

Board of Adjustments



March 21, 2018 at 5 p.m.

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

Opening comments

Approval

Minutes from the February 20, 2018 meeting. _____

New Business

1. Request of Roger & Sabrina Marks for a variance to allow the construction of a spa located 10 feet from the Whipple Avenue lot line, in lieu of the required setback of 20 feet.

*Withdrawn by
applicant
March 2, 2018*

Located at 645 N. Park Avenue

Zoned R-3

2. Request of Bonnie Biagioli for a variance to allow a six foot fence to remain within the street side yard setback along Janice Avenue, in lieu of providing the required 20 foot setback.

Located at 2601 Western Parkway

Zoned R-1AA

3. Request of Coledev Properties, LLC, for variances to allow a 4 foot high solid PVC fence, and a 4 foot high open metal fence, to remain within the front setback of 25 feet for the solid fence, and 5 feet for the metal fence.

Located at 790 & 796 W. Swoope Avenue

Zoned R-3

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

NOTICE PUBLIC HEARING: Board of Adjustments - City of Winter Park, Florida

March 20, 2018 at 5:00 p.m.

Commission Chambers, 401 Park Avenue, South, Winter Park, Florida.

Variances from Article III "Zoning" - Winter Park Land Development Code:

#1 Request of Coledev Properties, LLC, for variances from Sections 58-71 "General provisions for residential zoning districts" (n) to allow a 4 foot high solid PVC fence and a 4 foot high open metal fence to remain within the front setback of 25 feet for the solid fence and 5 feet for the metal fence.

Property Parcel ID # 06-22-30-2040-01-000 in the Public Records of Orange County, Fl.

Located at 790 & 796 W. Swoope Avenue

Zoned: R-3

For an appeal of any decision made by the Board at this hearing, a record of proceedings is needed, & this record must include the testimony & evidence on which the appeal is to be based. (F.S. 286.0105) Persons with disabilities needing assistance to participate in these proceedings should contact the Board Clerk (407-643-1646) at least 48 hours in advance of meeting.

Theresa Dunkle, Board Clerk



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401 Park Avenue, South
Winter Park, Florida 32789

NOTICE PUBLIC HEARING: Board of Adjustments - City of Winter Park, Florida

March 20, 2018 at 5:00 p.m.

Commission Chambers, 401 Park Avenue, South, Winter Park, Florida.

Variances from Article III "Zoning" - Winter Park Land Development Code:

#1 Request of Roger & Sabrina Marks for a variance from Sections 58-71 "General provisions for residential zoning districts" (h)(2) & (j) to allow the construction of a spa located 10 feet from the Whipple Avenue lot line, in lieu of the required setback of 20 feet.

Property Parcel ID # 06-22-30-6652-00-010 in the Public Records of Orange County, Fl.

Located at 645 N. Park Avenue

Zoned: R-3

#2 Request of Bonnie Biagioli for a variance from Sections 58-71 "General provisions for residential zoning districts" (h)(2) & (n) to allow a six foot fence to remain within the street side yard setback along Janice Avenue in lieu of providing the required 20 foot setback.

Property Parcel ID # 18-22-30-6704-08-110 in the Public Records of Orange County, Fl.

Located at 2601 Western Parkway

Zoned: R-1AA

For an appeal of any decision made by the Board at this hearing, a record of proceedings is needed, & this record must include the testimony & evidence on which the appeal is to be based. (F.S. 286.0105) Persons with disabilities needing assistance to participate in these proceedings should contact the Board Clerk (407-643-1646) at least 48 hours in advance of meeting.

Theresa Dunkle, Board Clerk



TO: BOARD OF ADJUSTMENTS MEMBERS

FROM: GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS

DATE: *GW*
MARCH 15, 2018

SUBJ: BIAGIOLI REQUEST, 2601 WESTERN WAY

CITY OF WINTER PARK

401 Park Avenue South

Winter Park, Florida

32789-4386

The applicants are requesting a variance to allow a fence with a height up to 6' 5" to remain within the street side yard setback along Janice Avenue, whereas the required setback from the street side lot line is 20 feet.

Recently, the applicants had a swimming pool constructed in the rear yard. The permit was issued for the pool based upon having an existing 4 foot high chain link provide the required barrier to meet the building code fencing protection requirement.

This new fence was built without a permit and the fence contractor applied for the permit on February 1, 2018. The permit was placed on hold and not approved due to its location within the street side setback.

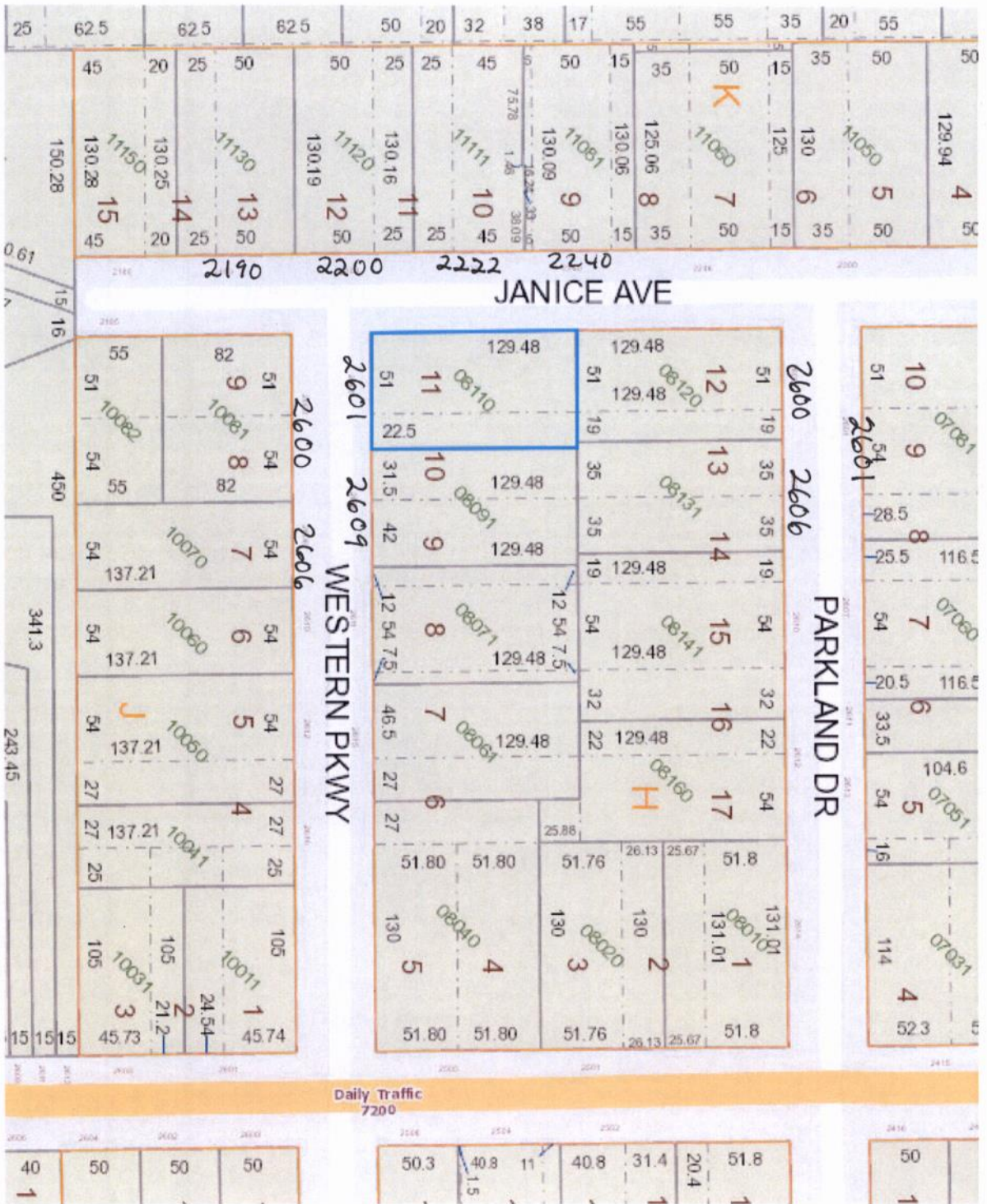
As an option to resolve this the applicant can move the fence back ten feet from the lot line and reduce the fence height to 5 feet. This will not require a variance.

Other options still requiring a variance include:

1. Reduce the fence height at the existing location to a lower height, however, 4 feet is the minimum height required for a pool barrier.
2. Move the existing fence further into the property and reduce the height to 5 feet.
3. Move the existing fence into the property to distances of 5, 10 or 15 feet with a fence height of 6 feet.
4. Move the existing fence into the property at a location that wraps around the tree while maintaining security from entering the pool area.

Five nearby residents have expressed in writing that the fence does not obstruct visibility at this location and that they do not object to the fence location. Due to fence being located 83 feet from the nearest intersection, our City staff concurs that the fence location does not obstruct traffic visibility at the intersection of Janice Avenue and Western Way.

2601 Western Parkway



FD 8400 code viol. FENCE APP 18-438 POOL PERMIT 17-2128

VARIANCE APPLICATION BUILDING and PERMITTING SERVICES DEPARTMENT

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

Date Received 2/26/2018 # Assigned #2 Date of Hearing MARCH 20

Applicant: Bonnie Biagioli

Owner: Matthew & Bonnie Biagioli

2601 Western PKWY (Address) Winter Park FL 32789 (City, State) (Zip)

2601 Western PKWY (Address) Winter Park FL 32789 (City, State) (Zip)

(Phone - Home) 727.1086.9731 (Phone - Work or Cell) Bonnie b242@yahoo (Email Address)

(Phone - Home) 727.1086.9731 (Phone - Work or Cell) Bonnie b242@yahoo.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, Subsection (h)(2), Zoning R-1AA & (n)

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 2601 Western Parkway Legal description of property 18-22-30-6704-08-110

Describe variance request Requesting to keep our fence that lines Janice Ave how it is

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?

Please see next page

How long have you owned the property? 3/23/17

How long have you occupied the property? 3/24/17

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?

None

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.

Please see next page

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, lower the height of fence.

Boni Biagioli
Signature of Applicant

2/26/18
Date

Bonnie Biagioli
Name of Applicant (PRINT)

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

-The intent of the provision requiring the additional 10 foot setback on corner lots is so as not to obstruct the view from the corner Western Parkway and Janice Ave. The fence starts at approximately 83 feet from the corner curb (Western Pkwy and Janice Ave). Attached pictures demonstrate that the fence does not create any visual obstruction that would create a hazard for the intersection.

-Aesthetically, it is aligned with the pre-existing fence from the neighboring corner lot.

-If the fence is positioned another 10 feet from the property line, we will lose approximately half of the grass on that side of our yard and view of the oak tree. There is a large oak tree that we would like included in our fenced back yard to enjoy.

Q: 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.

-Even though our lot is a corner lot, the west side of our yard is longer than other corner lots. So our backyard is more like a proper back yard than a side yard. The fence sits far enough back not to obstruct any drivers view when turning from Western Parkway onto Janice Ave. There is approximately 83ft from the corner curb on Western Pkwy to where our fence starts.

-There is a large oak tree that sits in the backyard that we would like included inside our fence to enjoy. If the fence sits 10 ft from the property line the tree will be in the outside of our fence.

Thank you for reviewing our request for a variance for our fence. We realize that we are asking for this after the fact. This was a misunderstanding between my fence and pool companies. But I would still have asked to have our fence where it is since it poses no obstruction/hazard to anyone, meets code for a non corner house and so we can enjoy the extra yard.

Thank you for your time.

A handwritten signature in black ink, appearing to read 'Bonnie Biagioli', with a long horizontal flourish extending to the right.

Bonnie Biagioli

Letters from neighbors

Peggy Krogel + Dave Krogel
2246 Janice Ave.
Winter Park, FL
32789
407-782-5796

We are fine with the set
back of Bonnie + Matt's fence. It
does not impair our vision
when rounding the corner of
Western Parkway + Janice Ave.

Kathleen Gagner
2240 Janice Ave
Winter Park 32789

The fence in the Biagioli's
yard along Janice Ave, looks
very nice and does not
obstruct my view.

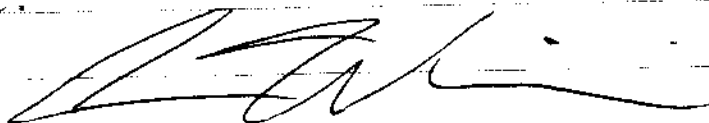
Kathy Gagi

I'm OK with the fence as is.
We have no problem with it.

-Katie Cencasio (owners)
2200 Janice Ave
Winter Park, FL 32789

ANDREW WILLIAMS
2222 JANICE AVE
WINTER PARK, FL 32789
407-399-5432

BONNIE BINGIOLIS FENCE DOES NOT
OBSTRUCT ANY VIEWS FOR CARS OR ANY
OTHER TYPE VEHICLE. IT IS A
BEAUTIFUL FENCE AND SHOULD STAY
IN PLACE.



To Whom It May Concern,

I'm writing to state that the current fence on the corner lot of Western/Janice Streets does not obstruct our view or pose a safety hazard. We do not feel it's necessary to move this fence.

