



# Board of Adjustments regular meeting

August 20, 2019 at 5:00p.m.

City Hall | Commission Chambers  
401 S. Park Ave. | Winter Park, Florida

## Agenda Items

### Opening & public comments

### Approval

Minutes for the July 16, 2019 Meeting

### Old business

1. Request of Gabriela Juncos for variances to allow the construction of a 2 story addition projecting 2 feet into the front setback, and with a side setback of 8.9 feet, in lieu of the required 9 feet.

Located at: 1371 Oneco Ave

Zoned: R-1A

### New business

1. Request of Diesta Gundacker for a variance to allow the construction of a 5 foot high CMU wall and 6 foot high wood fence within the front yard, in lieu of a permitted 3 foot high wall and fence.

Located at: 271 Cortland Ave

Zoned: R-1AA

2. *8-5-2019 Update: New Business #2 withdrawn by the applicant.*

Request of Karen Harris for variances to allow a newly constructed 4 foot high wood fencing and wire fencing to remain within the front yard, in lieu of a permitted 3 foot high wood fence without attached wire fencing.

Located at: 1315 Orchid Ave

Zoned: R-2

## appeals & assistance

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"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."



# Board of Adjustments

**To:** Board of Adjustment Members  
**From:** George Wiggins, Director of Bldg/Legislative Affairs  
**Date:** August 20, 2019  
**Subj:** Juncos Variance Request Updated, 1371 Oneco Avenue

## **Staff Report at July Meeting:**

The applicant is requesting variances to allow the construction of a two story addition projecting 4 feet into the front setback with a side setback of 8.9 feet, whereas the required setback is 9 feet.

In order to provide additional second floor living area for functional bedrooms while causing the least interruption to the remainder of the home, the applicant requests a small front setback encroachment to maintain sufficient parking area in the garage.

On the first floor a new pantry area and space for the stairs creates the need to push the garage further into the front setback. A very minor first floor side encroachment is also included as part of this variance request, however, the second floor addition will be recessed to the required second floor setback of 13 feet.

With the additions the gross area of the home will be 3,871 square feet which is under the allowable 38% floor area ratio and the impervious coverage will be 4,522 square feet, which is under the allowable 50% coverage.

Four letters were received expressing no objection to this variance request and one letter expressing opposition has been received.

## **Updated Staff Report for August Meeting**

The Board felt that no clear hardship was established that would justify granting the original variance request. However, a decision was made to table this request and allow the applicant up to 3 months to return with a modified request.

The applicant met with her designer and prepared a new plan by re-arranging a stairway to the second floor and reduced the amount of front setback encroachment to 2 feet for this two story addition. The reduced garage depth is still sufficient in length to functionally serve as a two car garage. In addition, locating the

## **Juncos Variance Request**

**August 20, 2019**

**Page 2**

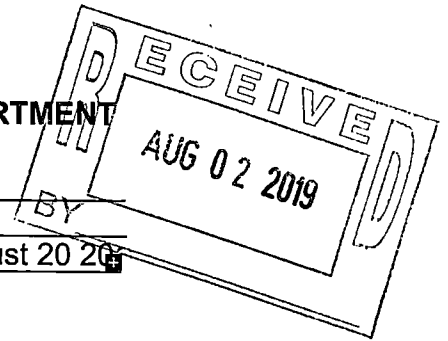
front of the garage at two feet out from the main front wall of the home fulfills the Code requirement for articulation on the front of the home.

With regard to other homes along Oneco Avenue on the same side of the street, although they do not count in the calculation of the required front setback for this home, there are a few homes at setbacks of 28 and 29 feet in the next block to the east.

The applicant expresses that the hardship relates to the ability to structurally remodel and add a second floor onto the existing home with the least impact on the home versus adding living area in the rear yard which has limited space and will result in creating more impervious coverage of the property.

From last month's meeting four letters of non-objection had been provided from nearby property owners including an adjacent property owner on the west side and three property owners directly across the street. Also, for last month's request, the adjacent property owner on the east side submitted a letter objecting to the variance.

**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 \_\_\_\_\_  
# Assigned \_\_\_\_\_  
Date of Hearing August 20 2019

Applicant: Gabriela Juncos

Owner: Gabriela Juncos

1371 Oneco Ave  
(Address)  
Winter Park, Fl 32789  
(City, State) (Zip)  
(970) 306-8490  
(Phone – Home)  
(970) 306-8490  
(Phone – Work or Cell)  
ggjuncos@yahoo.com  
(Email Address)

1371 Oneco Ave  
(Address)  
Winter Park, Fl 32789  
(City, State) (Zip)  
(970) 306-8490  
(Phone – Home)  
(970) 306-8490  
(Phone – Work or Cell)  
ggjuncos@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-, 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 1371 Oneco Ave, Winter Park, Fl 32789

Legal description of property \_\_\_\_\_

Describe variance

request Please allow garage to extend 2 ft beyond existing setback keeping the the recessed front porch and living room (center) as articulation.

