

Board of Adjustments



March 28, 2019 at 5 p.m.

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

1 Opening Comments & Public Comments

2 Approval

Minutes for the February 27, 2019 meeting. _____

3 New Business

1. Request of Steven & Jacalyn Tye for a variance to allow the construction of a two story building addition with a side setback of 19.7 feet, in lieu of the required setback of 22 feet. _____

Located at 520 Shepherd Avenue

Zoned R-3

2. Request of Greg Engeman & Angela Whitford-Narine for variances to allow the construction of a swimming pool enclosure located 5.5 feet from the side lot line and 6.9 feet from the rear lot line, in lieu of the required setback of 10 feet. _____

Located at 1664 Cypress Point Lane

Zoned R-1A

3. Request of Dr. Drew Byrnes for a variance to allow the construction of a ground sign with an area of 80 square feet, in lieu of the maximum allowed area of 50 sq. feet. _____

Located at 1566 W. Fairbanks Avenue

Zoned C-3

4. Request of Ryan & Julie Burrow for a variance to allow the construction of a one story cabana addition with a side setback of 18.7 feet, in lieu of the required setback of 26 feet, or to allow a 17 foot side wall height, in lieu of the maximum allowed height of 12 feet. _____

Located at 289 Trismen Terrace

Zoned R-1AAA

appeals & assistance

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

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office 407-599-3277 at least 48 hours in advance of the meeting.



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 28, 2019

SUBJ: TYE VARIANCE REQUEST, 520 SHEPHERD AVENUE

The applicant is requesting a variance to allow the construction of a two story building addition with a side setback of 19.7 feet, whereas the required setback is 22 feet.

The required large 22 foot second floor setback results from having a large lot with a width dimension of 125 feet combined with the proposed gross floor area of 5,698 square feet or 30.4% floor area ratio (less than the allowed base of 33%).

The applicants desire to remove a deteriorated flat roof area above the existing garage in order to expand a second floor master bedroom and bath area by 10 feet on the south side of the home resulting in 273 square feet of additional gross floor area. On the first floor the garage will remain under its current configuration.

With this second floor area increase above an existing garage no new impervious area is created on the property. The addition also will be added at a building height less than the rest of the home with a conforming height of approximately 26 feet from existing grade.

Letters expressing approval of the requested variance have been signed by six nearby residents on Shepherd and Phelps Avenues.

VARIANCE APPLICATION
BUILDING and PERMITTING SERVICES DEPARTMENT

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

Date Received 2/26/2019
Assigned #1
Date of Hearing MARCH 28, 2019

Applicant: STEVEN + JACALYN
TYE

(Address) 520 SHEPHERD AVE. W.P. FL.
(City, State) 32789 (Zip)

(Phone - Home)

(Phone - Work or Cell) 407-375-4270

(Email Address) jacketye@msn.com

Owner: STEVEN + JACALYN TYE

520 SHEPHERD AVE
(Address)
WINTER PARK FL. 32789
(City, State) (Zip)

(Phone - Home) 407-375-4270

(Phone - Work or Cell)

(Email Address) jacketye@msn.com

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

*This request is for a variance from requirements of Article III, Zoning of the Land Development Code of Winter Park, Section _____, Subsection _____, Zoning _____.

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 520 SHEPHERD AVE. WINTER PARK

Legal description of

property LOTS 9, 10 + the North 1/2 OF LOT 11 ETHEL PARK

(Plat Book M, page 39)

Parcel ID# 05-22-30-2528-00-090

Describe variance

request SECOND FLOOR EXTENSION OF 10' OVER EXISTING

GARAGE ROOF. REMOVE ROTTEN ROOF AND ROOF GARDEN
AND SURROUNDING 4' WALL.

This section may be left blank for completion by city staff

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

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

THE GARAGE ROOF, ROOF GARDEN DECKING AND ITS SURROUNDING WALL ARE ALL ROTTEN AND NEED TO BE REPLACED. WE WOULD ALSO PREFER TO REPLACE THIS ROOF WITH A PARTIAL BLDG. EXTENSION + PART SLOPED ROOF LINE.

How long have you owned the property? 18 months

How long have you occupied the property? 16 months

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?

Having to Replace a FLAT ROOF WITH ANOTHER FLAT ROOF, WHICH FROM OUR PAST EXPERIENCE, LEADS TO WATER DAMAGE + ROOFING PROBLEMS.

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

THE EXISTING ROOF GARDEN ABOVE THE GARAGE IS TOTALLY ROTTEN. THE WOOD DECKING NEEDS TO BE REMOVED. THE GARAGE ROOF WILL THEN NEED TO BE REPLACED AND REINFORCED. WE WOULD LIKE TO ELIMINATE THE FLAT ROOF OVER THE GARAGE & EXTEND THE ROOM + BATHROOM ADJACENT TO INCLUDE A OFFICE AREA. AND FINISH WITH SLOPED ROOF.

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?

WE ARE PERMITTED 7.5', but with the amount we need to do, we thought we'd like to extend to 10'. We can OFFICE AREA and also to help with the slope roof line we'd like to

Signature of Applicant

Date

Name of Applicant (PRINT)

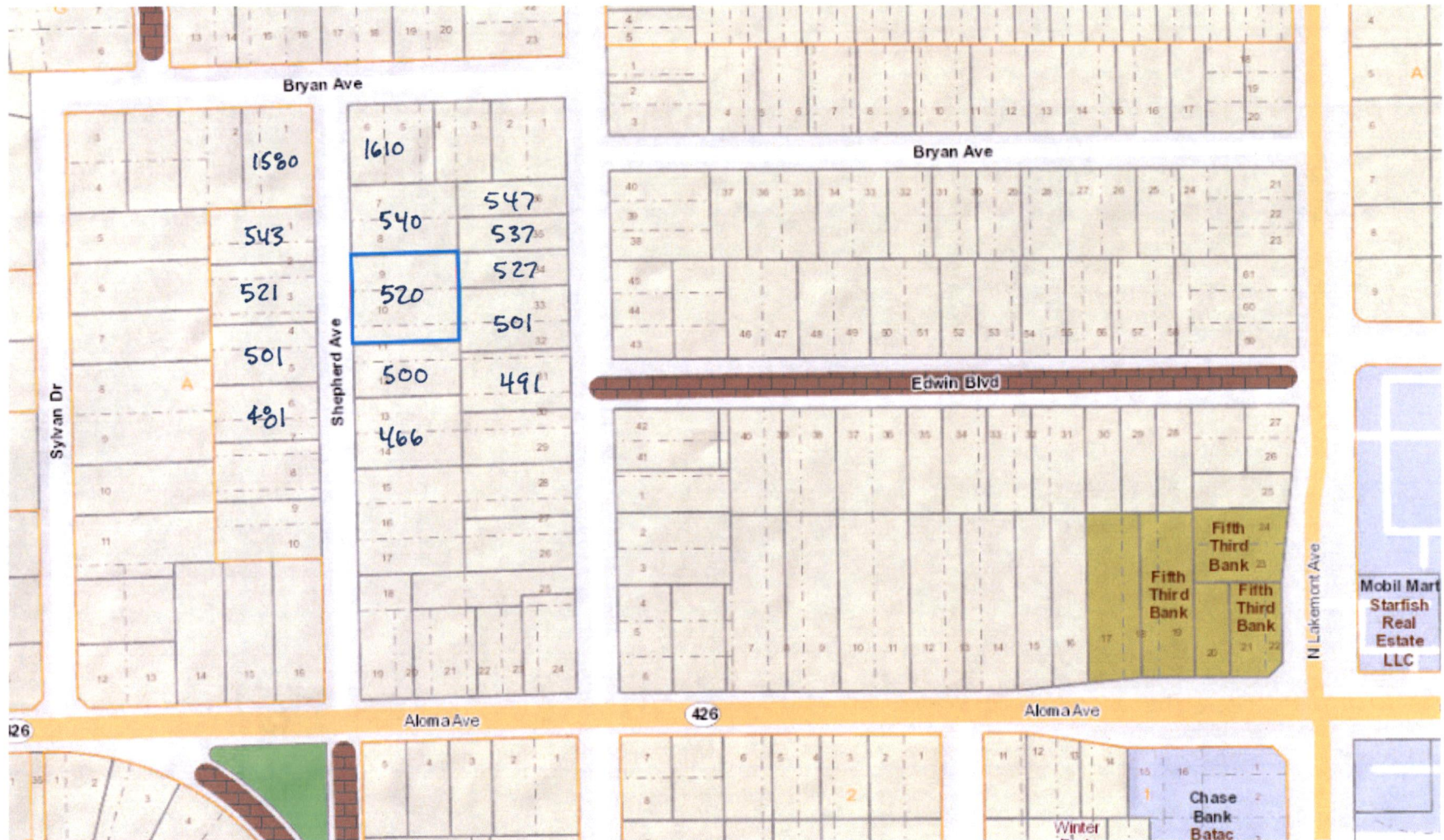
Variance app 12/00 - Instructions, and setback sheet - attached.

Prefer from the extension and avoid any FLAT ROOF.

* Without Roof Garden wall, the garage will look strange & like an after thought.

MAR 07 2019

520 Shepherd Ave



A large, two-story white house with a prominent chimney and a two-car garage, surrounded by mature trees and a cobblestone driveway.

*DOWNING LAW
OFFICES, P.A.*

Long Surveying, Inc.

LB No. 7371

1061 S. Sun Dr. Ste. #1113

Lake Mary, FL 32746

Office 407-330-9717 or 407-330-9716

Fax 407-330-9775

www.longsurveying.com

DRAWN BY:

KZR

CHECKED BY:

BRETT

CERTIFIED TO:

STEVEN F. TYE AND JACALYN D. TYE
DOWNING LAW OFFICES, P.A.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

COMMUNITY NO:
120188

PANEL:

SUFFIX:

F.I.R.M., DATE:

09/25/09

FLOOD ZONE:

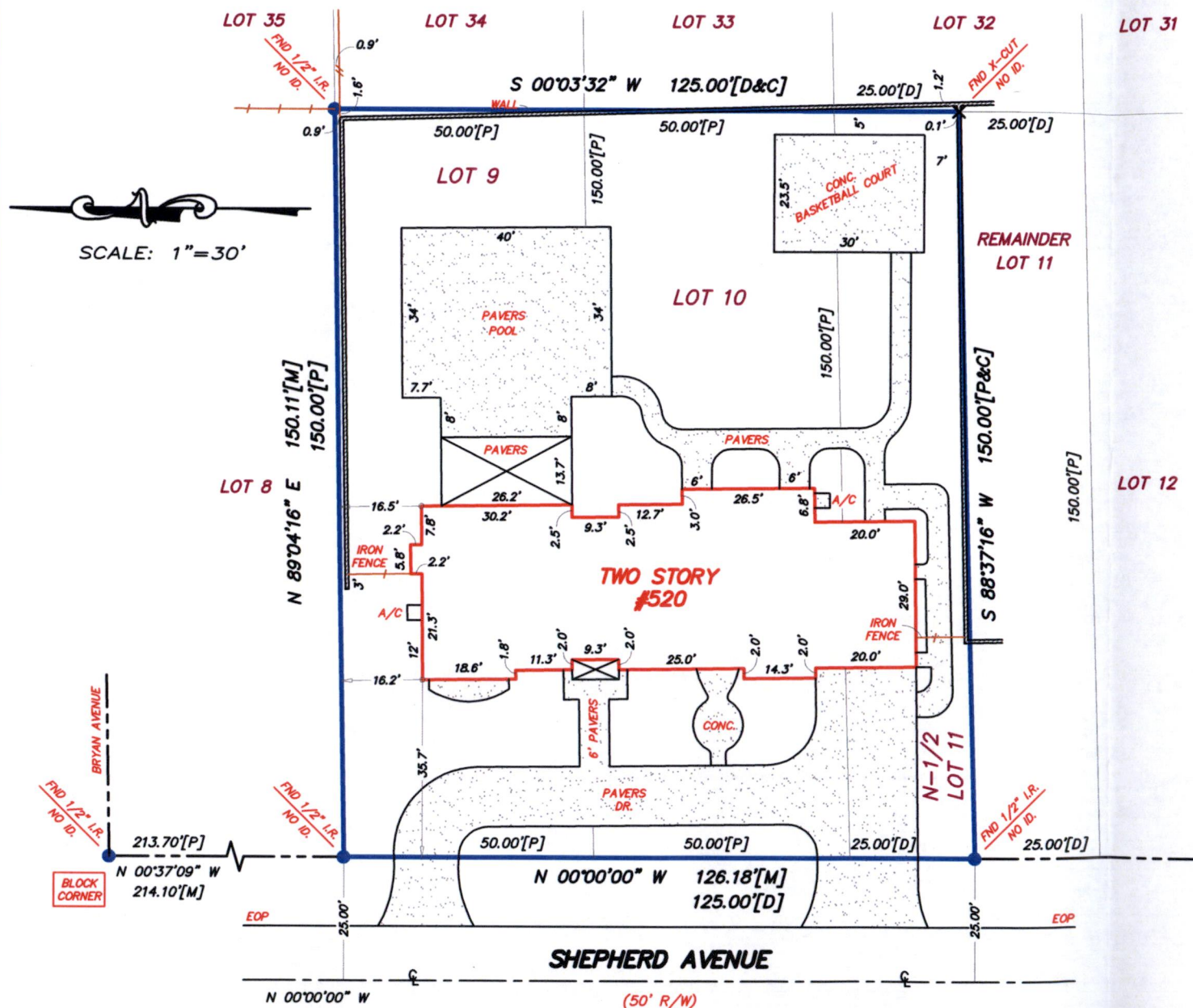
SURVEY NO.

FIELD DATE:

84207

08/28/17

Boundary Survey



- A/C - AIR CONDITIONER
 A.E. ALLEY EASEMENT
 B.C. - BLOCK CORNER
 BLK - BLOCK
 C.B. - CONCRETE BLOCK
 C.B.S. - CONCRETE BLOCK STRUCTURE
 C.M. - CONCRETE MONUMENT
 CONC. - CONCRETE
 D - DEED
 D.E. - DRAINAGE EASEMENT
 E.O.P. - EDGE OF PAVEMENT
 F.C.C. - FOUND CROSS CUT
 F.F.E. - FINISHED FLOOR ELEVATION
 FND - FOUND
 ID. - IDENTIFICATION
 I.P. - IRON PIPE
 I.R. - IRON ROD
 I.R.C. - IRON ROD & CAP
 L - ARC LENGTH
 L.B. - LAND SURVEYING BUSINESS
 L.S. - LAND SURVEYOR
 L.E. - LANDSCAPE EASEMENT
 M - MEASURED
 M.E. - MAINTENANCE EASEMENT
 N&D - NAIL AND DISK
 P - PLAT
 P.E. - PEDESTRIAN EASEMENT
 P.C. - POINT OF CURVATURE
 P.C.P. - POINT OF COMPOUND CURVATURE
 P.C.P. - PERMANENT CONTROL POINT
 P.L. - PROPERTY LINE
 P.O.B. - POINT OF BEGINNING
 P.O.C. - POINT OF COMMENCEMENT
 P.O.L. - POINT ON LINE
 P.R.C. - POINT OF REVERSE CURVE
 P.R.M. - PERMANENT REFERENCE MONUMENT
 P.D.A.E. - PRIVATE DRAINAGE AND ALLEY EASEMENT
 P.T. - POINT OF TANGENT
 R - RADIUS
 R/W - RIGHT OF WAY
 S/W - SIDEWALK
 U.E. - UTILITY EASEMENT
 W.F.S. - WOOD FRAME STRUCTURE

— — — — —	RIGHT-OF-WAY LINE
— & —	CENTERLINE
— x —	BARB WIRE FENCE
— // —	WOOD FENCE
— x —	CHAIN LINK FENCE
— —	PLASTIC FENCE

BEARINGS SHOWN HEREON ARE BASED UPON
THE CENTERLINE OF SHEPHERD AVENUE
BEING N 00°00'00" W ASSUMED

NOTES:

- 1) This survey is based on the legal description as provided by the Client
- 2) This Surveyor has not abstracted the land shown hereon for easements, rights of way or restrictions of record which may affect the title or use of the land
- 3) Do not reconstruct property lines from building ties
- 4) No footing or overhangs have been located except as shown
- 5) No improvements or utilities have been located except as shown
- 6) Not valid without a signature and the authenticated electronic seal or the original raised seal of a Florida licensed Surveyor and Mapper

Certification: I certify that this survey was made under my direction and that it meets the minimum technical standards set forth by the Board of Professional Land Surveyors and Mappers in Chapter 47C-17.032, Florida Administrative Code, pursuant to Section 478.024, Florida Statutes.