Sincerely,

*Patrick
Michelle Marshall*

Patrick & Michelle Marshall

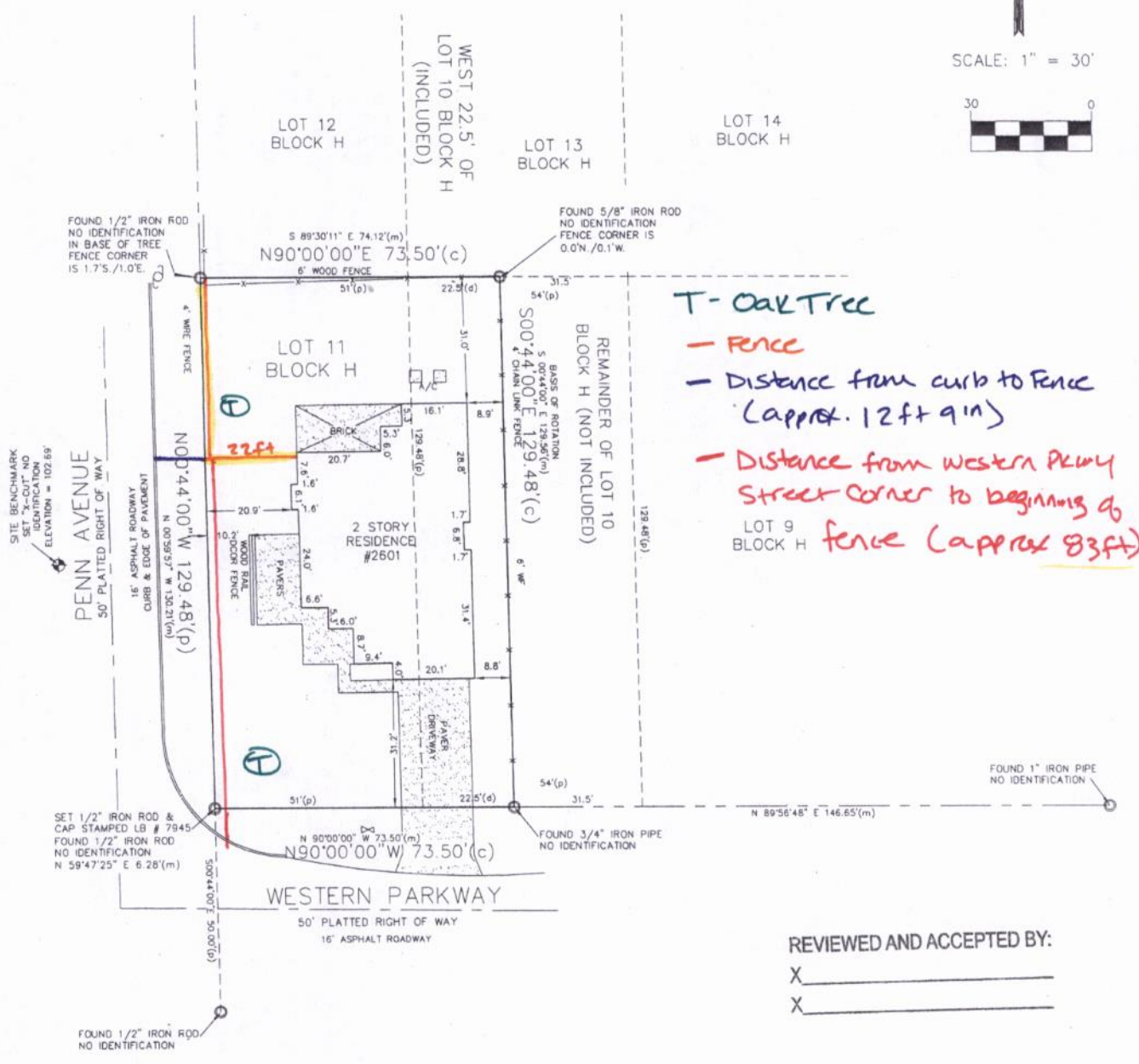
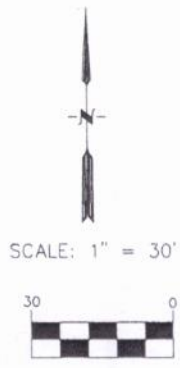
2600 Parkland Drive

Winter Park, FL 32789

BOUNDARY SURVEY

DESCRIPTION (As Furnished)

LOT 11 & THE WEST 22.5 FEET OF LOT 10, PARKLANDO NO.3, according to the plat thereof as recorded in Plat Book N, Page 69, of the Public Records of Orange County, Florida,



REVIEWED AND ACCEPTED BY:

X _____
X _____

NOTES:
ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY BENCH MARK #L-1546-022 ELEVATION 105.197 NAVD 88

AREAS OF INTEREST:
#1 FENCING FALLS ON AND OFF SUBJECT PROPERTY.

SUBJECT PARCEL CONTAINS 0.2184± ACRES
9516.2391± SQUARE FEET

Based on the FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, Orange County, Florida, Community Panel Number 120188 0255 F, last dated 09/25/2009, it appears from a scaling of said map that the land described hereon is shown to be in Zone "X", (AREA OF MINIMAL FLOODING)
Said map is not a Survey and no responsibility is taken for the information contained in or the accuracy of the above referenced map.

- This Plat represents a Boundary Survey of the description as furnished DSW Surveying and Mapping, P.L.C. per client's instruction and makes no claims regarding ownership or rights of possession.
- Bearings shown hereon are based on the SOUTH line of Lot 11, Block H, Being N 90°00'00" W, ASSUMED DATUM.
- This surveyor has not searched the public records or abstracted the land shown hereon for easements, right of ways, covenants and restrictions or other pertinent documents which may be found in the public records of this firm. This research was not included in the scope of services of this firm.
- The relative distance accuracy for boundary dimensions shown hereon is in excess of 1 Foot in 10,000 Feet.
- Underground improvements and utilities have not been located.
- This survey performed by DSW Surveying and Mapping, P.L.C. is for the singular use by the clients named hereon for the express stated purpose listed hereon. This drawing is not legally binding without my signature and original raised embossed seal. No third party is authorized to use this drawing in any way, and this surveyor shall not be held liable for damages resulting from the unauthorized or illegal executions or attempts at circumventing prescribed laws or professional fee payments. All plots, reports, notes, plans, specifications, computer files, field notes or data, other documents and instruments prepared by this firm as instruments of service shall remain the property of this firm. This firm shall retain all common law, statutory and other reserved rights, including the copyright thereto. The original of this drawing remains the property of DSW Surveying and Mapping, P.L.C.
- Building ties, Fence ties, etc. are not to be used as a way to reconstruct boundary line location.

REVISIONS AND ADDITIONS		
05-28-15	LOCATE TREES	HSY
08-26-16	FINAL SURVEY	HSY
LEGEND:		
☆	= Light Pole	⊗
Δ	= Delta (Intersection Angle)	⊗
R	= Radius	⊗
L	= Arc Length	⊗
U.E.	= Utility Easement	⊗
PC	= Point of Curvature	⊗
PT	= Point of Tangency	⊗
PB	= Plot Book	⊗
PG (S)	= Page(s)	⊗
PRC	= Point of Reverse Curvature	⊗
CLF	= Chain Link Fence	⊗
A/C	= Air Conditioner	⊗
R/W	= Right-Of-Way	⊗
PCC	= Point of Compound Curvature	⊗
(P)	= Per Plot	⊗
⊕	= Centerline	⊗
COL	= Column	⊗
Typ.	= Typical	⊗
RP	= Radius Point	⊗
(R)	= Radial	⊗
(NR)	= Non Radial	⊗
BFE	= Base Flood Elevation	⊗
⊗	= Fire Hydrant	
⊗	DENOTES CONCRETE	
WF	= Wood Fence	
(M)	= Measured	
CBW	= Concrete Block Wall	
Pi	= Point of Intersection	
CNF	= Corner Not Found	
OHUL	= Overhead Utility Lines	
POB	= Point of Beginning	
POC	= Point of Commencement	
(D)	= Per Description	
BSL	= Building Setback Line	
⊗	= Denotes Utility Pole	
⊗	= Well	
⊗	= Water Meter	
⊗	= Covered	
CNA	= Corner Not Accessible	
(C)	= Calculated	
D.U.E.	= Drainage & Utility Easement	
DRAWING: 15.0923-1 DWG	SURVEY DATE: 05/08/15	
INTENDED DISPLAY SCALE: 1" = 30'	DRAWN: HSY	
EXPECTED USE OF THIS LAND: RESIDENTIAL PURPOSES		

CERTIFIED TO:
CLARKSON CONCEPTS, INC.
DEVELOPMENT ASSOCIATES, INC.
UNITED LEGACY BANK, a division of national bank of commerce
SOUTH MILHAUSEN P.A.
FIDELITY NATIONAL TITLE INSURANCE COMPANY



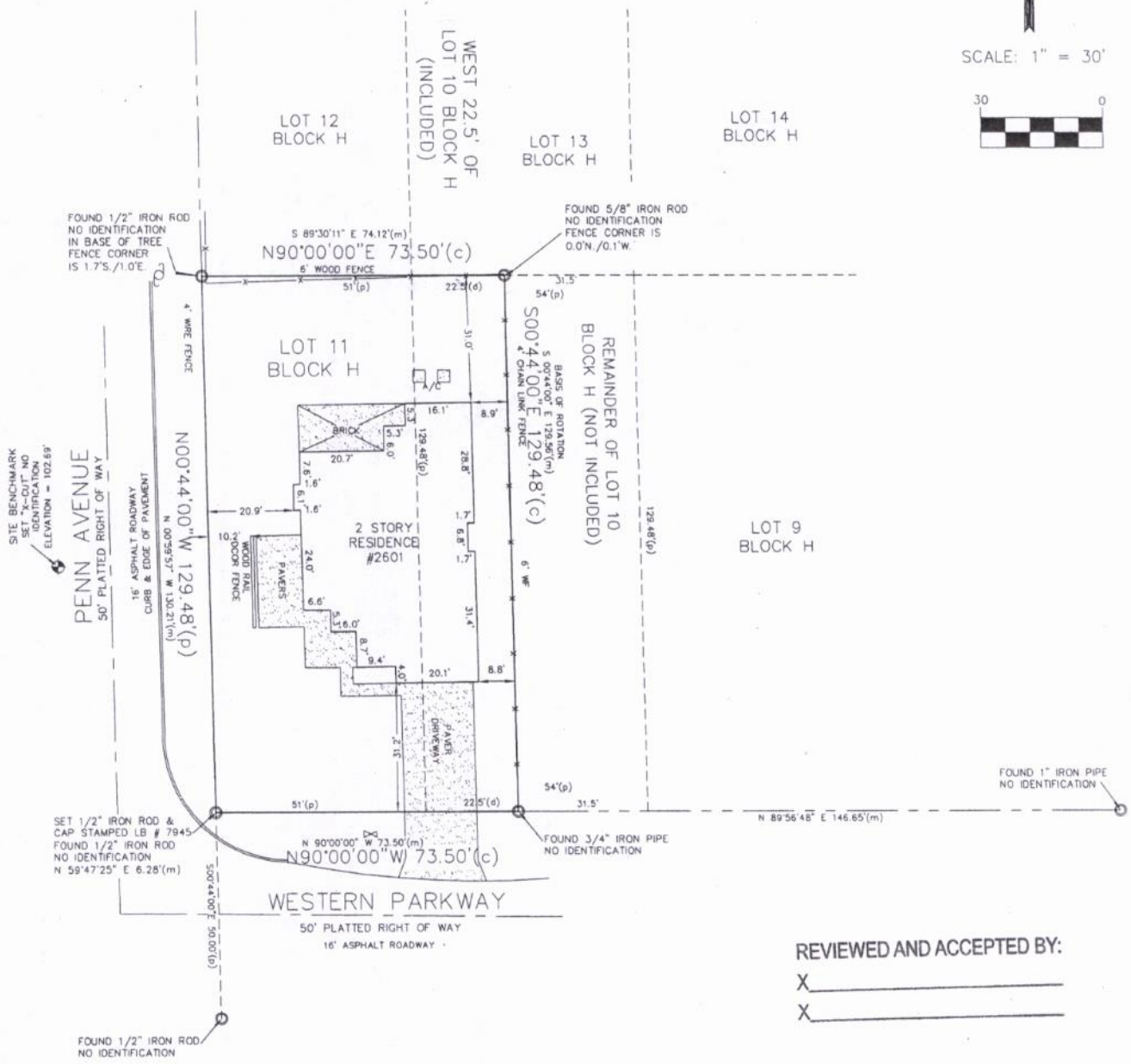
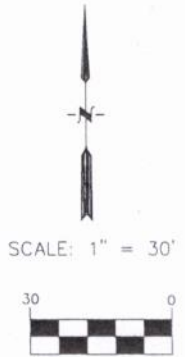
PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATION OF AUTHORIZATION #LB7945
32529 Okaloosa Trail
Sorrento, Florida 32776
Phone: (352) 735-3796
JOB NO. 15.0923 Sheet 1 of 1

IT IS CERTIFIED THAT THE SURVEY REPRESENTED HEREON MEETS OR EXCEEDS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 54-12 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
Douglas S. Willis
DOUGLAS S. WILLIS, FLS (No. 19460) Registration # 5984 FOR THE FIRM

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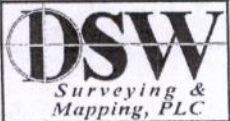
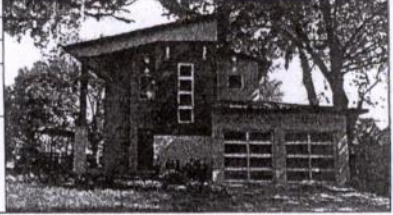
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*** PLEASE VISIT OUR WEBSITE: WWW.DSWSURVEYS.COM ***

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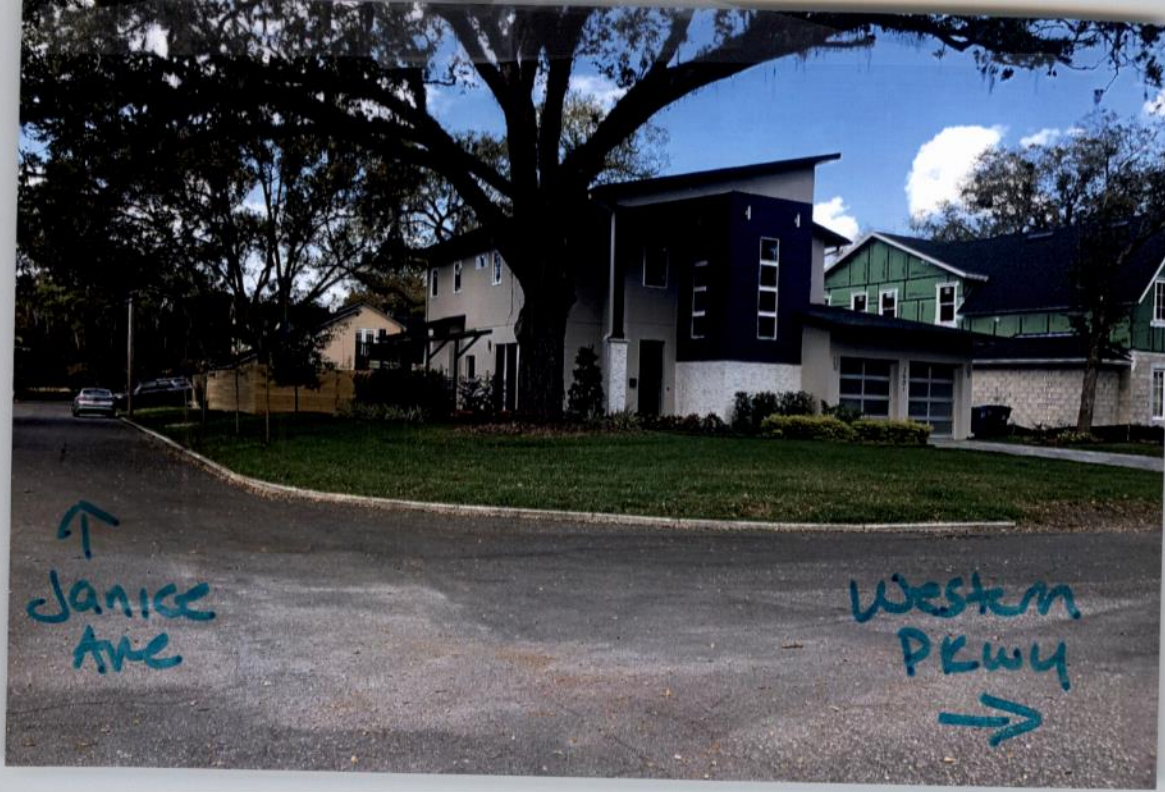
Street views
Showing our
property &
where fence sits
(plots 1-5)











