

Board of Adjustments



December 20, 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 October 25, 2016, meeting. _____

3 New Business

1. Request of David Sage and Diana Paladino for variances to allow the construction of room additions to be located 10 feet from the rear lot line and 8.4 feet from the west side lot lines in lieu of the required setbacks of 25 feet and 10 feet respectively, to allow an existing west side wall to remain with a setback 8.4 to 8.7 feet in lieu of 10 feet after demolition of more than 50% of the home. _____

Located at 2230 Coldstream Drive

Zoned R-1A

2. Request of Kira Woods for a variance to allow the construction of a swimming pool, deck and pergola to be located 20 feet from the ordinary high water line of Lake Spier in lieu of the required setback of 50 feet and to allow exceeding the maximum allowed impervious coverage of 50% of lot area. _____

Located at 1857 Lake Spier Drive

Zoned R-1A

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."



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: DECEMBER 12, 2016

SUBJ: PALADINO VARIANCE REQUEST, 2230 COLDSTREAM DRIVE

The applicant is requesting variances to allow the construction of room additions to be located 10 feet from the rear lot line and 8.4 feet from the west side lot lines whereas the required setbacks are 25 feet and 10 feet respectively, to allow an existing west side wall to remain with a setback 8.4 to 8.7 feet in lieu of 10 feet after demolition of more than 50% of the home.

In order to save a large Live Oak tree with proposed additions and to proceed with major remodeling of the home, the applicants seek rear and side setback variances along with the ability to demolish a major portion of the home and retain the basic footprint of the existing home.

The addition at the rear request includes a 366 square foot master bath and bedroom addition. An art studio addition on the rear and west side of the home includes an extension of a nonconforming side wall for a distance of 12.75 feet. The location of this addition is also positioned in a manner that minimizes any potential damage to the large tree.

The overall remodel of the home includes major roof structural changes as well as interior remodeling resulting in demolishing more than 50% of the home. Each side walls have nonconforming side setbacks of 9.3 feet on the east side, and 8.4 feet on the west side, whereas the required setbacks are 10 feet.

With the proposed additions the resultant floor ratio is 27% and impervious coverage is 38% which are will under the allowed coverages of 38% and 50% respectively.

Our Urban Forestry Manager has met with the applicants, reviewed the condition of the tree and strongly favors taking all necessary actions to preserve this significant live oak tree in the rear yard, including the proposed placement of the additions.

We have received four letters of non-objection from adjacent and nearby neighbors.

**VARIANCE APPLICATION
BUILDING and PERMITTING SERVICES DEPARTMENT**

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

Date Received _____
Assigned # 1
Date of Hearing 12/30/16

Applicant: David and Diana Paladino

2230 Coldstream Drive

(Address)

Winter Park, Florida

32792

(City, State)

(Zip)

(321) 203- 2351

(Phone – Home)

(407) 421-8514 or (407) 399-0187

(Phone – Work or Cell)

dpaladino@juno.com

(Email Address)

Owner: David and Diana Paladino

same as applicant

(Address)

(City, State)

(Zip)

(Phone – Home)

(Phone – Work or Cell)

(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 7, Zoning R-1A.**

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

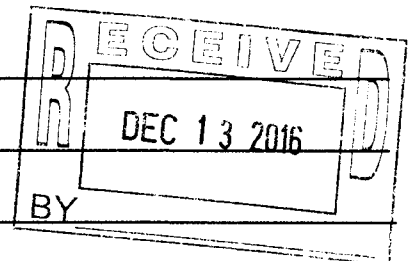
Note: Submit E-Mail address to have application forwarded to you for word processing.

Street address of

property 2230 Coldstream Drive, Winter Park, FL 32792

Legal description of

property Brookshire Heights V/127 LOT 4 BLK B



Describe variance

request Renovation will exceed 50% of value of structure. Owner is requesting a rear setback of 10' (ten feet) due to a historically significant oak tree in the rear center of the lot.

This would allow the addition to be built along the east side of the property without compromising the root system of the tree. (see site plan) Additionally, the owner is requesting to

add an extension to structure with an existing non-conforming setback along the west side of the property. (see site plan)

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?

A large historically significant oak tree is located in the rear center portion of the lot which limits the possibility of an addition.

How long have you owned the property? approximately 2 years. 12/23/2014

How long have you occupied the property? approximately 2 years. 12/23/2014

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?

The ability to add do the building so it can meet today's living standards. The existing building was constructed in 1958.

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 property's allowable rear setback is 25', however, if we were to extend directly behind the existing building, the existing large Oak tree's root system would be compromised

By building further away from the existing oak, but closer to the rear of the property setback, we are able to circumvent the large oak tree's root structure.

In essence, the 25' rear setback doesn't allow for an addition without compromising the oak tree's root system..

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?

David Paladino
Dianna Paladino
Signature of Applicant

12/13/2016
Date

DAVID PALADINO
DIANNA PALADINO
Name of Applicant (PRINT)

The map shows a residential neighborhood with the following streets and features:

- Streets:** Kimtrace Pl, Loch Berry Rd, S Perth Ln, Cady Way, Brookshire Ave, Coldstream Dr.
- Addresses:**
 - Along Cady Way: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35.
 - Along Coldstream Dr: 2110, 2203, 2213, 2223, 2233, 2243, 2206, 2210, 2230 (highlighted with a red box and red 'B'), 2240, 2250.
 - Along Brookshire Ave: 2110, 2203, 2213, 2223, 2233, 2243, 2206, 2210, 2230 (highlighted with a red box and red 'B'), 2240, 2250.
- Other Features:**
 - Orange County Florida logo in the bottom right corner.
 - A green area with a yellow circle and a blue circle.
 - A yellow circle with a red 'B' label.

Brookshire Ave

Daily Traffic
2000



SETBACK / COVERAGE WORKSHEET

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

Address: David and Diana Paladino

Lot width²: 80'

Submitted by: _____

Lot area³: 9,252 sq

	Maximum % Allowed ⁴	Existing Area ¹¹	Additional Proposed Area ¹¹	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%	2760	774	3534	5551
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 floor ⁸ , and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches ⁹ .	Lots < 11,600 sf: Use <u>38%</u> Base FAR or w/ increased side setbacks: <u>43%</u> Max FAR	1880 1907	481 519	2361 2486	3516
	Lots 11,600 sf to 13,600 sf Use <u>4,500 sf</u> Base area & <u>5,200 sf</u> Maximum area				
	Lots > 13,600 sf Use <u>33%</u> Base FAR or w/ increased side setbacks: <u>38%</u> Max FAR				
SCREEN POOL ENCLOSURE	8% ¹⁰				

	Minimum % Required	Existing Area ¹¹	Landscape Area Reduced ¹¹	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%	2852	616	2236	1426

NOTES:

- Windsong & Waterbridge may use these standards, except lot types A, B, & C in Windsong. Provisions on side articulations & accessory bldgs are mandatory.
- 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.
- Submerged lands or land across the street shall not be included.
- Percentage based on the lot area.
- 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.
- Area forming a room behind 2nd floor walls shall be included in the gross floor area.
- See page 3 on how to achieve maximum F.A.R.
- Vaulted and cathedral ceiling areas count twice if the height from the floor to the ceiling is 17.5 feet or greater.
- 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.
- Any area not already used in the permitted floor area ratio (FAR) may be added to this 8% for additional screened pool enclosure area.
- These columns only apply to existing homes.

SETBACKS (complete boxes A and B first)

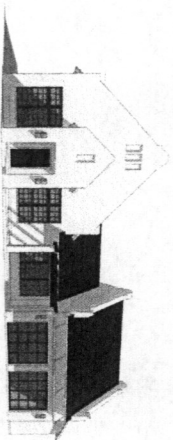
	Minimum Allowable Dimensions			Existing ¹³	Proposed
FRONT	Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.			34'	34'
SIDES ^{1,2} (see other side setback options on pg 4)	1st Floor	See pages 3&4	A	n/a	9.3' Left 8.4' Right
	2nd Floor		B	n/a	n/a
REAR ^{1,3,4}	1st Floor	25 ft.		25'	10'
	2nd Floor	35 ft ⁵			10'
	Lakefront	see note 6			10'
CORNER LOT	1st Floor	Lot width ≤ 65 ft.	15 ft.	n/a	10'
		Lot width > 65 ft ⁷	20 ft.		10'
	2nd Floor	Lot width ≤ 65 ft.	15 ft.		10'
		Lot width > 65 ft ⁷	22.5 ft.		10'
BUILDING HEIGHT ^{8,9,10,11,12}	30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 & 12)				10'

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 75ft deep or less a first floor setback of 10ft and a second floor setback of 25ft is allowed. For lots which are 105ft deep or less a first floor setback of 15ft and a second floor setback of 30ft 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 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.
13. This column only applies to existing homes.

A black and white architectural drawing of a three-story building. The building features a gabled roof with a small dormer window on the right side. The front facade has a large, multi-paned window on the second floor and a smaller, single-paned window on the first floor. The side facade shows a large, multi-paned window on the second floor and a smaller, single-paned window on the first floor. The building is shown from a low angle, emphasizing its height. The drawing uses solid black lines for outlines and shading to create a sense of depth and form.

