ft. | 15 ft. | N/A | N/A |
| | | Lot width > 65 ft ⁷ | 20 ft. | | |
| | 2nd Floor | Lot width ≤ 65 ft. | 15 ft. | | |
| | | Lot width > 65 ft ⁷ | 22.5 ft. | | |
| BUILDING HEIGHT ^{8,9,10,11,12} | | 30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 & 12) | | 15'4" NO change N/A Less than 16' | NO change N/A Less than 15'4" |

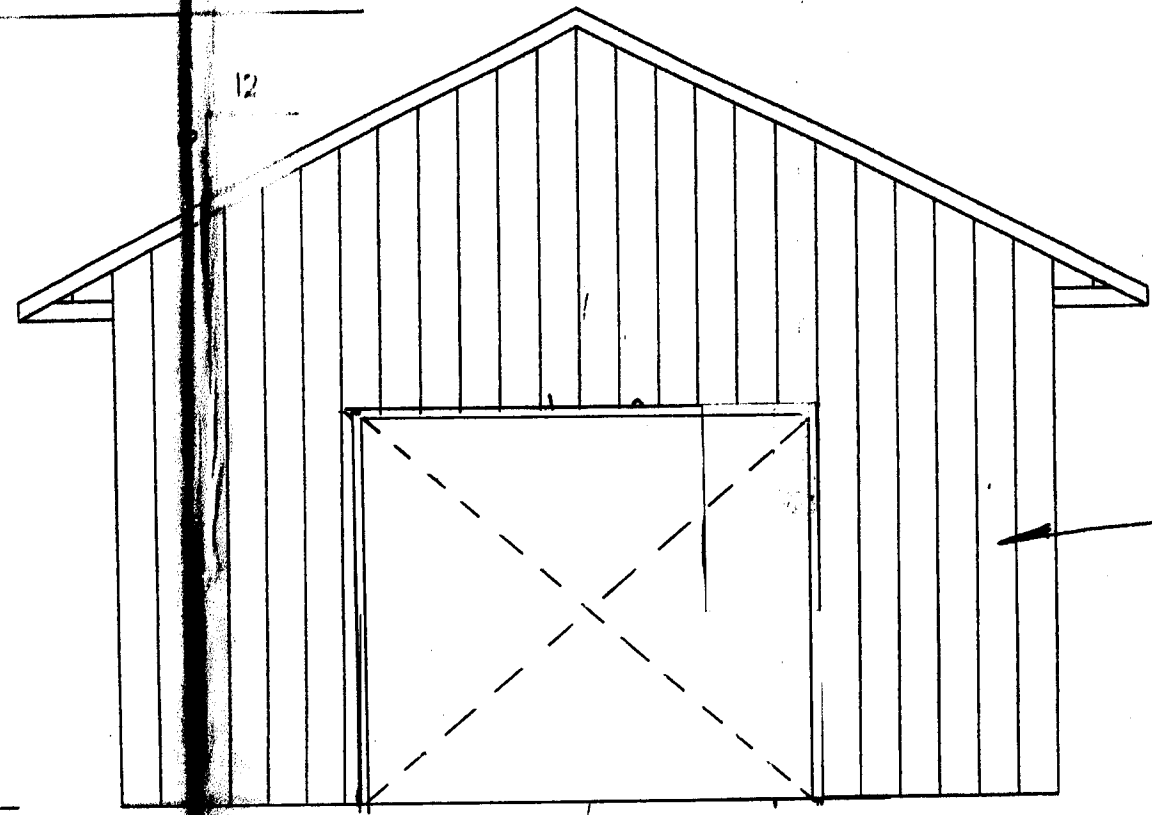
Notes:

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.
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 establish 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 100ft 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.

15'-4 1/2"
T.O. RIDGE

10'-0"
TRUSS BEARING

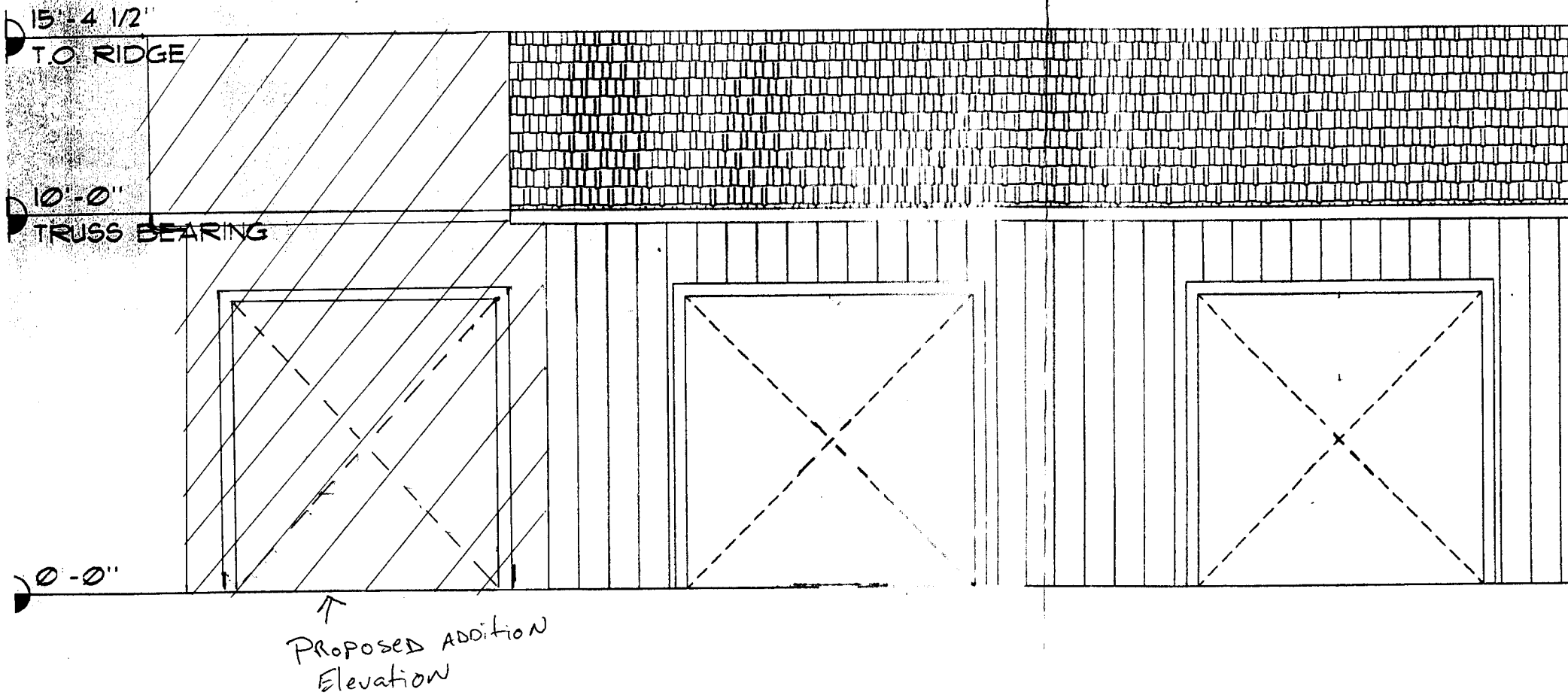
0'-0"