↑
Janice
Ave

Western
Pkwy
→

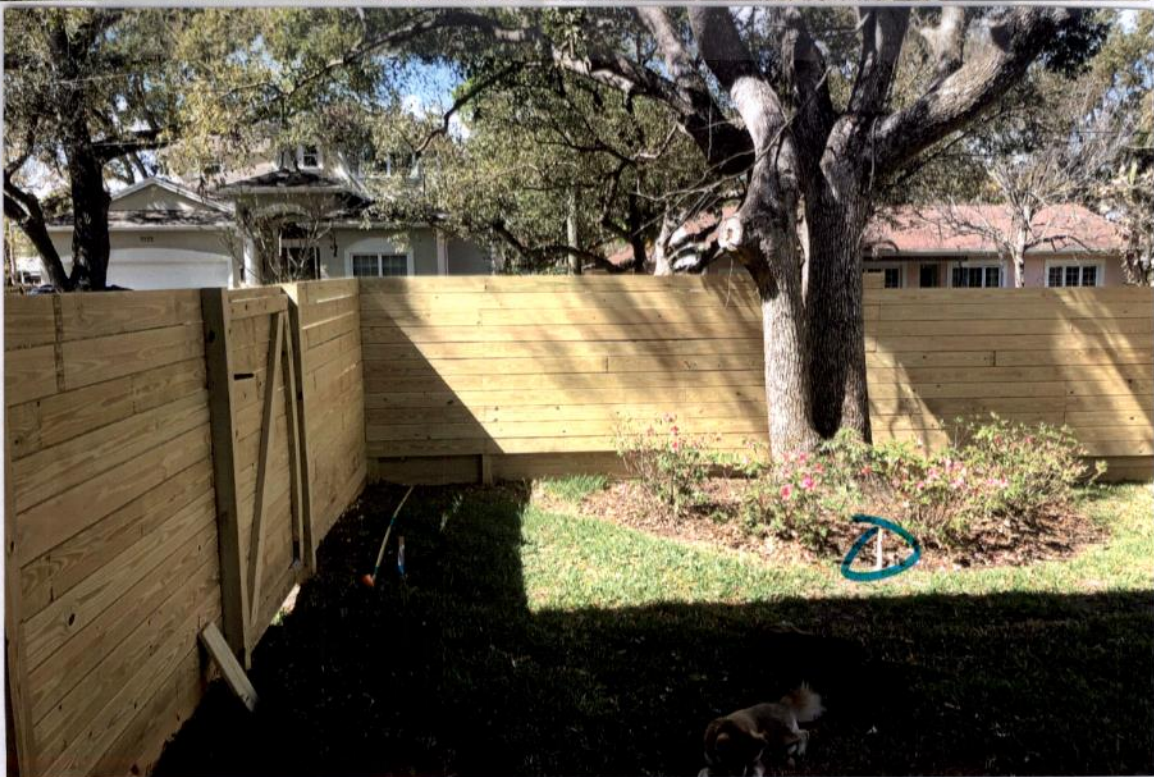


5ft

10ft



Approx 10ft
from property
line



10ft from
property
line



↓ neighbors fence

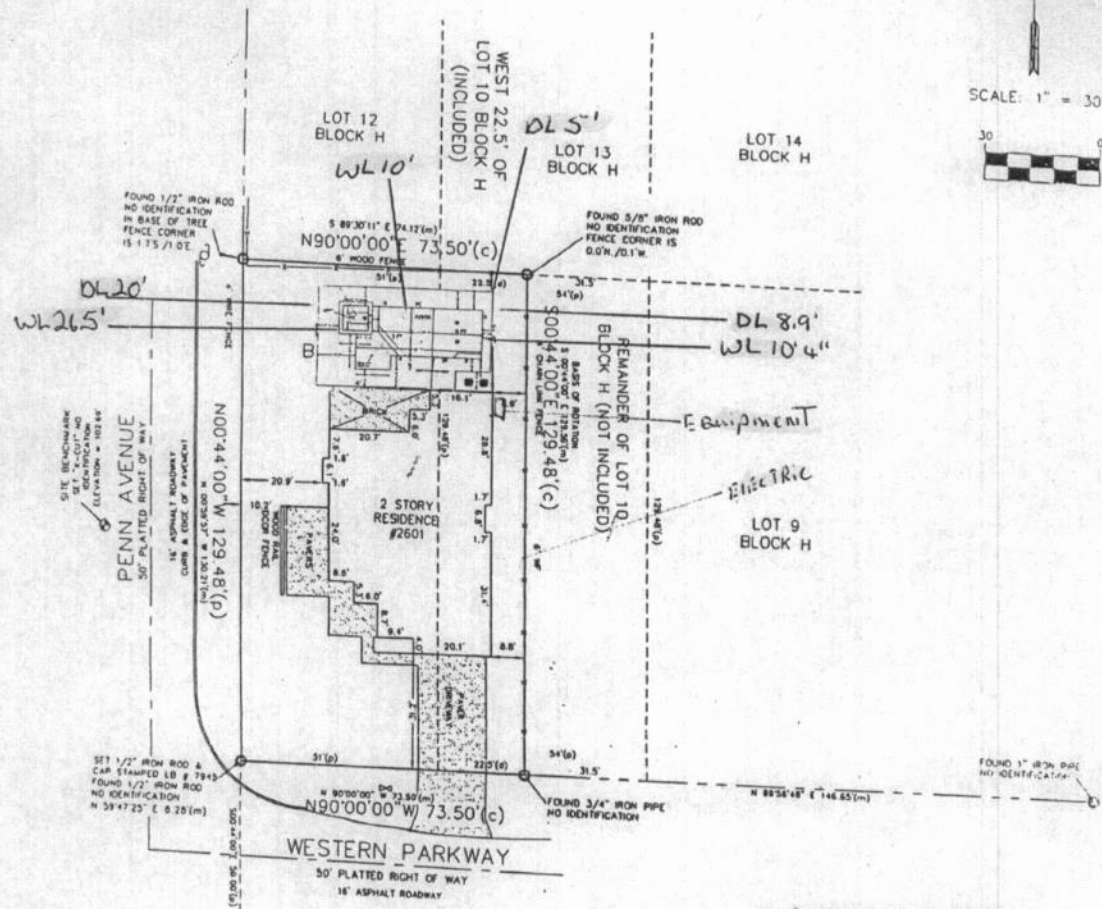
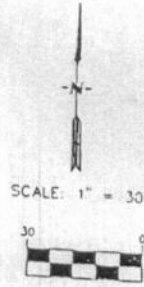
107 + 101
problem
line

FENCE 18-438
 POOL 17-2128

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 4. The vertical distance accuracy for boundary dimensions shown herein is to the extent of 1 foot in 10,000 feet.
 5. Underground improvements and utilities have not been located.
 6. This survey performed by DSW Surveying and Mapping, P.L.C. is for the singular use by the clients named herein for the express stated purposes listed herein. This drawing is not legally binding without the express signed embossed seal. This drawing may be used for purposes other than those stated herein and the Surveyor shall not be held liable for damages resulting from the unauthorized or illegal execution of any project, reports, notes, plans, specifications, computer files, field notes or data, survey documents and instruments prepared by this firm or its instruments of land, surveying and other related rights, including the copyright thereto. The original Building Plat, Factsheet (etc) are not to be used as a way to reconstitute boundary line location.

REVISIONS AND ADDITIONS	
00-20-10	LOCAL TREES
00-20-16	FINAL SURVEY
DATE	BY
00-20-10	HSY
00-20-16	HSY

LEGEND:

☆ = Light Pole	⊕ = Fire Hydrant
R = Radius	⊞ = DENOTES CONCRETE
U.E. = Utility Easement	WF = Wood Fence
PC = Point of Curvature	MB = Measured
PI = Point of Intersection	CBW = Concrete Block Wall
PC (S) = Point of Reverse Curvature	PF = Point of Intersection
CLF = Chain Link Fence	OMFL = Overhead Utility Lines
A/C = Air Conditioner	POB = Point of Beginning
R/W = Right-Of-Way	(C) = Calculated
PCC = Point of Compound Curvature	(P) = Per Description
(P) = Per Plat	⊞ = Building Setback Line
⊞ = Cantenna	⊞ = Denotes Utility Pole
COL = Column	⊞ = Wall
TV = Tower	⊞ = Water Meter
⊞ = Radius Point	⊞ = Covered
(N) = Non Radial	CHA = Corner Not Accessible
(N) = Non Radial	(C) = Calculated
⊞ = Base Flood Elevation	D.U.E. = Drainage & Utility Easement

CERTIFIED TO:
 CLARKSON CONCEPTS, INC.
 DEVELOPMENT ASSOCIATES, INC.
 UNITED LEGACY BANK, a division of national bank of commerce
 SOUTH MILHAUSEN P A
 FIDELITY NATIONAL TITLE INSURANCE COMPANY

PLEASE VISIT OUR WEBSITE: WWW.DSWSURVEYS.COM

DSW
 Surveying & Mapping, P.L.C.

PROFESSIONAL SURVEYORS AND MAPPERS
 CERTIFICATION OF AUTHORIZATION #LB7943
 3529 Okaloosa Trail
 Sorrento, Florida 32776
 Phone: (352) 735-3796
 JOB NO. 15.0923 Sheet 1 of 1

DRAWING: 15.0923-1 DWG SURVEY DATE: 05/08/15
 INTENDED DISPLAY SCALE: 1" = 30' DRAWN: HSY
 EXPECTED USE OF THIS LAND: RESIDENTIAL PURPOSES
 IT IS CERTIFIED THAT THE SURVEY REPRESENTED HEREON MEETS OR EXCEEDS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 9A-13, F.L.A.C. ADMINISTRATION CODE
 PURSUANT TO SECTION 478.007, FLORIDA STATUTES.
 NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER

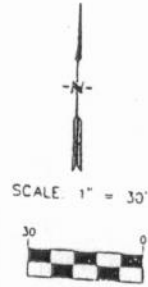
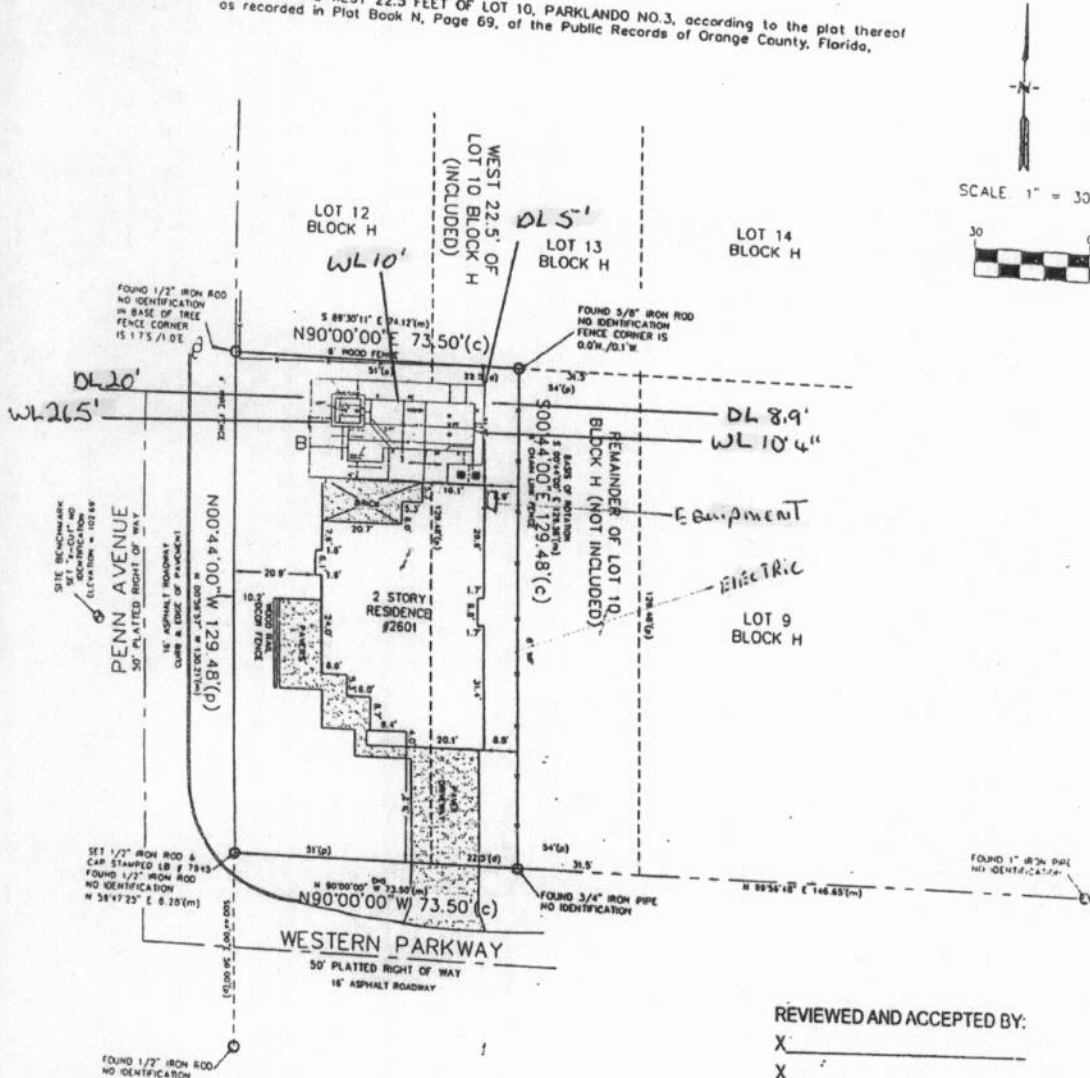
Douglas S. Willis
 DOUGLAS S. WILLIS, Florida Registration # 5984 FOR THE FIRM



BOUNDARY SURVEY

DESCRIPTION (As Furnished)

LOT 11 & THE WEST 22.5 FEET OF LOT 10, PARKLANDO NO. 3, according to the plot thereof as recorded in Plot Book N, Page 69, of the Public Records of Orange County, Florida.



REVIEWED AND ACCEPTED BY:

X _____
X _____

NOTES:
ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY BENCH MARK #L-1546-022 ELEVATION 105.197 NAVD 88

AREAS OF INTEREST:
#1 FENCING FALLS ON AND OFF SUBJECT PROPERTY.