Project Designer: David Pillsbury, FAIBD | CPBD | CGP
Engineer of Record: FDS Engineering Associates
Building Contractor:
Site Consulting:



DRAWING INDEX	
Sheet No.	SHEET TITLE
C5	Cover Sheet
SP.01	Site Plan
AS.01	As-Built Plan
01.0	Floor Plan
01.1	Roof Plan
02.0	Front & Right Elevations
02.1	Rear & Left Elevations

[illegible]

DRAFT COPY

PERMITTING NOTICE

These plans are not valid for permitting purposes, unless they bear the signature and NCBCDC seal of one of the following:

Michael T. Keasee, CP&D, FA&D
David A. Pilbury, CP&D, FA&D

Single Home Renovation

2230 Coldstream Drive
Winter Park, FL 32792

Lat: _____
Longitude: _____
Address: _____

6-4786

2

REVISION 1:00/00/0000

FDS
ENGINEERING
ASSOCIATES
590 N. Highland Ave., Suite 1
Maitland, FL 32751
© 321-672-6481 F: 407-480-033
Certificate Of Incorporation No. 2

11/22/2011
☐ CARLA A. BROWN, PE - FL No. 56132
☐ BRETT J. BARTZ, PE - FL No. 7535

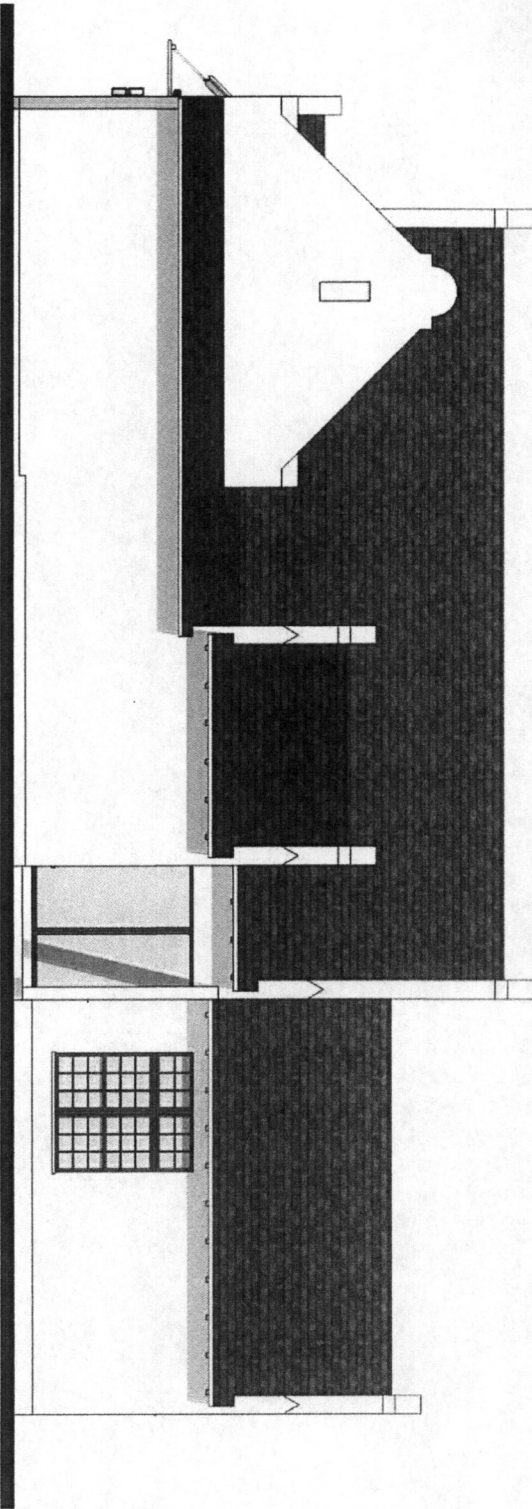
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keesee
associates

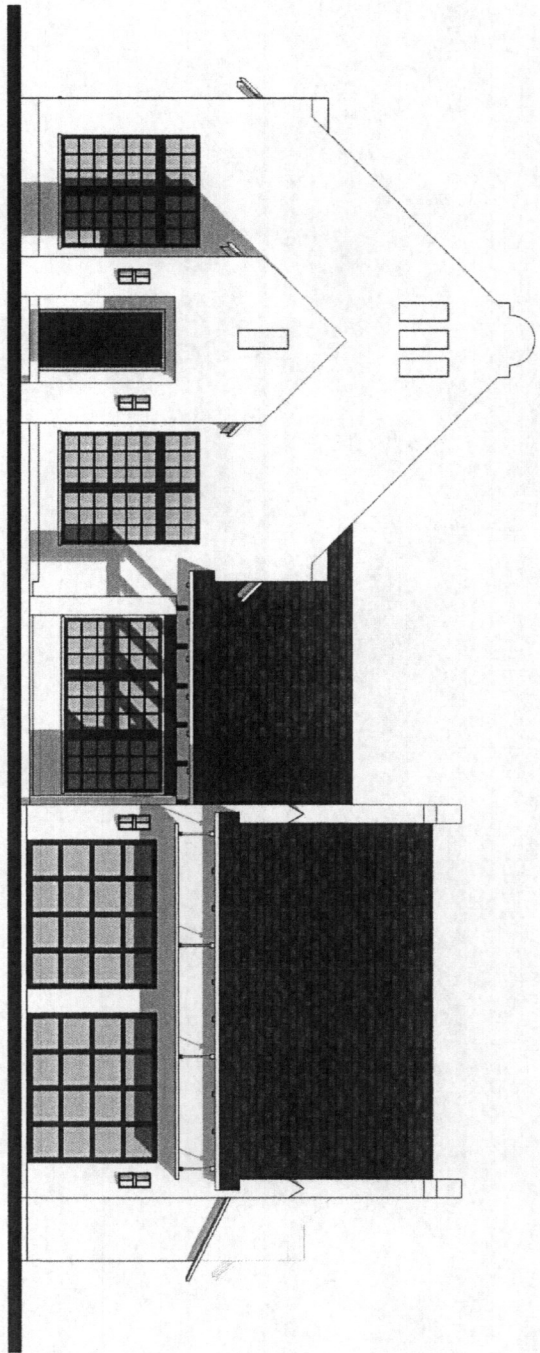
ARCHITECTURE | DESIGN | PLANNING

945 South Orange Blossom Trail
Aponte, Florida 32703
a.(407) 890 2333

668 North Orlando Avenue, Ste 106
Kissimmee, Florida 32751
o.(321) 295 7799



RIGHT ELEVATION



FRONT ELEVATION

DRAFT COPY

David and Diana Paladino
Single Home Renovation

02.01
16-4786

2230 Coldstream Drive
Winter Park, FL 32792
11/22/2016

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ENGINEERING
ASSOCIATES
301 N. Orange Ave., Suite 901
Orlando, FL 32801
(407) 441-1111
www.fds-engineering.com

11/22/2016

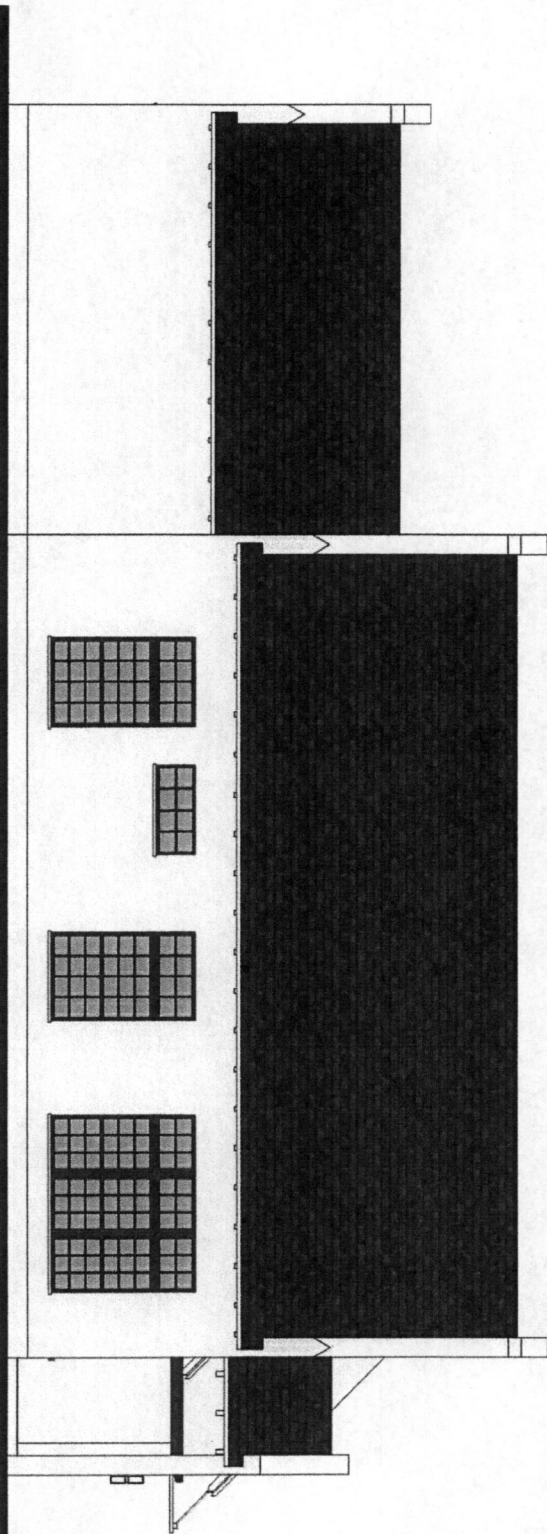
☐ CARL A. BROWN, P.E., F.I.B.E., S.E.
☐ BRIAN J. BARTZ, P.E., F.I.B.E., S.E.