B4
001

END ELEVATIONS

SCALE : 1/4" = 1'-0"



B1
A301

ELEVATION

SCALE: 1/4" = 1'-0"















3'9"

SKETCH OF SURVEY

TYPE OF SURVEY: BOUNDARY



GRAPHIC SCALE (In Feet)

NOTE: 1 inch = 40 ft.
BEARINGS SHOWN ARE BASED UPON
RECORD PLAT OR DEED DESCRIPTION.

**WEST LOT LINE
LOT 2, BLOCK A**

FD.
5/8" I.R.

DONNA DRIVE
60' R/W

N00-35-03 W 84.21' M.

5' U.E.

FD.
1/2" I.R.

**POINT OF
BEGINNING**
SOUTHWESTERLY LOT
CORNER OF LOT 2, BLOCK A

**REMAINDER
LOT 3
BLOCK A**

**LOT 4
BLOCK A**

LOT 1
BLOCK A

NORTH 10'
LOT 2
BLOCK A

**NORTH 10'
OF LOT 2
BLOCK A**

159.73' M
159.58' D

B.R.
N76°02'47"E

LESS NORTH 10'
LOT 2
BLOCK A

1 STORY
SINGLE FAMILY
RESIDENCE
1806

58.8' L-6 L-5 3.99'
0.2' 160.62' D.
160.44' M.

PORTION OF
LOT 3
A BLOCK A

SOUTHERLY LOT
LINE, LOT 2, BLOCK A
NORTHERLY LOT
LINE, LOT 3, BLOCK

**DEEDED REMAINDER
— OF LOT 2
BLOCK A**

Legal Description

Schedule A:
All of Lot 2, Block A, South Lakemont Shores, as recorded in Plat Book U, Page 70 public records of Orange County, Florida (less the North 10 feet, and also less; begin at the Southwesterly corner of said Lot 2, thence run North $0^{\circ} 10' 47''$ West along the West line of said Lot 2, a distance of 8 feet; thence North $74^{\circ} 36' 35''$ East 53.48 feet to a point on the Southerly line of said Lot 2; thence South $66^{\circ} 41'$

51.92' M.
N78°42'27"E
51.05' P.
N78°11'01"E

FD,
1/2" I.R.
P.T. OF LOT 4
BLOCK B

50' RM
BARRIER DRIVE

**POINT OF
BEGINNING
NORTHEASTERY LOT
CORNER OF LOT 3, BLOCK A**

25.0'

EAST LOT
LINE OF LOT
3, BLOCK A

FD.
5/8" I.R.

50070'47"E 79.15' D.
50076'19"E 79.61' M.

FD.
1st LP

**EAST LOT
LINE OF LOT
3, BLOCK A**

25.0'

WE THE UNDERSIGNED HAVE NO OBJECTION TO STEVE OBRIEN, 1806 BARKER DR WINTER PARK FL,
EXTENDING HIS GARAGE 5' FROM THE REAR PROPERTY LINE INSTEAD OF THE REQUIRED 10' SETBACK

