

Board of Adjustments



February 21, 2017 at 5 p.m.

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

Opening comments

Approval

Minutes from the January 17, 2017 meeting.

New Business

1. Request of T. Scott Williams for a variance to allow the construction of a swimming pool to be located 7.5 feet from the rear lot line in lieu of the required setback of 10 feet.

Located at 780 Williams Drive

Zoned R-1AA

2. Request of Ann Elizabeth Christensen for a variance to allow the construction of a covered carport located 11 feet from the front lot line, in lieu of the required front setback of 32 feet or allow an oversized pergola (360 square feet) with a front setback of 11 feet in lieu of 15 feet.

Located at 1231 Kenwood Avenue

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."



TO: BOARD OF ADJUSTMENTS MEMBERS

FROM: GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS

DATE: FEBRUARY 14, 2017

SUBJ: WILLIAMS VARIANCE REQUEST, 780 WILLIAMS DRIVE

CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

The applicant is requesting a variance to allow the construction of a swimming pool to be located 7.5 feet from the rear lot line whereas the required setback is 10 feet to the water's edge of the pool.

The home on this property is located 27 feet from the rear lot line and includes a bay window bump out approximately 1.5 feet leaving 25.5 feet of space to fit a swimming pool. The proposed pool is 13 feet by 24 feet in length. In order to comply with the building code criteria for distance from the wall of the home, the pool will need to be located 7 inches further away from the home. The 7 foot deep end of the pool is required to be at least 7 feet from the building wall.

Part of the proposed pool deck is located within a utility easement and may need to be removed unless our utility departments approve of this encroachment.

Based on the impervious calculations provided, the allowable impervious coverage is not exceeded.

The applicant has provided one email and one letter from abutting neighbors to the rear of this property expressing no objection to this variance 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 1/27/2017
Assigned 1
Date of Hearing 2/21/2017

Applicant: Robert Smith, E2 Homes, LLC

Owner: T Scott Williams

PO Box 3300

(Address)

Winter Park, FL 32790

(City, State) (Zip)

(Phone – Home)

407-913-3246

(Phone – Work or Cell)

office@e2homes.com

(Email Address)

780 Williams Dr

(Address)

Winter Park, FL 32789

(City, State) (Zip)

(Phone – Home)

407-913-3246

(Phone – Work or Cell)

office@e2homes.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 (J), 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 780 Williams Dr, Winter Park, FL 32789

Legal description of
property PARK GROVE W/125 LOT 7 BLK E

Describe variance
request see attached

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?

See attached

How long have you owned the property? Almost 4 yrs

How long have you occupied the property? almost 4 yrs

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?

See attached

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.

See attached

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?

NO


Signature of Applicant

1/25/17
Date

Robert Smith
Name of Applicant (PRINT)

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

- Sunnyside Dr**: Located at the top of the map.
- Granville Dr**: A curved street on the left side of the map.
- Williams Dr**: A horizontal street in the middle of the map.
- Stewart St**: A horizontal street at the bottom of the map.
- Summerland Ave**: Located at the very bottom of the map.

Lot numbers are shown in small boxes, and house numbers are shown in larger boxes. The map is oriented with North at the top.

Street	Lot Number	House Number
Granville Dr	1	1417
	2	1426
	3	1417
	4	1426
	5	1417
	6	1426
	7	1417
	8	1426
	9	1417
	10	1426
Williams Dr	1	711
	2	751
	3	711
	4	751
	5	711
	6	751
	7	711
	8	751
	9	711
	10	751
Stewart St	1	863
	2	823
	3	783
	4	763
	5	780
	6	760
	7	740
	8	760
	9	780
	10	760

Granville Dr

Williams Dr

Stewart St

Summerland Ave

780 Williams Dr – Variance Request

Variance Request: We are requesting a 2.5' variance for the rear building setback to allow for construction of a pool at 7.5' from the rear property line instead of the required 10'. We are not requesting an exception/variance for the rear deck setback of 5'.

Special Conditions: The property is located on a cul-de-sac and has a unique shape/orientation with very shallow depth. The lot depth is essentially 80' from the front property line located at the driveway, so it is very atypical for the City. This lot depth does not allow for sufficient space in the back yard for a typical sized pool when accounting for a safe 5' distance from the existing house (built 1963) and rear setback. The proposed pool encroaches 2.5' into the rear setback and avoids conflict with the 7.5' utility easement.

Rights/Privileges: There is only about 27' between the back of the house and the property line. The required rear setback of 10' and a minimum safe space of 5' from the existing structure prevents the construction of a 'normal' sized pool. We are proposing a pool width of 13' which will push us 2.5' beyond the allowed rear setback. This pool size is still smaller than all surrounding pools, but is proportional and we consider a comfortable minimum size. See attached for a map and dimensions of the pools in the adjacent properties.