SUBJECT PARCEL CONTAINS 0.2184± ACRES
9516.2391± SQUARE FEET

Based on the FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, Orange County, Florida, Community Plan Number 120188 0255 F, last dated 09/25/2009, it appears from a scaling of said map (AREA OF MINIMAL FLOODING) that the land described hereon is shown to be in Zone "X". Said map is not a Survey and no responsibility is taken for the information contained in or the accuracy of the above referenced map.

1. This Plot represents a Boundary Survey of the description as furnished to DSW Surveys and Mapping, P.L.C. per client's instruction and includes no claims regarding ownership or rights of possession and includes no statements or opinions as to the validity of any public records or other pertinent documents which may be found in the public records of this county. This survey was not conducted in the scope of services of this firm.

2. The surveyor has not searched the public records or abstracted the land shown hereon for easements, rights of way, covenants and restrictions or other pertinent documents which may be found in the public records of this county. This survey was not conducted in the scope of services of this firm.

3. The relative distance accuracy for boundary dimensions shown hereon is as follows: a) 1 foot in 10,000 feet.

4. Unrecorded easements and utilities have not been located.

5. This survey performed by DSW Surveys and Mapping, P.L.C. is for the singular use of the clients named hereon for the express stated purpose stated hereon. This drawing is not to be relied upon for any other purpose. This drawing is not to be used for damages resulting from the unauthorized or illegal use of this drawing, reports, notes, plans, specifications, computer files, field notes or data, other documents and instruments prepared by this firm or the instruments of this firm and other instruments prepared by this firm or the instruments of this firm which remain the property of this firm. This firm shall retain all common law, statutory and other reserved rights, including the copyright therein. The original bearing and distance data (i.e. we do not to be used as a way to reconstruct boundary line location.

REVISIONS AND ADDITIONS	
02-28-13	LOCAL TREES
08-28-16	FINAL SURVEY
	MSY
	MSY

LEGEND:	
☆	Light Pole
A	Angle
R	Radius
L	Length
U.E.	Utility Easement
PC	Point of Curvature
PT	Point of Tangency
PI	Point of Intersection
PG (S)	Point of Beginning
PIC	Point of Curvature
CF	Chain Link Fence
A/C	Air Conditioner
R/W	Right-Of-Way
PCC	Point of Compound Curvature
(P)	Par Plot
S	Contains
COL	Column
TIP	Typical
RF	Radius Point
(R)	Radius
(NS)	Non Radial
(BE)	Bearing Elevation
DR	Drainage & Utility Easement
DR	Drainage
U	Utility
W	Water Meter
C	Covered
CHA	Corner Not Accessible
(C)	Calculated
U.E.	Drainage & Utility Easement
FF	Fire Hydrant
DA	Denotes CONCRETE
WF	Wood Fence
(M)	Measured
CBM	Concrete Block Wall
PI	Point of Intersection
CMF	Corner Not Found
DU	Overhead Utility Lines
POB	Point of Beginning
(D)	Par Description
BSL	Building Setback Line
(D)	Denotes Utility Pole
(W)	Wall

CERTIFIED TO
CLARKSON CONCEPTS, INC.
DEVELOPMENT ASSOCIATES, INC.
UNITED LEGACY BANK, a Division of national bank of commerce
SOUTH MILHAUSEN P A
FIDELITY NATIONAL TITLE INSURANCE COMPANY

PLEASE VISIT OUR WEBSITE: WWW.DSWSURVEYS.COM

DSW
Surveying & Mapping, P.L.C.

PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATION OF AUTHORIZATION #B7945
32529 Okaloosa Trail
Sarasota, Florida 34276
Phone: (352) 735-3796
JOB NO. 15.0923 Sheet 1 of 1

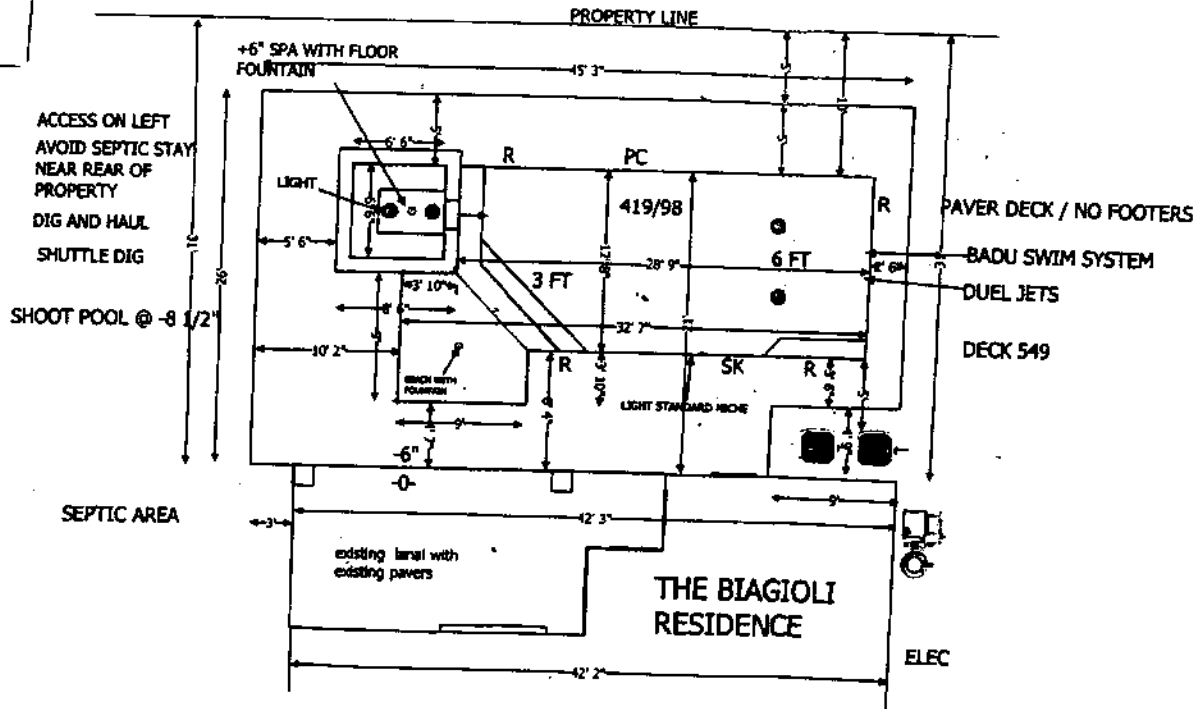
DRAWING: 15.0923-1 DWG
INTENDED DISPLAY SCALE: 1" = 30'
EXPECTED USE OF THIS LAND: RESIDENTIAL PURPOSES
IT IS CERTIFIED THAT THE SURVEY REPRESENTED HEREON MEETS OR EXCEEDS THE STANDARDS OF PRACTICE AS SET FORTH IN CHAPTER 62-13, F.L.A.C., AND THE FLORIDA STATUTES.
NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER
Douglas S. Miller
Florida Registration # 3984 FOR THE FIRM



MASTERPIECE POOL AND SPA, INC.

CPC1456975

Approved by:



POOL
 SIZE: 32'7" x 12'8" SOFT: 419
 DEPTH: 3 To 6 PERIMETER: 98
 EST TOTAL GALLONS: 12,843 SKIMMERS: 1
 RETURNS: 4 INTERIOR MATERIAL: T&O
 SPECIAL: BADU SWIM SYSTEM TILE: L&L T&O
 NOTES: 1.5 HP BADU SWIM SYSTEM

SPA SPECS
 SIZE: 6'5" x 5' SOFT: 42
 DEPTH: 3 PERIMETER: 26
 EST TOTAL GALLONS: 740 SPILLWAY: 18"
 RAISED HEIGHT: 6" SKIMMERS: NO
 RETURNS: 4 TILE: SAME
 INTERIOR MATERIAL:
 SPECIAL: 12" SPA BEAM
 NOTES: 8" POOL BEAM

PLUMBING
 RETURNS: 4 SKIMMERS: 1
 POOL MAIN DRAINS: 2 SPA MAIN DRAINS: 2
 CLEANING SYSTEM: NO HEADS: NO
 VAC LINES: 1 ROBOT VAC: NO
 WATER FEATURES: NO SPA SPILLWAY: 18"
 LIGHTS IN POOL: 1 LIGHTS IN SPA: 1
 TOTAL PIPE: Per plan
 SPECIAL: See Plumb BADU Before Work
 NOTES:

DECK
 DECK TYPE: Paver ELEVATION: -6
 TOTAL DECK SOFT: 569 PERIMETER: NO FOOTER
 RAISED BEAM: NO LIP STYLE: BULLDOGS
 MATERIAL 1: MATERIAL 2:
 SPECIAL: NO FOOTER
 NOTES: Deck coping

EQUIPMENT
 POOL PUMP: 1.5 HP
 FILTERATION: 200 GPM FILTER SIZE: 400
 HEATER: H Series 400 INLINE: BOWLIE
 TIMER: Intermatic GAS: PROPANE
 SPECIAL: T cell 15
 NOTES: Spa pump

MAP

Screen Info

Equipment

Spa Specifications

CUSTOMER INFORMATION

Size: NA Contractor: NA
 Color: NA Wall Height: NA
 Edge roof: NA Roof type: NA
 Fan beams: NA Insert panels: NA
 Doors: NA Super gutter: NA

Filter Pump: Super Dual 1.5
 Filter Type: 400 GPM
 Spa Furno: NA
 Other Pumps: Spa 3HP
 Heater: 400 H Series
 Sanitation: Automatic T15
 Pool Sweep: NO
 Other Equipment: BADU

Length: 6.5 x 6.5
 Width: 6.5
 Depth: 3
 Perimeter: 26
 Square Footage: 43
 Capacity: ?
 Material: Flow Fountain
 Water Features: 18" Spillway

NAME: Matt & Bowllie Biagioli
 ADDRESS: 2601 Western Parkway
 CITY: WINTER PARK STATE: NC
 PHONE: 727-686-9731 EXT: 32789
 WORK: _____
 CELL: _____
 JOB: _____

Theresa Dunkle

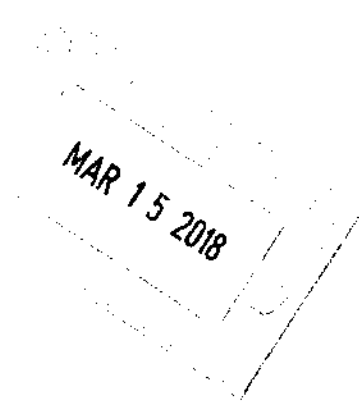
From: Ron Scarpa <ron@barefootbrothers.net>
Sent: Thursday, March 15, 2018 12:31 PM
To: Theresa Dunkle
Subject: 3/20/18 item #2

Hi Theresa,

I live around the corner from 2601 western parkway. I have seen the fence in question and was surprised it was going up that tall. Personally I don't like it and I think there are other alternatives like a privacy hedge against a 4' fence that could accomplish the same thing and be aesthetically more pleasing and fitting to the neighborhood. Additionally I do not want other corner properties trying the same thing on their lots.

Thanks,

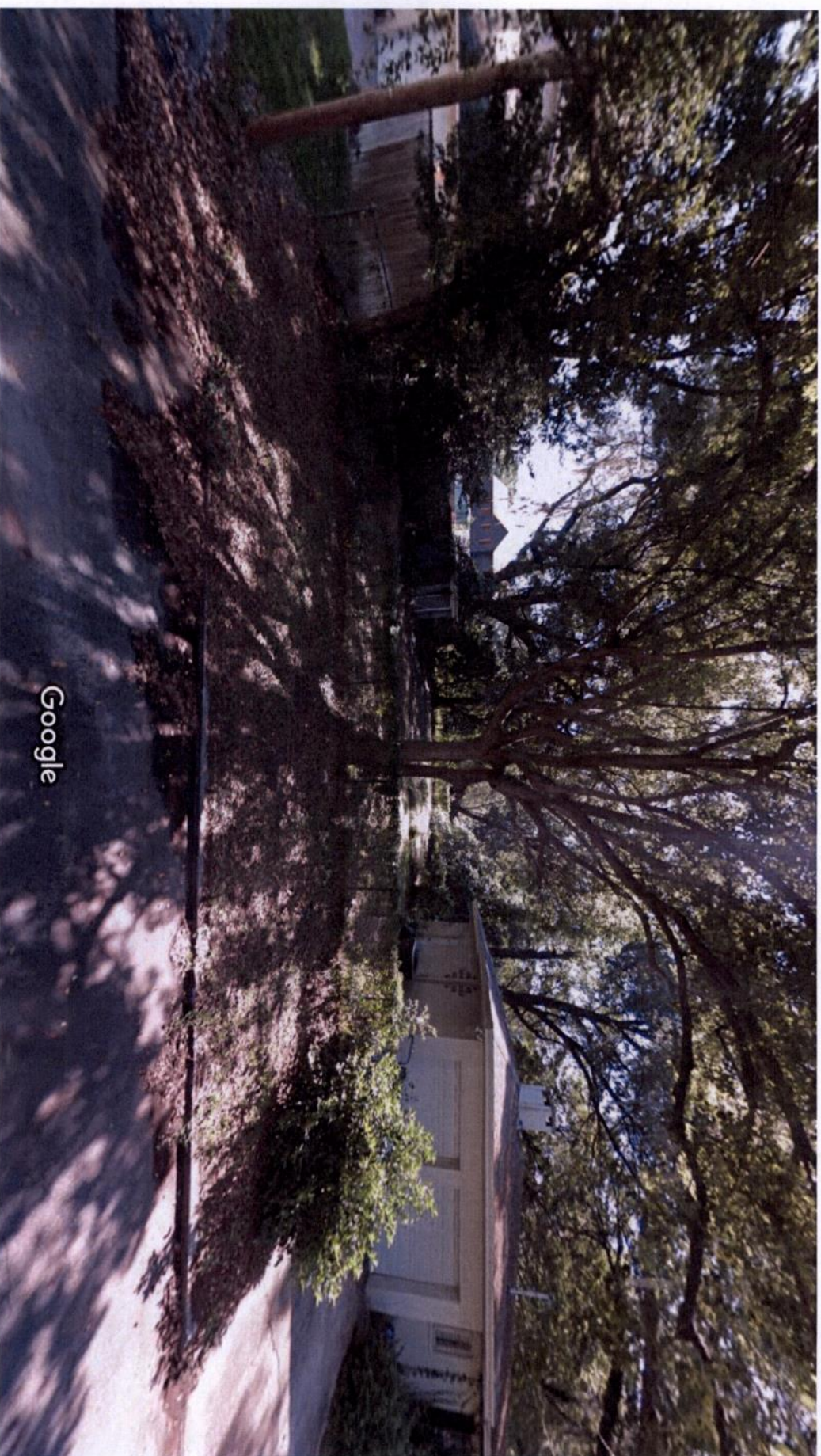
Ron Scarpa
Barefoot Brothers Construction LLC
863-287-1061 cell
863-223-0284 fax
ron@barefootbrothers.net
www.barefootbrothers.net