THOMAS & LISA SMITH
4395 THAYER ALY
1828 MARIGOLD CT
CHANHASSEN MN 55317

ZHANG WENXIAN
DI QUN
4357 THAYER ALY
2226 WEMBLEY PL
OVIEDO, FL 32765

MATHEW & ASHLEY BROWN
4319 4395 THAYER ALY
ORLANDO, FL 32814

MATTHEW & DANIELLE BEHRMANN
2633 MEETING PL
ORLANDO, FL 32814

CHARLES & DANIELLE MORRIS
2649 MEETING PL
ORLANDO, FL 32814

DARYL & ANNE-BLYTH OSBORN
2665 MEETING PL
ORLANDO, FL 32814

LYNNE WILSON
1837 LAKE SPIER DR
WINTER PARK, FL 32789

DAVID LEONARD
1804 BARKER DR
WINTER PARK, FL 32789

MARGARET STEVENSON
1808 BARKER DR
WINTER PARK, FL 32789

BENJAMIN & CAITLIN PYLE
1810 BARKER DR
25 PALM POINT DR
INGLIS, FL 34449

RICARDO & SHANNON CALZADA
1803 BARKER DR
WINTER PARK, FL 32789

KEVIN & CATHERINE MAYS
1805 BARKER DR
WINTER PARK, FL 32789

DAVID & MARGO COOPER
1807 BARKER DR
WINTER PARK, FL 32789

PATRIA MCGEE
1809 BARKER DR
29662 INDEPENDENCE AVE
BIG PINE KEY, FL 33043

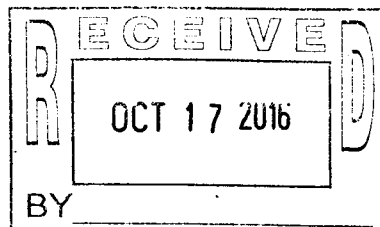
DUSTIN & NOELLA TINKLER
1811 BARKER DR
WINTER PARK, FL 32789

PAUL FRANCIS
MARILYN WILSON
1815 BARKER DR
WINTER PARK, FL 32789

MARY P BROWN TRUST
1823 BARKER DR
WINTER PARK, FL 32789

STEVEN OBRIEN
1806 BARKER DR
WINTER PARK, FL 32789

STEVEN OBRIEN
1814 BARKER DR
WINTER PARK, FL 32789



10/3/16

To whom it may concern,

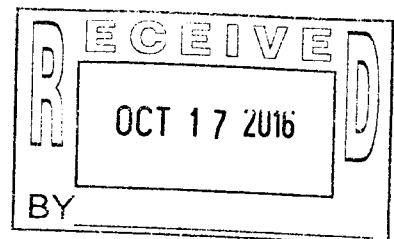
I have no issues w/ the garage
being extended out. We live directly
behind the house & see no issue w/
it.

Thank you,

Danielle A. Behrman

352-262-6962

2633 Meeting Pl
Orlando, FL 32814



* POST 1 IN FRONT
1 IN BACK

NOTICE TO ALL APPLICANTS FOR VARIANCES

(STEVE O'BRIEN)

To all variance applicants at: 1806 BARKER DR

The City Zoning Code requires that your property be posted 15 days prior to the Board of Adjustment variance hearing. The posting should be visible from the street on each street frontage and must **REMAIN POSTED** until the variance hearing is held. On any day prior to and including the day of the variance hearing, if the subject property is inspected by City staff and **NO** Public Notice Variance posting notice is present, then the subject variance must either be withdrawn or tabled by the Board to the following month's hearing.

Our posters are recycled for future hearings.

Please check one:

- ☐ I will return the poster within a week after the Board Meeting.
- ☐ I will remove the poster directly before the hearing and return it at the Meeting.
- ☒ ~~I will leave the poster up; and understand a city inspector will retrieve the poster the following day.~~



Signature

STEVE O'BRIEN

Print Name

10/3/2016

Date

Florida Legal Advertising, Inc

5728 Major Blvd Suite 610
Orlando, FL 32819
407-286-0807 / 407-286-0656 Fax

INVOICE R16-2069 Date 10/6/2016
and Preliminary proof of legal notice

City of Winter Park
401 Park Avenue South
Winter Park FL 32789

First Date of Publication 10/6/2016
This legal notice will be published 1 times

NOTICE

Florida Legal Advertising makes every effort to ensure that its public notice advertising is accurate and in full compliance with all applicable statutes and ordinances and that its information is correct. Nevertheless, we ask that our advertisers scrutinize published ads carefully and alert us immediately to any errors so that we may correct them as soon as possible. We cannot accept responsibility for mistakes beyond bearing the cost of republishing advertisements that contain errors.

P.O./Ref#

Invoice # R16-2069:



Amount Due: **\$49.50**

Payment due upon receipt
Please note Invoice # on check and mail to:

Florida Legal Advertising, Inc
5728 Major Blvd Suite 610
Orlando, FL 32819

Preliminary Proof of Legal Notice Published in Winter Park/Maitland Observer (This is not a proof of publication)



CITY OF WINTER PARK
401 Park Avenue South
Winter Park, Florida 32789

PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the Board of Adjustments of the City of Winter Park, Florida on Tuesday, October 25, 2016 at 5:00 p.m. in the Commission Chambers, 401 Park Avenue, South, Winter Park, Florida. The following variances from Article III "Zoning" of the Winter Park Land Development Code will be heard:

#1 Request of Steve O'Brien for a variance from Section 58-71 "General provisions for residential zoning districts," subsection (i) to allow an addition onto a garage resulting in a rear setback of 5 feet in lieu of the required setback of 10 feet.

Property described as Parcel ID# 17-22-30-8164-01-021 as recorded in the Public Records of Orange County, Florida.

Located at: 1806 Barker Drive Zoned: R-1A
#2 Request of David Runnels for a variance from Section 58-66 "R-1AA and R-1A districts" subsection (f), to allow the construction of an addition to be located 7.5 feet from the north side lot line and 8 feet from the rear lot line in lieu of the required setbacks of 10 feet and 25 feet respectively.

Property described as Parcel ID# 07-22-30-2972-00-030 as recorded in the Public Records of Orange County, Florida.

Located at: 266 Chase Avenue Zoned: R-1AA

NOTE: If a person decides to appeal any decision made by the Board of Adjustments with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings to ensure that a verbatim record 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 Board of Adjustments Clerk (407-599-3237) at least 48 hours in advance of the meeting.

/s/ Theresa Dunkle, Board Clerk

October 6, 2016

R16-2069



CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

TO: BOARD OF ADJUSTMENTS MEMBERS

FROM: GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS

DATE: OCTOBER 12, 2016

SUBJ: RUNNELS VARIANCE REQUEST, 266 CHASE AVENUE

The applicant is requesting a variance to allow the construction of a one story addition to be located 7.5 feet from the north side lot line and 8 feet from the rear lot line, whereas the required setbacks are 10 feet and 25 feet respectively.