Please allow 1st floor addition to garage to maintain the existing side setback (8.9 ft instead of 9 ft)

\*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?

We are working with an existing older home (1951) that has determined structures (footers, cement block walls and cathedral ceilings) that will allow an addition on the 2nd floor without causing damages to the current living area and work space (home office). Building into the backyard will surpass the allowed impermeable area allowed.  
The the garage area is not sufficient to accommodate the 2 rooms and bathroom needed, along with an internal access to the second floor and kitchen pantry.

How long have you owned the property? 2 years 11 months

How long have you occupied the property? 2 years 10 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?

Many houses on Oneco Ave. are at a lesser setback than what is being requested (most new home on the street are at 25ft). Thus, the 2 ft variance will not alter the character of the neighborhood.

Most houses in this area have been either renovated or torn down and built up to 2 story homes with modern day amenities. Including 2 car garages.

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.

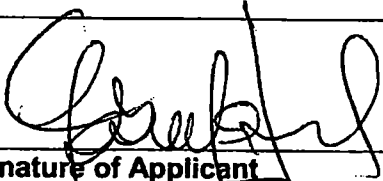
We are working with the existing structure of an older home (1951) that limits the area to which we can create the additional living space needed.

Building into the backyard will surpass the allowed impermeable area and decrease landscape green area and trees.

Other living areas have cathedral ceiling that will not allow a 2nd floor on top of them.

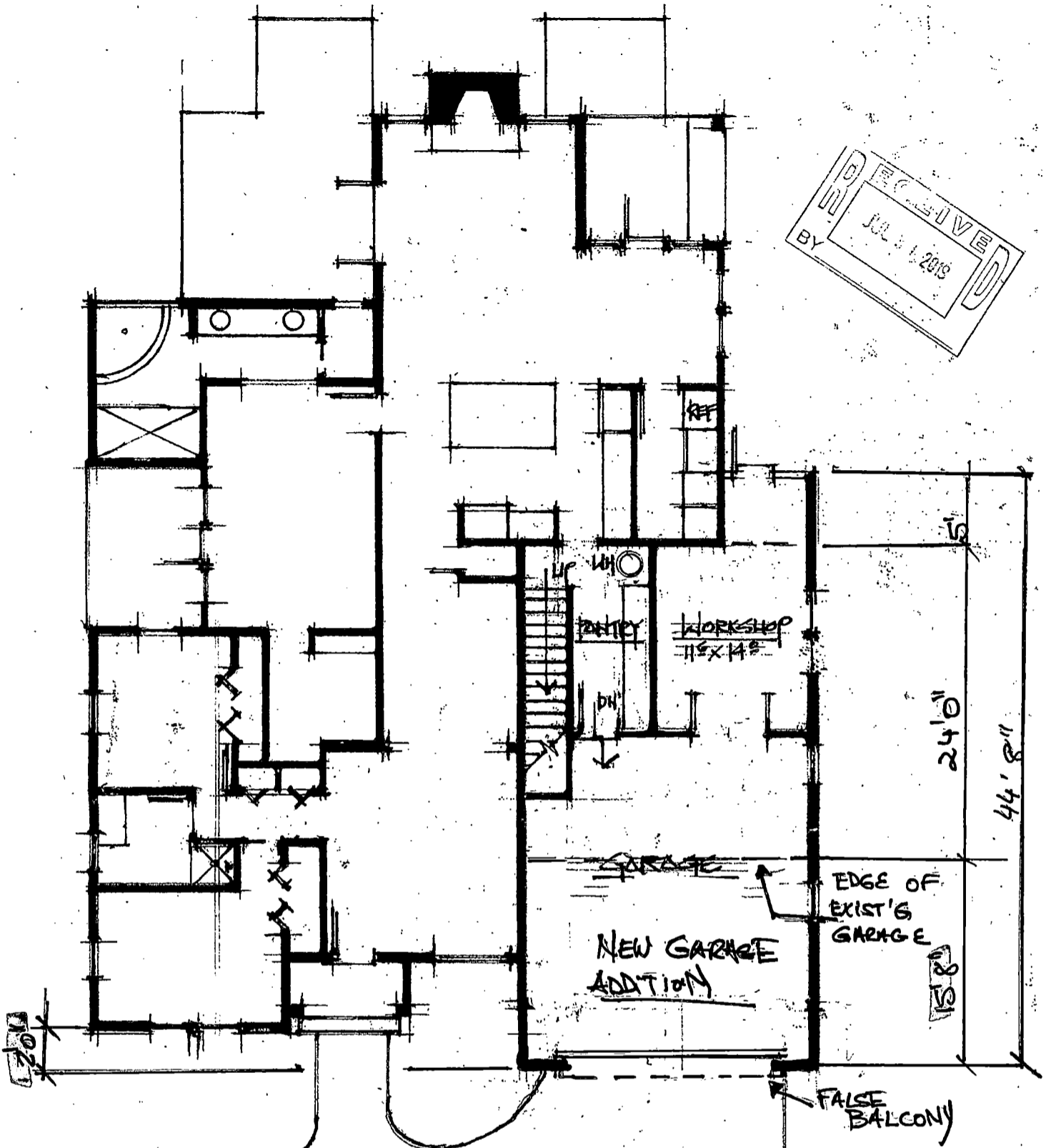
Having taken full advantage, optimizing the old living area to its maximum, there is no other area to create a kitchen pantry and internal access to the 2nd floor (stairs) than through the current garage. By doing so, it reduces the car space. Thus the needed extra length to store two cars.