~~2222 Janice Ave~~

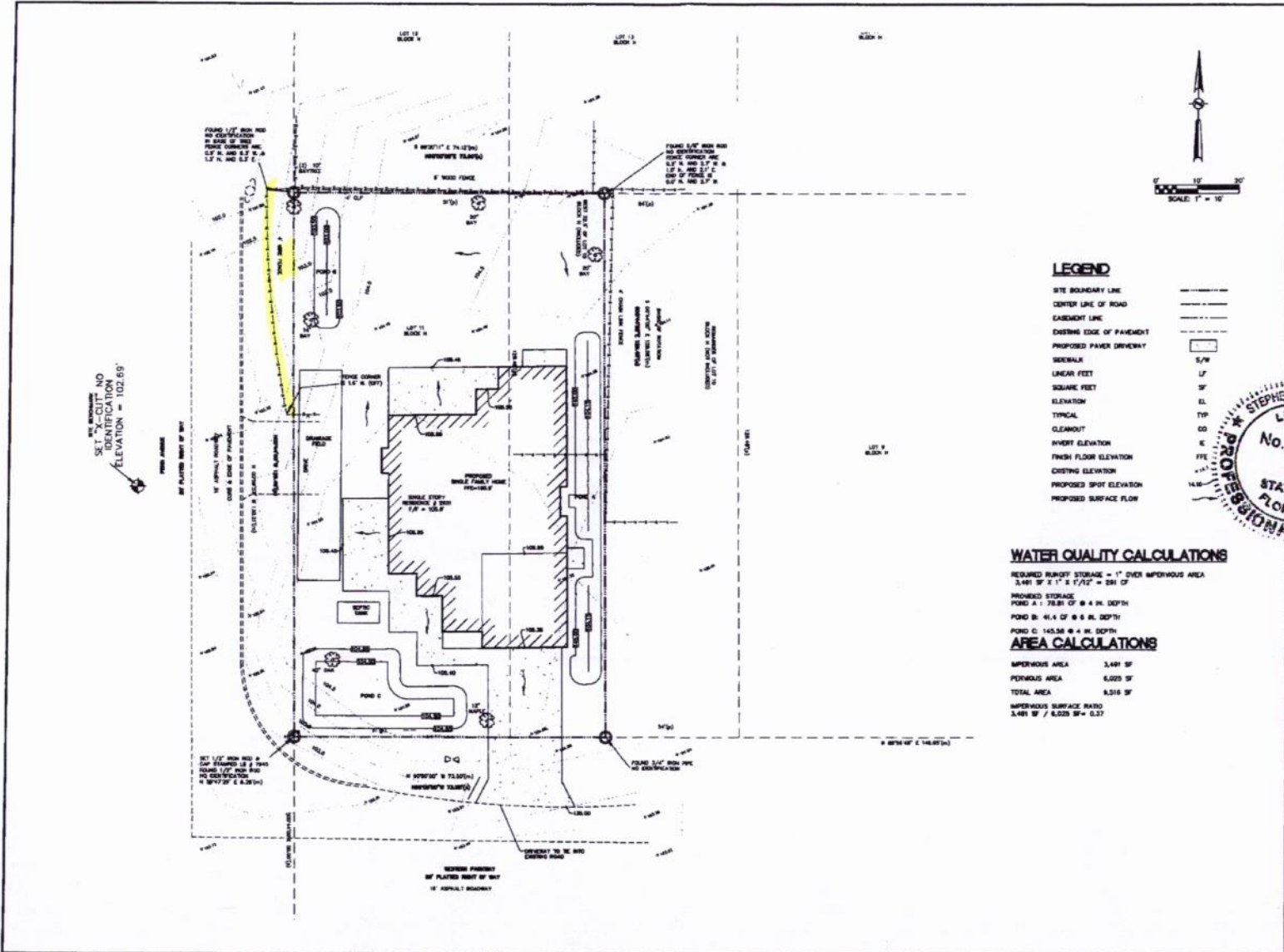
2601 Western Parkway - Previous 4' Chain Link Fence along Janice Avenue



Google

Image capture: Apr 2015 @ 2018 Google

16-103



LEGEND

- SITE BOUNDARY LINE
- CENTER LINE OF ROAD
- EASEMENT LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED PAVED DRIVEWAY
- SEWER
- LINEAR FEET
- SQUARE FEET
- ELEVATION
- TYPICAL
- CLEARCUT
- INVERT ELEVATION
- FINISH FLOOR ELEVATION
- EXISTING ELEVATION
- PROPOSED SPOT ELEVATION
- PROPOSED SURFACE FLOW



WATER QUALITY CALCULATIONS

REQUIRED RUNOFF STORAGE - 1" OVER IMPERVIOUS AREA
 3,491 SF x 1" x 1.2" = 591 CF

PROPOSED STORAGE
 POND A: 78.91 CF @ 4 IN. DEPTH
 POND B: 41.4 CF @ 6 IN. DEPTH
 POND C: 145.58 CF @ 4 IN. DEPTH

AREA CALCULATIONS

IMPERVIOUS AREA 3,491 SF
 PERVIOUS AREA 6,025 SF
 TOTAL AREA 9,516 SF
 IMPERVIOUS SURFACE RATIO
 3,491 SF / 9,516 SF = 0.37

CLARKSON CONCEPTS		CivilCorp Professional Engineer	
STEPHEN THOMAS ALLEN LICENSED PROFESSIONAL ENGINEER No. 59894 STATE OF FLORIDA		Project No. 020-020	Drawn By: CEF
WESTERN PARKWAY WINTER PARK, FL		Scale: 1"=10'	Date: 06/05/2015
SITE PLAN		SHEET NO. C-1	

1/5/2016



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: MARCH 15, 2018
SUBJ: COLEDEV REQUEST, 790/796 W. SWOOPE AVENUE

The applicant is requesting variances to allow a 4 foot high solid PVC fence, and a 4 foot high open metal fence, to remain within the front setback of 25 feet for the solid PVC fence, and a setback of 5 feet for the four foot high metal fence.

These fences are located on an R-3 (Multi-family) zoned site in which four separate two story dwellings have been built in lieu of duplexes or multifamily units. A separate builder constructed the dwellings while the developer, Coledev Properties, LLC, handled the site development portion of the project.

Prior to obtaining a fence permit, PVC and metal fencing was constructed on this site at heights and setbacks in violation of our fence regulations. Along the east side property line a four foot high PVC fence has been constructed where the height limit is 3 feet. Across the front a four foot high metal fence has been constructed without meeting the required 5 foot setback with landscaping in front of the fence.

The Village Park apartments are immediately adjacent to this property on the west side and single family dwellings are located on the east side of this property. As part of the approval by Planning and Zoning Commission and City Commission, the Village Park apartments were permitted to construct four foot high metal fencing closer to the sidewalk along Swoope Avenue due to having a smaller building setback for this apartment project.

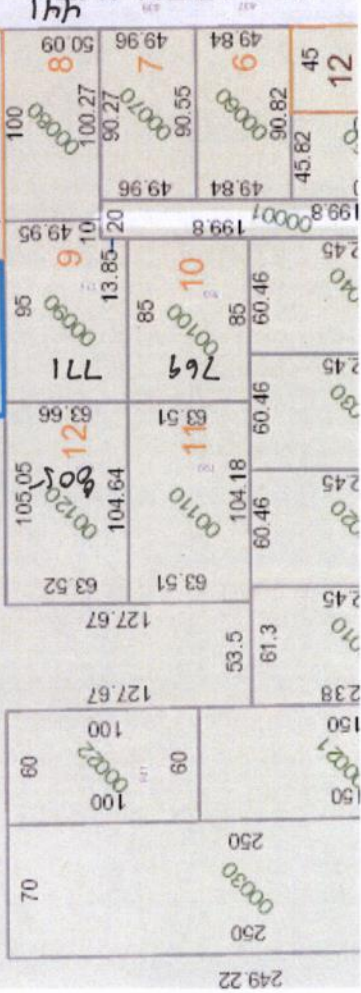
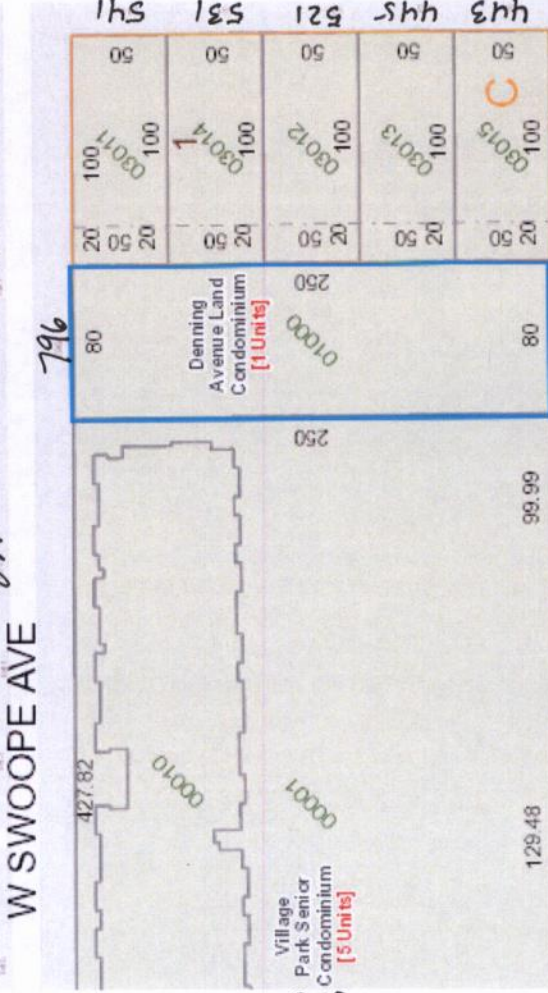
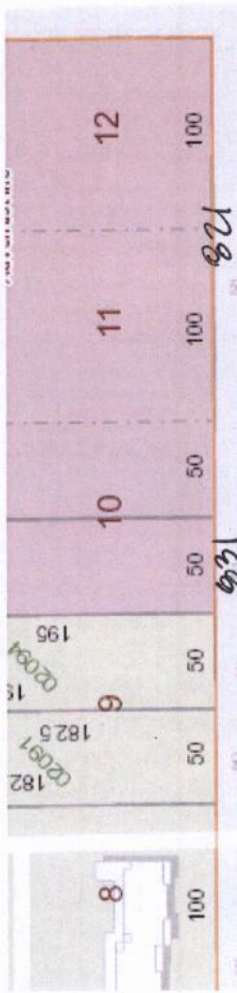
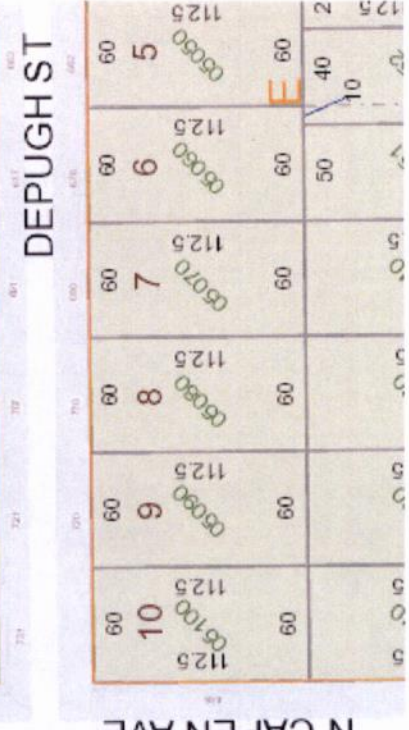
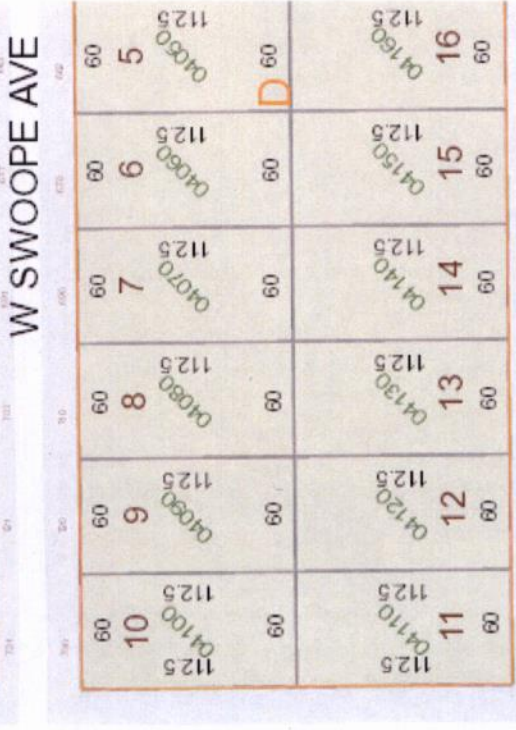
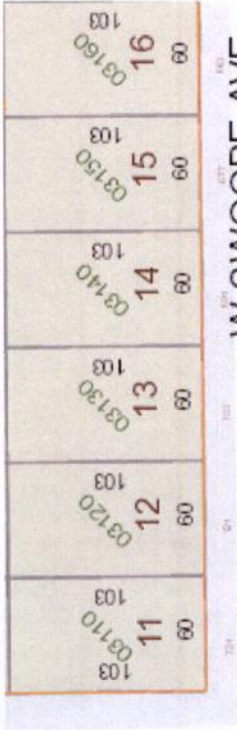
On this site the intent is to have a scale more closely aligned with single family dwellings which transition to those on the east side of this property. Therefore, having taller and closer fencing to the street fails to provide a transition to the adjacent dwellings.

The entire site was cleared of all structures prior to starting construction creating a vacant property in which all of our development codes have been met except for our fence regulations.

There appears to be little opportunity to show a hardship to vary from our fencing regulations except financial hardship incurred if the fences are required to be moved due to proceeding with constructing the fences before obtaining the required permit.

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

790 & 796 W Swoope Ave



550

**CITY OF WINTER PARK
VARIANCE APPLICATION
BUILDING and PERMITTING SERVICES DEPARTMENT**

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

Date Received 3/2/18
Assigned 2/3
Date of Hearing 3/20/2018

Applicant: Coledev Properties, LLC

Owner: Coledev Properties, LLC

135 N Knowles Ave
(Address)
Winter Park, FL 32789
(City, State) (Zip)
(407) 619-7094
(Phone – Home)
(407) 947-4226
(Phone – Work or Cell)
Adam@coledevgroup.com
(Email Address)

135 N Knowles Ave
(Address)
Winter Park, FL 32789
(City, State) (Zip)
(407) 619-7094
(Phone – Home)
(407) 947-4226
(Phone – Work or Cell)
Adam@coledevgroup.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 (n), Zoning R-3.