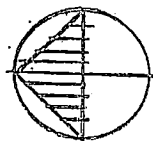
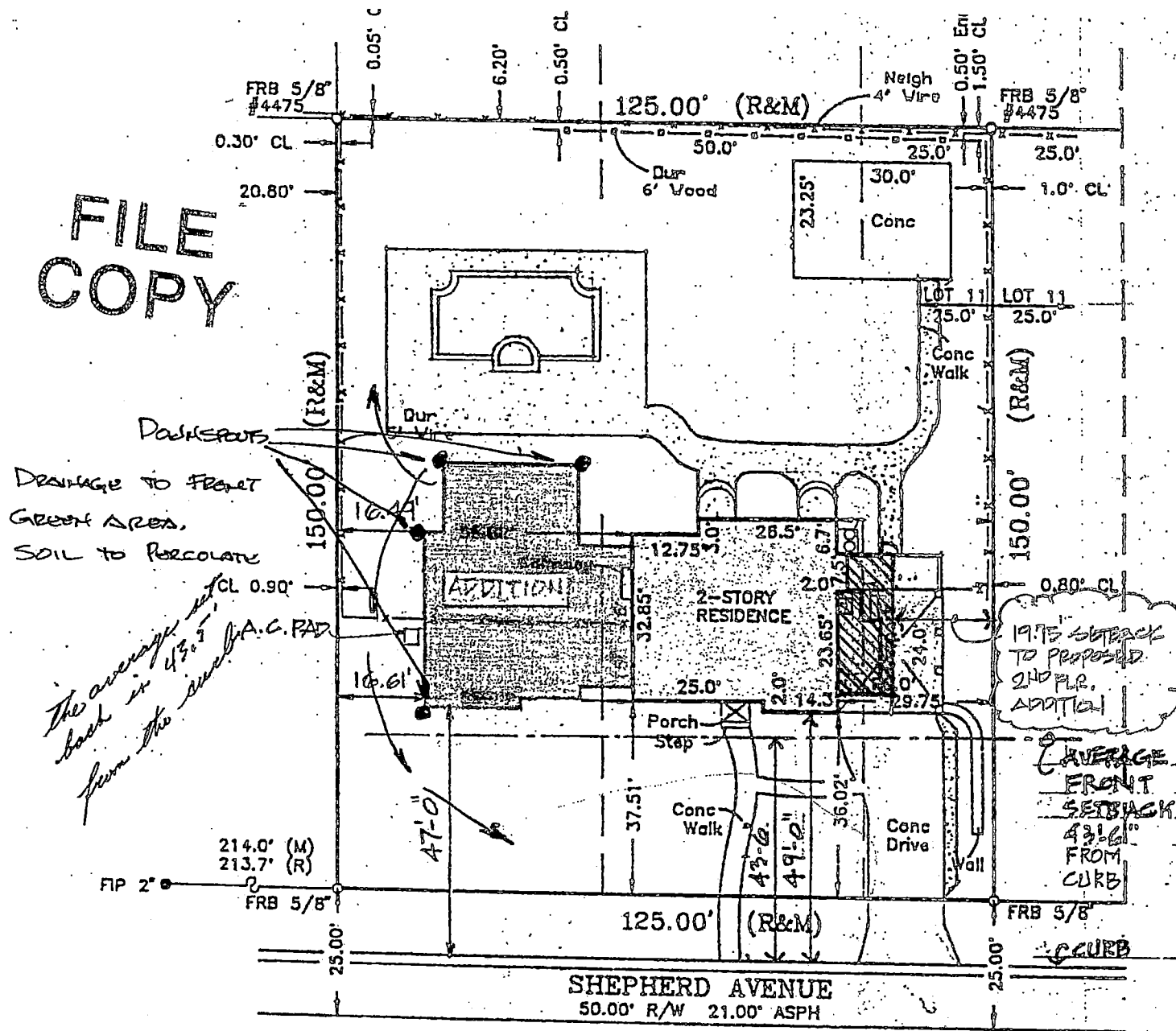
No. 5910

~~STATE OF~~
~~FLORIDA~~

LEON L. HAMPTON P.S.M. NO. 5910

520. Shepard Ave

FILE
COPY



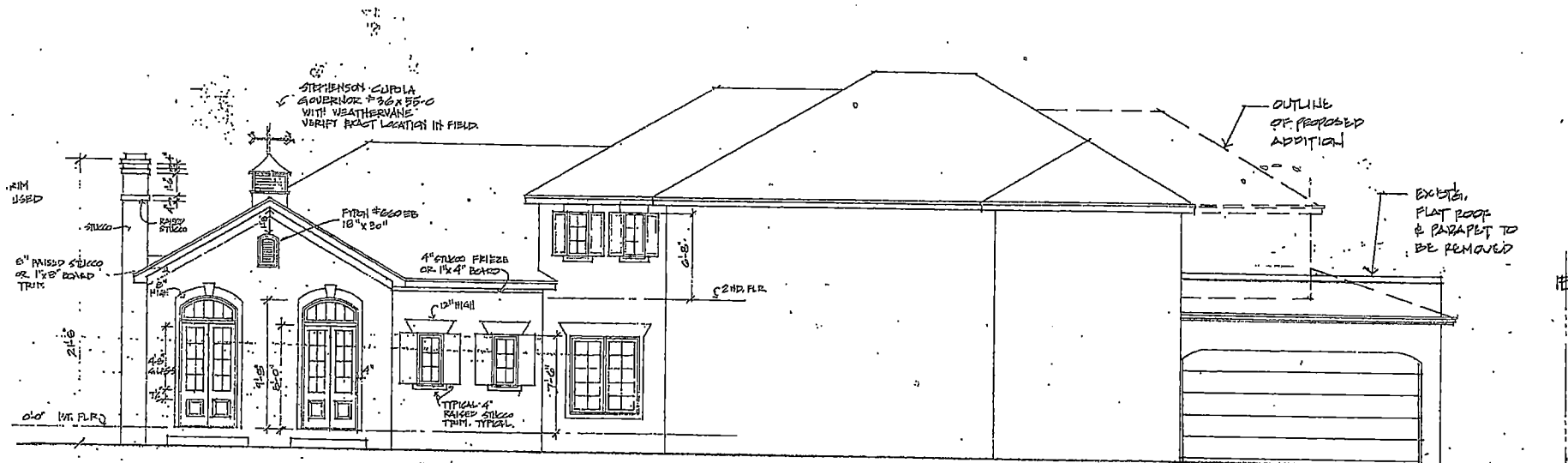
REFERENCE NORTH

SITE: 18,750 S.F.

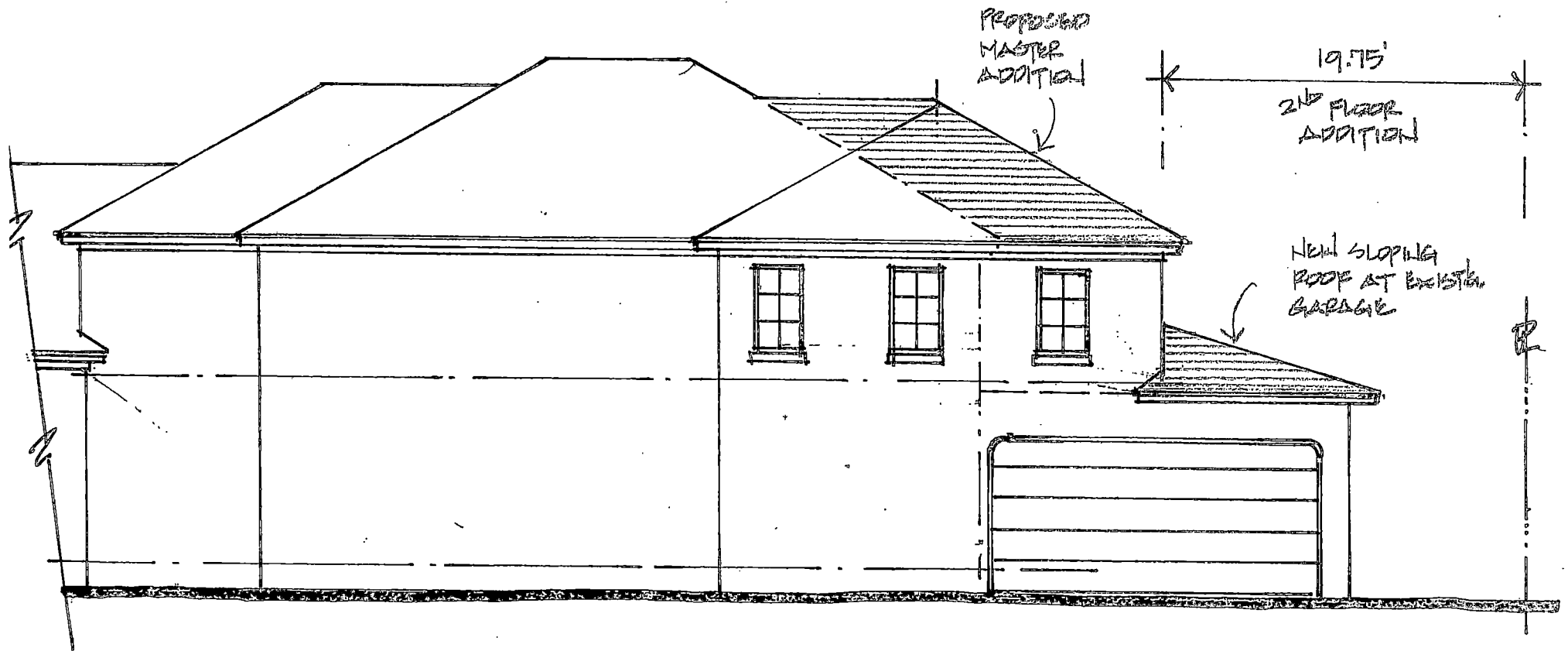
PROPOSED SITE PLAN

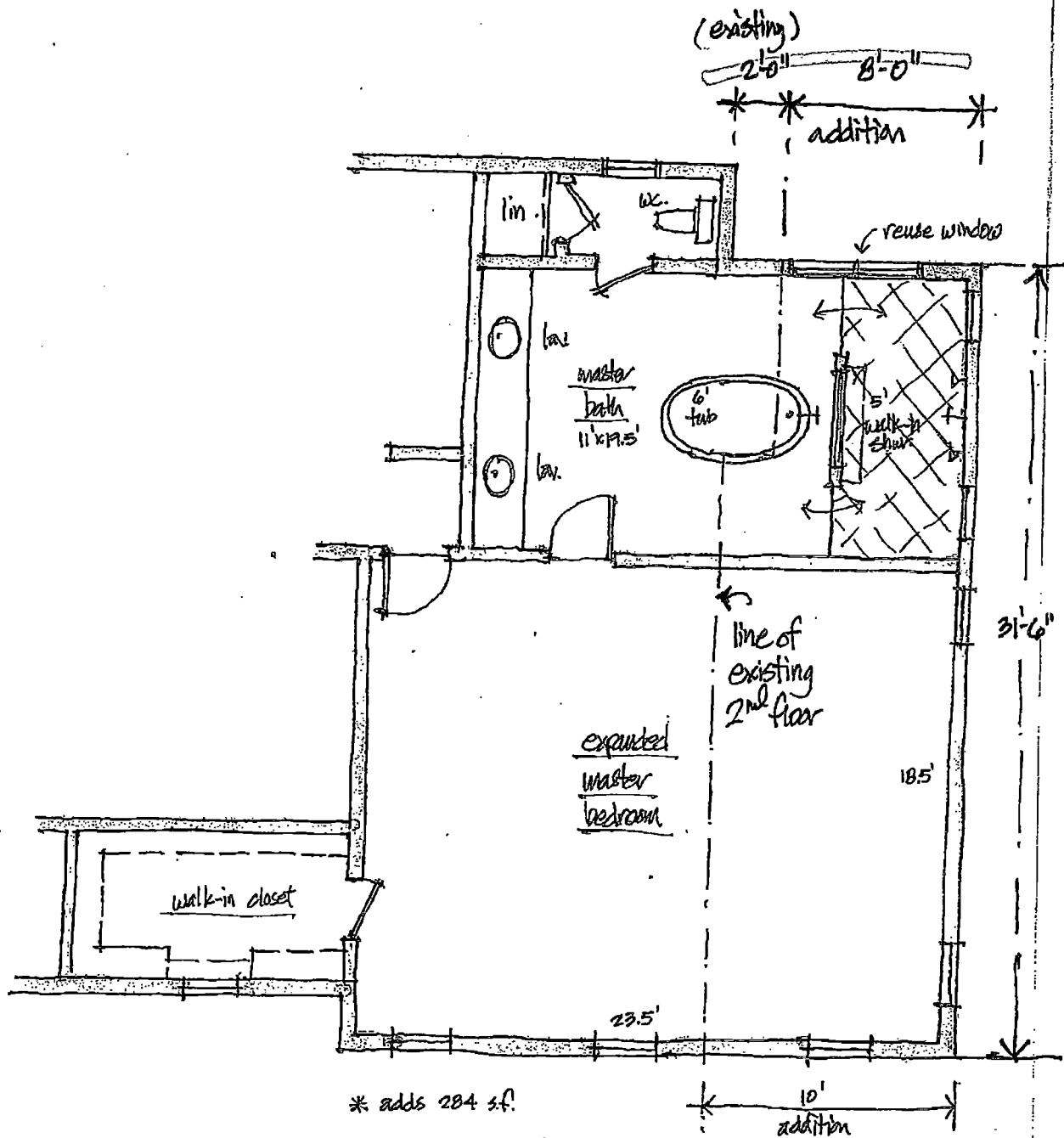
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#01-0153

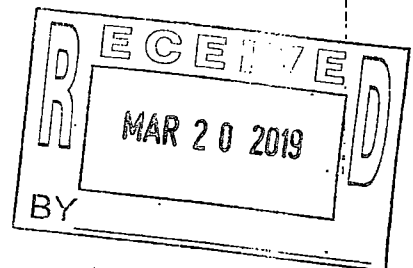


EXISTING/WEST ELEVATION
 1/8" = 1'-0"



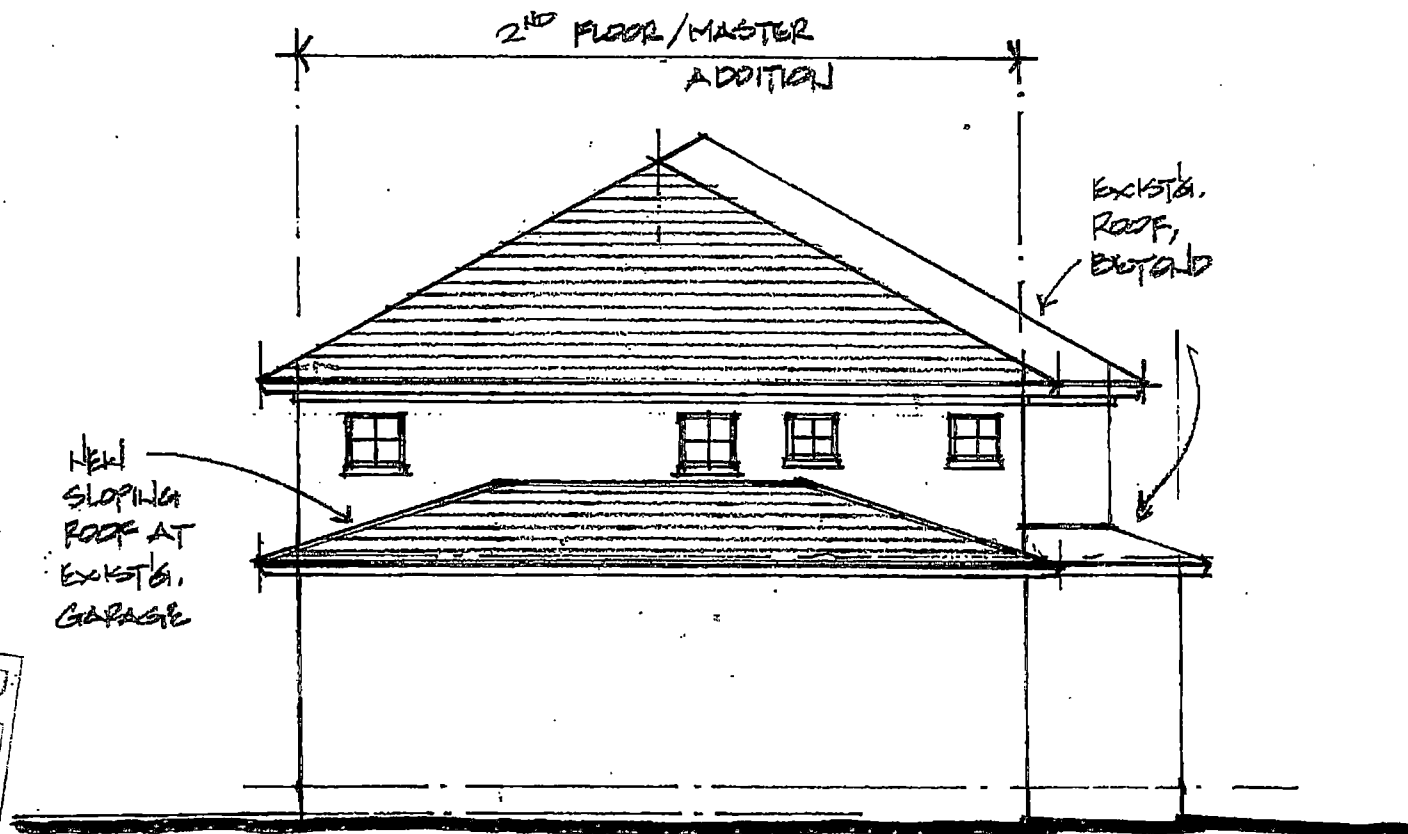
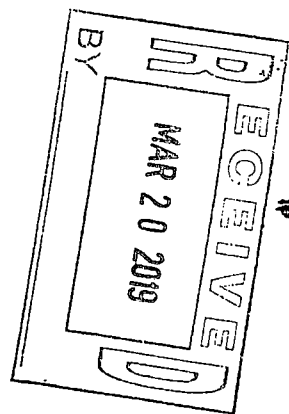


proposed 2nd floor plan
of master suite
 1/4" = 1'-0"



520 SHEPARD AVE

520 STEPHANO AVE



PROPOSED SOUTH (SIDE) ELEVATION

1/8" = 1'-0"



SETBACK / COVERAGE WORKSHEET

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

Address: 520 SHEPHERD AVE., WINTER PARK FL.