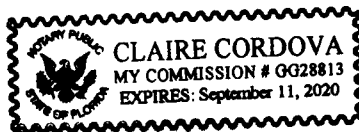
Hardship: The short depth of the lot is the primary hardship and prevents the construction of a typical sized pool that would be in-line with adjacent homes. We are requesting a minimal amount of encroachment and maintain the support from the two adjacent neighbors to the south of our property (side of our variance request). Letters are attached from Michael Dick (Letter A) and Tom/Beth Infantino (Letter B).

POWER OF ATTORNEY

Date: 1/25/17

I, Robert Smith, do hereby authorize Claire Cordova to
pull the _____ permit for 780 Williams Dr, Winter Park, FL
Type of permit job address 32789

[Signature]
Signature



[Signature]
Notary

Personally known to me or drivers license # _____
State of Florida, County of Orange on 25th day of
January, 2017.

January 25, 2017

TO: City of Winter Park

RE: Agent Authorization Letter

I, Thomas Scott Williams, authorize: **Robert Smith, P.O. Box 3300, Winter Park, FL 32790** to act as my agent for all permit related meetings and submittals.

Sincerely,

A handwritten signature in black ink, appearing to read 'TS Williams', with a long horizontal stroke extending to the right.

Thomas Scott Williams

Owner, 780 Williams Drive, Winter Park, FL 32789



CITY OF WINTER PARK - COVERAGE WORKSHEET

SWIMMING POOLS, SPAS AND DECKS

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

Address: 780 WILLIAMS DR.

Lot area¹: 13,174 sq ft

	Maximum % Allowed ³	Existing Area	Additional Proposed Area	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, etc. (show area tabulations)	2 story home 50%				
	1 story home 60%	3,745	1,804	5,549	7,904

	MINIMUM ALLOWABLE SETBACK			PROPOSED
SWIMMING POOL/SPA²	Interior Side	Lot width ≤ 60 ft	7.5 ft	—
	Rear	Lot width > 60 ft	10 ft	10'
	Street Side ³	All lots	10 ft	7.5'
		Lot width ≤ 65 ft	15 ft	—
		Lot width > 65 ft to 75 ft	20 ft	—
	Lakefront ^{3,4,5}	Lot width > 75 ft	25 ft	7.75'
DECK	same as the main building			—
	Interior Side	50% of the swimming pool/spa setback		5'
	Rear			5'
	Street Side ³			7.50'
	Lakefront ^{3,4,5}	50 ft from ordinary high water elev.		—

Note:

1. Submerged lands or land across streets shall not be included.
2. Setback measured from the property line to the water's edge.
3. See LCD Section 58-71(n) for walls and fences regulations.
4. Call Planning Department @ 407-599-3290 for retaining wall height regulations.
5. Streamfront or canalfront may be 20 ft from the bulkhead if approved by the Planning and Zoning Commission.