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 790 and 796 W Swoope Ave Winter Park, FL 32789

Legal description of

property Attached (Lot 1 is 796) (Lot 2 is 790)

Describe variance

request (1) Allow 4' high open black aluminum fencing setback 1' from the front property line at 790 and 796 W Swoope Ave.

(2) Allow 4' high solid white pvc fencing along the first 25' of the Northeast portion of the property at 790 W Swoope ave.

This section may be left blank for completion by city staff

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

Variance Application
Page 2 of 2

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

(1) We would no longer have consistency along the front of our property with our neighbors to the West who have over 420' of street frontage on Swoope Ave with the same treatment; they apparently received a similar variance to have a 4' high fence set back within 18" of the property line. Additionally, a shallow detention area has been built in front yards of our units with a pop off weir (approved by Public Works). Relocation of the fence will conflict with the functionality of the system. (2) The Northeast portion of our property features a 4' high solid pvc fence, which runs parallel to a 4' high chain link fence in disrepair along the unkept backyard of the home at 541 N Capen Ave which sits on the corner of Swoope Ave.

How long have you owned the property? Since 3/15/16

How long have you occupied the property? Never

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?

(1) The privacy and security of having a 4' high open fence in the front yard without having to have a 5' set-back from the property line. Our neighbor to the West with R-zoning has the same treatment.
(2) The privacy of having solid fencing at least 4' high as a buffer between a neighbors backyard. The 4' high solid fencing proposed is situated between the driveway (providing access for all 4 of our units) and our neighbor's backyard to the Northeast. The 4' high solid pvc provides our neighbor with a buffer and privacy from the traffic associated with the 4 units as well as address the aforementioned issues.

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

(1) The lack of security that is provided by a 3' high fence and the inconsistency with our neighbors to the West are two major concerns, however if we were to set the fence back 5' from the property line in order to allow a 4' high fence we would still face the issue of inconsistency with our neighbors to the West, and also intrude into the detention areas in the front yards and interfere with the functionality of the drainage system already built and approved by Public Works.
(2) If the 4' high solid pvc fencing in the first 25' of the Northeast portion of the property was open or under 4' it would not provide a much better visibility of pedestrians on the sidewalk as the adjacent property has thick vegetation (which is grown higher than our fence) along the portion of the chain link fence close to the sidewalk.

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?

N/A


Signature of Applicant

Date

Adam Cole
Name of Applicant (PRINT)

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

Sketch of Description

Sheet 1 of 2

Legal Description: Proposed Lot 1

A portion of Lot 2, Block C, Capen's Addition to Winter Park, according to the Plat thereof as recorded in Plat Book A, Page 95, of the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Lot 2, Block C, Capen's Addition to Winter Park, thence run North 90°00'00" West, along the North boundary line of said Lot 2, 67.70 feet, to the Point of Beginning.

Thence departing said North boundary, run South 00°00'00" East, 88.16 feet; thence South 90°00'00" West, 5.52 feet; thence South 00°00'00" East, 17.73 feet; thence South 90°00'00" West, 26.78 feet, to a point on the West Boundary line of Lot 2; thence North 00°00'00" West, along said West Boundary, 105.29 feet, to the North Boundary line of Lot 2; thence North 90°00'00" East, along said North Boundary, 32.30 feet, to the Point of Beginning.

Containing 3,306.21 Sq. Ft. or 0.076 Acres ±.

This is NOT a Survey.
This is ONLY a Sketch.

-Legend-			
C	- Calculated	PC	- Point of Curvature
CL	- Centerline	Pg	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement	PT	- Point of Tangency
F.E.M.A.	- Federal Emergency Management Agency	R	- Radice
FFE	- Finished Floor Elevation	Rad.	- Radial
Find	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rfd.	- Rooted
M	- Measured	Set	- Set 1/2 Rebar & Rubber Cap LB 7623"
N&D	- Nail & Disk	Typ.	- Typical
N.R.	- Non-Radial	UE	- Utility Easement
ORB	- Official Records Book	WM	- Water Meter
P	- Plat	Δ	- Delta (Central Angle)
P.B.	- Plat Book	X	- Chain Link Fence
W	- Wood Fence		

Sketch Date: 02-18-18
Drawn By: JR
Approved By: PKI
Field: N/A

Sketch of Description Certified To:
COLEDEV PROPERTIES, LLC

Ireland & Associates Surveying, Inc.

1301 S. International Parkway Suite 2001
Lake Mary, Florida 32746
www.irelandssurveying.com
Office-407.678.3366 Fax-407.320.8165

- NOTES-**
- > Sketch is Based upon the Legal Description Supplied by Client.
 - > Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Histats.
 - > Subject to any Easements and/or Restrictions of Record.
 - > Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BS".
 - > Building Ties are NOT to be used to reconstruct Property Lines.
 - > Fence Ownership is NOT determined.
 - > Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
 - > Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
 - > Use of This Sketch for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

I hereby Certify that this Sketch of Description of the above Described Property is True and Correct to the Best of my Knowledge and Belief as Recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 17, 17.002 Florida Administrative Codes, Pursuant to Section 372.007 Florida Statutes.

Patrick K. Ireland
FOR THE FIRM

Patrick K. Ireland - License # 8637 LB 7623
Date Signed: 02-21-18

This Sketch is Intended ONLY for the use of Said Certified Parties. This Sketch NOT VALID UNLESS Signed and Embossed with Surveyor's Seal. File No. 1S-30570

Sketch of Description

Sheet 1 of 2

Legal Description: Proposed Lot 2

A portion of Lot 2, Block C, Capen's Addition to Winter Park, according to the Plat thereof as recorded in Plat Book A, Page 95, of the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Lot 2, Block C, Capen's Addition to Winter Park, thence run North 90°00'00" West, along the North boundary line of said Lot 2, 35.70 feet, to the Point of Beginning.

Thence departing said North boundary, run South 00°00'00" East, 105.28 feet; thence South 90°00'00" West, 26.53 feet; thence North 00°00'00" East, 17.11 feet; thence North 90°00'00" West, 5.47 feet; thence North 00°00'00" West, 88.16 feet, to the North Boundary line of Lot 2; thence North 90°00'00" East, along said North Boundary, 32.00 feet, to the Point of Beginning.

Containing 3,275.32 Sq. Ft. or 0.075 Acres ±.

This is NOT a Survey.
This is ONLY a Sketch.

Sketch Date: 02-19-18
Drawn By: JR
Approved By: PKI
Field: N/A

Sketch of Description Certified To:
COLEDEV PROPERTIES, LLC

**Ireland & Associates
Surveying, Inc.**

1301 S. International Parkway Suite 2001
Lake Mary, Florida 32746
www.irelandsurveying.com

Office-407.678.3366 Fax-407.320.8165

- Notes**
- > Sketch is Based upon the Legal Description Supplied by Client.
 - > Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Mistakes.
 - > Subject to any Easements and/or Restrictions of Record.
 - > Bearing Beis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
 - > Building Ties are NOT to be used to reconstruct Property Lines.
 - > Fence Ownership is NOT determined.
 - > Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
 - > Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
 - > Use of This Sketch for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Constructed to Give ANY Rights or Benefits to Anyone Other than those Certified.

Legend			
C	- Calculated	PC	- Point of Curvature
CB	- Centerline	Pp	- Page
CM	- Concrete Block	PI	- Point of Intersection
CM Conc.	- Concrete Monument	P.O.B.	- Point of Beginning
O	- Description	P.O.L.	- Point on Line
DE	- Drainage Easement	PP	- Power Pole
Easmt.	- Easement	PRM	- Permanent Reference Monument
F.E.M.A.	- Federal Emergency Management Agency	PT	- Point of Tangency
FPE	- Finished Floor Elevation	R	- Radius
Fnd.	- Found	Rad.	- Radial
IP	- Iron Pipe	R&C	- Rebar & Cap
L	- Length (Arc)	Rac.	- Recovered
M	- Measured	Rd.	- Road
N&D	- Nail & Disk	Set	- Set 1/2" Rebar & Cap "LB 7623"
N.R.	- Non-Recall	Typ.	- Typical
ORB	- Official Records Book	UE	- Utility Easement
P	- Plat	WM	- Water Meter
P.B.	- Plat Book	Δ	- Delta (Central Angle)
W	- Wood Fence	X	- Chain Link Fence

I hereby Certify that this Sketch of Description of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to me as noted and conforms to the Standards of Practices for Land Surveying in the State of Florida in accordance with Chapter 6A-17.002 Florida Administrative Code, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland
Patrick K. Ireland, P.S.
8837 LB 7623
Date Signed: 02-21-18

This Sketch is intended ONLY for the use of Said Certified Parties. This Sketch NOT VALID UNLESS Signed and Embossed with Surveyor's Seal. File No. IS-30570

Foundation Survey

Legal Description:

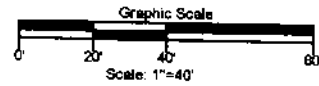
THE EAST 40 FEET OF THE WEST 80 FEET OF LOT 2, BLOCK C, AND THE WEST 40 FEET OF LOT 2, BLOCK C, CAPEN'S ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 95, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

NOW BEING DESCRIBED AS:

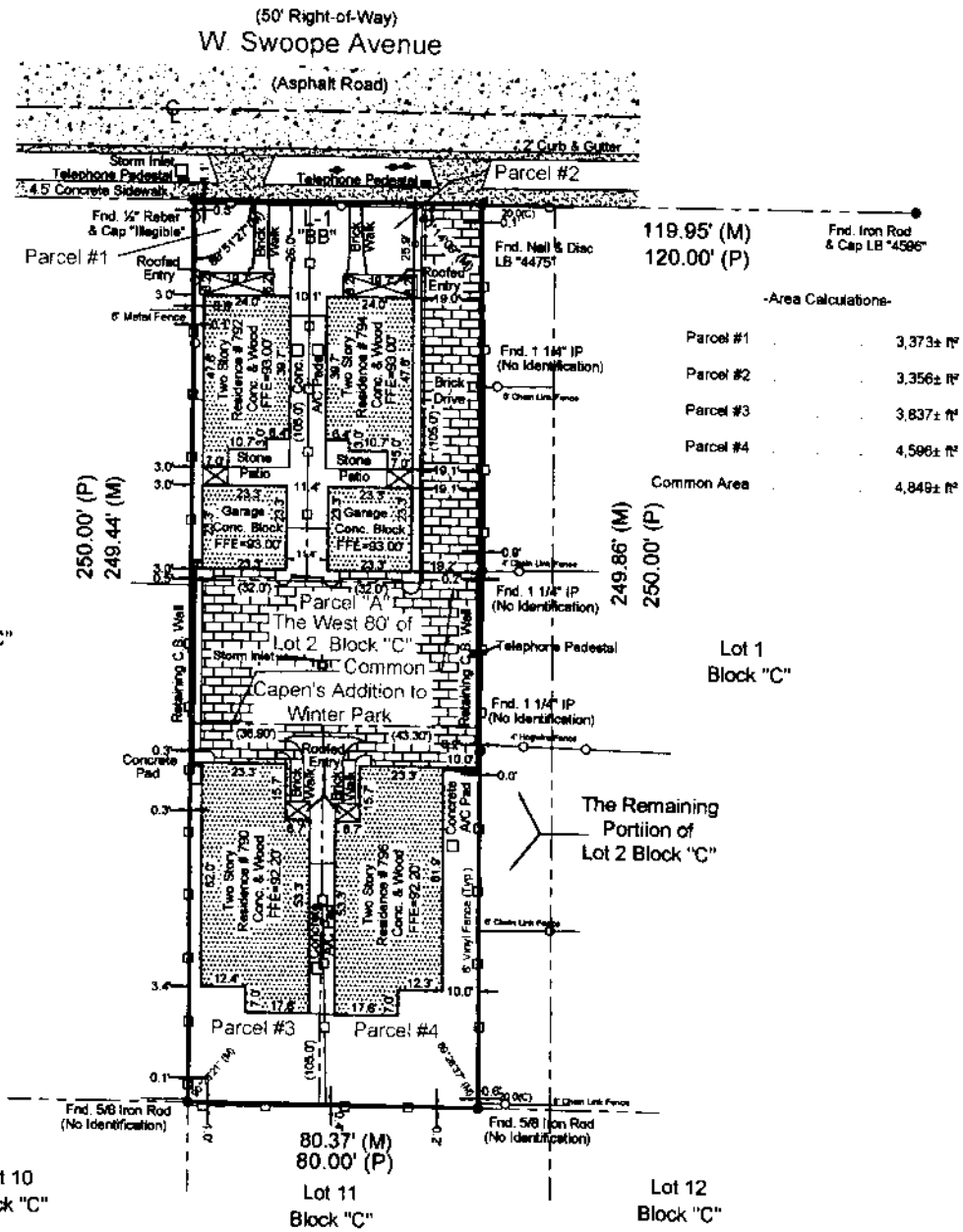
UNIT A, DENNING AVENUE LAND CONDOMINIUM, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM RECORDED IN OFFICIAL RECORDS BOOK 10839, PAGE 7038, AND ANY AMENDMENTS THERETO, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Flood Zone: X Panel: 0025F
Community Number: 12095C Date: 9/25/2009

CERTIFIED TO: United Legacy Bank, a division of National Bank of Commerce
ColeDev Properties, LLC Divine & Estes, P.A.
Old Republic National Title Insurance Company



Line Data
L-1
"BB" 80.00' (P)
N 90°00'00" E 80.00' (M)



-Area Calculations-

Parcel #1	3,373± ft²
Parcel #2	3,356± ft²
Parcel #3	3,837± ft²
Parcel #4	4,596± ft²
Common Area	4,849± ft²

*Final Survey Date Completed: 2-4-18
*Foundation Data Completed: 9-8-16

Field Date: 2-2-8	Date Completed: 2-4-18
Drawn By: ATA	File Number: IS-30570F1
Legend:	
C - Calculated	PC - Point of Curvature
CL - Centerline	Pp - Page
CB - Concrete Block	PI - Point of Intersection
CM - Concrete Monument	P.O.B - Point of Beginning
Conc - Concrete	P.O.L - Point on Line
D - Description	PP - Power Pole
DE - Drainage Easement	PRM - Permanent Reference Monument
ESMT - Easement	PT - Point of Tangency
F.E.M.A. - Federal Emergency Management Agency	R - Radius
FFE - Finished Floor Elevation	Rad - Radius
FOUR - Four	REC - Rebar & Cap
IP - Iron Pipe	REC - Recovered
L - Length (Arc)	RF - Roofed
M - Measured	RF - Roofed
N&D - Nail & Disk	Set - Set 1/2" Rebar & Cap LB 7623
NR - Non-Radial	Typ - Typical
ORR - Official Records Book	UE - Utility Easement
P - Plat	WM - Wall Meter
P.B. - Plat Book	Δ - Delta (Central Angle)
WF - Wood Fence	○ - Chain Link Fence

Notes:
 > Survey is Based upon the Legal Description Supplied by Client.
 > Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Mistaks.
 > Subject to any Easements and/or Restrictions of Record.
 > Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
 > Building Ties are NOT to be used to reconstruct Property Lines.
 > Fence Ownership is NOT determined.
 > Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
 > Septic Tanks and/or Drinked locations are approximate and MUST be verified by appropriate Utility Location Companies.
 > Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Constructed to give ANY Rights or Benefits to Anyone Other than those Certified.
 > Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. The Determination may be affected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of the Endeavor Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of the Determination.