Lot width²: 125

Submitted by: JACALYN + STEVEN TYE

Lot area³: 18,744

	Maximum % Allowed ⁴	Existing Area ¹¹	Additional Proposed Area ¹¹	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, artificial turf, etc.	2 story - 50%	<u>7493</u>	<u>0</u>	<u>7493</u>	<u>9,372 sf</u>
	1 story - 60%				
FLOOR AREA RATIO (F.A.R.)^{5,6,7} For one and two story bldgs (include 1st & 2nd floors, garages/carports, stair areas on both floors, areas on 2nd floors which are open to the 1st floor ⁸ , and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches ⁹ .	Lots < 11,600 sf: Use <u>38%</u> Base FAR or w/ increased side setbacks: <u>43%</u> Max FAR				
	Lots 11,600 sf to 13,600 sf Use <u>4,500 sf</u> Base area & <u>5,200 sf</u> Maximum area				
	Lots > 13,600 sf Use <u>33%</u> Base FAR or w/ increased side setbacks: <u>38%</u> Max FAR	<u>5425</u> NO EXCLUSIONS OF PORCH OR GARAGE	<u>2734</u>	<u>5698</u>	<u>6,186</u>
SCREEN POOL ENCLOSURE	8%¹⁰				

	Minimum % Required	Existing Area ¹¹	Landscape Area Reduced ¹¹	New Total Area	Minimum Required Area
FRONT YARD LANDSCAPE COVERAGE Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (pervious & impervious). Front Lot Area:	50%		<u>NO CHANGE</u>	<u>N/A</u>	

NOTES:

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

SETBACKS (complete boxes A and B first)

	Minimum Allowable Dimensions			Existing ¹³	Proposed
FRONT	Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.			NO	CHA
SIDES ^{1,2} (see other side setback options on pg 4)	1st Floor	See pages 3&4	A	10' Left	10' Left
	2nd Floor		B26	29.75'ht	19.75'ht
REAR ^{1,3,4}	1st Floor		25 ft.		
	2nd Floor		35 ft ⁵	NO CHANGE	N/A
	Lakefront		see note 6		
CORNER LOT	1st Floor	Lot width ≤ 65 ft.	15 ft.		
		Lot width > 65 ft ⁷	20 ft.	N/A	
	2nd Floor	Lot width ≤ 65 ft.	15 ft.		
		Lot width > 65 ft ⁷	22.5 ft.	N/A	
BUILDING HEIGHT ^{8,9,10,11,12}	30 ft. - 35 ft. plus 2 ft. or 40 ft. (see notes 11 & 12)			Lower than existing 28'	

Notes:

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

Steven and Jacalyn Tye
520 Shepherd Ave.

Winter Park, FL 32789

To the Planning Board,

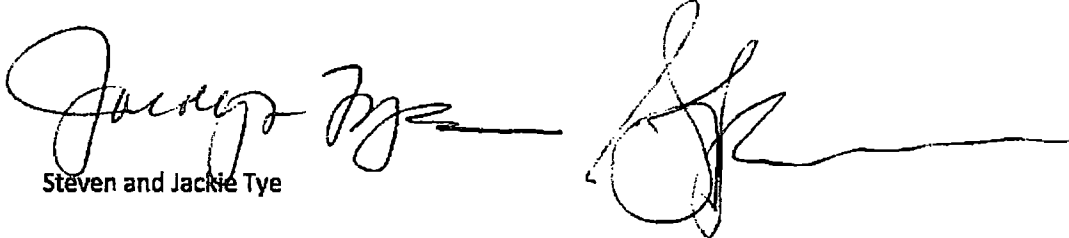
We, Steven and Jackie Tye, are applying for a building variance for our home. It would be for a second floor extension to go out over half of the existing garage.

There was/is a roof garden above the garage, and during our inspection, we were made aware of several issues. The wooden decking is completely rotten, and therefore the roof below it needs reinforcing and replacing. The wall that surrounds the roof garden along the edges of the garage roof is also rotten, moldy and unsightly.

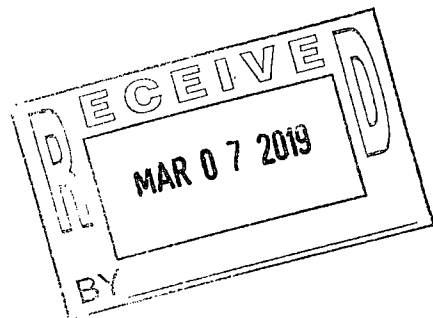
Our hope is to do these repairs and be able to extend the room and bathroom that are adjacent.

This would eliminate the ugly wall, rotten structure, and any flat roof to hopefully improve the front aesthetic of our home.

Sincerely,


Steven and Jackie Tye

407-375-4270
jackietye@msn.com



Rec'd
3/4/19
JW

Dear neighbors:

We are applying to extend our Master Bedroom/Bath out over ½ of our garage. Currently there is a roof garden up there with a 3 ½ foot wall around it. It is a flat roof with wood plank decking and "hosing" for plants. When we had the house inspection, the roof was deemed rotten and in dire need of replacing. As I'm sure you are all aware, we have replaced the entire roof of the house with the exception of the garage because we wanted to redo the Master Bedroom, and that would be "phase2" of our repairs here.

We are enclosing the schematics for the extension, and hope that you all will be ok with the plans.

Planning allows us to extend about 7 ½ to 8 feet. Our hope is to go out 10', and will need a variance for that.

If the plans look ok, can you please sign this note for the planning committee? If you have any issues or problems, please, feel free to let us know.

Thanks so much,

Steve and Jackie Tye

520 Shepherd Ave.

Winter Park, Fl. 32789

407-375-4270/8

Wah
William Colby Franks
466 Shepherd Ave

Agne

Ashita Chanda
481 Shepherd Avenue

Name Aggie + Tony Lupo

Address 500 Shepherd Ave.

Name Ann D. Fairchild and Sam Fairchild

Address 540 Shepherd Avenue, WPFL 32789

Name Erik Larsen Erik Larsen

Address 521 Shepherd Ave, WP 32789

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name Ang Baezale

Address 501 N Phelps Ave, Winter Park, FL 32785

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name _____

Address _____

Name Christine E. Panco

Address 501 Shepherd Avenue

Name _____

Address _____

Name _____

Address _____

Name _____

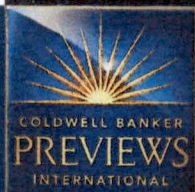
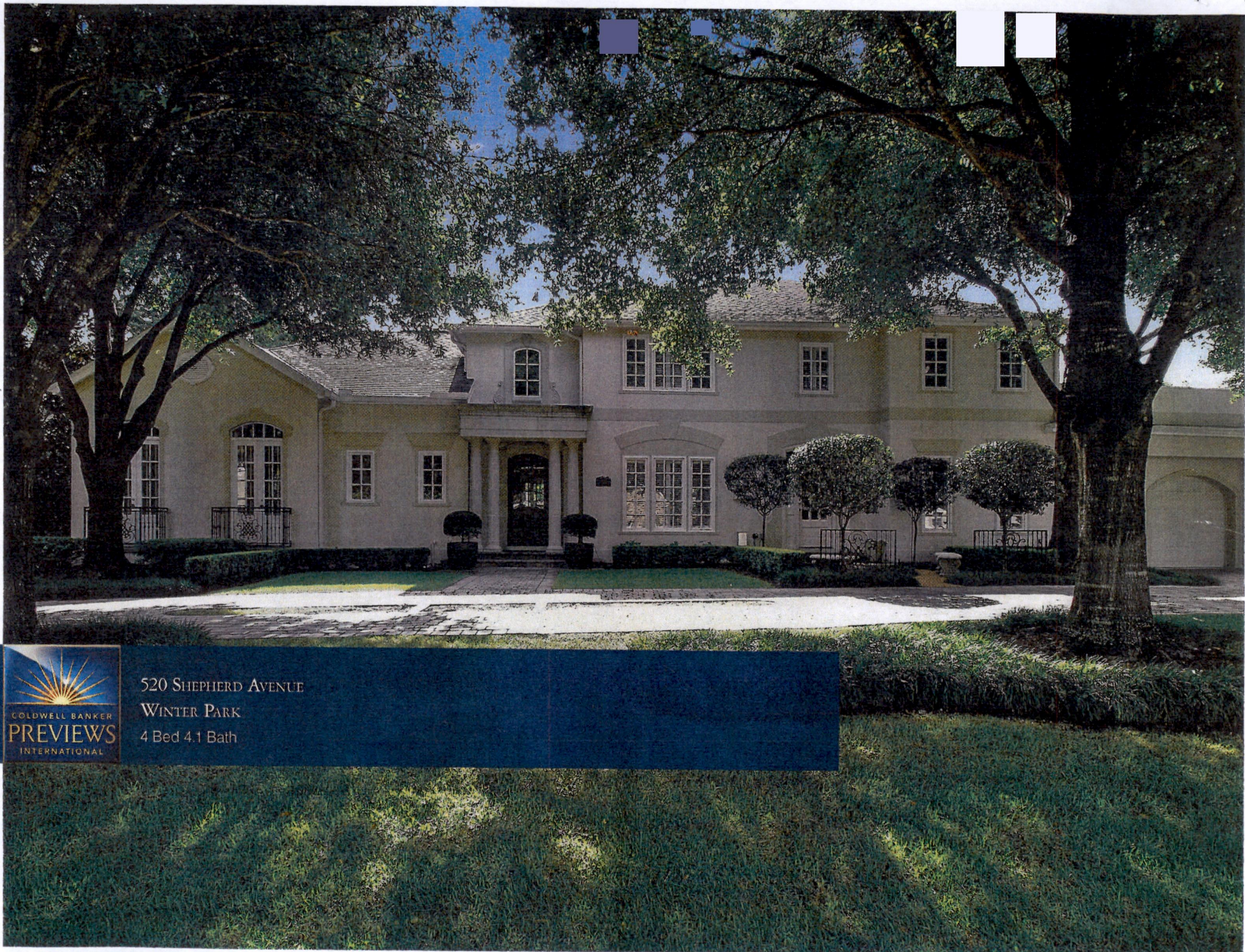
Address _____

Name _____

Address _____

Name _____

Address _____



520 SHEPHERD AVENUE
WINTER PARK
4 Bed 4.1 Bath



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: *22* MARCH 28, 2019

SUBJ: ENGEMAN VARIANCE REQUEST, 1664 CYPRESS POINT LANE

The applicants are requesting variances to allow the construction of a swimming pool enclosure located 5.5 feet from the side lot line and 6.9 feet from the rear lot line whereas the required setback is 10 feet.

As the result of a newly re-constructed pool configuration in the side yard area of this property on a cul-de-sac, the applicants are seeking setback variances on the side and in the rear yard to construct a pool enclosure.

The property backs up to the Winter Pines Golf Course and is also adjacent to a storm water retention drainage canal where a rear setback encroachment of 3.1 feet is requested. The height of the pool enclosure at the rear is proposed to be 8.5 feet. Under the Zoning Code, the rear wall of a pool screen enclosure may have a rear setback of 7.5 feet if the screen wall height is limited to 7.5 feet at this rear setback line. However, in this case with the property abutting the waterway and golf course the purpose of having this unique rear setback provision is less important since no residence exists on the rear of this property.

With regard to the side setback variance request the proposed encroachment varies from 3 feet at the front to 4.5 feet at the rear. The height of this side wall of the enclosure is 8.5 feet above a retaining wall which I understand ranges from 2 to 3 feet in height. The will result in an approximate side wall height from grade to be 10.5 to 11.5 feet. The overall height of the enclosure at the center rises to 12 feet above the deck surface. At this point in time we have not received any letter of non-objection from this adjacent neighbor.

One letter expressing approval of the requested variance has been provided from the Winter Pines Golf Club General Manager.

**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 3/4/2019
Assigned #2
Date of Hearing MARCH 28, 2019

Applicant: Angela W.-Narine & Greg Engeman

1664 Cypress Point Lane
(Address)
Winter Park, FL 32792
(City, State) (Zip)

(Phone – Home)
Greg: 321-299-4602; Angela: 407-615-0370
(Phone – Work or Cell)
greg.engeman@als-education.com; awhitfordnarine@gmail.com
(Email Address)

Owner: Same

Same
(Address)
Same
(City, State) (Zip)

(Phone – Home)
Same
(Phone – Work or Cell)
Same
(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 _____, Paragraph _____, Zoning _____.

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 1664 Cypress Point Lane Winter Park, FL 32792
Legal description of
property Lot 11, Block "E", Greenview at Winter Pines (Plat Book 7, pages 31 & 32 of the public records of Orange County, FL)

**Describe variance
request** Variances to allow the installation of an Enclosure over the existing pool/deck,

located 7 ft in lieu of the required setback of 10 feet on the right side/front, and 5 1/2 feet in lieu of the required setback of 10 ft
on the right side/rear; and 6' 10" in lieu of 10 ft. on right rear and 5' 10" in lieu of 10 ft on middle rear.

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

Variance Application
Page 2 of 2

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

The property has an irregular-shaped right rear lot line. Also, a creek divides the property from Winter Pines golf course.

How long have you owned the property? 1.4 years

How long have you occupied the property? 7 months

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?

Safety: This side of the lot gets hit with golf balls numerous times daily from the tee

box on the 2nd hole of the golf course. The enclosure is necessary for the safety

of those using the pool/deck, and that of the house (broken windows/doors).

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.

Due to the irregular shape of the lot and limited space in which to replace the old pool with a

safer design, and to retain deck space, we needed to make the pool

wider (coming closer to the house) and to push deck space out towards the golf course.

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?

Preferably, no. For safety reasons, we need the enclosure in full over only the existing deck.


Signature of Applicant

3/4/19
Date

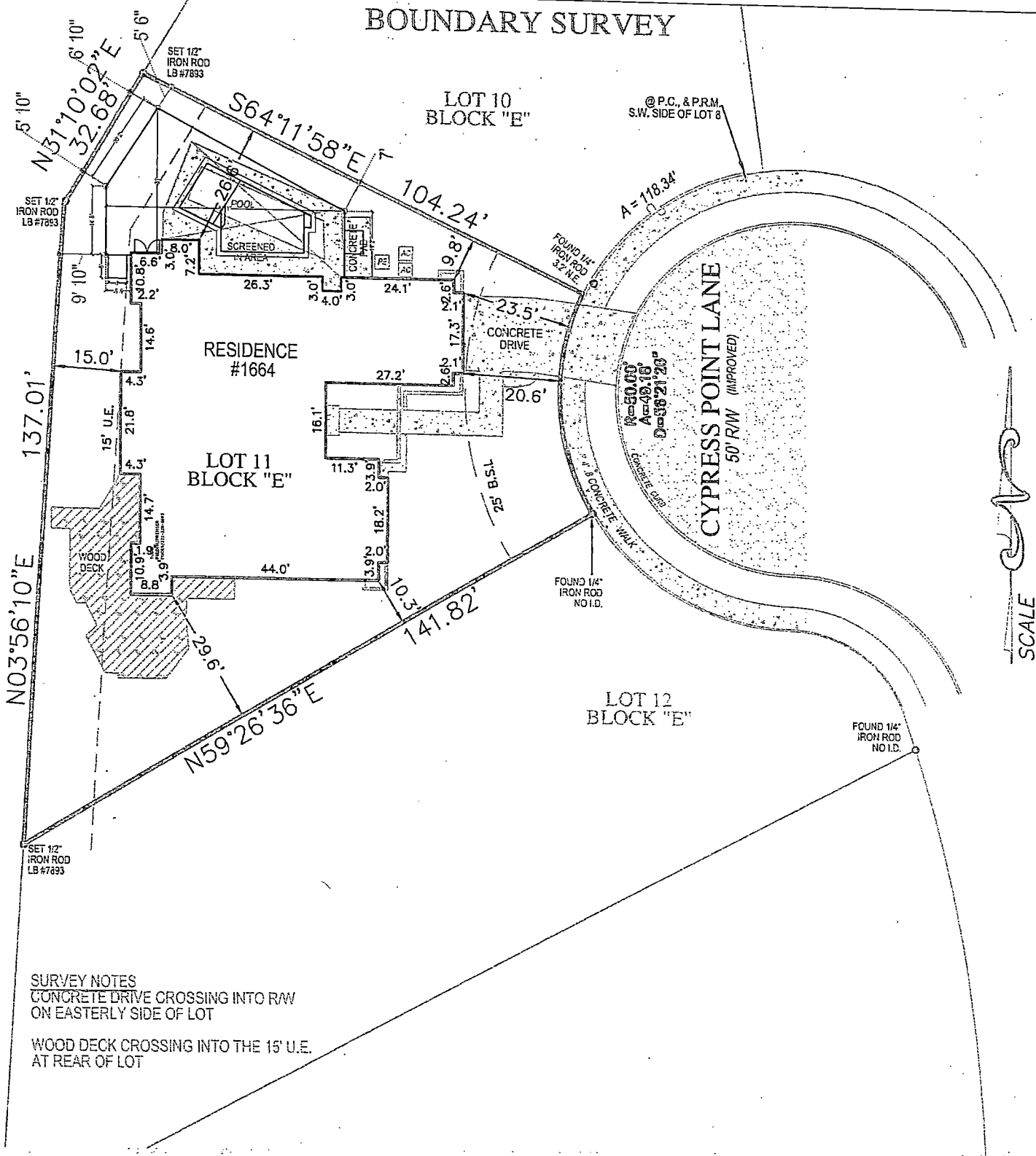
Angela Whitford-Narine / Greg Engeman
Name of Applicant (PRINT)