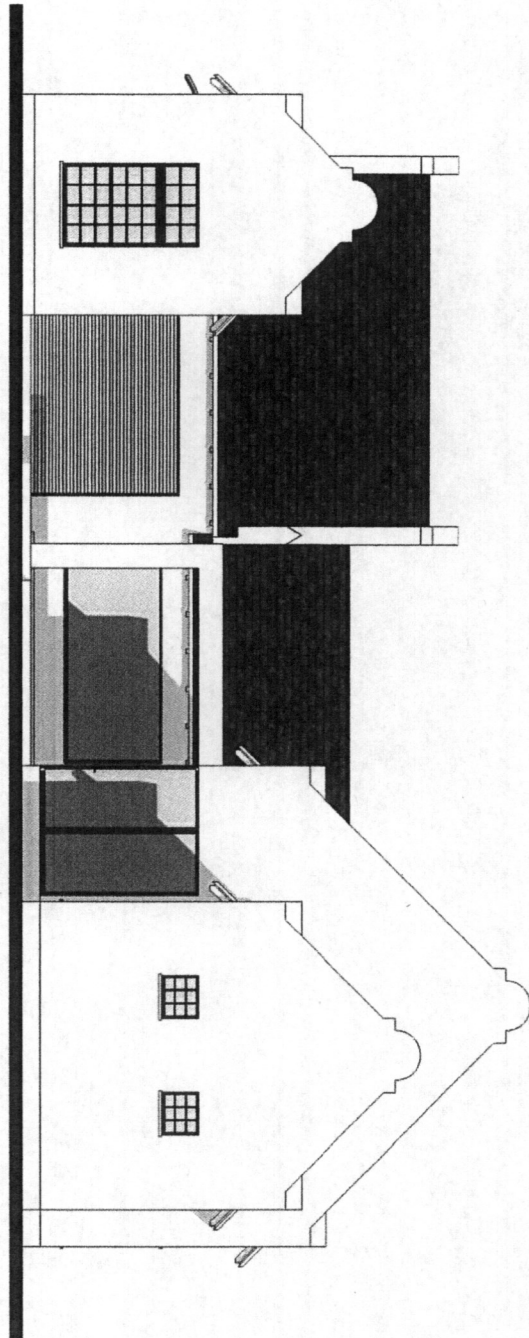
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660 South Orange Boulevard, Tallahassee, Florida 32309
660 North Orlando Avenue, Suite 100, Orlando, Florida 32761
(904) 241-1111

LEFT ELEVATION



REAR ELEVATION



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David and Diana Paladino
Single Home Renovation

2230 Coldstream Drive
Winter Park, FL 32792

11/22/2016

REVISION 1: 00/00/0000

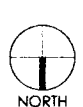
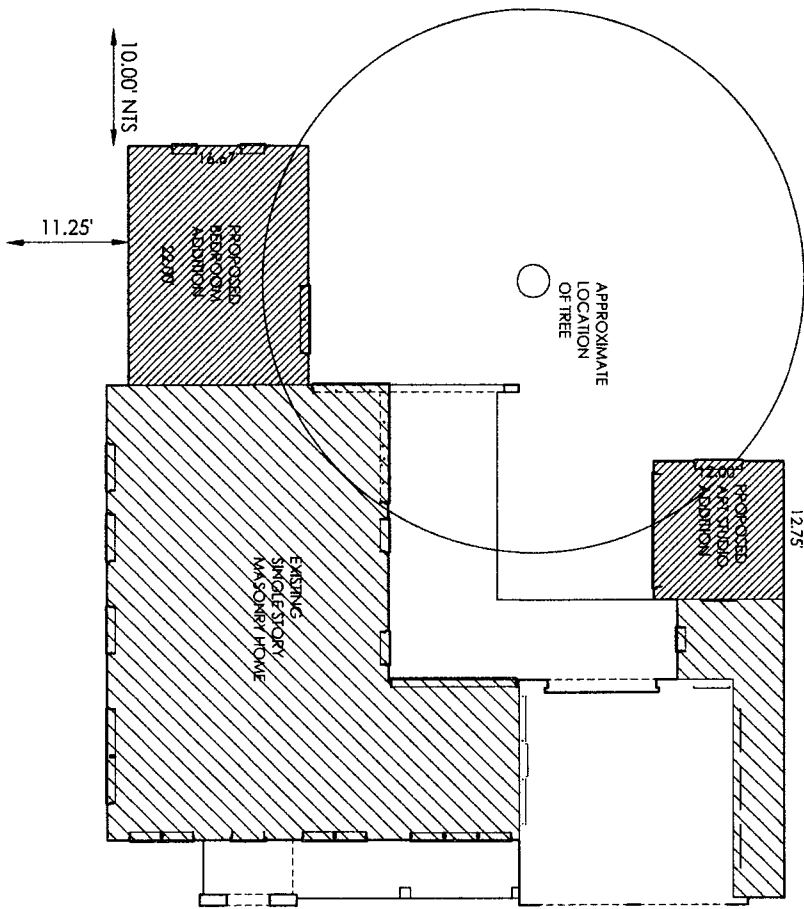
02.1

FDS
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300 N. W. 1st St., Suite 101
Fort Lauderdale, FL 33301
Tel: (954) 471-4101 Fax: (954) 471-4102
www.fds-engineering.com

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associates
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www.keesee.com

11/22/2016

300 South Orange Blossom Trail
Apopka, Florida 32711
Tel: (407) 886-2300 Fax: (407) 886-2301
www.keesee.com



NOTES:

- This is not an official survey
- Plan image shown is to communicate the intent of the design only, and is not to scale
- The rear setback request of 10' is in an effort to keep the new structure away from the tree's root system

SITE CALCULATIONS	
TOTAL SITE AREA	9232
BUILDING PAD AREA	2918
PREVIOUS SITE AREA	5718
IMPERVIOUS AREA	3334
P. DECK AND DRIVE	416
ALLOWABLE IMPERV. %	62% (5831)
INCLUDING DRIVEWAY AND POOL	Yes
ACTUAL IMPERVIOUS	38.2 % (3534)

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ALL CITY ZONING REQUIREMENTS NEED TO BE VERIFIED

SITE LAYOUT NTS

David and Diana Paladino

Single Home Renovation

2230 Coldstream Drive
Winter Park, FL 32792

11/22/2016

REVISION 1: 00/00/0000

16-4786

SP01

FDS

ENGINEERING ASSOCIATES

245 South Orange Blossom Trail
Apopka, Florida 32703
407.885.3533

11/22/2016

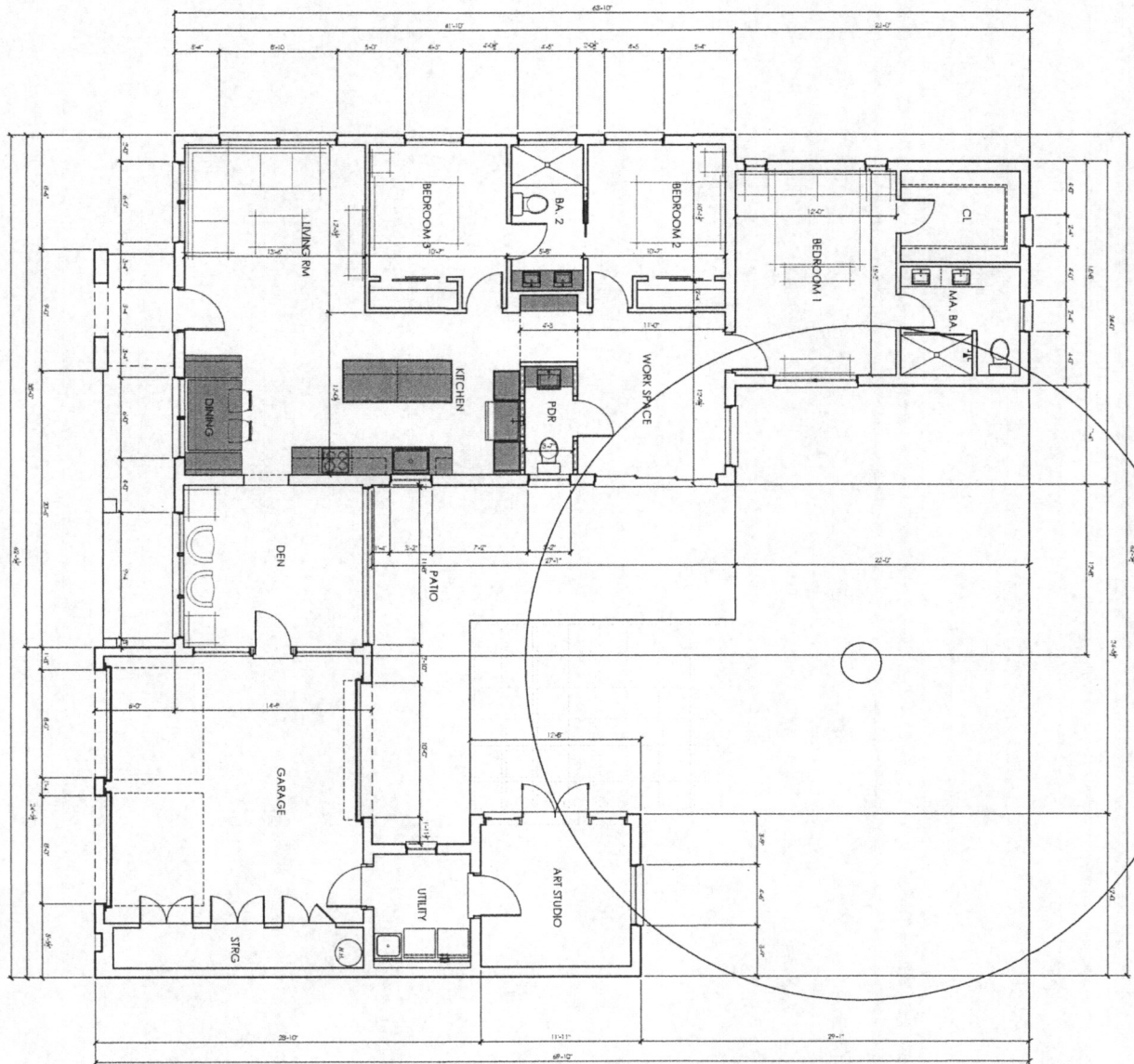
04/07/2017

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Apopka, Florida 32703
407.885.3533