Will applicant accept a limited variance? For example: Height, lengths, position, etc. of signs, fences, shrubbery, enclosures of structures or carports, parking spaces, etc? If so, to what extent?

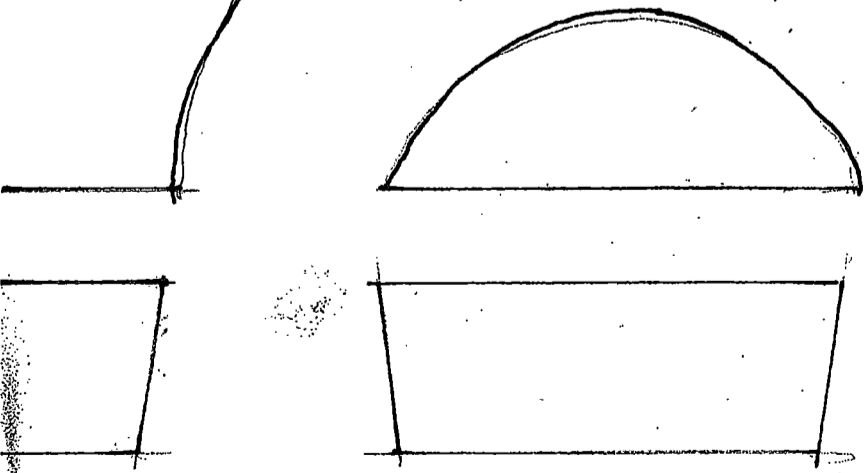
  
**Signature of Applicant**      06/18/19      Gabriela Juncos  
**Date**      **Name of Applicant (PRINT)**

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

RECEIVED  