1664 Cypress Point Lane



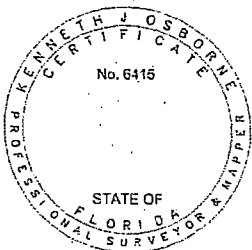
BOUNDARY SURVEY

Scale: 1/30" = 1 ft



SURVEY NOTES
CONCRETE DRIVE CROSSING INTO R/W
ON EASTERLY SIDE OF LOT

WOOD DECK CROSSING INTO THE 15' U.E.
AT REAR OF LOT



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY
IS A TRUE AND CORRECT REPRESENTATION OF A
SURVEY PREPARED UNDER MY DIRECTION.
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

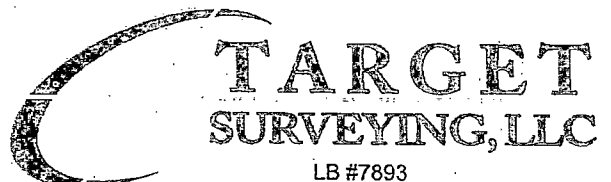
**Kenneth
Osborne**

Digitally signed by Kenneth
Osborne
DN: cn=Kenneth Osborne,
o=Target Surveying, LLC, ou,
email=Cumtull@targetsurveying.net, c=US
Date: 2017.09.01 15:41:34 -0400

(SIGNED)

KENNETH J OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

PAGE 2 OF 2 PAGES
(NOT COMPLETE WITHOUT PAGE 1)



LB #7893

SERVING FLORIDA
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 640-4800
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0576
WEBSITE: <http://targetsurveying.net>

CITY:

ZIP:

BLOCK: _____ LOT #: 11 BOOK: 7

HOME #:

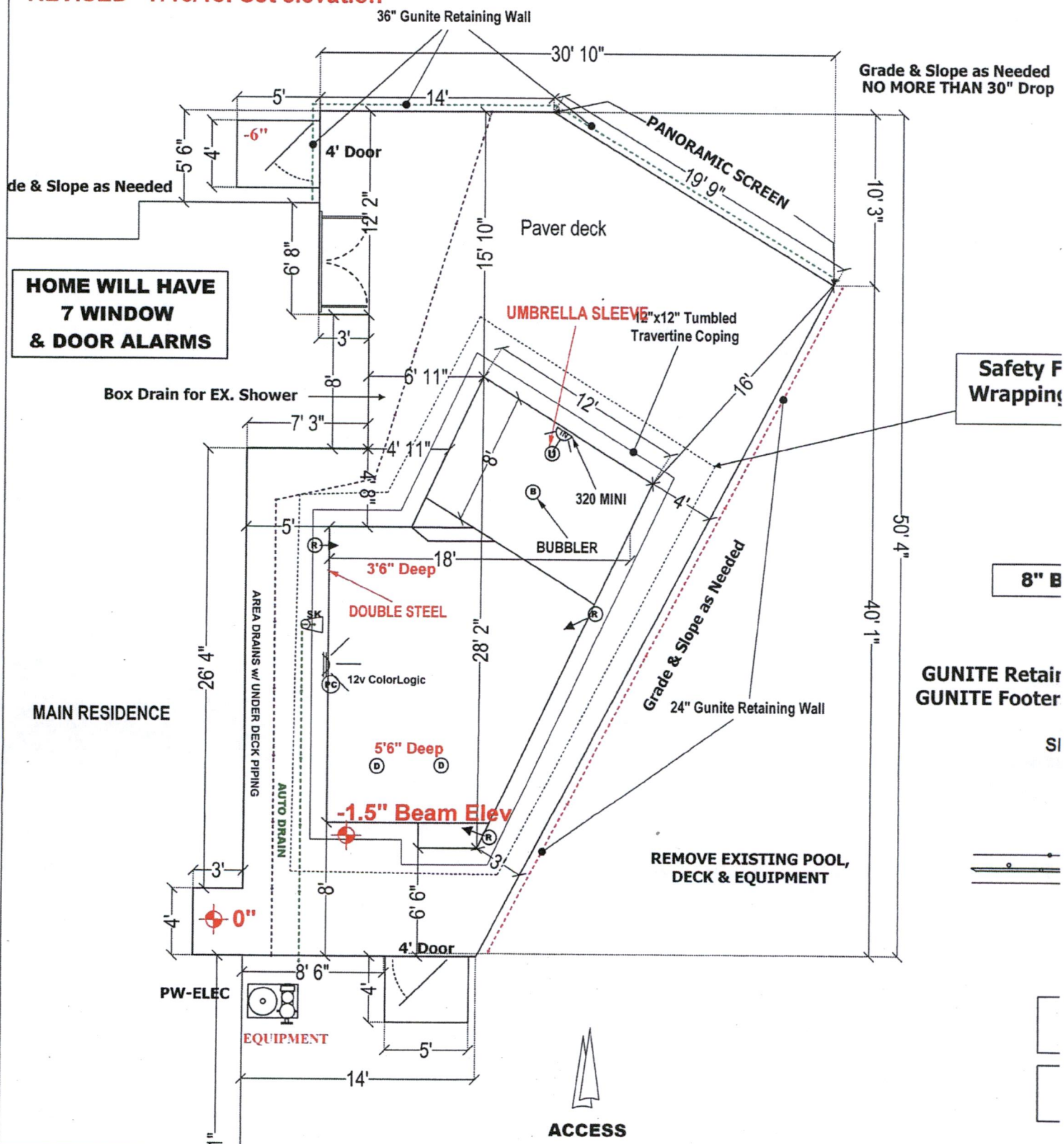
SUBDIVISION: Greenview @ Winter Pines

WORK #:

EMAIL: greg.engeman@als-education.com

REVISED 6/15/18: Wrap pool in safety fence.

REVISED 7/16/18: Set elevation



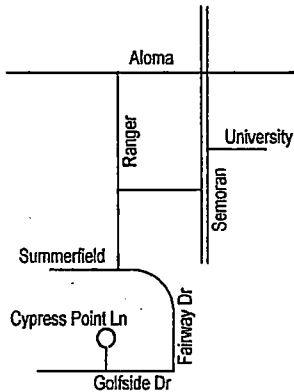
PAGE: 31

E CODE: N/A

#: 2018072



Premier Pools of Central Florida
4572 N. Palmetto Drive
Winter Park, FL.
LIC#: CPC056822
407-696-4744
www.premierpoolsfl.com



POOL SPECS

STYLE: Custom
PERIMETER: 79 AREA: 328
WIDTH: 18' 0" LENGTH: 28' 0"
DEPTH: 3' 6" X 5' 6"
M.D.: 2 - 3" RTNS: 3
SKIM: 1 - 2.5" LIGHT: 12v ColorLogic (+1)
DOUBLE STEEL: Yes P.C.: Plumb in
BEAM: 8" GALLONS:
NOTES: Sunshelf: 12' x 8' w/ bubbler, umbrella sleeve and
. 320 Mini ColorLogic

SPA SPECS

STYLE: AREA:
PERIMETER: RTNS #:
T-JETS #: M.D.:
LIGHT: TYPE:
SPILLWAY: TYPE:
HEIGHT: BLOWER:
NOTES:

TILE SPECS

+6" : --- +12" : --- +18" : ---
+24" : --- +30" : --- +36" : ---
DECK JETS: N/A BUBBLER: (1) sunshelf
SHEERS: N/A
WATER BOWLS: N/A
PARASCOPES: N/A
NOTES: 72 LF Face Tile

OPTIONS

NOTES: Demo existing pool / deck / equipment
. Texture/Acrylic Guniting Retaining Wall: Sandstone
. Homeowner responsible for;
. removal of shrubs, slabs, railroad ties

SCREEN

ROOF SQ: 1163 TYPE: Dome
WALL SQ: 891 WALL HGT: 9'
ELITE ROOF: N/A FAN BEAM: N/A
SCREEN COLOR: Bronze
NOTES: One Panoramic Insert per plan (19' 4")

DECK SPECS

TYPE: Paver Deck w/ Flat Edge Travertine Coping
DIMENSIONS: 30' 10" X 50' 4" AREA: 792
FOOTER: COPING: 72 LF
AREA DRAIN: 57 LF CONCRETE RISER: N/A
LANAI: N/A SAFETY FENCE: N/A
GUNITE RETAINING WALL:
. 209 SF
. Texture / Acrylic guniting wall
NOTES: Mud Set: 98 LF

EQUIPMENT

PUMP: Hayward Tri-Star 900 VS: SP32900VSP
FILTER: Hayward Cartridge SQ: C200S
PUMP 2: N/A HP: N/A
CHLOR: 40k Salt OZONE: N/A
POOL SWEEP: N/A
HEAT PUMP: N/A
GAS HEATER: N/A TYPE: N/A
CONTROLS: AquaPlus / RF Antenna / Puck / (1) Actuator
. Actuator = Bubbler
AUTOFILL/DRAIN: Auto drain from skimmer
. (7) Door / Window Alarms

COLOR SELECTIONS

POOL: Quartz - Miami Blue
TILE: Boticas Green
GLASS TILE: N/A
GROUT: Almond
STEP TILE: Cut to match
PATTERN: Diamond: 12" Spacing
DECK COLOR: Cream / Beige / Charcoal
DECK PTRN: Heritage 3pc Random
COPING: 12x12 Flat Edge Travertine: Afyon Gold
COPING GROUT: Butt Joint
ACRYLIC WALL: Sandstone
GRANITE: N/A

SITE SPECIFICATIONS

DIG TYPE: Dig / Shuttle - (Haul to be determined by Super)
ELEVATION: -1.5" from -0- YARDS: 17
NOTES: Demo existing pool, deck and equipment

DESIGNER

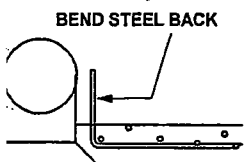
DESIGNER: Todd Paldin
CONTRACT DATE: 04/20/2018
APPROVED BY: Craig Julian
DATE: 04/24/2018

SUPER: RODNEY

D BEAM ON POOL

Wall (Texture & Paint)
around Project as Needed

VIEWER DETAIL



POOL MAIN DRAIN
BRANCH LINE
IS 3" PIPE

OL TRUNK LINES
ARE 2.5" PIPE

OL RETURN LINES
ARE 2.5" PIPE

Scale: 1/8" = 1 ft.



CITY OF WINTER PARK - COVERAGE/SETBACK WORKSHEET

SWIMMING POOLS, SPAS AND DECKS

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

Address: 1664 Cypress Point Ln.

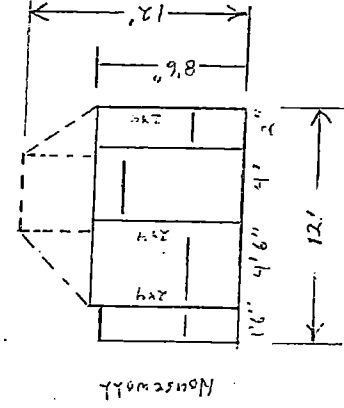
Lot area¹: 12,044 sq ft

	Maximum % Allowed ³	Existing Area	Additional Proposed Area	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patios, pools, A/C pads, artificial turf, etc. (show area tabulations)	2 story home 50%				
	1 story home 60%	3898 sq ft	1198 sq ft	5096 sq ft	7,226.4 sq ft

	MINIMUM ALLOWABLE SETBACK			PROPOSED
SWIMMING POOL/SPA ²	Interior Side	Lot width ≤ 60 ft.	7.5 ft.	
		Lot width > 60 ft.	10 ft.	10'
	Rear	All lots	10 ft.	22'
	Street Side ³	Lot width ≤ 65 ft.	15 ft.	
		Lot width > 65 ft. to 75 ft.	20 ft.	
		Lot width > 75 ft.	25 ft.	
	Lakefront ^{3,4,5}	same as the main building		
DECK	Interior Side	50% of the swimming pool/spa setback		5'
	Rear			6'
	Street Side ³			
	Lakefront ^{3,4,5}	50 ft. from ordinary high water elev.		

Note:

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



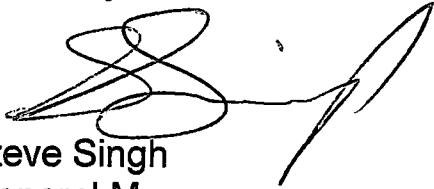
March 4, 2019

The City of Winter Park
Variance Application
401 South Park Avenue
Winter Park, FL 32789

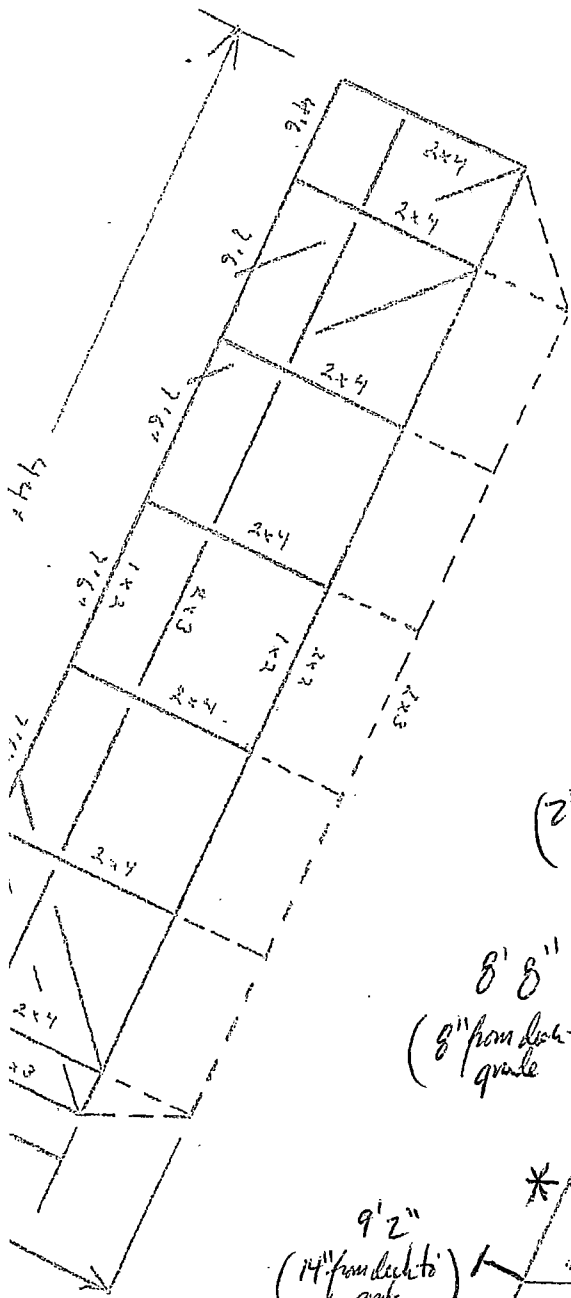
To Whom It May Concern:

I support the variance request for an Enclosure being sought by our neighbors at 1664 Cypress Point Lane, Angela Whitford-Narine and Greg Engeman, for their existing pool and deck.