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction or the Direct Supervision of me or an Assistant Licensed to me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 61-17.002 Florida Administrative Code, Pursuant to Section 471.007 Florida Statutes.

Patrick K. Ireland
 Patrick K. Ireland, Surveyor License # 3637, LB 7823
 This Survey is Intended for the Use of Said Certified Parties.
 The Survey NOT VALID UNLESS SIGNED AND ENCLOSED WITH SURVEYOR'S SEAL.

Ireland & Associates Surveying, Inc.
 1301 S. International Parkway Suite 2001
 Lake Mary, Florida 32748
 www.irelandsurveying.com
 Office-407.678.3366 Fax-407.320.8165

Foundation Survey

Legal Description:

THE EAST 40 FEET OF THE WEST 80 FEET OF LOT 2, BLOCK C, AND THE WEST 40 FEET OF LOT 2, BLOCK C, CAPEN'S ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK A, PAGE 95, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

NOW BEING DESCRIBED AS:

UNIT A, DENNING AVENUE LAND CONDOMINIUM, A CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM RECORDED IN OFFICIAL RECORDS BOOK 10839, PAGE 7038, AND ANY AMENDMENTS THERETO, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

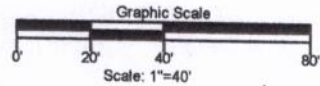
Flood Zone: X Panel: 0025F

Community Number: 12095C Date: 9/25/2009

CERTIFIED TO: United Legacy Bank, a division of National Bank of Commerce

ColeDev Properties, LLC Divine & Estes, P.A.

Old Republic National Title Insurance Company



4FT High Black Aluminum (Open)
setback 1.1' from property line

4FT High White PVC (Solid)
setback 1' from property line

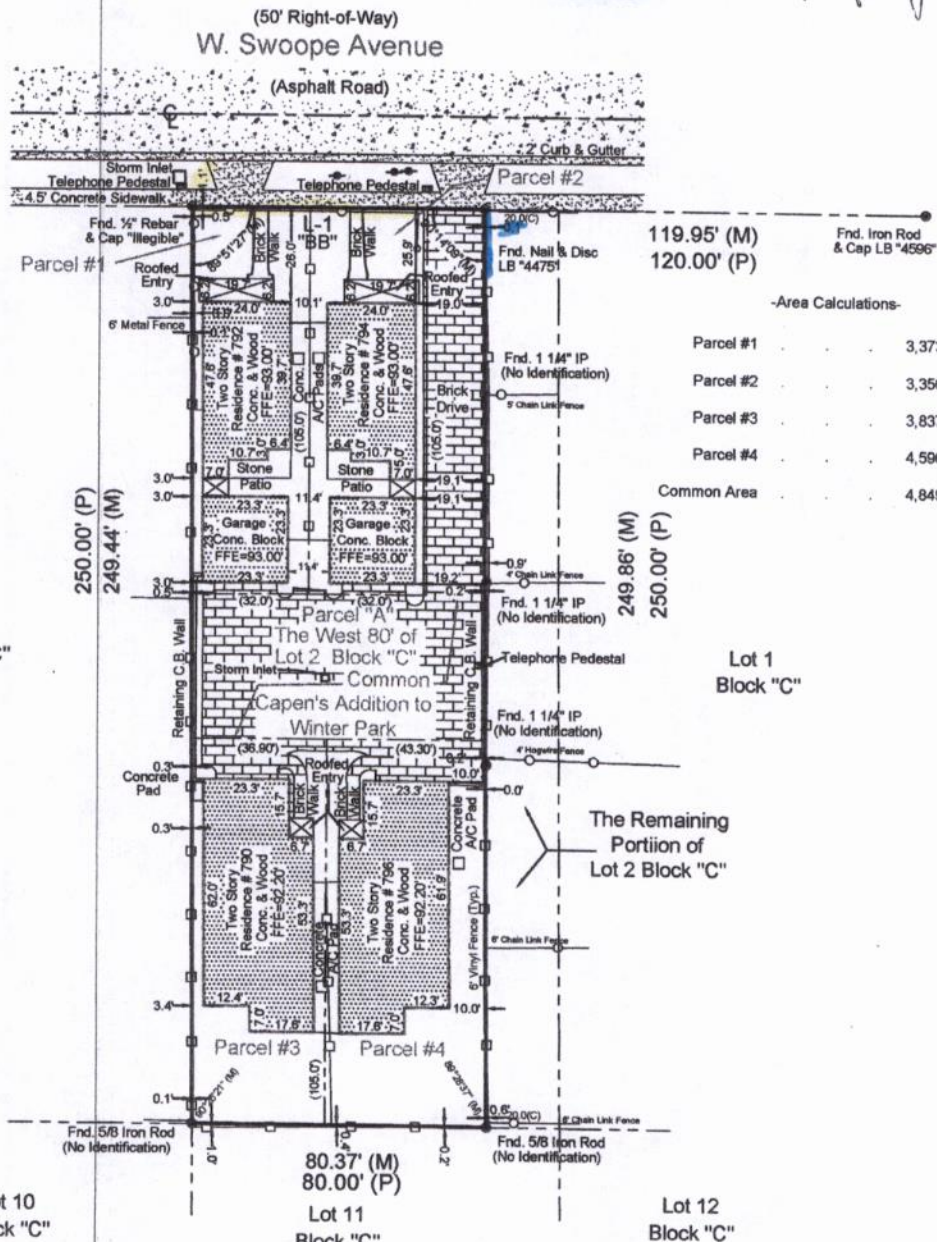
Line Data
L-1
"BB" 80.00' (P)
N 90°00'00" E 80.00' (M)

Lot 3
Block "C"

Lot 10
Block "C"

Lot 11
Block "C"

Lot 12
Block "C"



Area Calculations:

Parcel #1	3,373± ft²
Parcel #2	3,356± ft²
Parcel #3	3,837± ft²
Parcel #4	4,596± ft²
Common Area	4,849± ft²

*Final Survey Date Completed: 2-4-16
*Foundation Date Completed: 9-8-16

Field Date: 2-2-8	Date Completed: 2-4-18	<p>Notes</p> <ul style="list-style-type: none"> >Survey is Based upon the Legal Description Supplied by Client. >Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Restrictions of Record. >Subject to any Easements and/or Restrictions of Record. >Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB". >Building Ties are NOT to be used to reconstruct Property Lines. >Fence Ownership is NOT determined. >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted. >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies. >Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified. >Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other Information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.
Drawn By: ATA	File Number: IS-30570F1	

Legend

- Calculated Centerline
- Concrete Block
- Concrete Monument
- Comp. Description
- Drainage Easement
- Easement
- F.E.M.A. - Federal Emergency Management Agency
- FFE - Finished Floor Elevation
- Found
- IP - Iron Pipe
- Length (Arc)
- Measured
- N&D - Nail & Disk
- N.R. - Non-Record
- OFB - Official Records Book
- P.B. - Plat Book
- Wood Fence
- PC - Point of Curvature
- Pg - Page
- PI - Point of Intersection
- P.O.B. - Point of Beginning
- P.O.L. - Point on Line
- PP - Power Pole
- PRM - Permanent Reference Monument
- PT - Point of Tangency
- R - Radius
- Rad. - Radial
- R&C - Rebar & Cap
- Rec. - Recovered
- RK1 - Roofed
- Set - Set 1/2" Rebar & Cap LB 7623"
- Typ. - Typical
- UE - Utility Easement
- WM - Water Meter
- Δ - Delta (Central Angle)
- O- - Chain Link Fence

Notes

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 472.027 Florida Administrative Code, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland
Patrick K. Ireland, P.S.M. 6637, LB 7623
This Survey is Intended ONLY for the use of Said Certified Parties. This Survey NOT VALID UNLESS signed and Embossed with Surveyor's Seal.

Ireland & Associates Surveying, Inc.
1301 S. International Parkway Suite 2001
Lake Mary, Florida 32746
www.irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165









**City of Winter Park
Building & Permitting Services Department**

401 S. Park Ave., Winter Park FL 32789 www.winterpark.org/permits
Phone: 407-599-3237 Fax: 407-599-3499 Email: permits@cityofwinterpark.org

BUILDING PERMIT APPLICATION

FBC EDITION 2017 DATE REC'D: 1/8/2018

PERMIT # 18-60 New Construction Addition/Alteration Site Work Interior Demolition

PLEASE PRINT APPLICATION INFORMATION: CONSTRUCTION VALUATION \$ 3683.00

PROJECT NAME Penning House Land Condominium

PROJECT ADDRESS 796 W. Orange Ave SUITE/UNIT # _____

TAX / PARCEL I.D. NUMBER CF-22-30-2040-01-000 CITY LOCATION ID # 8633

OCCUPANT NAME _____

PROPERTY OWNER Coledex Properties, LLC PHONE (407) 691-7041

PROPERTY OWNER'S ADDRESS 135 W Knowles Ave Winter Park, FL 32789

CONTRACTOR NAME _____ PHONE _____

CONTRACTOR'S ADDRESS _____

CONTRACTOR ST.REG./CERT.# _____ EXPIRATION DATE _____

CONTACT PERSON _____ PHONE/FAX _____ EMAIL _____

BONDING COMPANY NAME & ADDRESS _____

ARCHITECT/ENGINEER'S NAME _____ LICENSE # _____ PHONE _____

ARCHITECT/ENGINEER'S ADDRESS _____

MORTGAGE LENDER'S NAME _____

MORTGAGE LENDER'S ADDRESS _____

DESCRIPTION OF PROPOSED IMPROVEMENTS Install 4ft High Aluminum fence around the front yard + porch/orange/s
install 6ft high PVC on left side of property and Add 6ft PVC gate in back yard

BUSINESS TYPE _____ DEMOLITION PERMIT # _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL, PLUMBING, MECHANICAL, FUEL GAS and ROOFING.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Signature [Signature]
Owner or Agent (including contractor)

Signature _____
Contractor

The foregoing instrument was acknowledged before me the
1318 by Jacob Turner who is personally known
to me and who produced _____
_____ as identification and who did not
take an oath.

The foregoing instrument was acknowledged before me the
_____ by _____ who is personally known
to me and who produced _____
_____ as identification and who did not
take an oath.

Notary as to Owner Adam Cole

Notary as to Contractor _____

Commission No. _____

Commission No. _____

State of FL. County of Orange

State of FL. County of _____

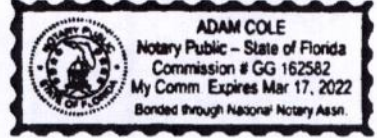
My Commission expires: _____

My Commission expires: _____

(SEAL)

(SEAL)

Pursuant to Florida State Statute 713.135(7) - All signatures must be notarized.



Permit Number: 18-59, 18-56, 18-58, 18-60
 Folio/Parcel ID #: 09-22-30-2090-01-000
 Prepared by: _____
 Return to: Adam Cole Development.com

NOTICE OF COMMENCEMENT

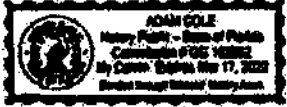
State of Florida, County of Orange
 The undersigned hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Description of property (legal description of the property, and street address if available)
Deming Avenue West Condominiums 10639/7038 Unit A, 10079, 774, 716 W. Sanger Ave. Unit A, 32719
2. General description of improvement
Installing fence 100' around 4 town homes.
3. Owner information or Lessee information: If the Lessee, contractor for the improvement
 Name: Colony Properties LLC
 Address: 135 W. Kingsley Ave. Winter Park FL 32789
 Interest in Property: Owner/Leasehold
 Name and address of fee simple titleholder (if different from Owner listed above)
 Name: _____
 Address: _____
4. Contractor
 Name: Backyard Fence (Tom Pollock) Telephone Number: (907) 966-2310
 Address: 5917 Brookline Drive Orlando FL 32819
5. Surety (if applicable, a copy of the payment bond is attached)
 Name: _____ Telephone Number: _____
 Address: _____ Amount of Bond \$: _____
6. Lender
 Name: _____ Telephone Number: _____
 Address: _____
7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by §713.13(1)(d), Florida Statutes.
 Name: _____ Telephone Number: _____
 Address: _____
8. In addition to himself or herself, Owner designates the following to receive a copy of the Lessor's Notice as provided in §713.13(1)(d), Florida Statutes.
 Name: _____ Telephone Number: _____
 Address: _____
9. Expiration date of notice of commencement (the expiration date will be 1 year from the date of recording unless a different date is specified) _____

WARNING TO OWNER: ANY HANDSHELS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED UNLAWFUL PURSUANT TO SECTION 713.13(1)(d), FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING THREE FOUR HUNDRED DOLLARS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND FILED BY THE JOB DATE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR REAL ESTATE BROKER BEFORE COMMENCING WORK OR RECORPING YOUR NOTICE OF COMMENCEMENT.

The foregoing instrument was acknowledged before me this 5th day of 01/18 by Manager/Member
Manager for Jacob Farmer
Colony Properties LLC
Adam Cole
 Signature of Notary Public - State of Florida
 Not. type, or stamp certification name of Notary Public

Personally Known OR Produced ID _____
 Type of ID Produced _____



Adam Cole
 32719
 320 Commerce Rd 1856



City of Winter Park Building and Permitting Services

401 South Park Avenue

Winter Park, Florida 32789-4386

Phone (407)-599-3237

Buildingdivision@cityofwinterpark.org

Residential fence and wall permit regulations.

ALL HEIGHTS MEASURED FROM GRADE

N/A
comment

1. **Lakefront:** Fences must be open and not parallel to the lake shore if within 50' of lake.

comment

2. **Front Yards** Wood, masonry or decorative (no chain link)

Height 3ft. maximum, 4ft. columns 10ft apart. Coach lights + 1 ft. on driveway entry columns only.