The owners of this home desire to add an updated master suite to this non-designated historic home without compromising the architecture and the current position of the home on the lot makes it difficult to add this addition in other locations.

I've asked the architect to look at attaching the addition to the garage/guest house in order to gain floor area and increase the rear setback substantially more than 8 feet. However, attaching to the garage/guest house makes that building more nonconforming since it has a rear setback of only 5 feet.

The purpose of asking for the 7.5 foot side setback is to allow more room for the master suite while still maintaining the required 5 foot separation from the garage/guest house.

Some of the unique features of this property include:

- 1) The location of the existing home is situated over 65 feet back from the front lot line, and it would not be appropriate architecturally to add to the front of the home.
- 2) The adjacent homes on the north and south side have very minimal front setbacks of 15 feet and 25 feet.
- 3) The property adjacent to the rear lot line of the subject property has a very long garage structure only 3 feet from the rear lot line.

With this proposed 952 square foot addition, the resultant impervious coverage and gross area is still within the allowable areas permitted by the zoning code.

Although I have not received anything in writing at this time, I understand that the owners have contacted the neighboring property owners and have expressed no objection to the variances.

The owners also have the option of requesting that this home be placed on the historic registry, and then request these same variances be granted through that process where the criteria is not rigorous.

VARIANCE APPLICATION
BUILDING and PERMITTING SERVICES DEPARTMENT

Building & Permitting Department
401 South Park Avenue
Winter Park, FL 32789
Ph: 407-599-3237

Date Received 9/28/2016
Assigned 2
Date of Hearing OCT 25

Applicant: DAVID RUMWELS, ARCHITECT Owner: ROBERT & GLAD NADEAU

233 WEST PARK AVENUE
(Address)
WINTER PARK, FL. 32789
(City, State) (Zip)

(Phone - Home)
407-644-6610

(Phone - Work or Cell)
DERUND@AOL.COM

(Email Address)

266 CHASE AVENUE
(Address)
WINTER PARK, FL. 32789
(City, State) (Zip)

(Phone - Home)
407-497-0132

(Phone - Work or Cell)
GLAD.NADEAU4@GMAIL.COM

(Email Address)

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 58-66, Paragraph (f), Zoning R-1AA.

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

Note: Submit E-Mail address to have application forwarded to you for word processing.

Street address of property 266 CHASE AVENUE, WINTER PARK, FL. 32789
Legal description of property _____

Describe variance request VARIANCE FOR REAR & SIDE SETBACKS.

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?

THE HISTORIC STRUCTURE WAS ORIGINALLY PLACED ON THE SITE IN A MANNER THAT SIGNIFICANTLY REDUCED THE AREAS THAT COULD BE EXPANDED; THEREFORE REQUIRING THE REAR AREA TO BE UTILIZED AS SHOWN.

How long have you owned the property? APRIL, 2013

How long have you occupied the property? APRIL, 2013

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?

DEVELOPMENT OF THE EXISTING FRONT YARD AREA WILL NOT BE POSSIBLE DUE TO THE HISTORIC CHARACTER OF THE EXISTING RESIDENCE, OTHER RESIDENTIAL PROPERTIES WOULD BE ABLE TO.

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.

THE SPECIFIC HARDSHIP IS THAT DUE TO THE HISTORIC CHARACTER & PLACEMENT OF THE EXISTING RESIDENCE; DEVELOPMENT WOULD BE LIMITED TO THE SMALLER REAR PORTION OF THE YARD SPACE; THEREFORE REQUIRING THE REDUCED SETBACKS REQUESTED.

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?



Signature of Applicant

9.28.16

Date

DAVID E. RUNNELS

Name of Applicant (PRINT)

266 Chase Ave





SETBACK / COVERAGE WORKSHEET

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

Address: 706 CHASE AVE.

Lot width²: 80.00'

Submitted by: _____

Lot area³: 13,233 sf.

| | Maximum % Allowed ⁴ | Existing Area ¹¹ | Additional Proposed Area ¹¹ | New Total Area | Maximum Allowed Area |
|--|--|-----------------------------|--|----------------|--------------------------|
| IMPERVIOUS LOT COVERAGE <small>Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, artificial turf, etc.</small> | 2 story - 50% | 5,427 | 1,101 | 6,528 | 6,167 |
| | 1 story - 60% | | | | |
| FLOOR AREA RATIO (F.A.R.)^{5,6,7} <small>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 floor⁸, and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches⁹.</small> | Lots < 11,600 sf: Use 38% Base FAR or w/ increased side setbacks: 43% Max FAR Lots 11,600 sf to 13,600 sf * Use 4,500 sf Base area & 5,200 sf Maximum area Lots > 13,600 sf Use 33% Base FAR or w/ increased side setbacks: 38% Max FAR | 3,361 | 952 | 4,313 | 4,500 BASE 5,200 MAX. |
| SCREEN POOL ENCLOSURE | 8%¹⁰ | | | | |

| | Minimum % Required | Existing Area ¹¹ | Landscape Area Reduced ¹¹ | New Total Area | Minimum Required Area |
|--|--------------------|-----------------------------|--------------------------------------|----------------|-----------------------|
| FRONT YARD LANDSCAPE COVERAGE <small>Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (pervious & impervious).</small> | 50% | | | | N/A |
| Front Lot Area: | | | | | |

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 areas 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 be 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 (FAR) may be added to this 8% for additional screened pool enclosure area.
11. These columns only apply to existing homes.