JUL 11 2019  
BY

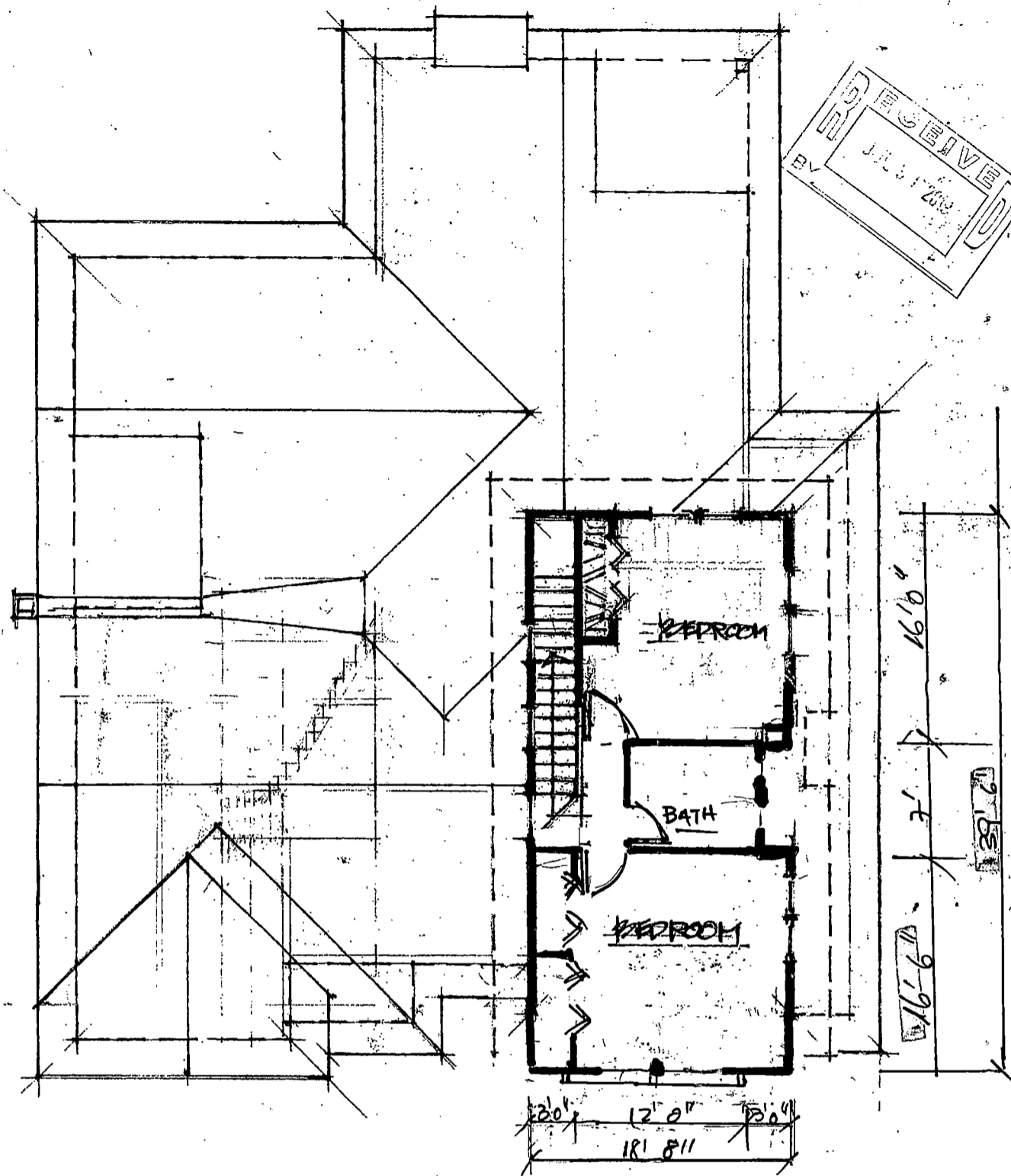


FIRST FLOOR PLAN  
1/8" = 1'-0"



stuart miles miller ARCHITECT

1451 palm avenue winter park florida 32789  
tel: 407 647 8183 cell: 407 670 8808 AR0010557



SECOND FLOOR PLAN  
1/8" = 1'-0"

stuart miles miller ARCHITECT

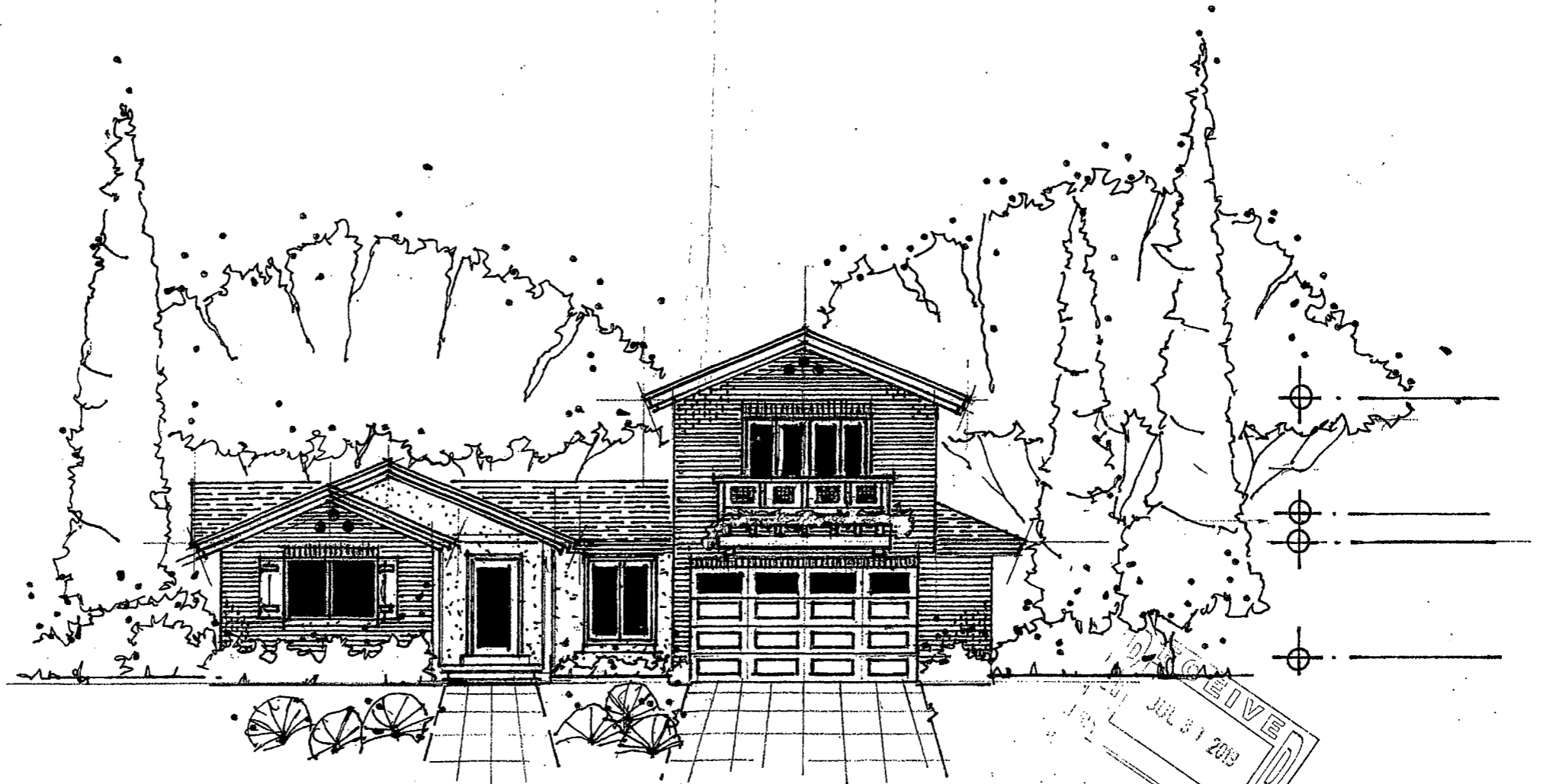
1451 palm avenue winter park florida 32789  
tel: 407 647 8183 cell: 407 670 8808 AR0010557