780 Williams Dr

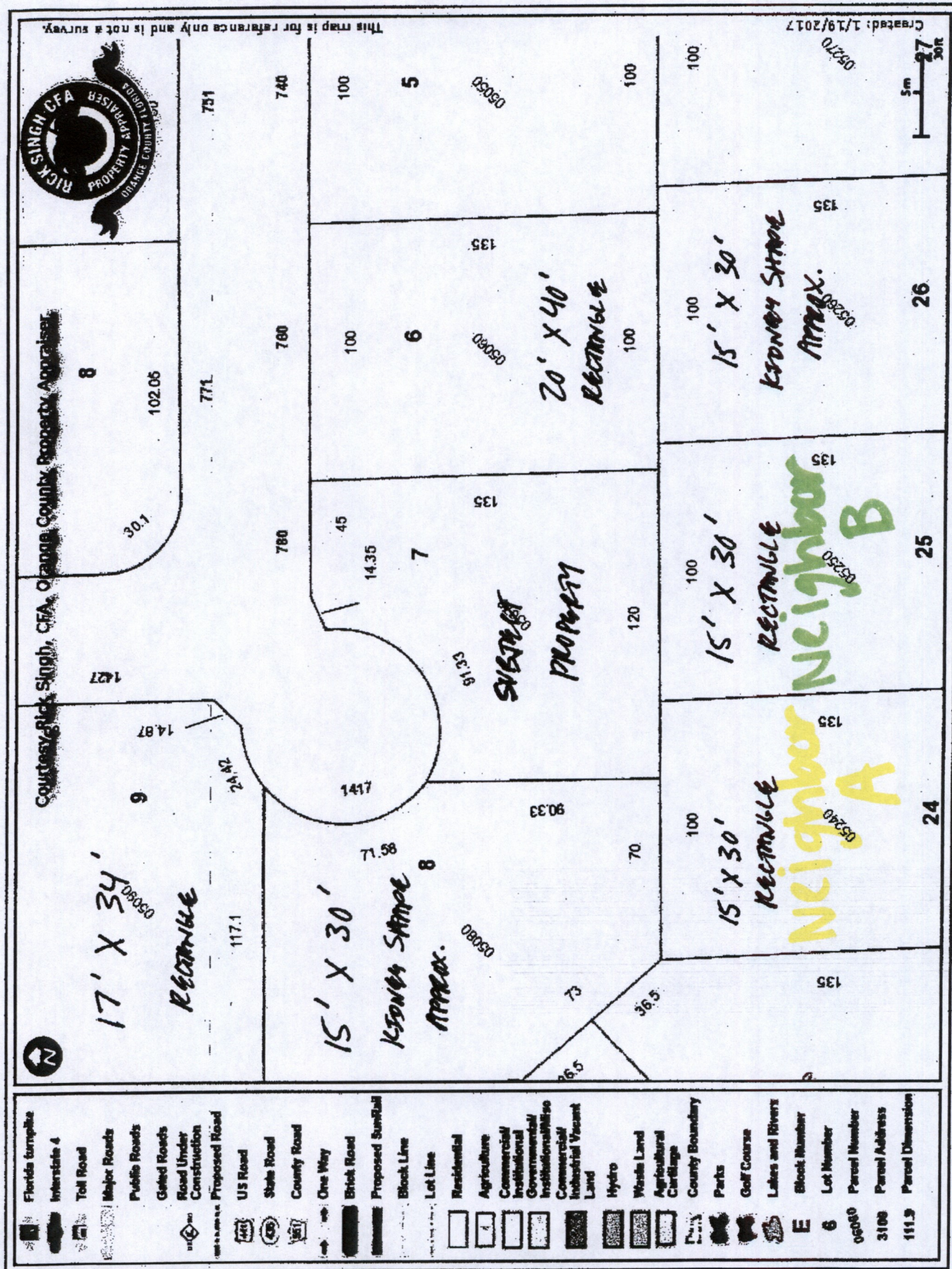
Google Earth

Google Earth

feet
meters

300
100





Neighbor A

From: Michael Dick <mtdwpfl@gmail.com>

Date: January 10, 2017 at 11:44:35 AM EST

To: Scott Williams <scott.williams@franklinst.com>

Cc: Traci Konowal <traci.konowal@franklinst.com>

Scott and Traci,

Tell Jeff Briggs you spoke with me and I'm ok with the variance.

Hope this is enough. Mike

Michael Dick

mtdwpfl@gmail.com

407-474-6186

Neighbor B

Tom and Beth Infantino
783 Granville Drive
Winter Park, Florida 32789

January 9, 2017

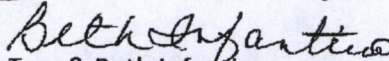
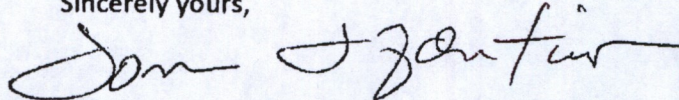
City of Winter Park
City Hall
Winter Park, Florida 32789

RE: Pool Installation Location Permission
780 Williams Drive, Winter Park, FL 32789

To Whom It May Concern:

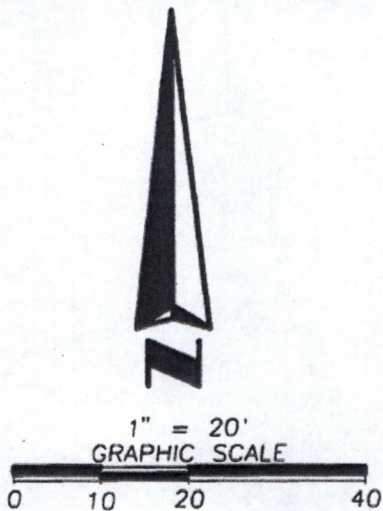
I have reviewed the proposed site plan from T. Scott Williams for the installation of a pool to be located at 780 Williams Drive, Winter Park, FL 32789. I have no objection to the pool being placed within the set backs on the south elevation of the property as proposed by Mr. Williams.