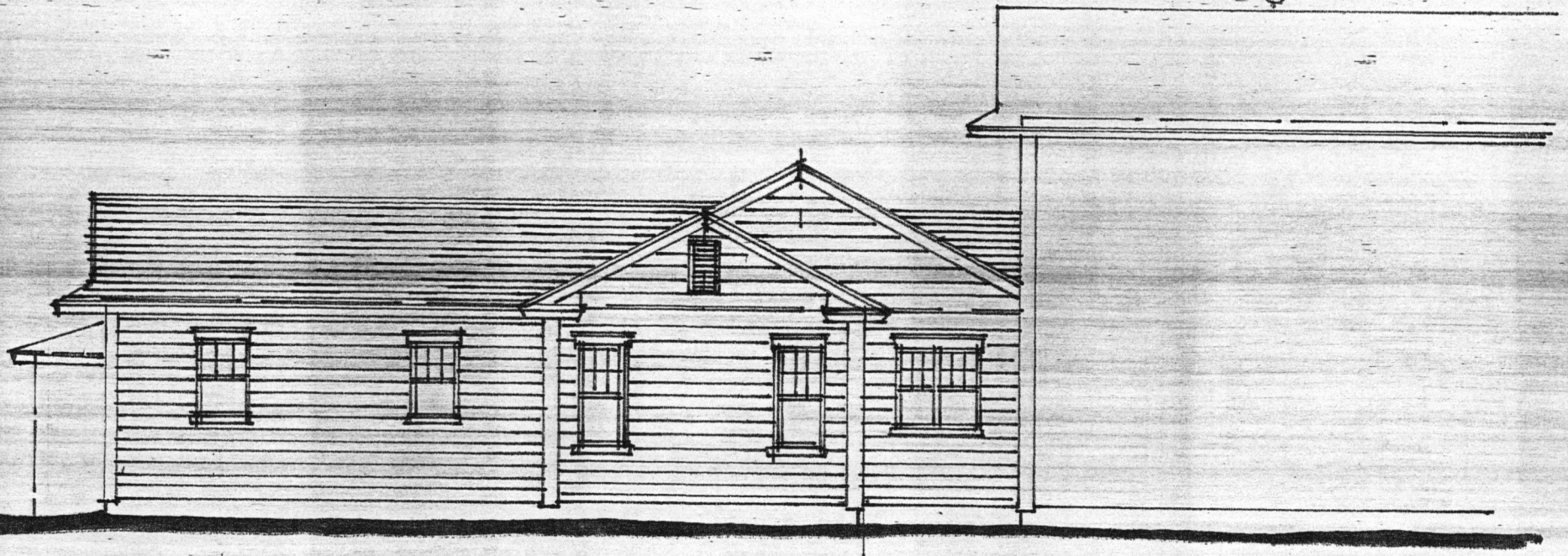
SETBACKS (complete boxes A and B first)

| | Minimum Allowable Dimensions | | Existing ¹³ | Proposed |
|--|--|--------------------------------|------------------------|-----------------|
| FRONT | Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes. | | N/A | N/A |
| SIDES^{1,2} (see other side setback options on pg 4) | 1st Floor | See pages 3&4 A 10' | 10.05' 21.74' | * 7.5' 21.74' |
| | 2nd Floor | B 14' | * 10.05' 31.84' | * 10.05' 31.84' |
| REAR^{1,3,4} | 1st Floor | 25 ft. | 53.3' | * 8.0' |
| | 2nd Floor | 35 ft ⁵ | 53.3' | 53.3' |
| | Lakefront | see note 6 | N/A | N/A |
| CORNER LOT | 1st Floor | Lot width ≤ 65 ft. | 15 ft. | |
| | | Lot width > 65 ft ⁷ | 20 ft. | |
| | 2nd Floor | Lot width ≤ 65 ft. | 15 ft. | |
| | | Lot width > 65 ft ⁷ | 22.5 ft. | |
| BUILDING HEIGHT^{8,9,10,11,12} | 30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 & 12) | | | |

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 ft 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 establish 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.