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THIS IS THE FIRST DESIGN SUBMISSION AND MAY CHANGE PER THE DESIGN AGREEMENT

PRELIMINARY FLOOR PLAN

1/4" = 1'

AREA TABULATION	
ROOM	AREA
LIVING RM	144.00
DINING	100.00
KITCHEN	100.00
DEN	100.00
GARAGE	144.00
STRG	144.00
UTILITY	144.00
ART STUDIO	144.00
BEDROOM 1	144.00
BEDROOM 2	100.00
BEDROOM 3	100.00
BA 1	50.00
BA 2	50.00
PDR	50.00
WORK SPACE	144.00
CL	50.00
SHA BA	50.00
TOTAL AREA	1600.00

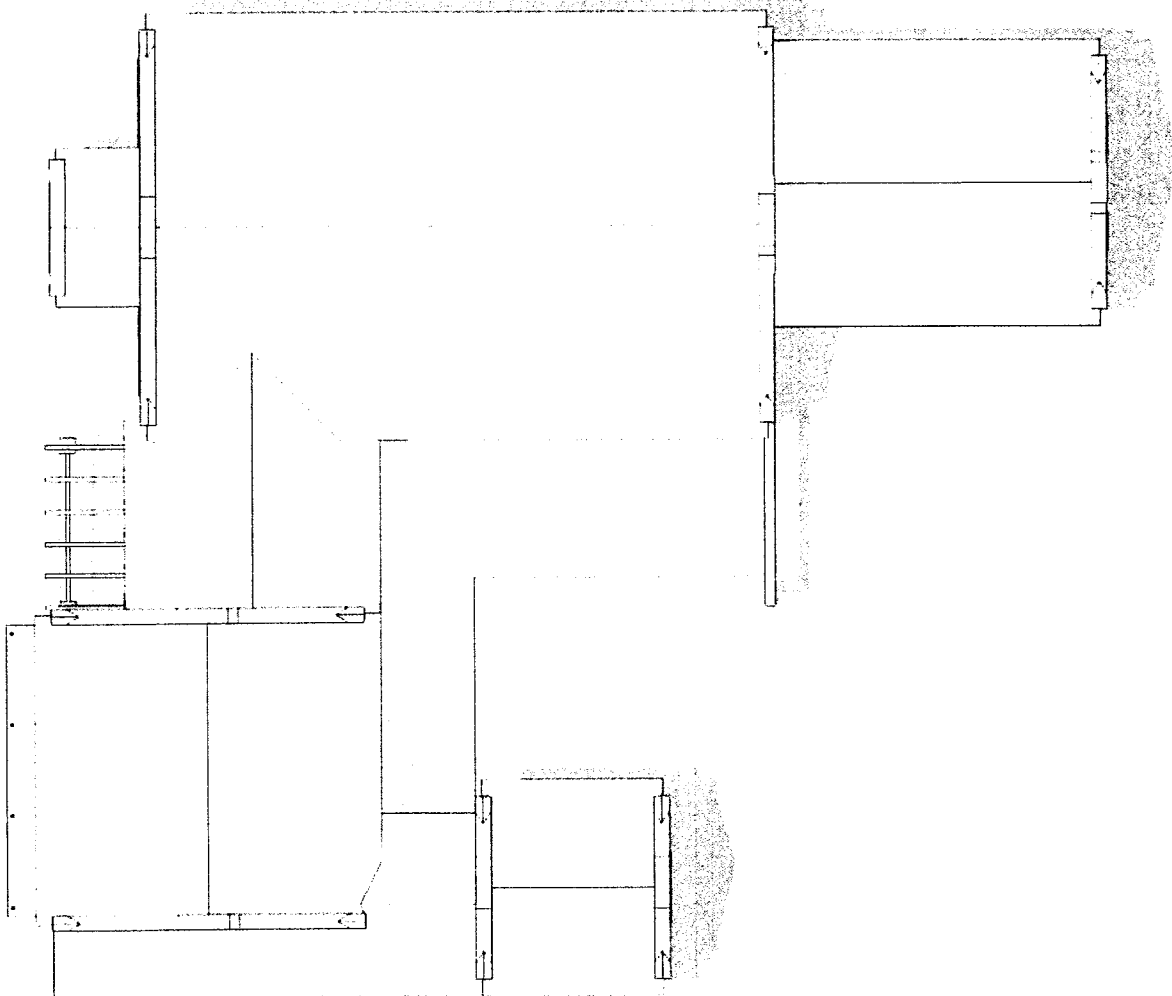
David and Diana Paladino
Single Home Renovation
2230 Coldstream Drive
Winter Park, FL 32792
11/22/2018

REVISION 1: 00/00/0000

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ENGINEERING
ASSOCIATES
11/22/2018
DAVID PALADINO, P.E., F.E., N.E., S.E.
BRETT A. SAWYER, P.E., F.E., N.E., S.E.

keesee
associates
ARCHITECTURE | DESIGN | PLANNING
11/22/2018
405 South Orange Blossom Trail
Apoka, Florida 32703
405/111-2881

11/22/2018
405 South Orange Blossom Trail
Apoka, Florida 32703
405/111-2881



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REFER TO STRUCTURAL FOR CONNECTION INFORMATION

ROOF PLAN

11/22/2016

David and Diana Paladino
Single Home Renovation

01.2
16-4786

2230 Coldstream Drive
Winter Park, FL 32792

11/22/2016

REVISION 1: 00/00/0000

NOTES:
1. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND THE NATIONAL ROOFING INSTITUTE (NRI) MANUALS.
2. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND THE NATIONAL ROOFING INSTITUTE (NRI) MANUALS.
3. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND THE NATIONAL ROOFING INSTITUTE (NRI) MANUALS.
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F: 407.499.1112
www.fds-engineering.com

11/22/2016
CARL A. BROWN, P.E. - FL No. 9112
BRETT J. BARTZ, P.E. - FL No. 7598

11/22/2016
CARL A. BROWN, P.E. - FL No. 9112
BRETT J. BARTZ, P.E. - FL No. 7598

keesee
associates
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884 North Orlando Avenue, Ste 100
Maitland, Florida 32751
P: 407.780.7700

11/22/2016
CARL A. BROWN, P.E. - FL No. 9112
BRETT J. BARTZ, P.E. - FL No. 7598

Winter Park, November 20, 2016

To:
The City of Winter Park
Board of Adjustments
Ref. Variance Request – 2230 Coldstream Drive

To whom it may concern,

We, Kelly & Chanelle Chambers, have reviewed the Plans on the Renovation/Addition to be constructed on 2230 Coldstream Drive, Winter Park, Fl.

We understand that in order to keep the existing Oak Tree and not interfere with its root system, the addition will extend into the rear setback, and as a neighbor, we have no objections to the request to minimize the Setback to 10' (ten feet) in lieu of the 25' (twenty-five feet).

Sincerely

Chanelle Chambers

Print Name: Chanelle Chambers

Address: 2213 Brooks Ave
Winter Park, Florida 32792

Winter Park, November ____, 2016

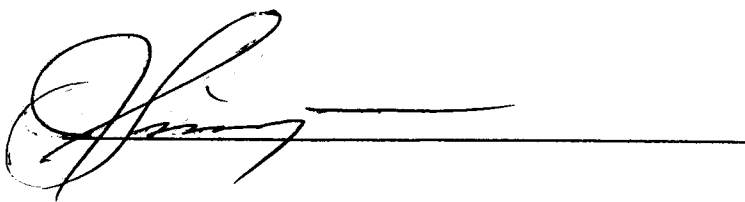
To:
The City of Winter Park
Board of Adjustments
Ref. Variance Request – 2230 Coldstream Drive

To whom it may concern,

We, Jeffery & Michelle Simpson, have reviewed the
Plans on the Renovation/Addition to be constructed on 2230 Coldstream Drive, Winter Park, FL.

We understand that in order to keep the existing Oak Tree and not interfere with its root system, the addition will extend into the rear setback, and as a neighbor, we have no objections to the request to minimize the Setback to 10' (ten feet) in lieu of the 25' (twenty-five feet).

Sincerely



Print Name: Jeffery Simpson

Address: 2233 Brookshire Ave

Winter Park, FL 32787

Winter Park, November 24, 2016

To:
The City of Winter Park
Board of Adjustments
Ref. Variance Request – 2230 Coldstream Drive

To whom it may concern,

We, CAROLINE & PHILIPPE GUERCI, have reviewed the
Plans on the Renovation/Addition to be constructed on 2230 Coldstream Drive, Winter Park, FL.