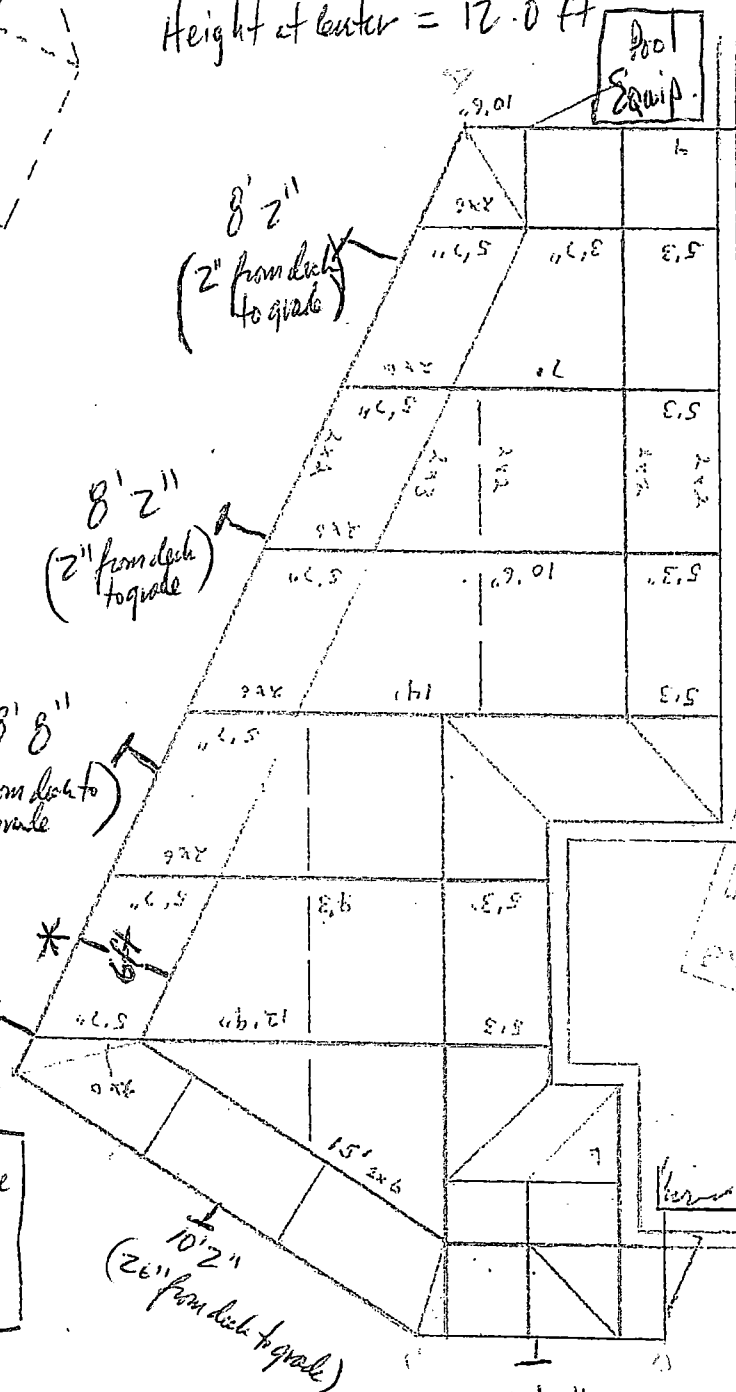
Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Singh', with a stylized, elongated flourish extending to the right.

Steve Singh
General Manager
Winter Pines Golf Club
950 South Ranger Boulevard
Winter Park, FL 32792

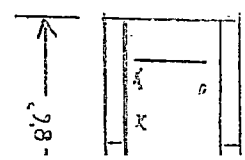
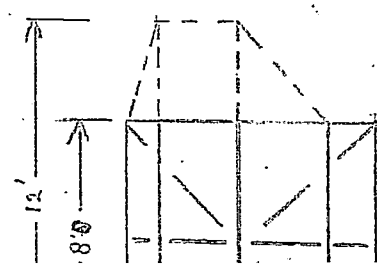
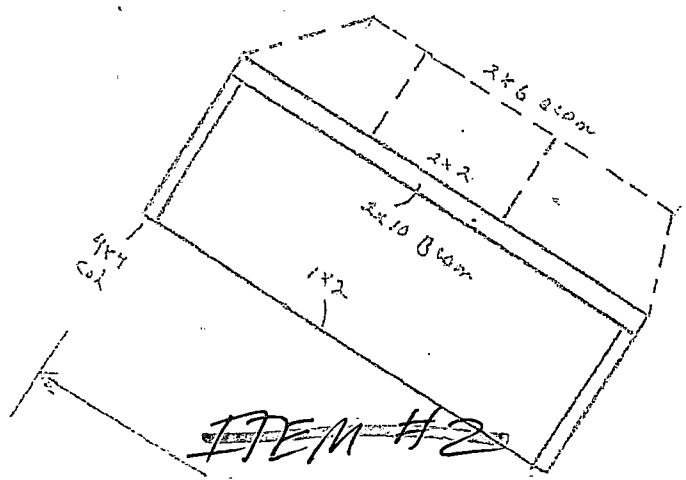


All walls = 8.0 ft
 Height at center = 12.0 ft



RECEIVED
 MAR 22 2019
 2 PM

Creek/bolt house
 ↓





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: MARCH 28, 2019

SUBJ: BYRNES VARIANCE REQUEST, 1566 W. FAIRBANKS AVENUE

The applicant is requesting a variance to allow the construction of a ground sign with an area of 80 square feet, in lieu of the maximum allowed area of 50 sq. feet.

The purpose of our sign code regulations with regard to Fairbanks Avenue is to provide modest sizes for new signs erected on this important commercial corridor as one the main entrances into Winter Park. Having been annexed into the City over 15 years ago has resulted in allowing some signs larger than 50 square feet in area under a grandfathering rule. One of those signs is the nearby sign Four Rivers Barbecue which maintained the previous pole sign and replaced the faces of the sign. That sign exceeds 50 square feet in area.

In addition, on May 15, 2018, a variance was granted to Lombardi Seafood for a new sign when a hurricane blew down a much larger 165 square foot billboard size sign that they had been using as their ground sign for their business. In its place the Board granted a variance for a sign with 80 square feet of area with a height of 16 feet and 8 feet of clearance under the sign.

The proposed new sign for this applicant will be located one foot from the sidewalk at the east end of the property away from the corner street Jackson Avenue so as to allow traffic visibility. The applicant has suggested that he is offering to place a smaller wall sign on the Jackson frontage to compensate for extra ground sign area on Fairbanks. The reduced wall sign area amounts to 40 square feet.

In addition, clearance from overhead power and cable lines will need to be addressed prior to actual construction of the sign as well as permissible depth of a footing for this sign since underground lines are now placed along this side of Fairbanks Avenue. However, all of the overhead lines will be removed within one year when the undergrounding project is complete.

Five letters of non-objection have been provided from other property owners or businesses regarding this request.

**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 3/5/2019
Assigned #3
Date of Hearing MARCH 28, 2019

Applicant: Dr. Drew Byrnes

Owner: Dr. Drew Byrnes

1566 W. Fairbanks Ave
(Address)
Winter Park, FL 32789
(City, State) (Zip)
(407) 645-4645
(Phone – Home)
(407) 312-0317
(Phone – Work or Cell)
dr.drewbyrnes@gmail.com
(Email Address)

1566 W. Fairbanks Ave
(Address)
Winter Park, FL 32789
(City, State) (Zip)
(407) 645-4645
(Phone – Home)
(407) 312-0317
(Phone – Work or Cell)
dr.drewbyrnes@gmail.com
(Email Address)

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

*This request is for a variance from requirements of Article III, Zoning of the Land Development Code of Winter Park, Section 58-125, Paragraph D, Zoning C-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 1566 W. Fairbanks Ave, Winter Park, FL 32789

Legal description of
property _____

Describe variance
request Requesting a exception of a larger pole sign in exchange for a smaller than allowable
wall sign on Fairbanks and Jackson 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?

Our building is uniquely positioned along Fairbanks Avenue to be easily missed as it is hidden behind 4 Rivers as you approach from I4 driving east towards Park Ave. The road comes to a "peak" at 4 Rivers and begins to recede, effectively hiding us behind 4 Rivers. With no stop signs or lights nearby, you only catch a glimpse of our building with no time to read our sign.

How long have you owned the property? 7 months

How long have you occupied the property? 0 months

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?

A pole sign large enough to be visible to drivers from a meaningful distance due to the speed limit and the lack of stop lights in this stretch of Fairbanks. Lombardi's Seafood, the Winter Park Dinner, and 4 Rivers all have signs ranging from 80-150+ SF.

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.

Due to the hidden positioning of our property, the size of the signs used by our immediate neighbors, and the speed of vehicles passing by our property, we will not achieve the visibility required to become the type of Winter Park establishment which will last several decades into the future. I would like the same opportunity to succeed allotted to my neighbors who have all become loved Winter Park establishments (Lombardi's, Winter Park Dinner, 4 Rivers

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. While many of these signs are 100+ SF, we request a pole sign of 80 SF in size.



Signature of Applicant

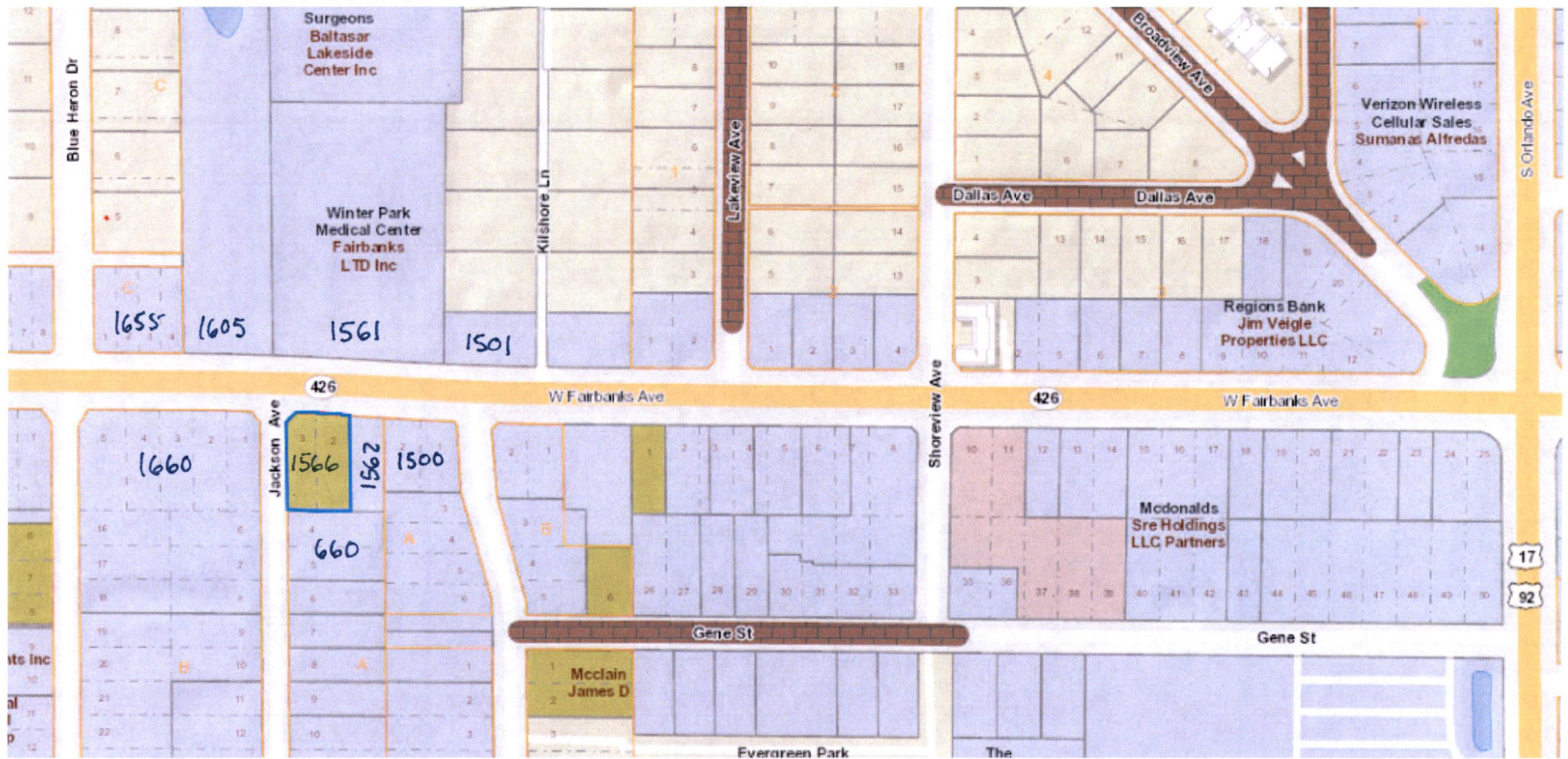
3/4/19

Date

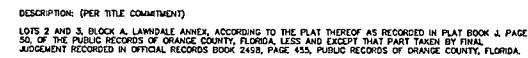
Dr. Drew Byrnes

Name of Applicant (PRINT)

1566 W Fairbanks Ave



⊗	GAS VALVE	—CITY—	BURIED CABLE TELEVISION	(C)	CALCULATED
⊗	SEWER VALVE	—ST—	OVERHEAD UTILITY LINES	C.A.	CENTRAL ANGLE
⊗	IRRIGATION CONTROL VALVE	—BT—	BURIED TELEPHONE	CUP	CORROD BEARING
⊗	RECLAIMED WATER VALVE	—W—	WATER LINE	(D)	DESCRIPTION
⊗	SANITARY SEWER MANHOLE	—FM—	FORDICAN	D.B.	DEED BOOK
⊗	DRAINAGE MANHOLE	—BC—	BURIED POWER	ELEV	ELEVATION
⊗	TELEPHONE MANHOLE	—	—	LS	LOCKED SURVEYOR NUMBER
⊗	FIRE HYDRANT	—	—	INV.	INVERT
⊗	CLEANOUT	—CU—	WOOD UTILITY POLE	LB	ARC LENGTH
⊗	LIGHT POLE	—	ELECTRIC JUNCTION BOX	LOCKED SURVEYING BUSINESS	(F)
—	SIGN	—	UTILITY RISER	P.B.	PROFESSIONAL SURVEYOR & MAPPER
⊗	WELL	—	RECLAIMED WATER METER	(O.R.)	OFFICIAL RECORDS
⊗	BOLLARD	—	WATER METER	(P.L.)	PLAT BOOK
⊗	DROP INLET	—	WATER VALVE	P.C.	PAGE
⊗	TRAFFIC SIGNAL BOX	—	FIRE DEPARTMENT CONNECTION	PERM	PERMANENT CONTROL POINT
				R	RADIUS
				T	TANGENT
				RCP	REINFORCED CONCRETE PIPE
				SEC.	SECTION
				T.B.M.	TEMPORARY BENCH MARK
				P.O.T.	POINT OF CURVATURE
				P.T.	POINT OF TANGENCY
				P.R.C.	POINT OF REVERSE CURVATURE



Iberiabank ISAOA, ATIMA
 Mercantile Capital Corporation ISAOA, ATIMA
 Florida First Capital Finance Corporation, Inc. ISAOA, ATIMA
 U.S. Small Business Administration ISAOA, ATIMA
 South Milhousen, P.A.
 American Land Title Association Issued by Fidelity National Title
 Bynnes Properties, LLC
 AND NONE OTHER



THE USE OF THIS DIGITAL SEAL IS
APPROVED BY MICHAEL D. CUMMINS,
JR., P.S.M., FLORIDA REGISTRATION
NUMBER, LS 5592 ON 1-22-19

Digitally signed by Michael
Cummins PSM 5592
Reason: I am the author of this
document
Date: 2019.01.22 19:54:57 -05'00'

RECORD SURVEY	CUMMINS SURVEYING AND MAPPING, INC.	SCALE: 1"= 20'	TECHNICIAN: MDC
PREPARED FOR:	2758 Susandany Drive Orlando, Florida 32812 321-377-0564	ISSUE DATE: 1-22-19	PROJECT NO. 18-31
OVDA CONSTRUCTION GROUP, INC.	E-mail: info@cummins-surveying.com P.O. Box 1000, Orlando, FL 32812	SURVEY DATE: 1-08-19	SHEET BOOK NO.
			FIELD NO. 1 OF 1

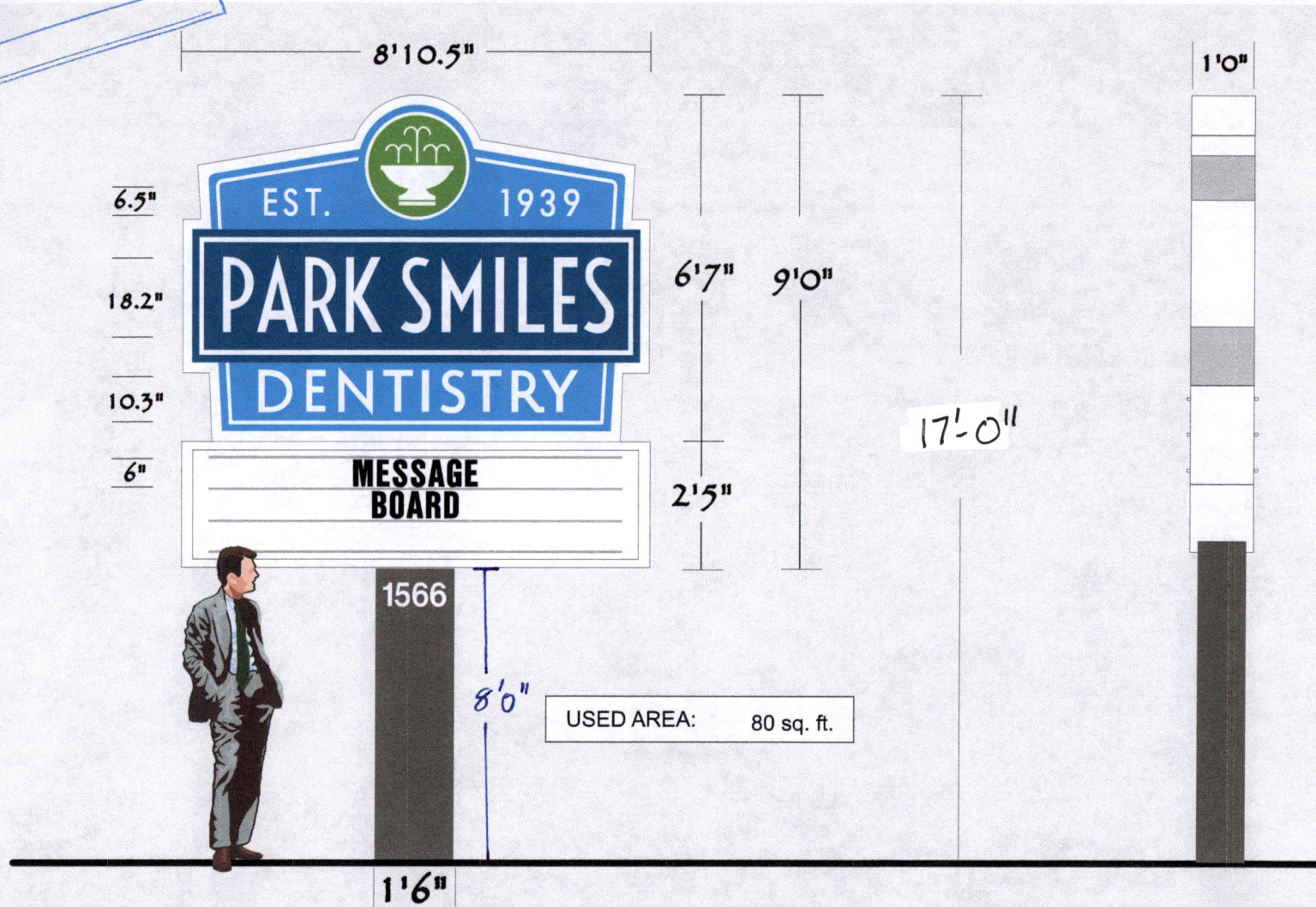
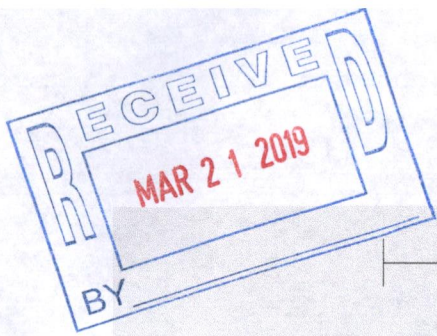
LED ILLUMINATED PAN CHANNEL LETTERS FLUSH MOUNTED