EAST ELEVATION  
1/8" = 1'-0"

RECEIVED  
BY: [Signature]  
JUL 21 2019





SOUTH ELEVATION

1/8" = 1'-0"

RECEIVED  
JUL 31 2009



## Board of Adjustments

**To:** Board of Adjustment Members  
**From:** George Wiggins, Director of Bldg/Legislative Affairs  
**Date:** August 20, 2019  
**Subj:** Gundacker Variance Request, 271 Cortland Avenue

The applicant is requesting variances to allow the construction of a 5 foot high masonry wall and 6 foot high wood fence within the front yard setback, whereas the maximum permitted height is 3 feet.

This property is on the corner of Aloma and Cortland Avenues, and by definition in the Zoning Code has its front yard on Aloma Avenue even though it has a Cortland address. The nearest wall of the home is 23 feet from the Aloma Avenue lot line. Within this 23 feet at 10 feet back from the north side lot line along Aloma, the applicant proposes to construct a 5 foot high wall with landscaping in front of it in order to help buffer traffic noise from this busy road and to act as a barrier to protect against vehicles entering the property (which has occurred in the past). The proposed wall would then be joined with a 6 foot high wood along the side of the property and connect back to the front of the home parallel to Cortland Avenue.

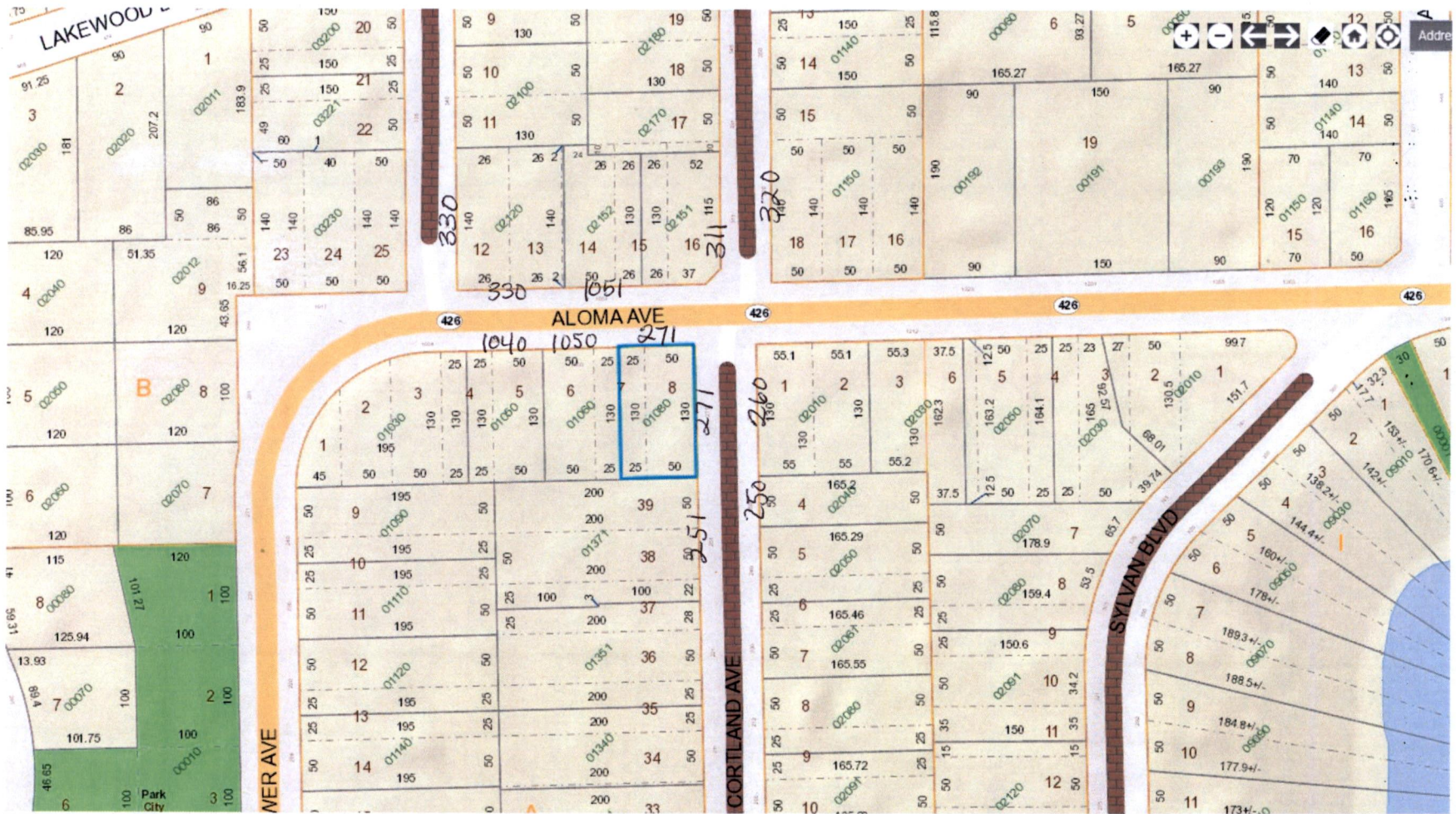
Currently, a substantial layered landscape buffer exists along the Aloma frontage which includes a 6 to 7 foot high hedge. The applicant states that this hedge will be removed due to age but will be replaced by another substantial hedge to serve as a visual buffer for the wall.