We understand that in order to keep the existing Oak Tree and not interfere with its root system, the
addition will extend into the rear setback, and as a neighbor, we have no objections to the request to
minimize the Setback to 10' (ten feet) in lieu of the 25' (twenty-five feet).

Sincerely



Print Name: CAROLINE LAGUE

Address: 2240 COLDSTREAM DR.

W.P. FL 32792

Winter Park, November 30th, 2016

To:
The City of Winter Park
Board of Adjustments
Ref. Variance Request – 2230 Coldstream Drive

To whom it may concern,

We, Erica Diltz, have reviewed the
Plans on the Renovation/Addition to be constructed on 2230 Coldstream Drive, Winter Park, Fl.

We understand that in order to keep the existing Oak Tree and not interfere with its root system, the
addition will extend into the rear setback, and as a neighbor, we have no objections to the request to
minimize the Setback to 10' (ten feet) in lieu of the 25' (twenty-five feet).

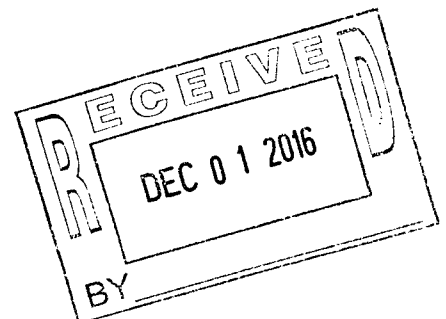
Sincerely

Erica Diltz

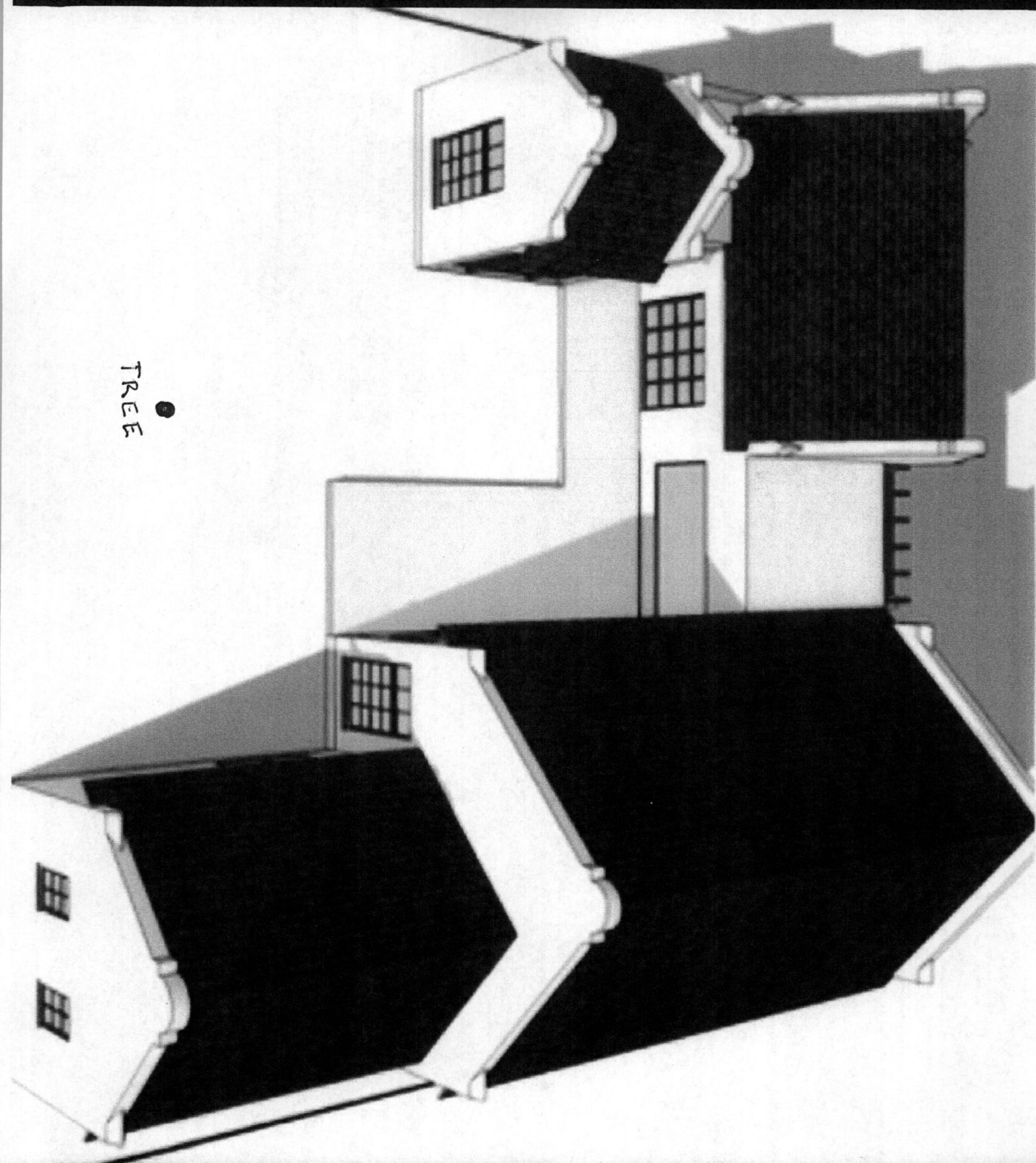
Print Name: Erica Diltz

Address: 2223 Brookshire Ave.

Winter Garden, Fl 32792



TREE



Tree in Center of Backyard



Back Boundary



2230 Coldstream Drive

Front View




Back View



Area of Addition






Andrew Perry, P.S.M.
 Professional Surveyor & Mapper #6124
 "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
 RAISED SEAL, OR THE ELECTRONIC SIGNATURE AND SEAL
 OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER."

NOTICE TO ALL APPLICANTS FOR VARIANCES

To all variance applicants at: 2230 COLDSTREAM 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

David Paladino

Print Name

01 DEC 2016

Date

CITY OF WINTER PARK BOARD OF ADJUSTMENTS

PUBLIC HEARING

ZONING VARIANCE

The applicant, DAVID SAGE & DIANA PALADINO, has requested the
Board of Adjustments to consider application for a Variance FROM SECTION 28-66 "R-1A
AND R-1A DISTRICTS" SUBSECTION (F), TO ALLOW THE CONSTRUCTION OF ROOM ADDITIONS
TO BE LOCATED 10 FT FROM THE REAR LOT LINE & 8.4 FT FROM THE WEST SIDE LOT
LINES, IN LIEU OF THE REQUIRED SETBACKS OF 25' & 10' RESPECTIVELY,
TO ALLOW AN EXISTING WEST SIDE WALL TO REMAIN WITH A SETBACK 8.4'
TO 8.7', IN LIEU OF 10' AFTER DEMOLITION OF MORE THAN 50% OF THE HOME.
Parcel ID# 09-22-30-0940-02-040
ZONED: R-1A
on the property described below: PARCEL ID# 09-22-30-0940-02-040
AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA
Further described as: 2230 COLDSTREAM DRIVE
PUBLIC HEARING TO BE HELD IN CITY COMMISSION CHAMBER
DATE: DECEMBER 20, 2016 TIME: 5:00 P.M.



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: DECEMBER 12, 2016

SUBJ: WOODS VARIANCE REQUEST, 1857 LAKE SPIER DRIVE

The applicant is requesting variances to allow the construction of a deck and pergola to be located 31 feet and swimming pool located 40 feet from the ordinary high water line of Lake Spier whereas the required setback is 50 feet. In addition a variance is requested to allow exceeding the maximum allowed impervious coverage of 50% of lot area by 264 square feet.

As pointed out by the applicant, the swimming pool and deck on the adjacent property to the east encroaches into the 50 foot lakefront setback with the deck at 18' and the pool at 31 feet from the high water line. The adjacent property on the west side has a pool deck at approximately 38 feet and pool at 45 feet from the high water line.

The applicant would like to construct a pergola over the entire proposed deck on the lakeside of the pool, however, they have indicated they are willing to limit the size to a much smaller narrow overhead structure only located above the swim up area as shown on the plan where the pergola posts are shown.

The shoreline of the lake meanders closer on some properties and further out on others on this side of the lake. A septic tank is located on the west side of rear yard which prevents any use of this area for a pool or deck.

With regard to impervious coverage, much of the overage is caused by the driveway areas in the front yard. Although some of that area is being removed to create landscape planters in the front, much of this impervious paver driveway surface is proposed to remain. It appears that removing some of the pavers on one or both sides of the home may resolve the need for an impervious coverage variance.

We have received letters of non-objection from the adjacent neighbors on each side of the applicants' property.

Variance Request for:
1857 Lake Spier Dr
Winter Park FL 32789

Legal Description: SOUTH LAKEMONT SHORES U/70 LOT 12 & WLY 5 FT OF LOT 13
BLK B

Owners/Applicants: Kira & Ryan Woods
1857 Lake Spier Dr
Winter Park FL 32789

Cell Kira – 407-607-9176
Cell Ryan – 315-244-0256
Kira82@mac.com

- This request is for a variance from requirements of Article III, Zoning of the Land Development Code of Winter Park, Section____, Paragraph____, Zoning____.

Describe Variance:

We are requesting permission for a pool and patio to be built past the 50 foot high water line (closer to the waters edge at roughly 30 feet from waterline). We would like to build the pool and patio in the same general area and proximity to waters edge as our neighbors at 1863 Lake Spier Dr. Our neighbors at 1863 Lake Spier have never had their pool flood and this pool was built about 30 years ago. We cannot build on the left side of the property due to the location of our septic tank, which is already buried there.