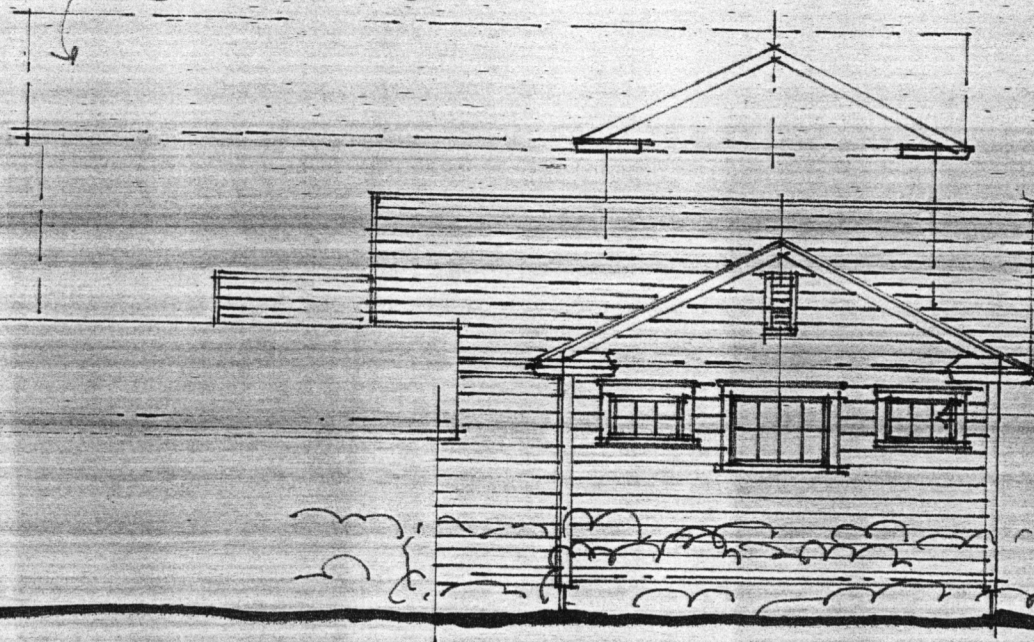
existing residence



north/side elevation

$\frac{1}{8}'' = 1'-0''$

existing residence, beyond

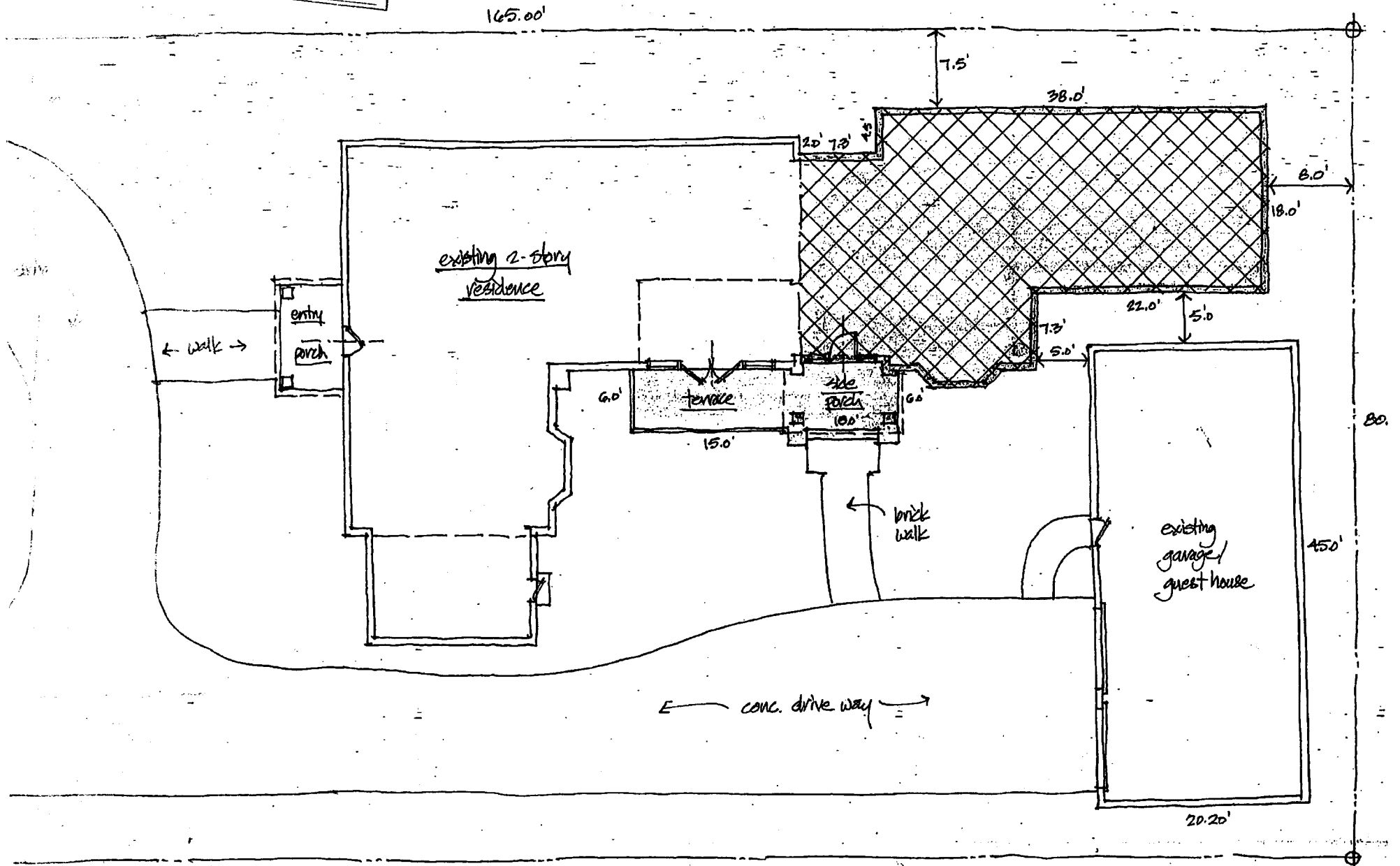
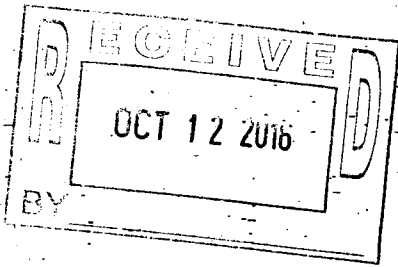