Over the years there have been other wall or fence variances granted along Aloma Avenue. Directly across the street wall height variances were approved for two properties located at 330 Alberta Drive and 1051 Aloma Avenue. The property at 330 Alberta Drive (also fronting on Aloma) was granted a variance (6/16/1992) to allow a wall with a height of 5.5 feet and the adjacent property was granted a variance (2/17/98) to allow a 5 foot high wall. Both of these variance included conditions to provide landscaping in front of the walls. See enclosed minutes of those meetings and enclosed photos of the walls.

More recently the wall & fence combination at 1017 Aloma Avenue with tall columns and metal fencing infill was granted a 5 foot height variance on 5/15/2007 and 6 foot wall at 921 Osceola Avenue (bottom of Brewer Avenue on the curve) also received a height variance on 11/18/2014 within the last 3 years. See enclosed photos.

Seven letters from neighboring property owners expressing no objection to this request have been provided by the applicant.

# 271 Cortland Ave



**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 7/31/2019  
# Assigned #1 (NEW BUS)  
Date of Hearing AUGUST 20

Applicant: Diestra Gundacker

Owner: Same

271 Cortland Ave.

\_\_\_\_\_  
(Address)

Winter Park FL 32789

\_\_\_\_\_  
(City, State) (Zip)

\_\_\_\_\_  
(City, State) (Zip)

\_\_\_\_\_  
(Phone - Home)

\_\_\_\_\_  
(Phone - Home)

407-421-5874

\_\_\_\_\_  
(Phone - Work or Cell)

\_\_\_\_\_  
(Phone - Work or Cell)

Dgundacker@mac.com

\_\_\_\_\_  
(Email Address)

\_\_\_\_\_  
(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 271 Cortland Ave. Winter Park 32789

Legal description of property Lot 8 & E 1/2 Lot 7

Cortland Park Subdivision

Orange County, FL

Describe variance request We would like to build a 5<sup>ft</sup> wall on Aloma Ave. side at 10<sup>ft</sup> from property line (heavily & professionally landscaped) We also would like to build a 6<sup>ft</sup> wood fence at West and South property lines. Gates on both sides of home would allow access to back yard.