We are also requesting an impervious coverage variance. The previous owner put down a lot of pavers in the front yard when he built the septic drain field. This takes up a lot of our impervious coverage. We are requesting a variance to allow more than the 50% coverage allowance. We are very concerned about proper drainage to keep water out of the lake and make sure that we do our part to prevent any sort of flooding.

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

- Unusually high water line on current survey
- Both sets of neighbors pool comes to same distance as we are requesting variance for
- Home and pool built much higher than water line elevation
- Requesting to build closer to waters edge a wood or paver deck with arbor above it which will include a “sunken” outdoor kitchen or grill to match decking neighbors have

- Impervious coverage variance to allow for more than 50% coverage due to large amount of property land being “under water” and due to previous owners building current decking to exceed allowed amount
- A few inches of the corner of the pool coping will be past the 10 foot setback but the pool water edge will be within 10 foot setback.

How long have you owned the property? 3 years

How long have you occupied the property? 3 years

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

Enjoyment and increased property/neighborhood value of having a pool.

Describe the full 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 Zone Code requirements.

Zoning requires that any pool is built at least 50 feet from water 50 year high water line. We would not be able to build a pool on our lot without a variance allowing us to build closer than 50 feet

For some reason the high water line comes up higher on our lot survey than both our neighbors lots. Both of them have pools on their property. With current setback rules the only place that a very tiny pool might be allowed already has a septic system under it.

Our neighbors at 1863 Lake Spier have a pool that extends closer to the waters edge then our requested pool and theirs has never flooded and was built about 30 years ago. Please see areal view comparison. Our other neighbors also have a pool that extends past where the premier pools person had placed the 50 foot variance estimate) but that pool was permitted when built about 10 years ago.

Our land is already graded so our house and the new pool will sit much higher than the lake. We currently have two “sea” walls (see pictures) that we think were built by the previous owner and have created drainage levels to keep runoff away from the lake. We plan to keep these walls to allow for the proper water drainage and not have water flow into the lake.

We would like to request to be allowed to build a wood or paver deck next to the tree on the middle level tier lawn so that the pool would “swim up” to the outdoor kitchen/grill area. We would be willing to reduce decking from other areas to have the outdoor grill area in this location because we want to minimize the amount of

land disruption. Because the land is already graded and ready for this feature is why we would like to put it in this location. We would like to build an arbor above the swim up bar portion of the pool. Our dream would be to have an Arbor over the whole deck but we are happy with the smaller 3 foot wide arbor over the swim up bar portion only if the whole deck arbor is not allowed.

The current fence between our neighbors and our lot was built many years ago by our neighbors. It is part wood and part cinder blocks and is covered in very old thick vines. Neither of us want to take it down or alter it. The corner of the proposed pool cooping will just skim the 10 foot setback from our lot line but the water is within 10 foot setback.

The previous owner put in a new drain field in the front lawn. When he did this he put down a bunch of pavers and built a retaining wall around the drain field, which takes up a lot of our impervious coverage allowance. It would be extraordinarily difficult and expensive to re-do all of this. So, we are requesting an impervious coverage allowance. As I said before we feel strongly about proper drainage and plan to create landscaping and proper land grading that will keep water out of the lake and allow for quick draining.

Will applicant accept a limited variance?

Yes we are more than happy to work with the city of Winter Park to find a fair and reasonable solution to the issue. We truly believe this pool and patio will increase the value of the neighborhood and be good for property values and neighbors.

Kira Woods

12/8/2016

Kira Woods

Signature

Date

Name of Applicant

WOODS RESIDENCE - REVISED

CITY OF WINTER PARK - COVERAGE/SETBACK WORKSHEET

SWIMMING POOLS, SPAS AND DECKS

Land Development Code Sec. 58-71(j). General Provisions for Residential Zoning Districts

Address: 1857 LAKE SPIER DR.

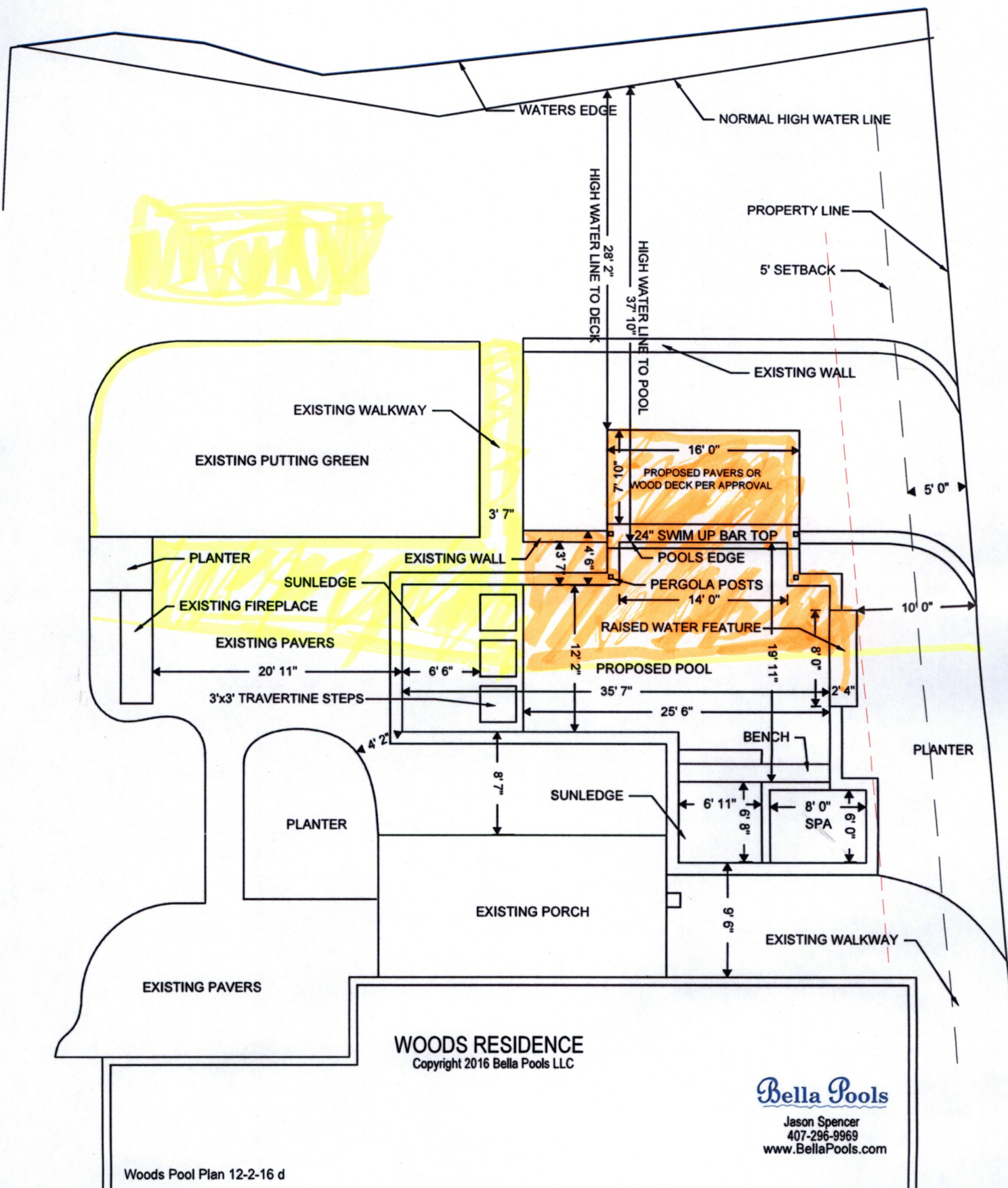
Lot area: 13,100 SF NOT INC. LAKE

	Maximum % Allowed ^a	Existing Area	Additional Proposed Area	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE <small>Include bldg footprint, driveways, sidewalks, patios, pools, A/C pads, artificial turf, etc. (show area calculations)</small>	2 story home 50%	6,456 SF	358 SF	6,814 SF	6,550 SF
	1 story home 60%				

	MINIMUM ALLOWABLE SETBACK			PROPOSED
10' to Waters Edge 5' Deck SWIMMING POOL/SPA:	Interior Side	Lot width ≤ 60 ft.	7.5 ft.	
		Lot width > 60 ft.	10 ft.	10'
	Rear	All lots	10 ft.	+10'
	Street Side ^b	Lot width ≤ 65 ft.	15 ft.	+15'
		Lot width > 65 ft. to 75 ft.	20 ft.	+20'
		Lot width > 75 ft.	25 ft.	+25'
	Lakefront ^{a,c}	same as the main building		37' 10"
DECK Existing	Interior Side	50% of the swimming pool/spa setback		Existing
	Rear			28' 2"
	Street Side ^b			OVER 100'
	Lakefront ^{a,c}	50 ft. from ordinary high water elev.		Walkway

Note:

1. Submerged lands or lakefront land across streets shall not be included.
2. Setback measured from the property line to the ordinary high water line.
3. See LCD Section 58-71(n) for walls and fences regulations.
4. Retaining walls and the edge of pool decks on the lake side are limited to 3ft.
5. Streamfront or canalfront may be 20 ft. from the bulkhead if approved by the Planning and Zoning Board.