SCALE 1/4" = 1'0"



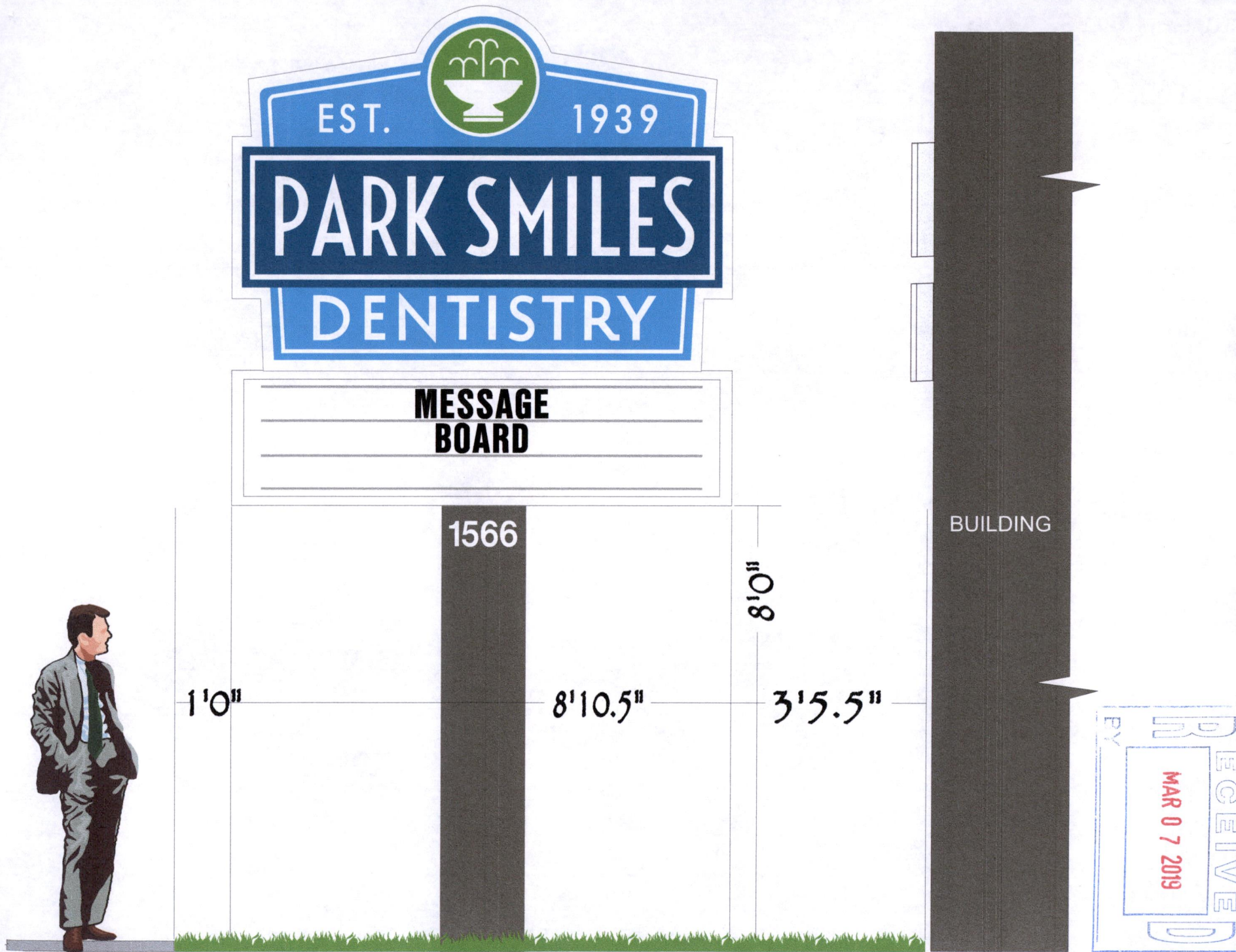
MAIN STREET ELEVATION FAIRBANKS AVE.

SCALE 1/8" = 1'0"

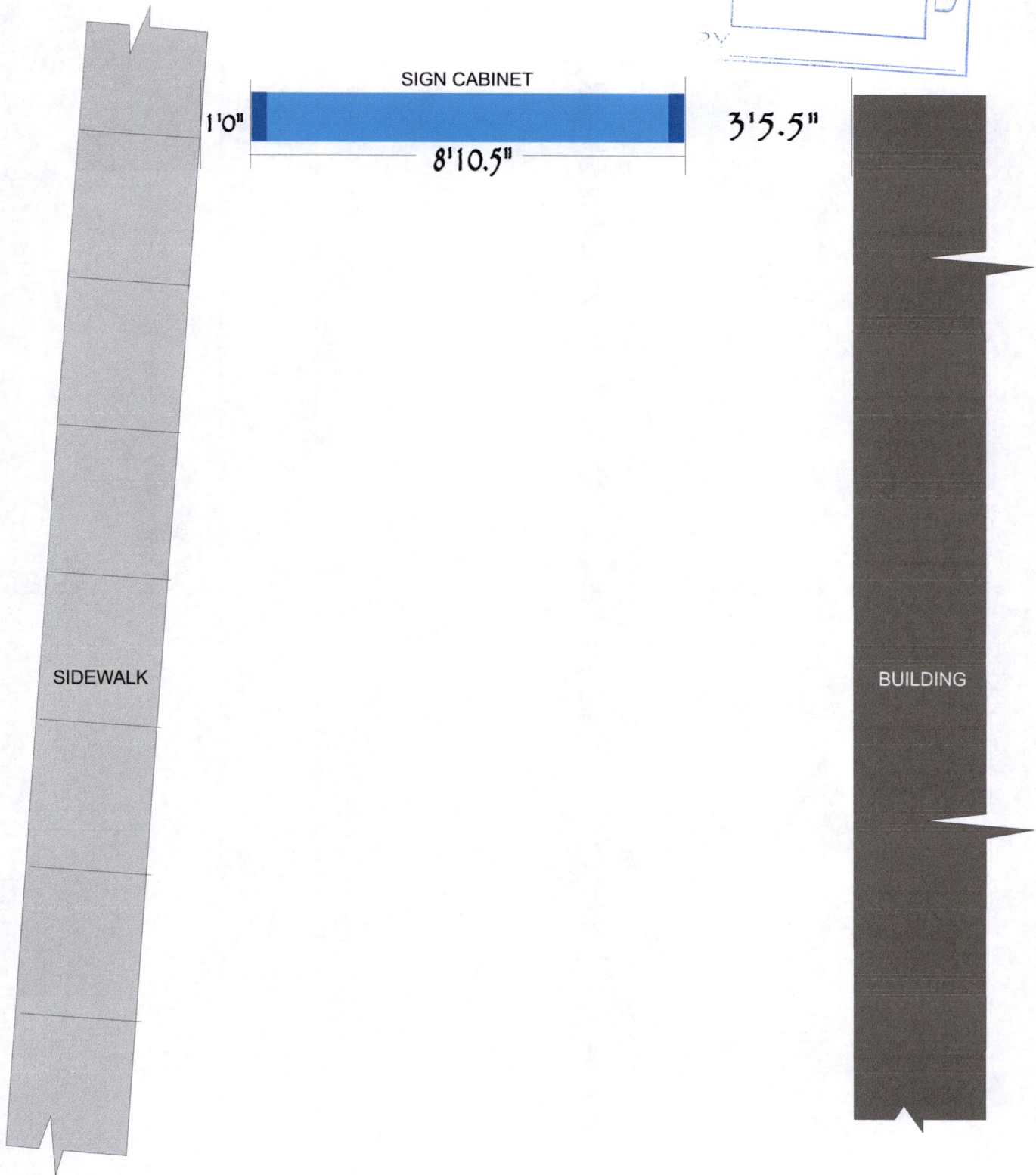
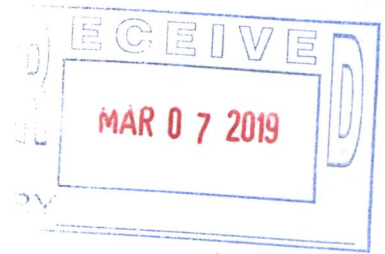


INTERNALLY ILLUMINATED DOUBLE SIDED POLE SIGN
WITH LOCKING CHANGABLE CABINET

SCALE 5/16" = 1'0"



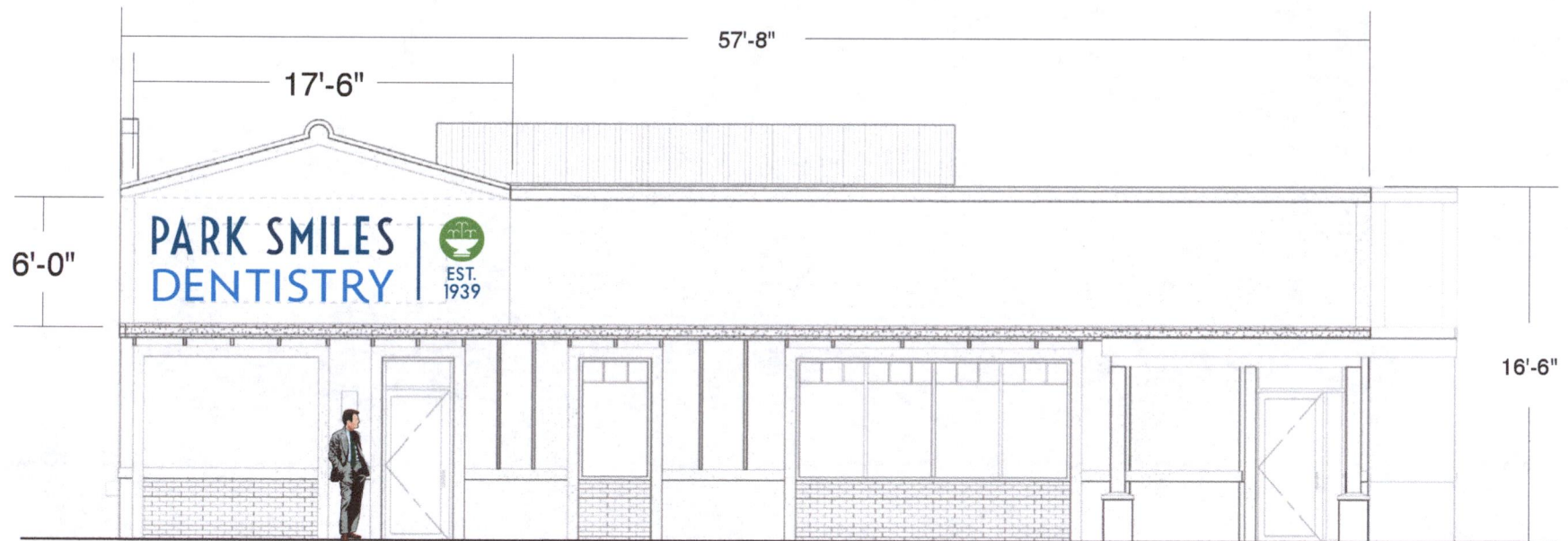
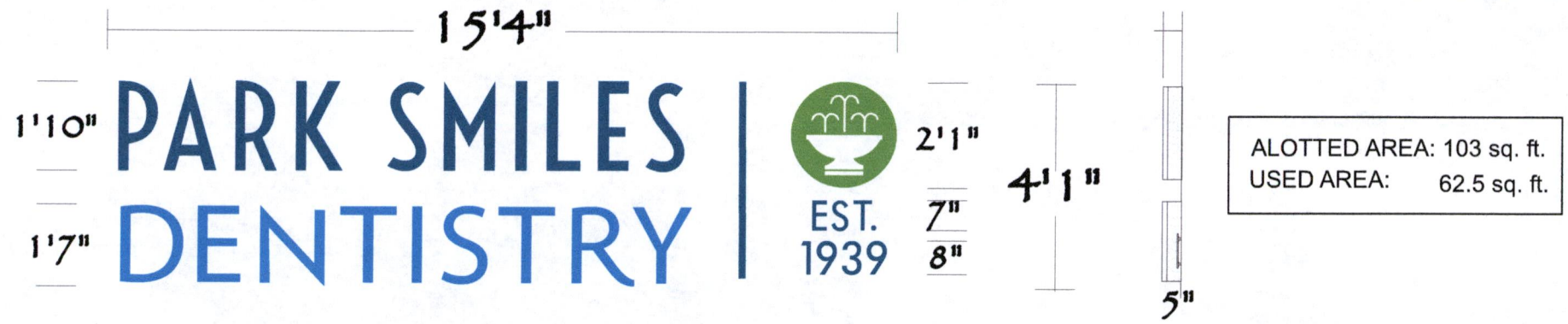
MAIN FAIRBANKS AVE. SETBACK



MAIN FAIRBANKS AVE. TOP VIEW OF SETBACK

LED ILLUMINATED PAN CHANNEL LETTERS FLUSH MOUNTED

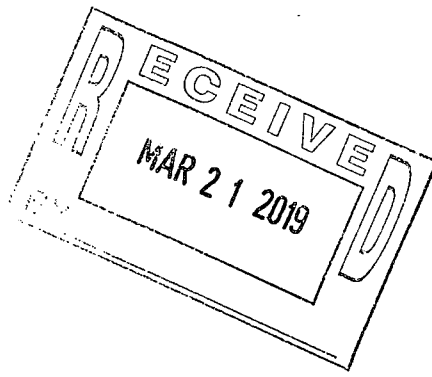
SCALE 5/16" = 1'0"



SIDE STREET ELEVATION JACKSON STREET

SCALE 1/8" = 1'0"






March 21st, 2019

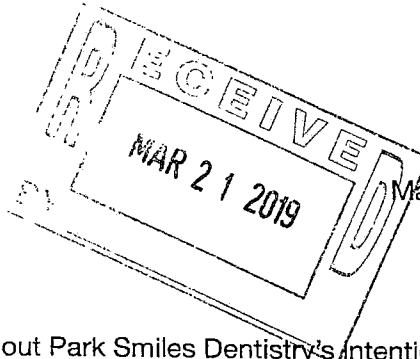
To Whom It May Concern,

I have spoken with Dr. Drew Byrnes about Park Smiles Dentistry's intention of having an 80 SF pole sign at 1566 W. Fairbanks Avenue. I have seen a rendering of the sign. As a business and/or property owner on Fairbanks Avenue, I support his request for a larger sign and would not take issue with the City of Winter Park granting him this variance.