\*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?

- We are on a corner lot on very busy road (Aloma Ave).
- This side area connects to our back yard and is where we entertain our grandchildren & dogs.
- This is considered our front property - but is actually our side yard.

How long have you owned the property? 32 years

How long have you occupied the property? 32 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?

Many do have existing walls & fences. We do maintain our property well and wish to add an aesthetically pleasing wall/garden area to our Aloma side of home.

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.

If not granted, and we built as required, our side yard would be eliminated from use. A shorter wall or fence would not provide security of privacy from the busy road.

(We have had a truck come through the current landscaping and have strangers in our back yard)

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, as long as it still allows use of Aloma side yard.

Diesta Gundacker  
Signature of Applicant

7.31.19  
Date

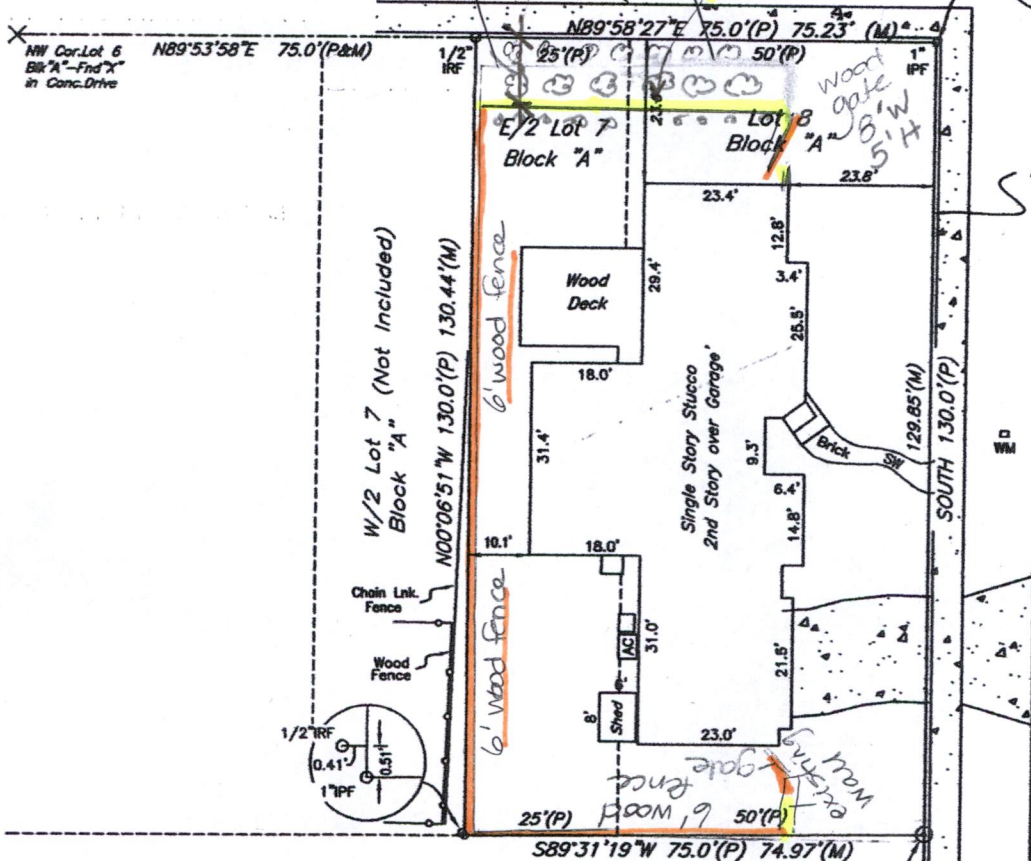
Diesta Gundacker  
Name of Applicant (PRINT)

Gundacker 271 Cortland Ave.

ALOMA AVE

Platted 60' ROW

COURTLAND AVE. Platted 60' ROW



The Basis of Bearings is Assumed North & South along the West ROW of Cortland Avenue Based on Recovered 1" Iron Pipes

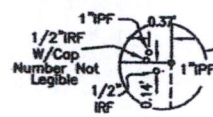
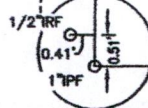
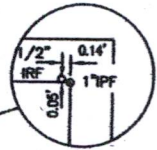
Lot 39 Block "A"

Legend

- = 10" Potable Water per Plan
- = Lot Boundary Line
- = Road Right of Way
- = 5' Wood Fence
- = Chain Link Fence
- WM = Water Meter
- (P) = Platted
- (M) = Measured
- IRF = Iron Pipe Found
- IRF = Iron Rod Found