Sincerely yours,



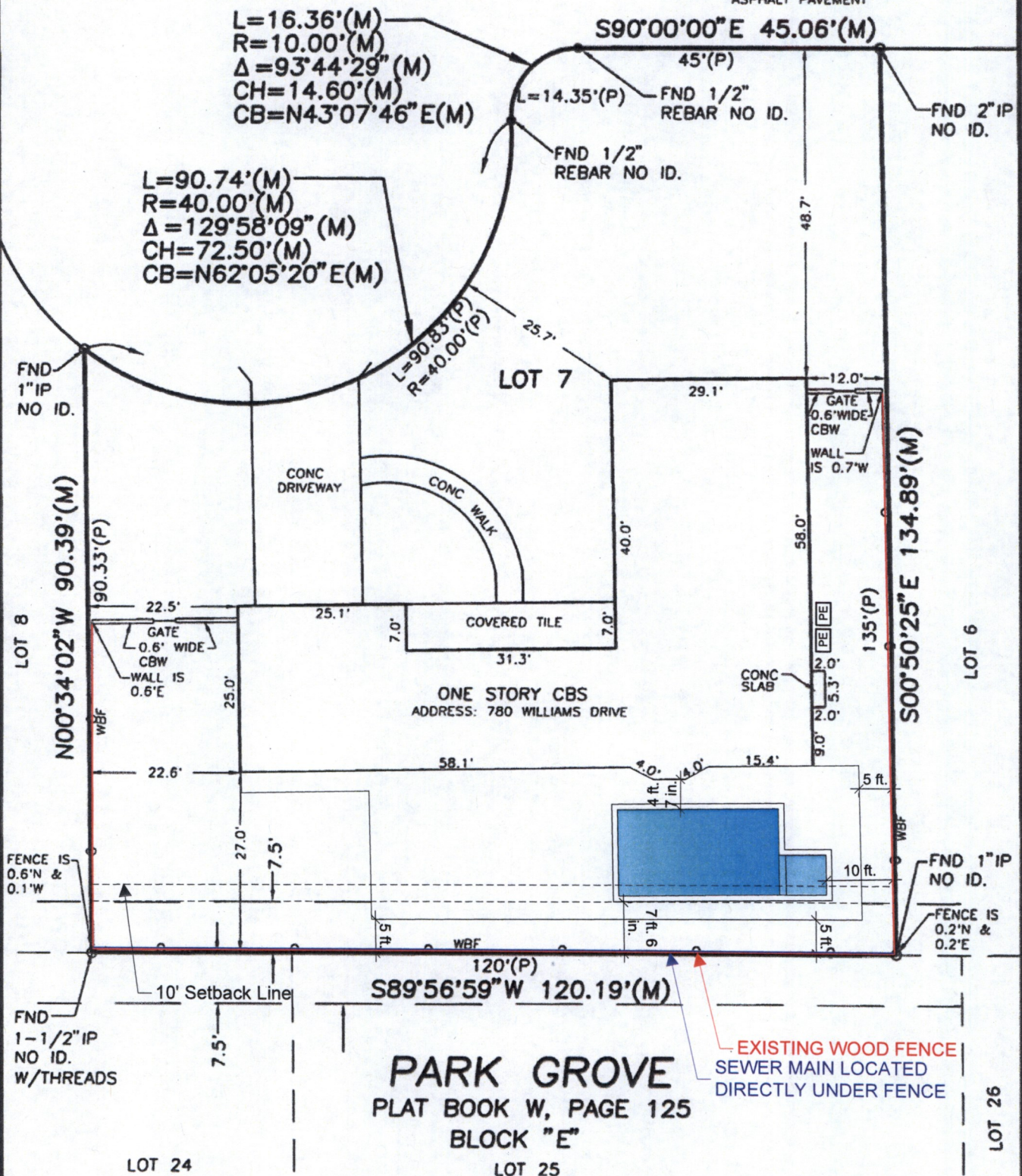
Tom & Beth Infantino
Adjacent Property Owners
783 Granville Drive
Winter Park, FL 32789





WILLIAMS DRIVE

50' RIGHT OF WAY
PLAT BOOK W, PAGE 125
ASPHALT PAVEMENT



SOUTHEASTERN SURVEYING
& MAPPING CORPORATION
6500 All American Boulevard
Orlando, Florida 32810-4350
(407) 292-8580 CERTIFICATION NUMBER LB2108
e-mail: info@southeasternsurveying.com

Job Number 57300
Drawing Number 57300001
Date: 02/18/2013
Sheet 2 of 2
See Sheet 1 for Description
Not Valid Without Sheet 1 of 2.



CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

www.cityofwinterpark.org

TO: BOARD OF ADJUSTMENTS MEMBERS

FROM: GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS

DATE: FEBRUARY 15, 2017

SUBJ: CHRISTENSEN VARIANCE REQUEST, 1231 KENWOOD AVENUE

The applicant is requesting a variance to allow the construction of a covered carport located 11 feet from the front lot line, whereas the required front setback is 32 feet or allow an oversized pergola (360 square feet) with a front setback of 11 feet in lieu of the required setback of 15 feet.

Two different options are proposed to provide covered protection of vehicles parked at the home. Several years previously, an aluminum covered carport structure had existed in the same location that is being proposed for this variance, and the remains of that concrete parking area still exists on the property and is shown in the survey provided. As seen in the survey dated 2/19/2004, the previous carport was 9.8 feet in width and request here includes a carport or pergola structure that will be 18 feet in width.

The home has no garage today, and one did not exist at the time the applicant purchased the property in 2004. Our permit records do not indicate any remodeling permit that may have enclosed a previous garage with records back to 1989.

The location of the proposed carport or pergola is designed to nearly line up with a circular driveway across the front of the home to allow vehicle access to then proceed into the structure for the driveway on the south side of the property. In addition, an existing 8 foot high hedge is located along the front lot line and will act as a visible buffer for the proposed carport or pergola.

With this request no impervious coverage will be increased and the existing home with a gross area of 2,020 square feet is well under the allowable floor area ratio which will allow a maximum area of 3,133 square feet. The proposed carport area is 360 square feet.