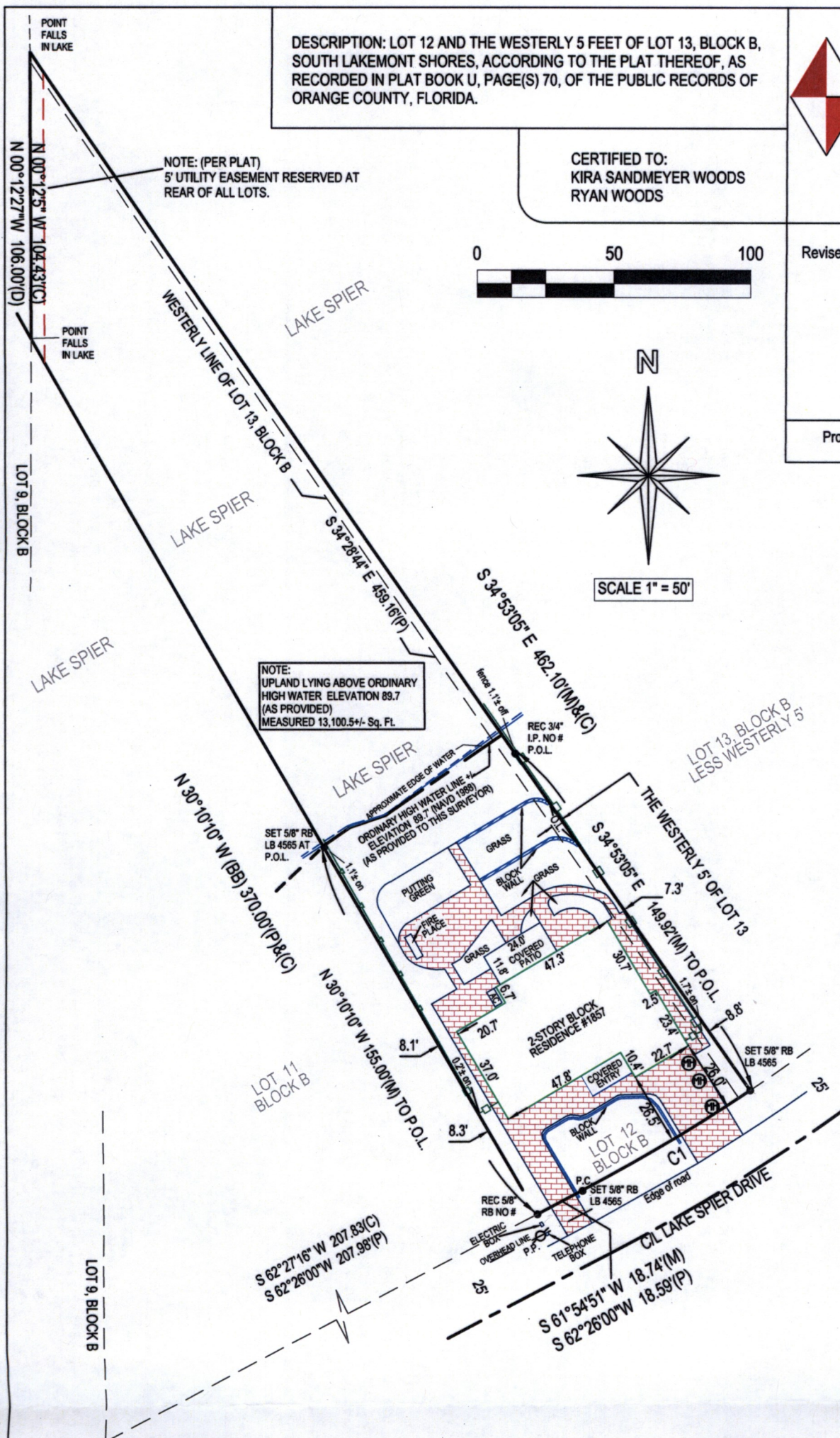
**Boundary
And
Mapping
Associates, Inc.**

**LAND
SURVEYORS
LB 4565**

**109 WEST ORANGE STREET
ALTAMONTE SPRINGS, FL.
32714
PH. (407) 696-1155**

Revised: Add Upland Square Footage: 12-06-16

Property Address: 1857 LAKE SPIER DRIVE



NOTES:

1. THIS SURVEY WAS PREPARED FROM INFORMATION FURNISHED TO THIS SURVEYOR. NO TITLE COMMITMENT PROVIDED. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
2. PROPERTIES ARE SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS AND SETBACKS OF RECORD.
3. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN. SEPTIC IF SHOWN IS +/-.
4. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON OR USED BY ANY OTHER ENTITY.
5. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES. BOUNDARY BEARINGS AND DISTANCES ARE SHOWN AS PLATTED UNLESS DENOTED AS MEASURED.
6. BEARINGS ARE BASED ON RECORD PLAT DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
7. PROPERTY HEREON LOCATED IN ZONE "X & AE" PER F.I.R.M. MAP PANEL NO. 12099C 0255 F DATED 09-25-09.
8. BUILDING LINES SHOWN, REPRESENT BUILDING WALLS. EAVES, IF ANY, NOT LOCATED OR SHOWN.




CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1 (M)	660.00'	6°11'57.82"	71.41'(M)&(D)	71.38'	N 59°18'36" E

JOB NO.: 15-2368
DATE:
FIELD: 11-16-15
SIGNED: 11-25-15
DRAWN BY: RWJ
P.C.: JB
CHECKED BY: RWJ

LEGEND

REC. - RECOVERED
I.P. - IRON PIPE
I.C. - ILLEGIBLE CAP #
C.M. - CONCRETE MONUMENT
RB - REBAR
RAD. - RADIAL
N.R. - NOT RADIAL
N&D - NAIL & DISC
(P) - PER PLAT
(M) - AS MEASURED
(D) - PER DESCRIPTION
O.L. - ON LINE
P.C. - POINT OF CURVATURE
P.T. - POINT OF TANGENCY
R/W. - RIGHT-OF-WAY

CONCRETE

PRC- POINT OF REVERSE CURVE
 R.P. - RADIUS POINT
 R - RADIUS
 L - LENGTH OF ARC
 S.E. - SIDEWALK EASEMENT
 U.E.- UTILITY EASEMENT
 D.E.- DRAINAGE EASEMENT
 L.E.- LANDSCAPE EASEMENT
 P.E. - POOL EQUIPMENT
 P.P. - POWER POLE
 X - CHAIN LINK / WIRE FENCE
 WOODEN FENCE
 VINYL FENCE
 MANHOLE

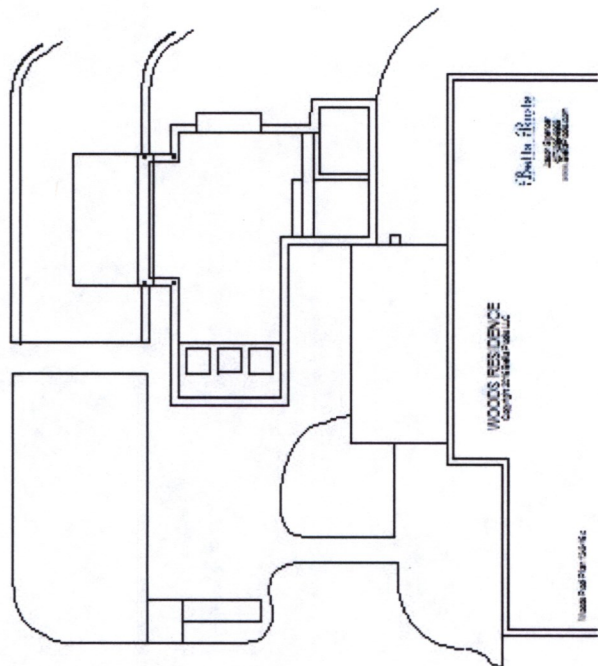
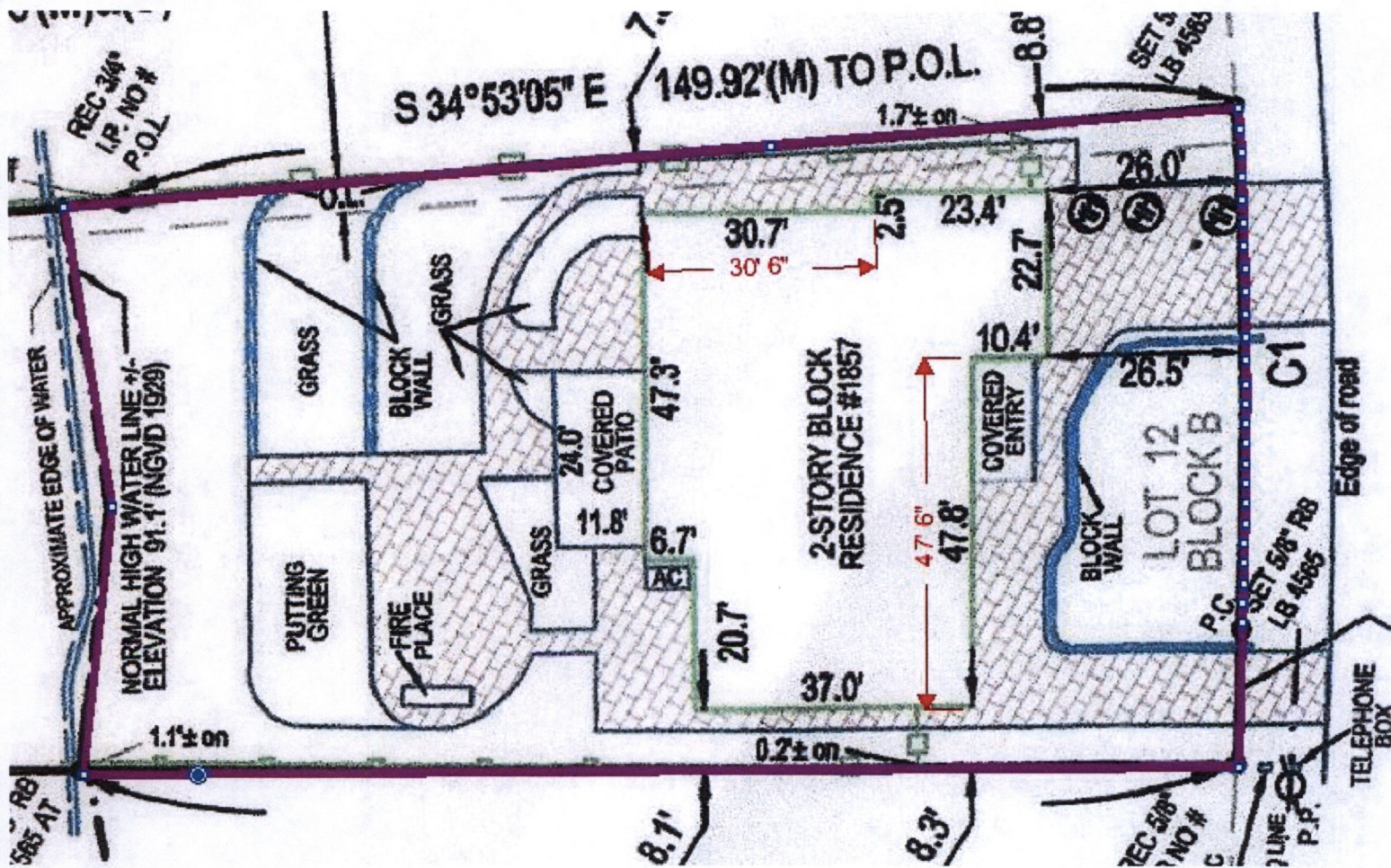
PAVERS /
BRICK