high windows

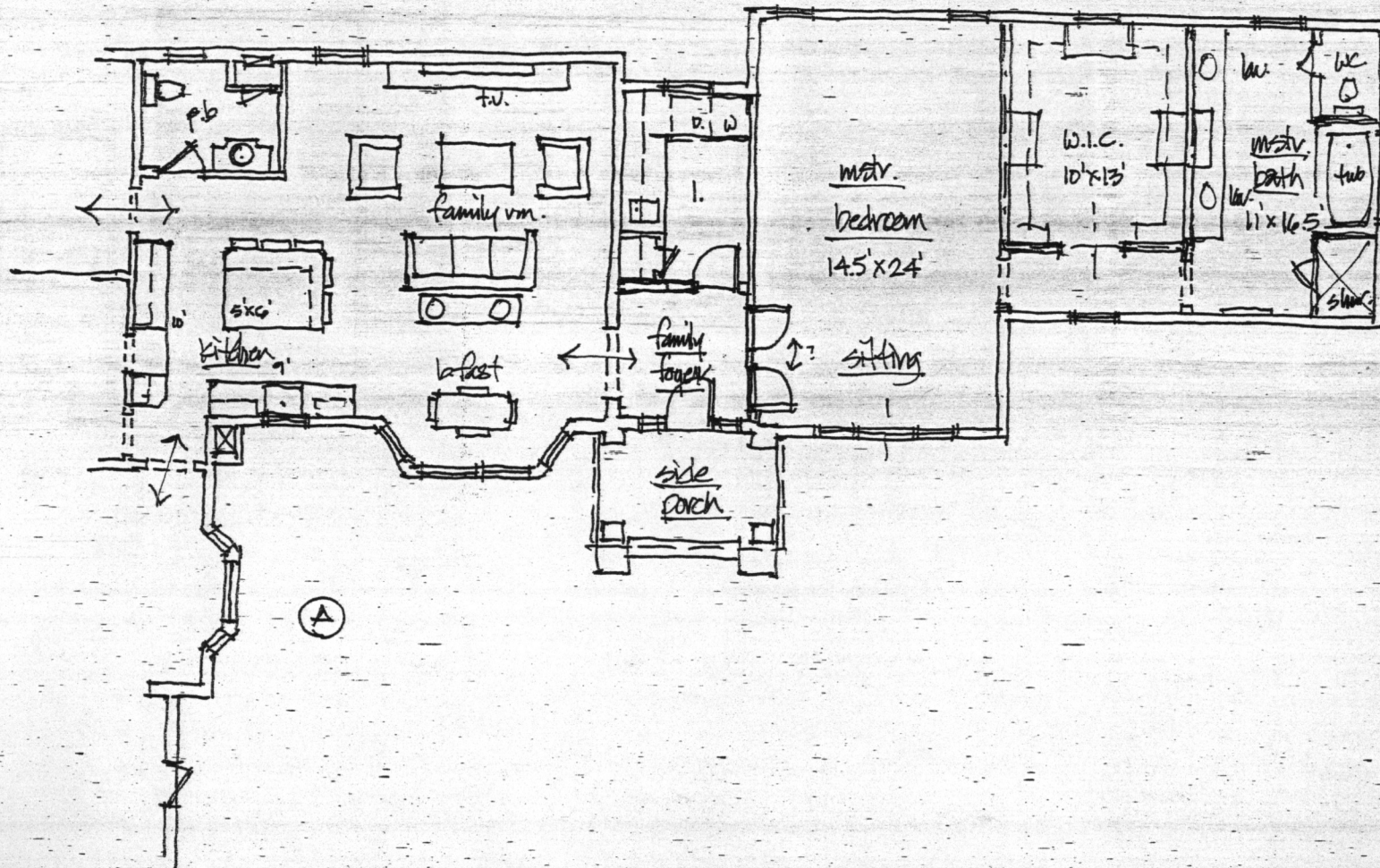
existing garage/guest house

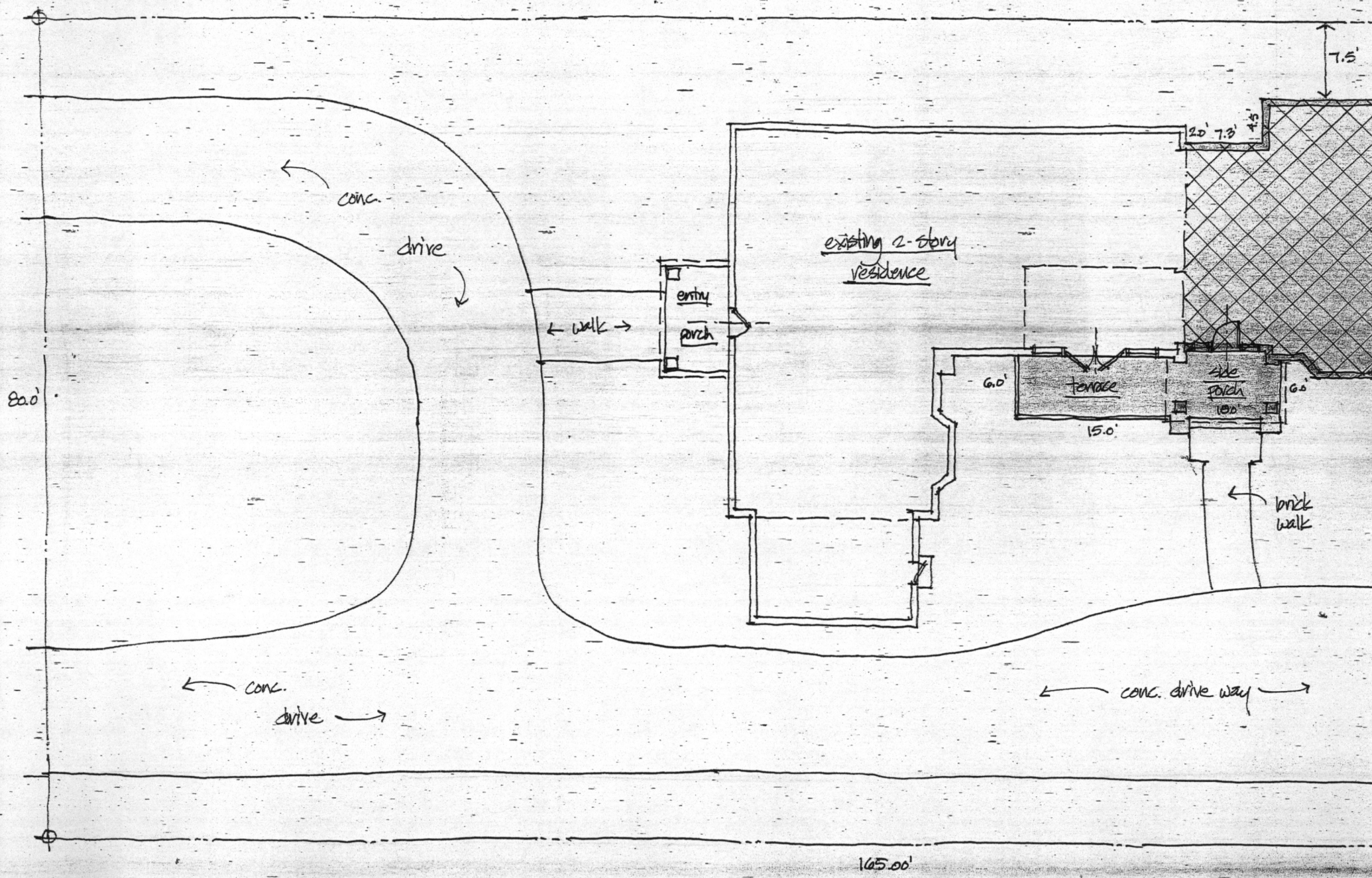
rear elevation

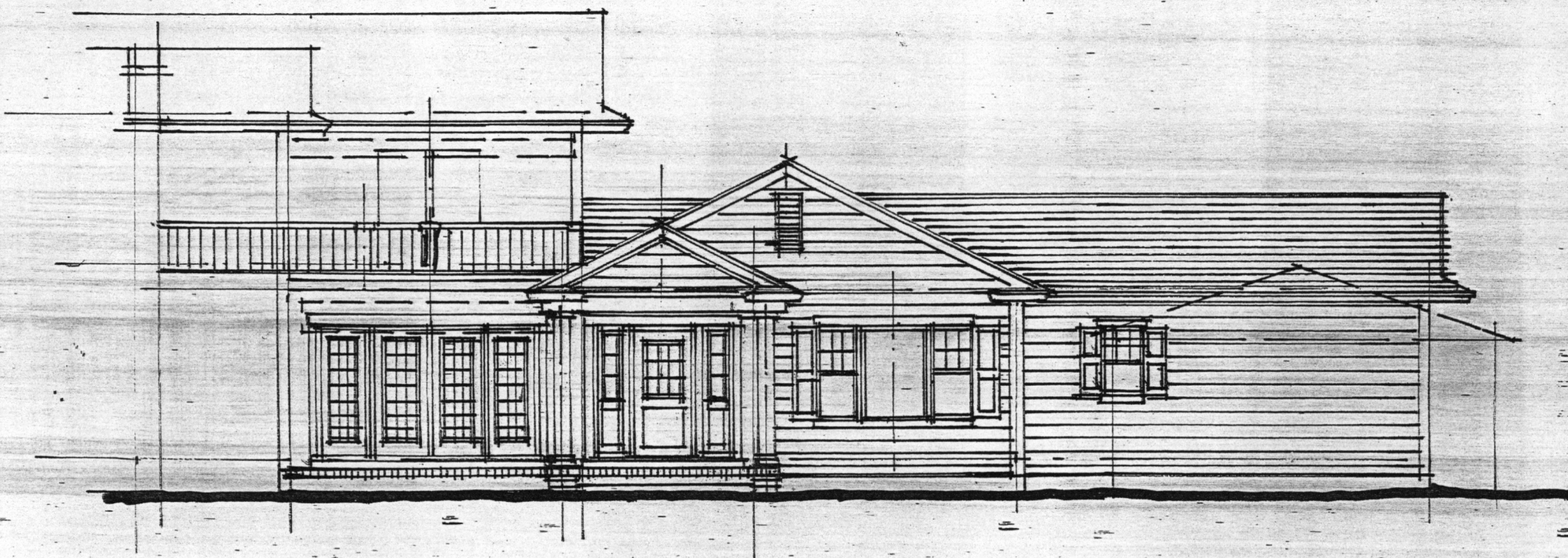
$\frac{1}{8}'' = 1'-0''$



EXISTING. ADDITION







courtyard/side elevation

1/8" = 1'-0"

From: robert.nadeau <robert.nadeau@akerman.com>

To: derunn <derunn@aol.com>

Cc: glad.nadeau4 <glad.nadeau4@gmail.com>

Date: Wed, Sep 28, 2016 2:51 pm

We hereby authorize David Runnels, Architect to submit a variance application on my and my wife's behalf for 266 Chase Ave., Winter Park, Fl. 32789.

Robert B. Nadeau, Jr.

General Counsel

Akerman LLP | 420 South Orange Avenue | Suite 1200 | Orlando, FL 32801-4904

Dir: 407.419.8510 | Main: 407.423.4000 | Fax: 407.843.6610

robert.nadeau@akerman.com

vCard | Bio



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INVOICE R16-2069 Date 10/6/2016
and Preliminary proof of legal notice

City of Winter Park
401 Park Avenue South
Winter Park FL 32789

First Date of Publication **10/6/2016**
This legal notice will be published 1 times

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CITY OF WINTER PARK
401 Park Avenue South
Winter Park, Florida 32789

PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the Board of Adjustments of the City of Winter Park, Florida on Tuesday, October 25, 2016 at 5:00 p.m. in the Commission Chambers, 401 Park Avenue, South, Winter Park, Florida. The following variances from Article III "Zoning" of the Winter Park Land Development Code will be heard:

#1 Request of Steve O'Brien for a variance from Section 58-71 "General provisions for residential zoning districts," subsection (i) to allow an addition onto a garage resulting in a rear setback of 5 feet in lieu of the required setback of 10 feet.

Property described as Parcel ID# 17-22-30-8164-01-021 as recorded in the Public Records of Orange County, Florida.

Located at: 1806 Barker Drive

Zoned: R-1A

#2 Request of David Runnels for a variance from Section 58-66 "R-1AA and R-1A districts" subsection (f), to allow the construction of an addition to be located 7.5 feet from the north side lot line and 8 feet from the rear lot line in lieu of the required setbacks of 10 feet and 25 feet respectively.

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Located at: 266 Chase Avenue

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/s/ Theresa Dunlap, Board Clerk

October 6, 2016

R16-2069