A previous variance was granted for a pergola parking structure at 251 Dana Way. I could not find the actual date in our records but it was over ten years ago. A photo is enclosed.

The applicant is seeking letters of non-objection from surrounding property owners and will present them to the Board.

VARIANCE APPLICATION
BUILDING and PERMITTING SERVICES DEPARTMENT

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

Date Received 1/27/2017
Assigned 2
Date of Hearing Feb 21, 2017

Applicant: Ann E. Christensen
1231 KENWOOD AVENUE
(Address)
WINTER PARK, FL 32789
(City, State) (Zip)

(Phone - Home)
321.230.3331
(Phone - Work or Cell)
acesplace333@aol.com
(Email Address)

Owner: ANN E. CHRISTENSEN
1231 KENWOOD AVENUE
(Address)
WINTER PARK, FL 32789
(City, State) (Zip)

(Phone - Home)
321.230.3331
(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 (1)(4), 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 1231 KENWOOD AVENUE WINTER PARK, FL
Legal description of property DIVIDE TERRACE L/133 THE E 78 FT OF 32789
LOT 45 55 FT OF LOT 3 & S 55 FT OF E 29.6 FT
OF LOT 2 BLK

Describe variance request CONSTRUCT A PERGOLA OR CARPORT (18'x20') ON
AN EXISTING CONCRETE PAD. IT WILL ^{be} APPROXIMATELY
11' FROM THE FRONT PROPERTY LINE, THUS ENCROACHING
ON THE FRONT SETBACK.

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.

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

Home was purchased with aluminum carport on concrete parking pad. Carport was deteriorating and was removed. Due to the layout of the property, the location of the home and pool, there is not another location to put a structure except in the original location. There is no garage.

How long have you owned the property? Since February 2004

How long have you occupied the property? Since February 2004

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?

I am not able to have a normal permitted parking area similar to other single family residences in my neighborhood.

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.

By virtue of the setbacks, I am no longer permitted to build a code compliant vehicle protection on the existing concrete pad where the original aluminum carport was located when I purchased my home. I do not have a garage. Vehicles are not protected from weather.

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. I would like a structure to cover 2 cars with easy accessibility.