This is a digitally signed and sealed drawing of a boundary survey performed under the direction of the undersigned. Survey authorized on or about the date of the survey shown hereon and certified only to those persons and/or entities listed hereon. The boundary survey meets the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-47.00, F.A.C. pursuant to section 472-027 Florida Statutes.

RODNEY W. JACKSON, PSM 6281

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.





Vector

Point Coordinates

X: 28.2379 Y: 128.6191

Point: 1 31

Area: 12959.91

Length: 482.57

Line Scale: 2

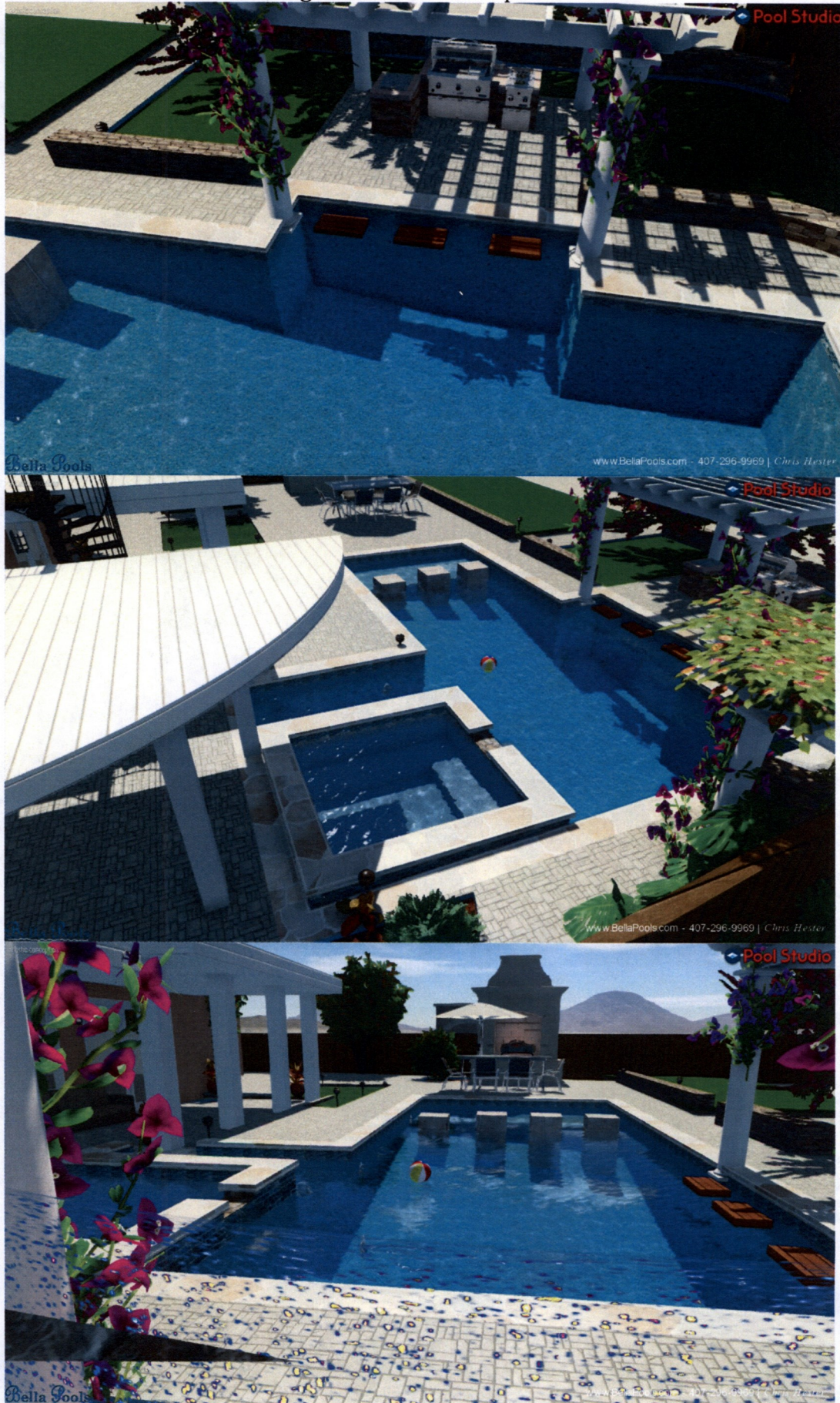
Line Width: 1

Fill Wide Line

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Renderings are very close to final design with a few minor changes such as pergola being only 3 feet wide and only over the swim up bar – not the whole patio. More renderings and views will be handed out at the meeting on Dec 20th if not posted sooner.





W

1857 Lake Spier Drive

both neighbors have pools that extend past where we are requesting the variance for

Future Patio in stone or wood decking

Projected Pool Area

Lake Spier Dr

Lake Spier Dr

Google

Map

Board of Adjustment
City of Winter Park
Attn: George Wiggins
Building & Permitting Services Director
401 S. Park Avenue
Winter Park, FL 32789

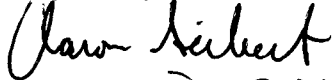

RE: Variance Request – Kira S. Woods
Construction Exterior Pool
Location: 1857 Lake Spier Drive
Winter Park, FL 32789

Mr. George Wiggins,

Our names are Jaime & Aaron Seibert. We live next door to 1857 Lake Spier Drive at 1849 Lake Spier Drive. We recently purchased our home in 2016 and were thrilled that the previous owners had installed a pool. Fortunately for us (and the previous owners) our home met all conditions and requirements due to our lot configuration and high water line at the time the pool was built. The high water table happens to dip down a little further on the left of our lot allowing for the pool clearance required by Winter Park. Unfortunately, for many of our neighbors this has not been the case. The Woods' residence has a large lot and we do not feel a pool would have any negative effect. In fact during this past hurricane the water line from the lake didn't even raise more than a couple of inches.

If our home had not had a pool already we would have also requested the same variance to allow for a slightly larger pool than what we currently have to conform more with the pool on the other side of the Woods home at 1863 Lake Spier Dr. In closing, we would like to express that we have no opposition to the Woods building a pool in their backyard.

Respectfully,



Aaron & Jaime Seibert

Board of Adjustment
City of Winter Park
Attn: George Wiggins
Building & Permitting Services Director
401 S. Park Avenue
Winter Park, FL 32789

RE: Variance Request – Kira S. Woods
Construction Exterior Pool
Location: 1857 Lake Spier Drive
Winter Park, FL 32789

Good afternoon,

This letter to inform whomever it may concern that we are in favor of the variance request our neighbors, Kira & Ryan Woods are requesting. We live next door to the Woods at 1863 Lake Spier drive. We have a pool and we feel that the planned pool the Woods plan to build is appropriate for the neighborhood. Our pool was built over 30 years ago and comes out to about the same space of the proposed Woods pool and we have had no issue with flooding over those 30 years.

Again, we are in favor of her request to build this pool, and hope council will vote in her favor accordingly.

Regards,

Bjorn & Teresa Johannessen

A handwritten signature in black ink, appearing to read "Bjorn & Teresa Johannessen", written over a horizontal line.

1857 Lake Spier Dr



NOTICE TO ALL APPLICANTS FOR VARIANCES

KIRA WOODS

To all variance applicants at: 1857 LAKE SPIER DR

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- ☐ 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.

K Woods

Signature

Kira Woods

Print Name

12/2/16

Date