Metal Open decorative fence up to 4' with 5' or greater setback & provisions for an irrigated hedge or other approved landscaping in front as approved by bldg official or town architect.

Front & Street Side Yards must be approved by Building Official

Front yard and street side yard fences in CRA must be approved by Town Architect/Bldg Official.

N/A

3. **Interior lot side (from front of house to rear) and rear yards.** Wood, masonry, decorative or chain link.

Height of 6ft. maximum except: sloping lot, fence may go to 8' high before going back down to 6'.

Columns may be 8' high spaced 20' apart)

N/A

4. **Street side yards** Wood, masonry or decorative.

Height at property line: 3ft high or 4ft (See Item 2 for conditions). Columns or posts may be 4' high.

Height at 10ft back from property line: 5ft high. Height at 20ft back from property line or:

15ft back on lots 65ft wide or less: 6ft high. 8' columns allowed if spaced 20' apart.

NOTE: Existing nonconforming walls or fences on corner lots located within a required setback may be repaired or replaced subject to verification that the new wall or fence does not create a traffic visibility obstruction, is not closer than five feet to a street-side property line and is constructed of a material permitted by this section. In addition, where a hedge or landscaping material was required as a screening buffer due to a variance or a condition of a permit, the hedge or landscaping material shall be maintained and irrigated to ensure continued viability.

N/A

5. **Masonry Walls** Finish application same on both sides (unfinished masonry prohibited)

Design: Footer size and location (shown on owner's property)

N/A

6. **Pool barrier fence/wall** Minimum of 4 feet high.

Gates swing out, self-closing and self-latching with latches 54 in. from the bottom of the gate.

Fence configurations must prohibit passage of a 4 inch sphere to prevent entry.

All metal within five (5) feet of a pool must be bonded.

7. **Painted Fences** Same color required on both sides, unless abutting neighbor & city approves different color

I HAVE READ AND WILL COMPLY WITH THE FOLLOWING PLAN COMMENTS:

SIGNATURE: _____

DATE: _____

PROVIDE THE FOLLOWING DOCUMENTATION FOR PERMIT

1. A COMPLETED BUILDING PERMIT APPLICATION.
2. 2 COPIES OF A RECENT SURVEY SHOWING PROPERTY BOUNDARIES, LOCATION & SETBACKS OF THE PROPOSED FENCE OR WALL.
3. A NOTICE OF COMMENCEMENT IF COSTS EXCEED \$2500.00.
4. A COPY OF BUSINESS LICENSE, SURETY BOND AND WORKMAN'S COMPENSATION INSURANCE OR EXCEPTION LETTER.
5. AN OWNER/BUILDER STATEMENT IF PERMIT ISSUED TO PROPERTY OWNER.
6. A DETAILED DESCRIPTION OF THE TYPE, LOCATION AND HEIGHT OF ALL FENCES OR WALLS ON THE PROPERTY.
7. 3 COPIES OF ENGINEERED CONSTRUCTION DRAWINGS AND CONSTRUCTION DETAILS FOR MASONRY WALLS.

-NO WALL OR FENCE MAY OBSTRUCT TRAFFIC VISIBILITY AT DRIVEWAYS OR STREET INTERSECTIONS REGARDLESS OF ANY APPROVED PLACEMENT SHOWN ON THIS PLAN. - SITE INSPECTION SHALL BE REQUIRED TO VERIFY COMPLIANCE.

-THIS PERMIT ONLY AUTHORIZES CONSTRUCTION ON PRIVATE PROPERTY. CONSTRUCTION OF ANY IMPROVEMENTS SUCH AS SIDEWALKS, DRIVES, WALLS, COLUMNS, LIGHT FIXTURES OR SIMILAR STRUCTURES IN THE PUBLIC RIGHT OF WAY WILL REQUIRE A SEPARATE PERMIT FROM THE PULBIC WORKS DEPARTMENT. ONLY SIDEWALKS, CURBS AND DRIVEWAYS ARE PERMITTED IN THE RIGHT OF WAY AFTER OBTAINING A PERMIT FOR THOSE ITEMS.

-CITY ORDINANCES REQUIRE THE CONTRACTOR TO CALL FOR FINAL INSPECTION ON COMPLETION.

-INSPECTIONS WILL NOT BE CONDUCTED UNLESS THE PERMITTED DRAWINGS WITH ALL PLAN COMMENTS ARE KEPT AT THE JOB SITE AND ARE MADE AVAILABLE TO ALL BUILDING INSPECTORS. SECTION #A103.6.6 FLORIDA BUILDING CODE

Permit # 18-60 Date 1-8-2018

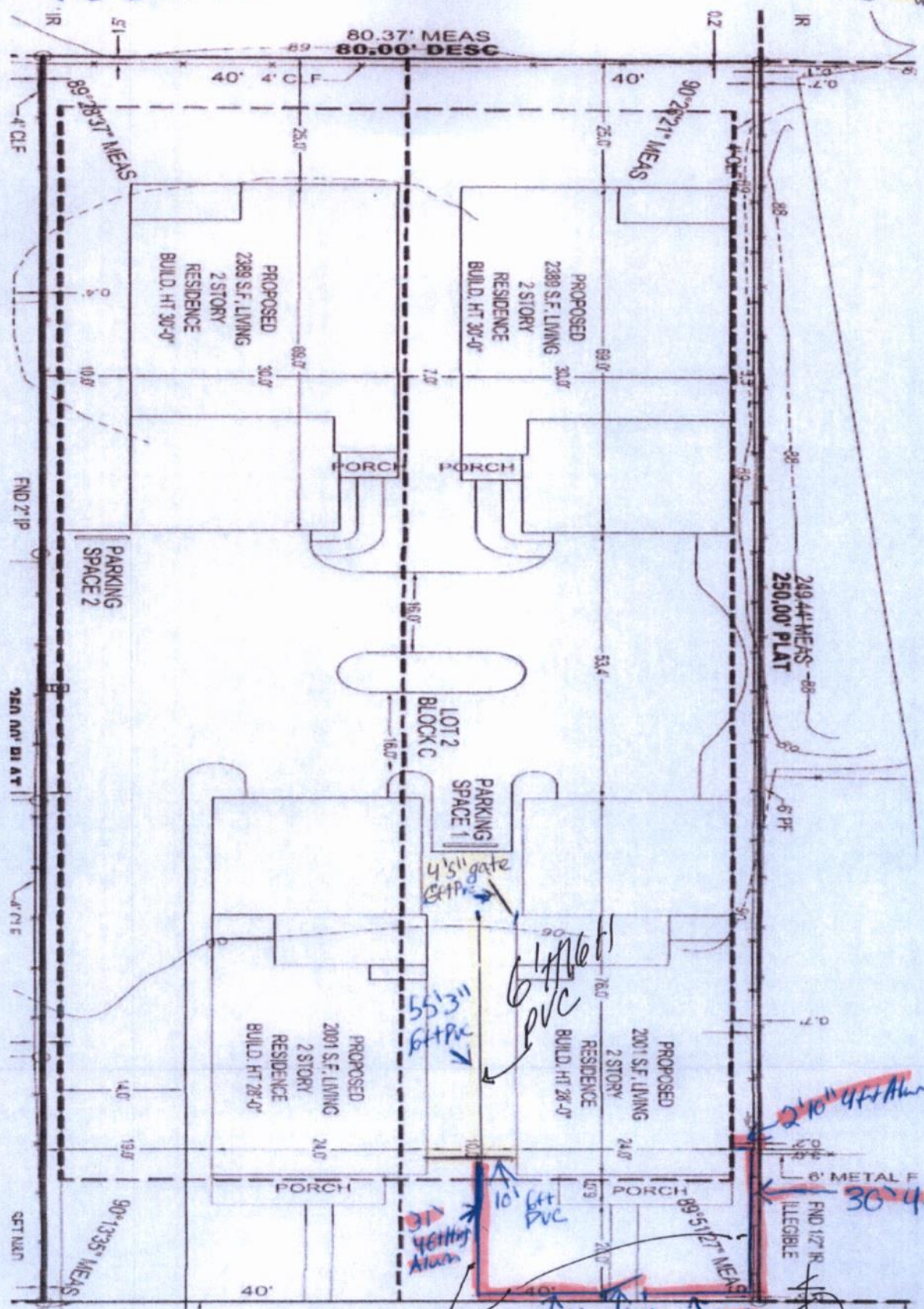
Address 796 W SWOOPES AVE

Reviewed by: D. DUNN

ATTENTION: If applicable, fences, walls and gates must comply with swimming pool barrier requirements.

796 W Swoope Ave Fence Plan

Legend:
4ft High Aluminum Black
6ft High PVC White



4' HIGH ALUM

10' 4ft High
 5' 4ft High
 16' 4ft High

5' SETBACK
 LANDSCAPING
 & IRRIG IN FRONT

2' 10" 4ft Alum
 30' 4ft Alum

4' 5" gate
 55' 3" 6ft PVC

6' 4ft 6ft
 PVC

10' 4ft PVC

application

1700
-P. 5/20/17



City of Winter Park
Building & Permitting Services Department

401 S. Park Ave., Winter Park FL 32789 www.winterpark.org/bps
Phone: 407-599-3237 Fax: 407-599-3499 Email: perms@cityofwinterpark.org

BUILDING PERMIT APPLICATION FBC EDITION 2017 DATE REC'D: 1/5/2017

PERMIT # 18-59 New Construction Addition/Alteration Site Work Interior Demolition

PLEASE PRINT APPLICATION INFORMATION: CONSTRUCTION VALUATION \$ 3683.00

PROJECT NAME Pearson Avenue Land Condominium

PROJECT ADDRESS 790 W Sunrise Ave SUITE/UNIT # _____

TAX / PARCEL I.D. NUMBER 06-22-30-2040-01-000 CITY LOCATION ID # 8632

OCCUPANT NAME _____

PROPERTY OWNER Coldev Properties, LLC PHONE (407) 619-7094

PROPERTY OWNER'S ADDRESS 135 W Koaies Ave Winter Park, FL 32789

CONTRACTOR NAME _____ PHONE _____

CONTRACTOR'S ADDRESS _____

CONTRACTOR ST.REG./CERT.# _____ EXPIRATION DATE _____

CONTACT PERSON _____ PHONE/FAX _____ EMAIL _____

BONDING COMPANY NAME & ADDRESS _____

ARCHITECT/ENGINEER'S NAME _____ LICENSE # _____ PHONE _____

ARCHITECT/ENGINEER'S ADDRESS _____

MORTGAGE LENDER'S NAME _____

MORTGAGE LENDER'S ADDRESS _____

DESCRIPTION OF PROPOSED IMPROVEMENTS Install 4ft high Aluminum Fence around the porch and front yard, Install 6' + 8' high PVC fence along the left side of driveway + 16ft PVC gate in the back yard

BUSINESS TYPE _____ DEMOLITION PERMIT # _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL, PLUMBING, MECHANICAL, FUEL GAS and ROOFING.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Signature [Signature]
Owner or Agent (including contractor)

Signature _____
Contractor

The foregoing instrument was acknowledged before me the _____ by Jacob [Signature] who is personally known to me and who produced _____ as identification and who did not take an oath.

The foregoing instrument was acknowledged before me the _____ by _____ who is personally known to me and who produced _____ as identification and who did not take an oath.

Notary as to Owner Adam Cole

Notary as to Contractor _____

Commission No. _____

Commission No. _____

State of FL. County of Orange

State of FL. County of _____

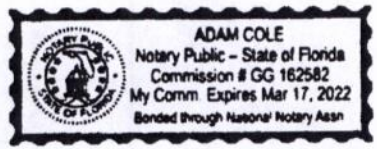
My Commission expires: _____

My Commission expires: _____

(SEAL)

(SEAL)

Pursuant to Florida State Statute 713.135(7) - All signatures must be notarized.



Revised 6/9/2017



RECIBO 2/16

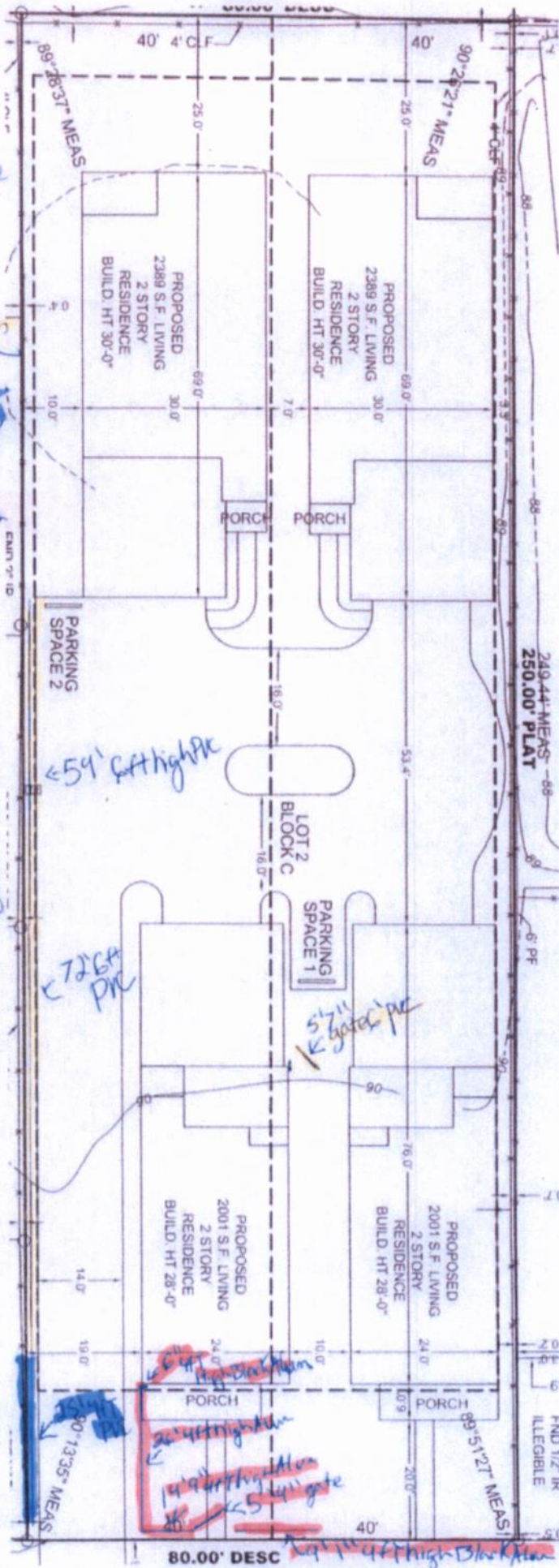
790W Swoope fence
Plan
Legend

6' High White PVC

4' High White PVC

4' High Black Aluminum

Elevation Drop



REC'd
2/16