A.G. Christensen
Signature of Applicant

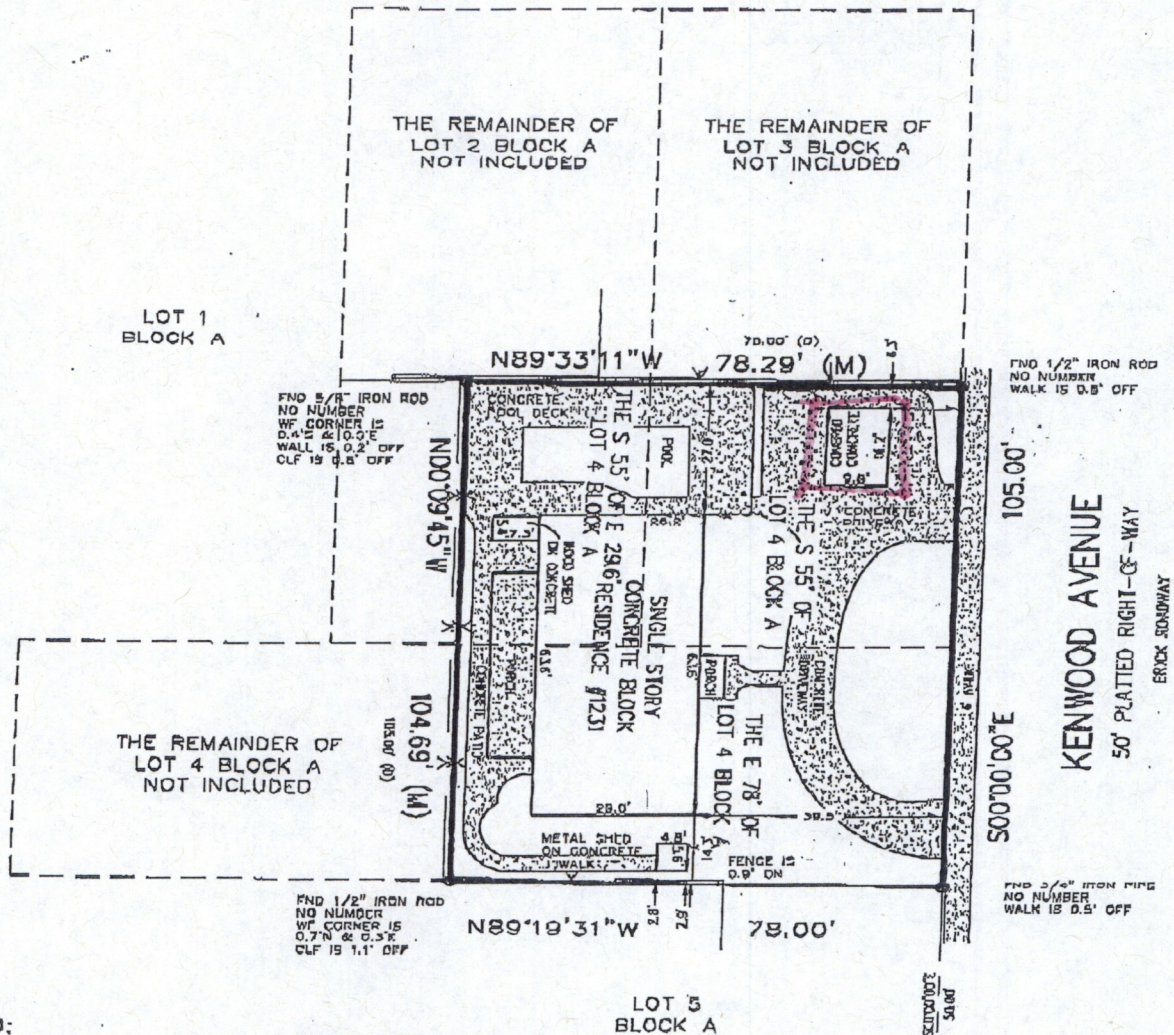
1-25-2017
Date

ANN ELIZABETH CHRISTENSEN
Name of Applicant (PRINT)

PLAT OF SURVEY

DESCRIPTION: (AS FURNISHED)

THE EAST 78 FEET OF LOT 4, THE SOUTH 55 FEET OF LOT 3, AND THE SOUTH 55 FEET OF THE EAST 26.9 FEET OF LOT 2 BLOCK D, DIXIE TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK L, PAGE 133, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA



LEGEND:

UTILITY POLE	CNA	CORNER NOT ACCESSIBLE
○ DENOTES FND 3/8" IRON ROD	F.I.R.M.	FLOOD INSURANCE RATE MAP
& CAP, LB #4200	LB	LAND SURVEYING BUSINESS
(UNLESS OTHERWISE NOTED)	LS	LAND SURVEYOR
○ DENOTES RADIUS	PRM	PERMANENT REFERENCE MONUMENT
○ DENOTES DELTA ANGLE	PCP	PERMANENT CONTROL POINT
○ DENOTES ARC LENGTH	PI	POINT OF INTERSECTION
○ CHORD BEARING	PT	POINT OF TANGENCY
RIGHT OF WAY LINE	PC	POINT OF CURVATURE
PER PLAT	CLF	CHAIN LINK FENCE
MEASURED	WF	WOOD FENCE
FND	TYP	TYPICAL
CONCRETE	A/C	AIR CONDITIONER
	CBW	CONCRETE BLOCK WALL
	RP	RADIUS POINT
	OUJ	OVERHEAD UTILITY LINE
	POB	POINT OF BEGINNING
	POB	POINT OF BEGINNING

CERTIFIED TO:
ANN ELIZABETH CHRISTENSEN
WACHOVIA MORTGAGE CORPORATION
WACHOVIA BANK
ATTORNEY'S TITLE INSURANCE FUND, INC.
INFANTINO AND BERMAN

HAVE EXAMINED THE F.I.R.M., COMMUNITY PANEL J 120188 0255 E DATED 12/6/00 AND FOUND THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE X, IEA OUTSIDE THE 100 YEAR FLOOD PLAIN.

BEARINGS SHOWN HEREON ARE BASED ON THE EASTERLY LINE OF LOT 3 AND 4 BLOCK A BEING S 00°00'00" E, AN ASSUMED BEARING.

D DATE: 02/18/04

REVISED:

LE: 1" = 30 FEET

ROVED BY: GKD

NO. ASM44007

AN BY: BEK

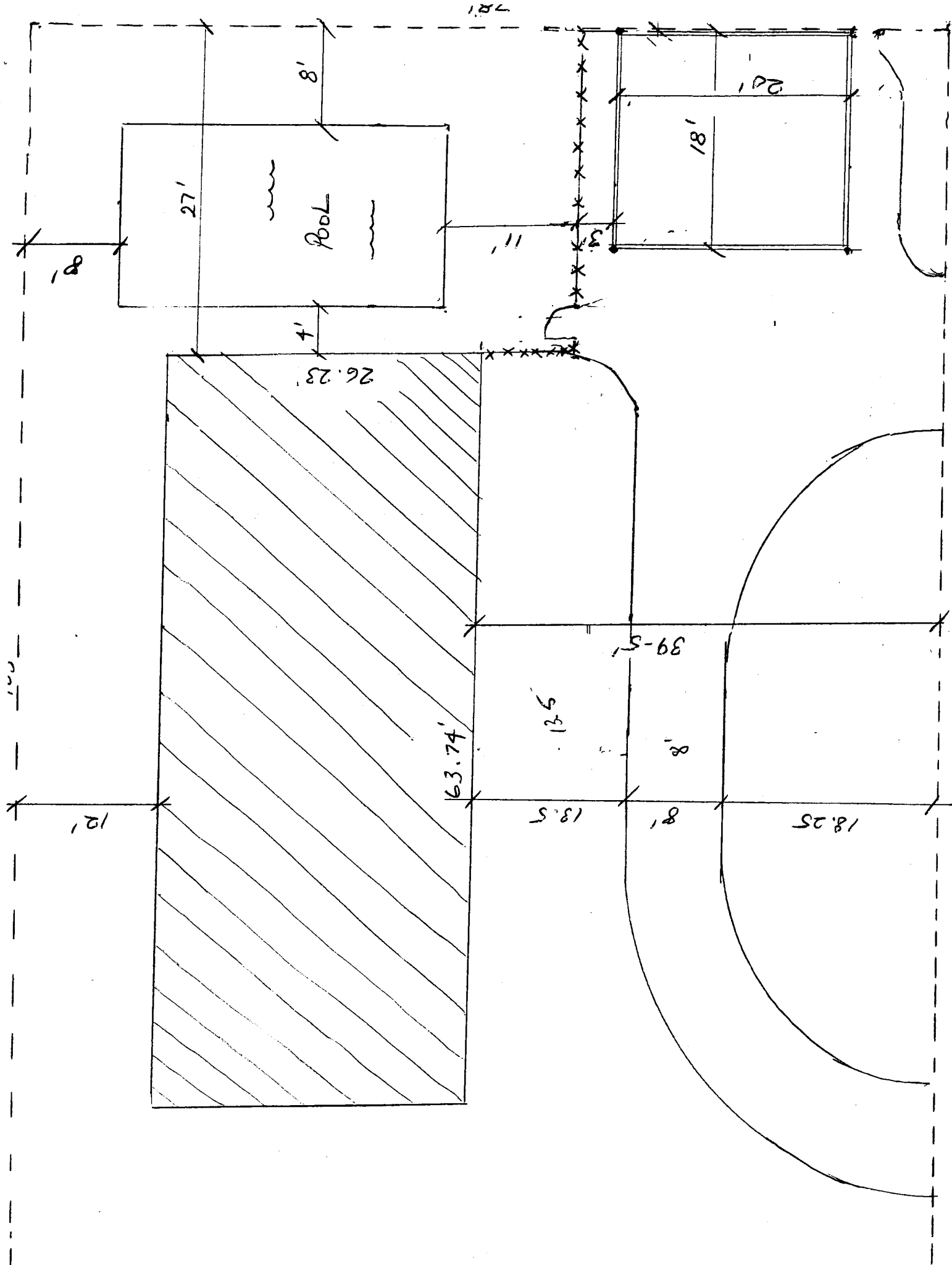


AMERICAN SURVEYING & MAPPING
CERTIFICATION OF AUTHORIZATION NUMBER LB#393
320 EAST SOUTH STREET, SUITE 180
ORLANDO, FLORIDA
32801 (407) 428-7578

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Galen K. Bell 02/19/04
GALEN K. BELL, PSM #4224