Sincerely,



Dr. Jeffrey Beattie
Dunkin Donuts Property Owner
1655 W. Fairbanks Ave, Ste 300
Winter Park, FL 32789



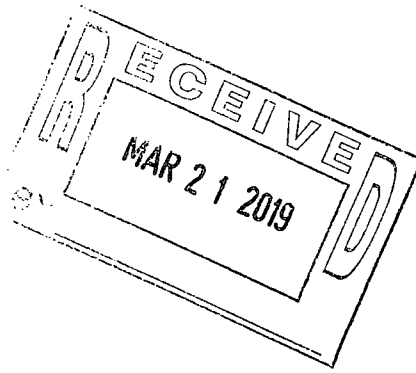
March 21st, 2019

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Sincerely,

Dr. Charlie McNamara
Oral and Facial Surgeons of Mid Florida
1573 W. Fairbanks Ave, Ste 300
Winter Park, FL 32789



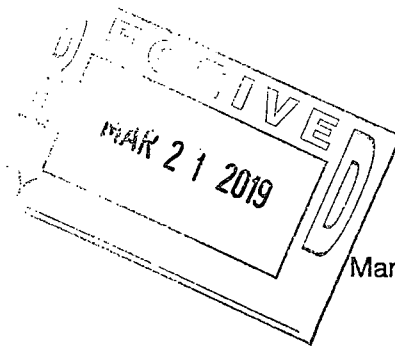
March 21st, 2019

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Sincerely,

Dr. Jeffrey Beattie
Oral and Facial Surgeons of Mid Florida
1573 W. Fairbanks Ave, Ste 300
Winter Park, FL 32789



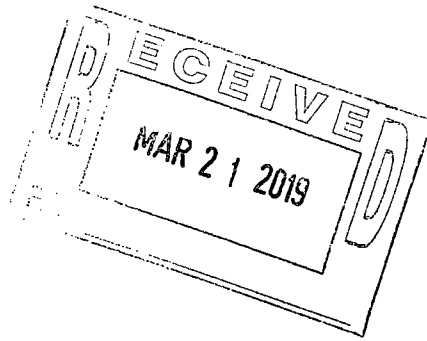
March 21st, 2019

To Whom It May Concern,

I have spoken with Dr. Drew Byrnes about Park Smiles Dentistry's intention of having an 80 SF pole sign at 1566 W. Fairbanks Avenue. I have seen a rendering of the sign. As a business and/or property owner/manager on Fairbanks Avenue, I support his request for a larger sign and would not take issue with the City of Winter Park granting him this variance.

Sincerely,

Jimmy Ferrell
Ferrell Wealth Management
1400 W Fairbanks Ave #202
Winter Park, FL 32789

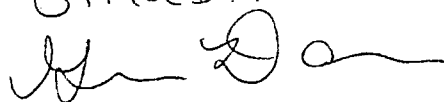


March 21st, 2019

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Sincerely,

Gina D'Auria


Gina D'Auria
Linda's Winter Park Diner
1700 W Fairbanks Ave,
Winter Park, FL 32789



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 28, 2019

SUBJ: BURROW VARIANCE REQUEST, 289 TRISMEN TERRACE

The applicant is requesting a variance to allow the construction of a one story cabana addition with a side setback of 18.7 feet, whereas the required setback is 26 feet (due to height), or to allow a 17 foot side wall height, whereas the maximum allowed wall height is 12 feet.

As part of a cabana building addition on the rear of the existing home, the applicant is seeking a variance due to the sloping topography of the lot toward the rear lakefront similar to many properties along Lake Osceola in this vicinity.

This large cabana addition extends nearly 30 feet along the east side of the home at a proposed side setback much larger than the existing side wall at only 10'. Today's newer side setback are dictated by lot width which causes new additions to adhere to these larger setbacks. The total area of the cabana addition is 600 square feet.

Although the taller wall height is 17 feet, the Zoning Code allows the designer to calculate an average side wall height due to sloping conditions. When considering the existing wall along the side, the wall height will average close to approximately 15.5 feet at the proposed setback of 18.7 feet. As a point of reference the required side setback for a lot 100 feet in width to the second floor at the base FAR of 33% is 18 feet.

One email correspondence has been received from the adjacent impacted property owner who at first objected, but has now spoke with neighbors and contractor and has withdrawn his objection.

**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 3/8/2019
Assigned #4
Date of Hearing MARCH 28, 2019

Applicant: Z Properties Group, Inc.

Owner: Ryan and Julie Burrow

PO BOX 488

(Address)

Winter Park, Florida 32790

(City, State) (Zip)

407 - 929 - 3303

(Phone - Home)

(Phone - Work or Cell)

Chanel@zpropertiesinc.com

(Email Address)

289 Trismen Terrace

(Address)

Winter Park, Florida 32789

(City, State) (Zip)

407 - 353 - 2800

(Phone - Home)

407 - 399 - 1430

(Phone - Work or Cell)

jburrow@cfl.rr.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 _____, Paragraph _____, Zoning _____.**

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 289 Trismen Terrace, Winter Park, Florida 32789

Legal description of

property See attached OCPA page

Describe variance

request We are requesting a 5' height variance at the first floor side set back. It would be 17 feet in lieu of the required 12 feet.

We are matching the existing roof structure to keep with the continuity of the design of the home.

This section may be left blank for completion by city staff

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

Variance Application

Page 2 of 2

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

The property has a severe downward slope.

How long have you owned the property? 2 years

How long have you occupied the property? 2 years

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

The homeowner would like to add an outdoor living space/cabana.

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

The severity of the slope on the property limits the ability to build what the owner has asked while keeping with the design of the home. Complying with code and working around the slope creates an awkward design for the existing home.

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

3/8/19

Date

Zane Williams

Name of Applicant (PRINT)

March 7, 2019

City of Winter

Attn: Board of Adjustments

401 Park Avenue South

Winter Park, Florida 32789

RE: Board of Adjustments / 289 Trismen Terrace, Winter Park, Florida 32789

To whom it may concern,

As owner of 289 Trismen Terrace, Winter Park, Florida 32789, I give Zane Williams of Z Properties Group, Inc. the authority to act as my agent in the application process.

Best,

A handwritten signature in cursive script that reads "Julie Burrows". The signature is written in dark ink and is positioned above the printed name and title.

Julie Burrows

Owner

289 Trismen Terrace




[Searches](#)
[Sales Search](#)
[Results](#)
[Property Record Card](#)
[My Favorites](#)
[Sign up for e-Notify...](#)
289 Trismen Ter < 05-22-30-6476-01-160 >

Name(s)

Burrow Ryan R

Burrow Julie G

Mailing Address On File

289 Trismen Ter

Winter Park, FL 32789-3982

Incorrect Mailing Address?

Physical Street Address

289 Trismen Ter

Postal City and Zipcode

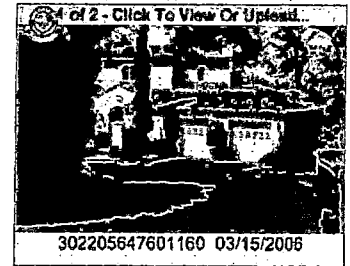
Winter Park, FL 32789

Property Use

0130 - Sfr - Lake Front

Municipality

Winter Park


View 2018 Property Record Card
[Property Features](#)
[Values, Exemptions and Taxes](#)
[Sales Analysis](#)
[Location Info](#)
[Market Stats](#)
[Update Information](#)
2019 values will be available in August of 2019.
Property Description
[View Plat](#)

OSCEOLA SHORES SECTION 3 S/87 LOT 16 & S 1/2 OF LOT 15 BLK A


Total Land Area 64,907 sqft (+/-) | 1.49 acres (+/-) GIS Calculated Notice

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0130 - Sfr - Lake Front	R-1AAA	1 LOT(S)	working...	working...	working...	working...

Page 1 of 1 (1 total records)

Buildings

Important Information			Structure			
	Model Code:	01 - Single Fam Residence	Actual Year Built:	1953	Gross Area:	6233 sqft
	Type Code:	0104 - Single Fam Class IV	Beds:	5	Living Area:	5293 sqft
	Building Value:	working...	Baths:	6.5	Exterior Wall:	Concrete Block Stucco
	Estimated New Cost:	working...	Floors:	2	Interior Wall:	Plastered

Page 1 of 1 (1 total records)

Extra Features

Description	Date Built	Units	XFOB Value
FPL2 - Average Fireplace	01/01/1953	2 Unit(s)	working...
PL2 - Above Average Pool	01/01/1987	1 Unit(s)	working...
PT3 - Patio 3	01/01/1987	1 Unit(s)	working...
BC2 - Boat Cover 2	01/01/1990	1 Unit(s)	working...
BD2 - Boat Dock 2	01/01/1990	1 Unit(s)	working...

Page 1 of 1 (5 total records)

This Data Printed on 03/08/2019 and System Data Last Refreshed on 03/07/2019

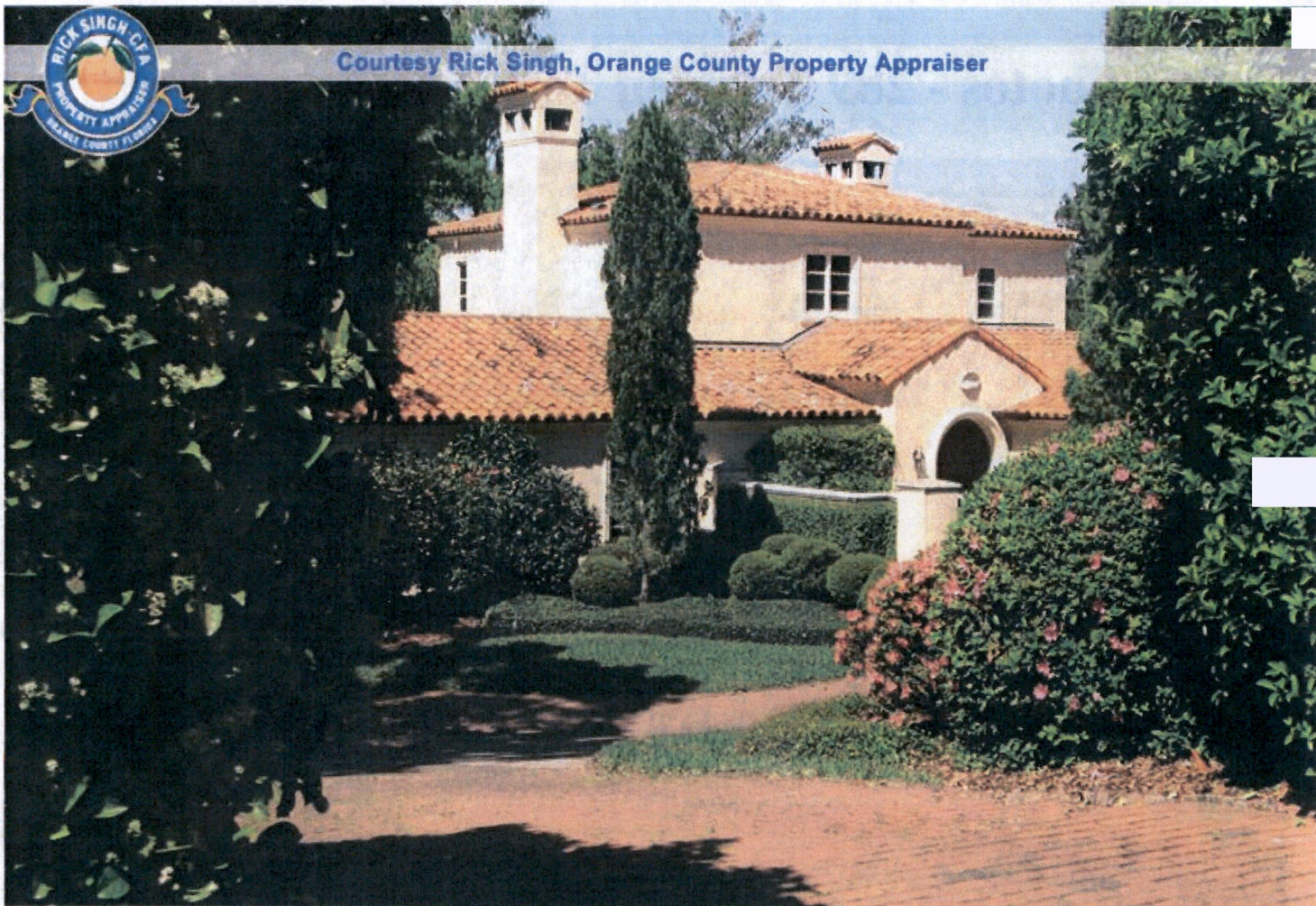
Parcel Photos - 289 Trismen Ter



302205647601160 03/15/2006



Courtesy Rick Singh, Orange County Property Appraiser



302205647601160 03/15/2006



SETBACK / COVERAGE WORKSHEET

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

Address:

289 Trismen Terrace

Lot width²:

150' 0"

Submitted by:

Gary Hancock @ Winter Park Design

Lot area³:

34,500 #

	Maximum % Allowed ⁴	Existing Area ¹⁰	Additional Proposed Area ¹⁰	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patios, swimming pools, A/C pads, etc.	2 story - 50%	8862	3151	12013	17250
	1 story - 60%				
FLOOR AREA RATIO (F.A.R.)^{5,6} For one and two story bldgs (include 1st & 2nd floors, garages/carports, stair areas on both floors, areas on 2nd floors which are open to the 1st floor ⁷ , and accessory bldgs. EXCLUDE - pool screen enclosure areas and certain open front, side & rear porches ⁸ .	Lots < 11,600 sf: Use <u>38%</u> Base FAR or w/ increased side setbacks: <u>43%</u> Max FAR				
	Lots 11,600 sf to 13,600 sf Use <u>4,500 sf</u> Base area & <u>5,200 sf</u> Maximum area				
	Lots > 13,600 sf Use <u>33%</u> Base FAR or w/ increased side setbacks: <u>38%</u> Max FAR	5789	792	6581	11,385
SCREEN POOL ENCLOSURE	8% ⁹				

	Minimum % Required	Existing Area ¹⁰	Landscape Area Reduced ¹⁰	New Total Area	Minimum Required Area
FRONT YARD LANDSCAPE COVERAGE Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (pervious & impervious). Front Lot Area:	50%	1910		—	3501

NOTES:

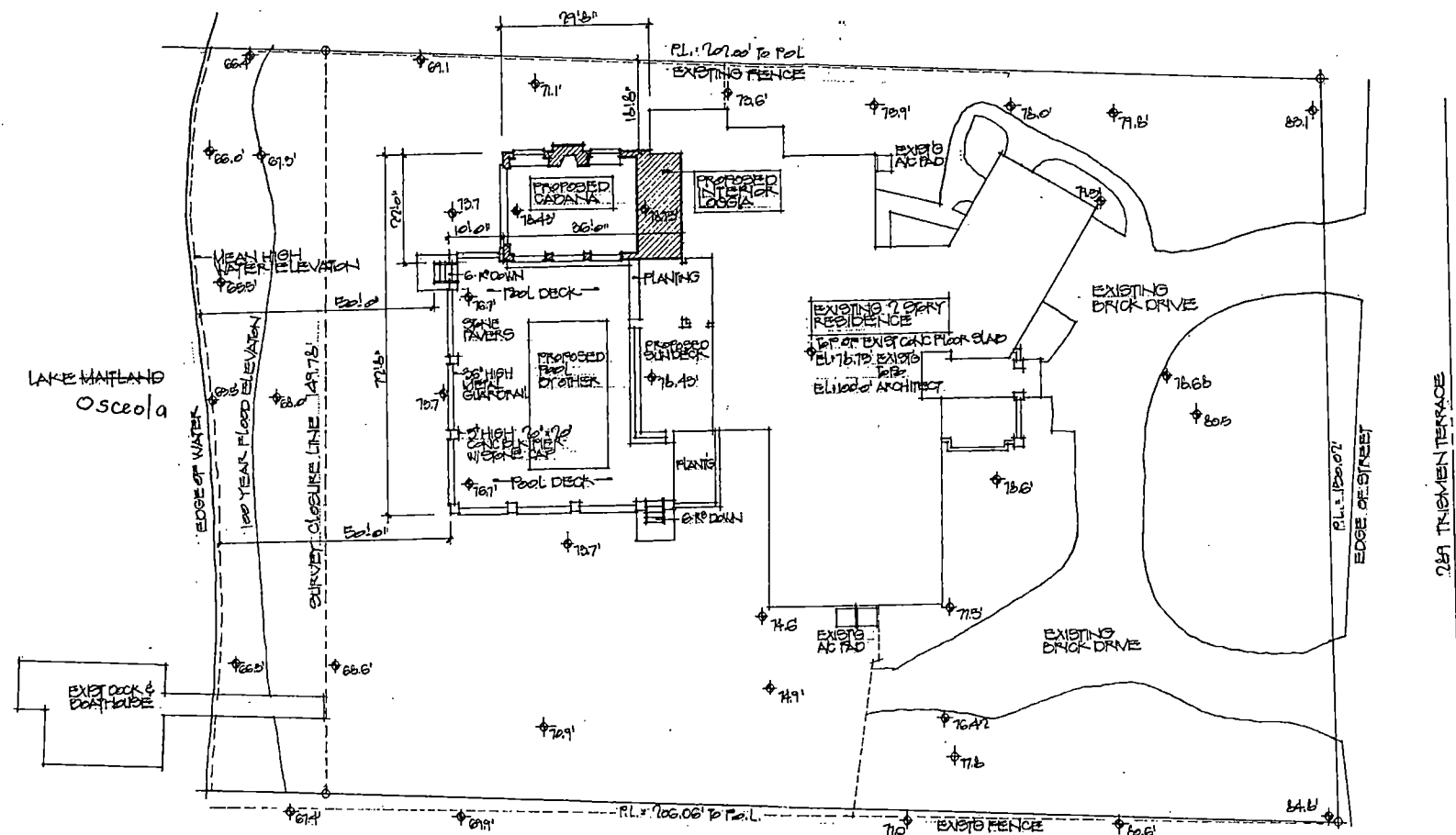
1. Windsong & Waterbridge may use these standards, except lot types A, B, & C in Windsong. Provisions on side articulations & accessory bldgs are mandatory.
2. Lot width measured at the front bldg line across lot. The bldg line is located at the required front setback for vacant lots or front bldg wall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