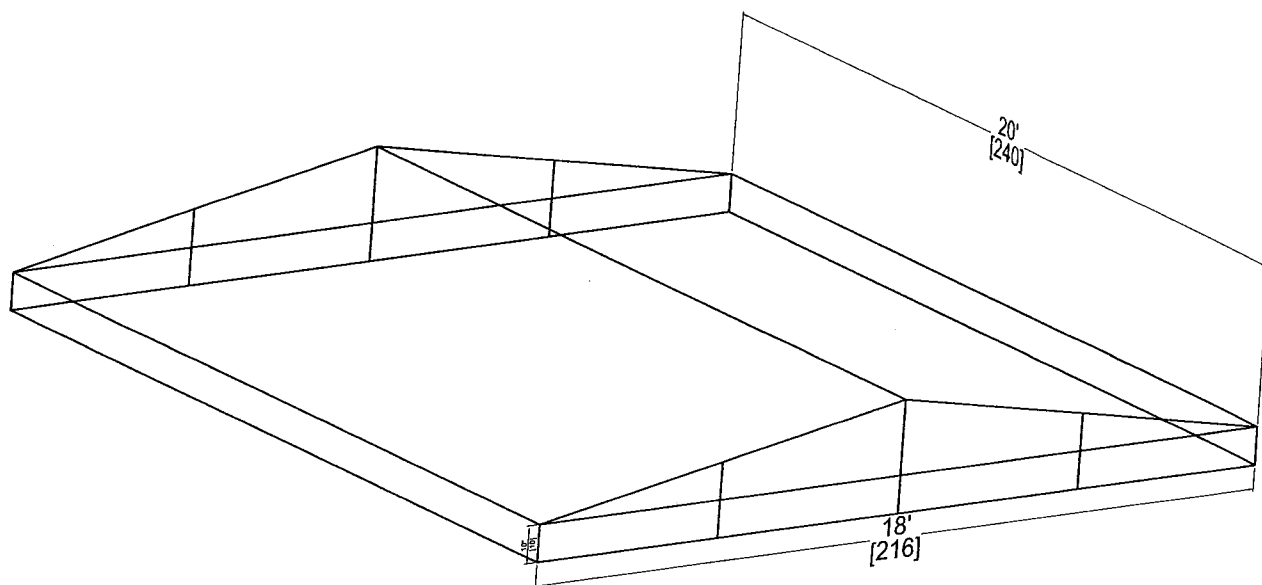
FOR
FIRM
DATE

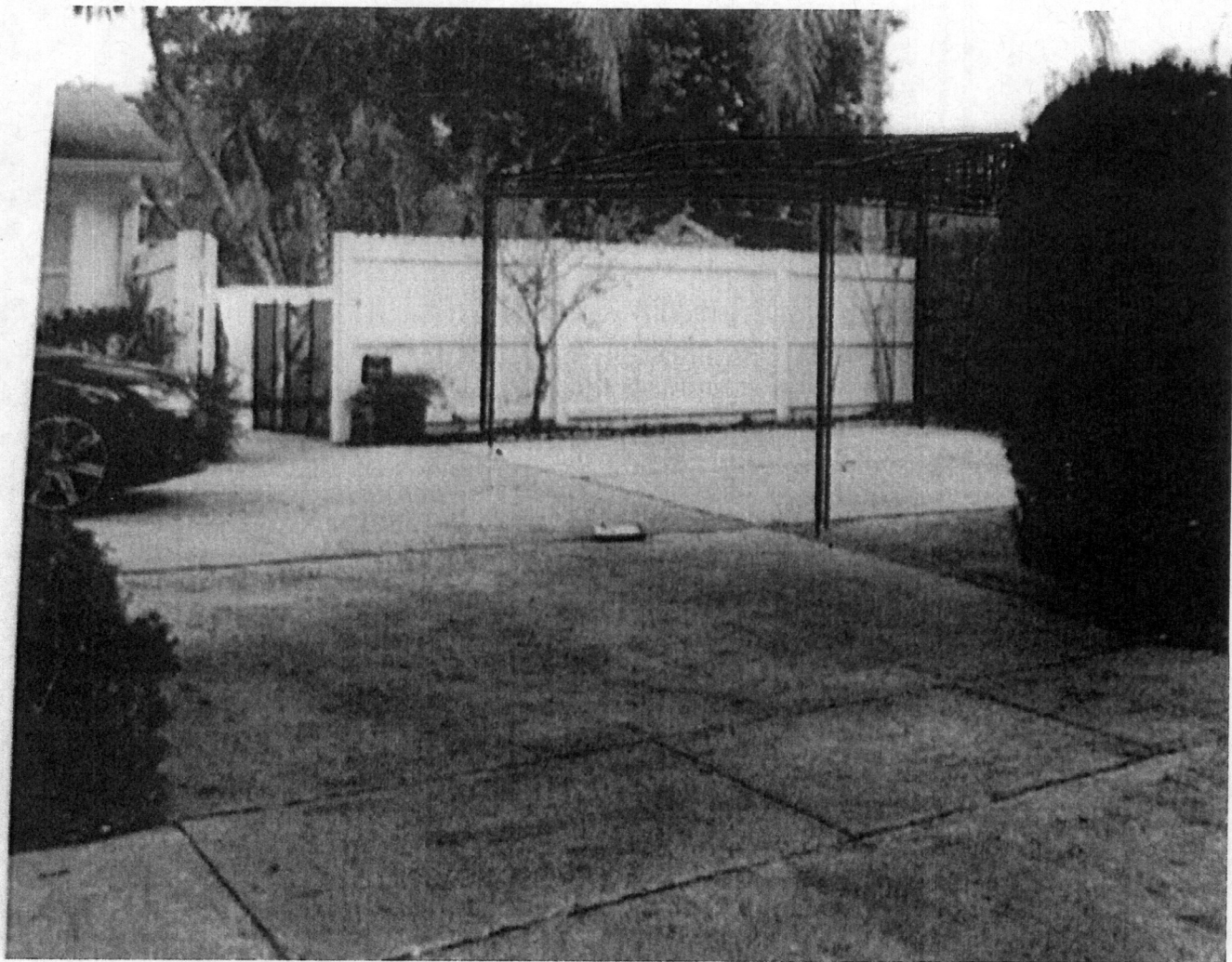






Nestled behind
twisting 8' "L"
shaped hedge





 sunbrella®

 sunbrella®

[illegible]

N Park Ave

Daily Traffic
7400

Solana Ave

Louisiana A

Wilma Ave

N Denning Dr

N Park Ave

Daily Traffic
7400

Sunny's

Ridge



255 Dana Way

Previous Variance Granted for Pergola Parking Structure at 251 Dana Way - Set back 10 feet from front lot line



Image capture: May 2015 © 2017 Google

Winter Park, Florida

Street View - May 2015