SETBACKS (complete boxes A and B first)

	Minimum Allowable Dimensions			Existing		Proposed			
FRONT	Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.					N/A			
Right SIDES ^{1,2} (see other side setback options on pg 4)	1st Floor		See pages 3&4	A		Left	Right	Left	Right 18'.8"
	2nd Floor			B					
REAR ^{1,3,4}	1st Floor		25 ft						60'.0"
	2nd Floor		35 ft ⁵						
	Lakefront		see note 6						
CORNER LOT	1st Floor	Lot width ≤ 65 ft		15 ft					
		Lot width > 65 ft ⁷		20 ft					
	2nd Floor	Lot width ≤ 65 ft		15 ft					
		Lot width > 65 ft ⁷		22.5 ft					
BUILDING HEIGHT ^{8,9,10,11,12}	30 ft - 35 ft plus 2 ft or 40 ft (see notes 11 & 12)							22'.0"	

Notes:

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



COVERAGE CALCULATION

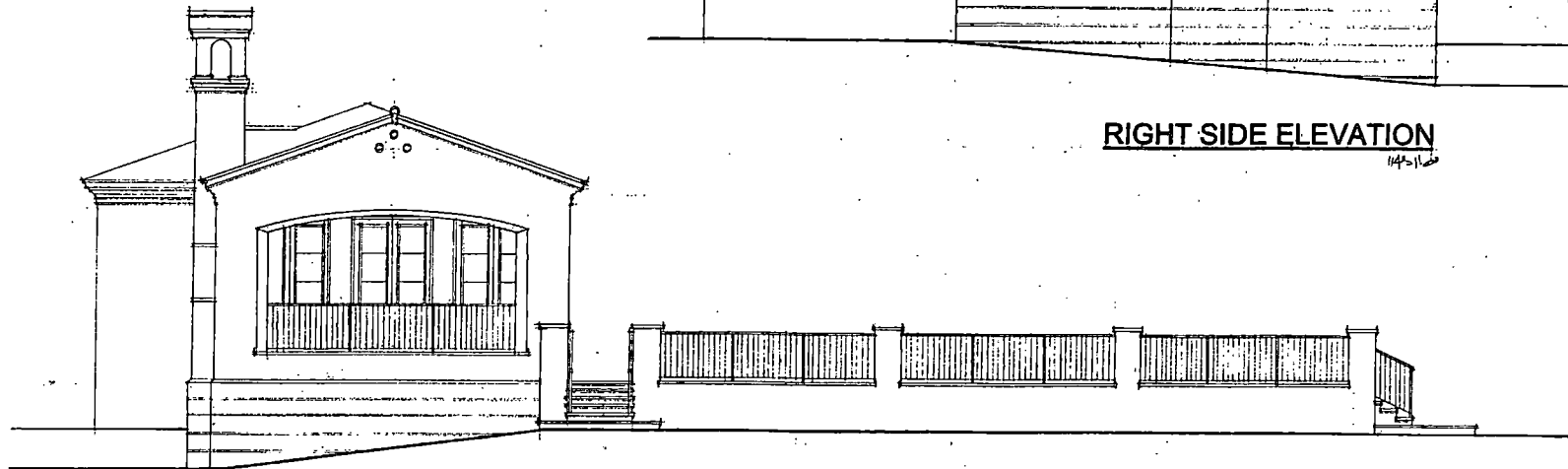
PROPERTY ADDRESS	: 288 TRISIMEN TERRACE
EXISTING ZONING	: R-1AAA
LOT AREA	: 34,800 SF
LOT WIDTH	: 150'-0"
PERMISSIBLE COVERAGE	
EXISTING BUILDING COVERAGE	: 4,730
PROPOSED NEW BLD COVERAGE	: 792
TOTAL BUILDING COVERAGE	: 5,522 SF
EXISTING DRIVE & WALKS	: 3,820
EXISTING CONCRETE WALK & AC PAD	: 312
PROPOSED NEW SUN DECK	: 302
PROPOSED POOL & POOL DECK	: 2,867
TOTAL IMPERVIOUS PROPOSED	: 12,013 (34.5%)
TOTAL IMPERVIOUS ALLOWED	: 17,200 (50.0%)
FLOOR AREA RATIO	
ALLOWED	
EXISTING	: 11,335 (32.6%)
PROPOSED NEW	: 5,790 (16.6%)
TOTAL PROPOSED FAR	: 17,125 (49.2%)
SETBACKS	
FRONT	: 15'-0"
RIGHT SIDE (1st FLOOR)	: 15'-4"
LANE SIDE	: 5'-0"
REAR (NEW ADDITION)	: 35'-0"

SITE PLAN

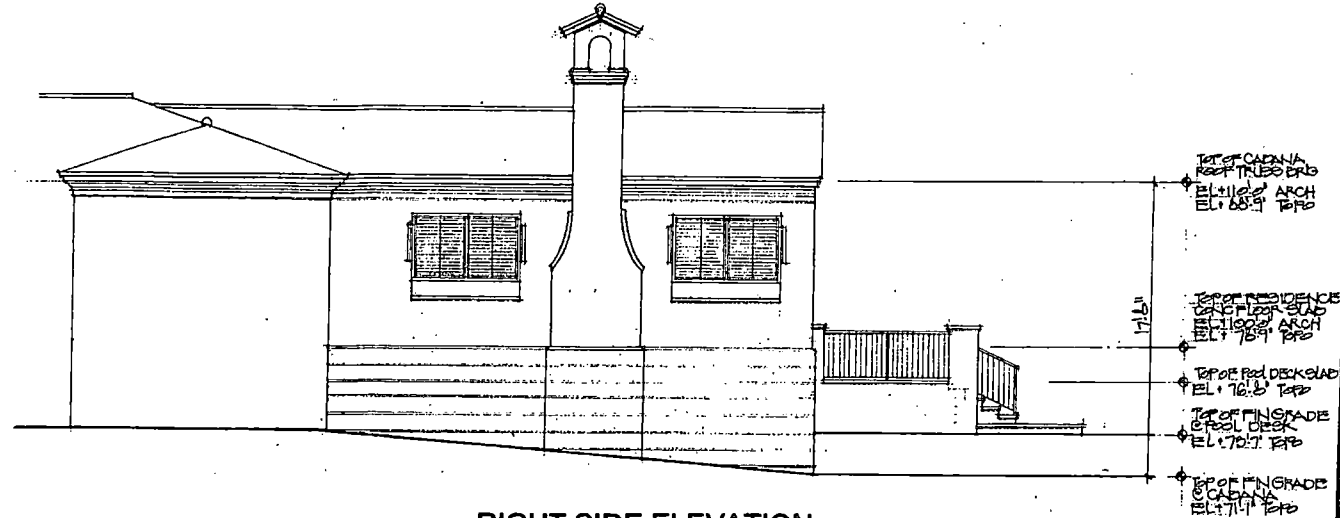
LEGAL DESCRIPTION
 LOT 18 AND THE SOUTH 1/2 OF LOT 15, BLOCK A, OSCEOLA SHORES SECTION 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 87, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

AREA CALCULATION

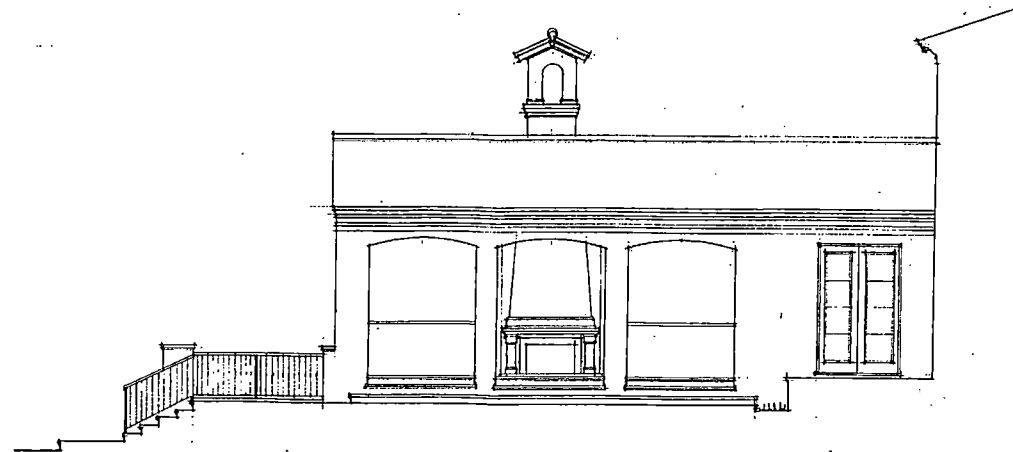
Address	: 288 Trisimen Terrace
Lot Area	: 34,800 SF
Lot Width	: 150'-0"
Required Side Setback	: 15'-0"/25'-0"
Proposed Side Setback	: 15'-4"
BUILDING AREA	
Existing Structure	
Existing First Floor	: 4,061
Existing Second Floor	: 1,215
Total Existing Living	: 5,276 SF
Existing Garage	: 513
Total Existing FAR	: 5,789 (16.6%)
Existing Front Entry	: 87
Existing Rear Porch	: 89
Existing Balcony	: 89
New Construction	
Interior Loggia	: 191
Cabana	: 601
Total New FAR	: 8,250 (18.1%)
(Includes Rear Porch)	



REAR ELEVATION
1/4" = 1'-0"



RIGHT SIDE ELEVATION
1/4" = 1'-0"

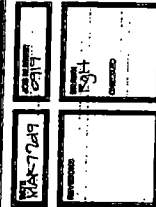


CABANA SIDE ELEVATION
1/4" = 1'-0"

WINTER PARK DESIGN



TRISMAN ADDITION
WINTER PARK, FLORIDA



3



Boundary Survey

Legal Description:

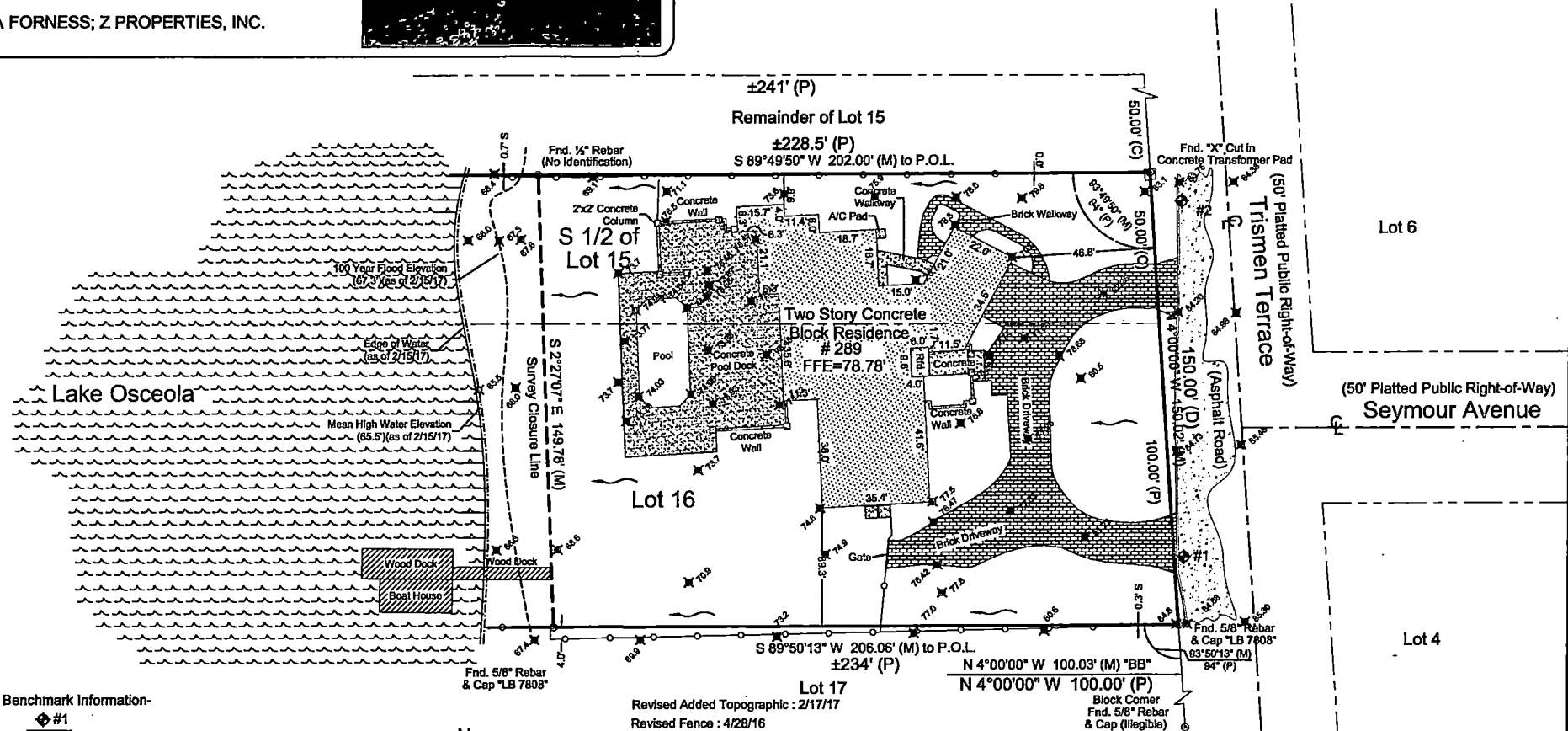
Lot 16 and the South 1/2 of Lot 15, Block A, OSCEOLA SHORES SECTION 3, according to the map or plat thereof as recorded in Plat Book S, Page 87, of the Public Records of Orange County, Florida.

Flood Zone: X and AE Panel: 0255F
Community Number : 12095C Date: 9/25/2009

CERTIFIED TO:
WILLIAM FORNESS AND UCOLA FORNESS; Z PROPERTIES, INC.



Impervious Calculations:
Lot Area Above Lake = ±34,108.7 Square Feet
Building Area = ±4,667.1 Square Feet (14%)
Concrete Area = ±3,889.1 Square Feet (11%)
Brick Area = ±3,819.7 Square Feet (13%)



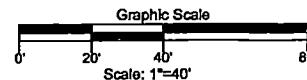
-Site Benchmark Information-

◆ #1
Nail & Disk in Pavement
Elevation: 84.73'

◆ #2
Mag Nail in Pavement
Elevation: 88.76'

-Benchmark Information-

◆ Orange County Datum Elevation: 87.90'
Found Brass Disk in the Northwest corner of Aloma Avenue and Jo-Al-Ca Avenue, in South side of curb inlet. (Elevations are based upon NAVD 88 Datum)



Revised Added Topographic: 2/17/17
Revised Fence: 4/28/16

Field Date: 4/20/16 Date Completed: 4/22/16
Drawn By: GLG File Number: IS-27768

Legend	
C - Calculated	PC - Point of Curvature
CB - Centerline	Pp - Peg
CM - Concrete Block	PI - Point of Intersection
Conc. - Concrete	P.O.B. - Point of Beginning
D - 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
FFE - Finished Floor Elevation	R - Radius
FP - Found	Rad. - Radial
IP - Iron Pipe	R&C - Rebar & Cap
L - Length (Arc)	R&C - Recovered
M - Measured	Rd. - Road
N&D - Nail & Disk	S&C - Set 1/2" Rebar & Cap "LB 7623"
N.R. - Non-Radial	TYP - Typical
ORB - Official Records Book	UE - Utility Easement
P - Plat	WM - Water Meter
P.B. - Plat Book	Δ - Delta (Central Angle)
CF - Chain Link Fence	○ - Chain Link Fence

>Survey is Based upon the Legal Description Supplied by Client.
>Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.
>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 Driveway 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.

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 Standard of Practice for Land Surveying in the State of Florida in accordance with Chapter 63-17, 052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland
Surveyor
PS# 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

Theresa Dunkle

From: Robert Tainsh <roberttainsh@gmail.com>
Sent: Thursday, March 14, 2019 3:18 PM
To: George Wiggins
Cc: Theresa Dunkle
Subject: Re: Objection to Ryan and Julie Burrows (289 Trismen Terrace) Variance

Mr. Wiggins,

I spoke to my neighbors, Ryan and Julie Burrow, as well as their contractor and decided to withdraw my objections regarding their proposed building variance. I am trying to be a "good neighbor" and do not want to be the sole reason their request is declined.

Thank you for spending time speaking to me yesterday. If I can ever be of assistance to you for medical issues, please do not hesitate to contact me on my cell: (407) 234-3524.

Best,
Bob Tainsh

Robert E. Tainsh, Jr.,MD,MPH
323 Trismen Terrace me
Winter Park, FL 32789-3949
Home:(407)-644-9662
Cell:(407)-234-3524
RobertTainsh@gmail.com

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from their computer.

On Wed, Mar 13, 2019 at 4:15 PM George Wiggins <Gwiggins@cityofwinterpark.org> wrote:

Mr. Tainsh,

I received your message and we'll print out copies to include in our packet of information to our Board members.