Plat

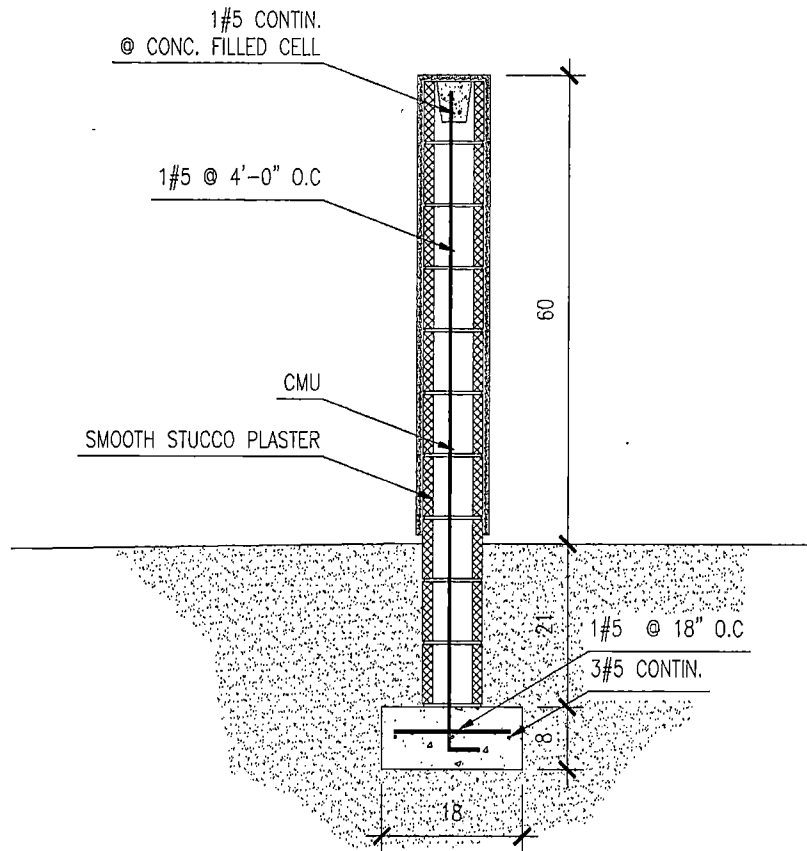
Basis of Bearings



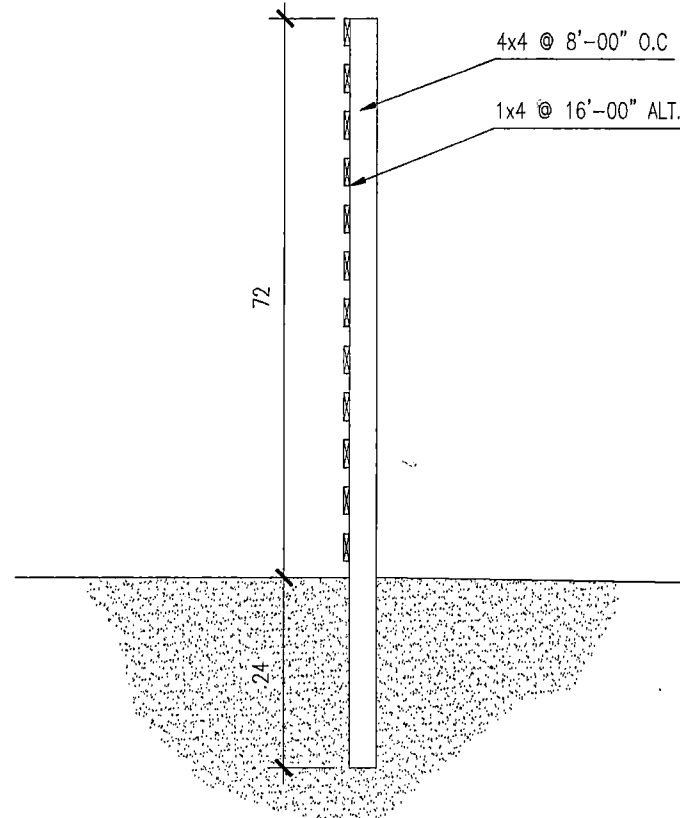
Handwritten notes: "10' set back", "Landscaping", "1' set back", "5' wall matching horse CMU - with stucco each side".

Handwritten note: "Wood gate 8'0\"/>

Handwritten note: "existing 6' wood fence" with an arrow pointing to a fence line.



WALL TYPE "A"  
SCALE: NO TO SCALE



FENCE TYPE "B"  
SCALE: NO TO SCALE

DRAWING TITLE:  
**FENCE & WALL DETAILS**

SCALE:  
**N.T.S**

ISSUE DATE:  
**08/14/2019**

REVISION:  
**REV 0**

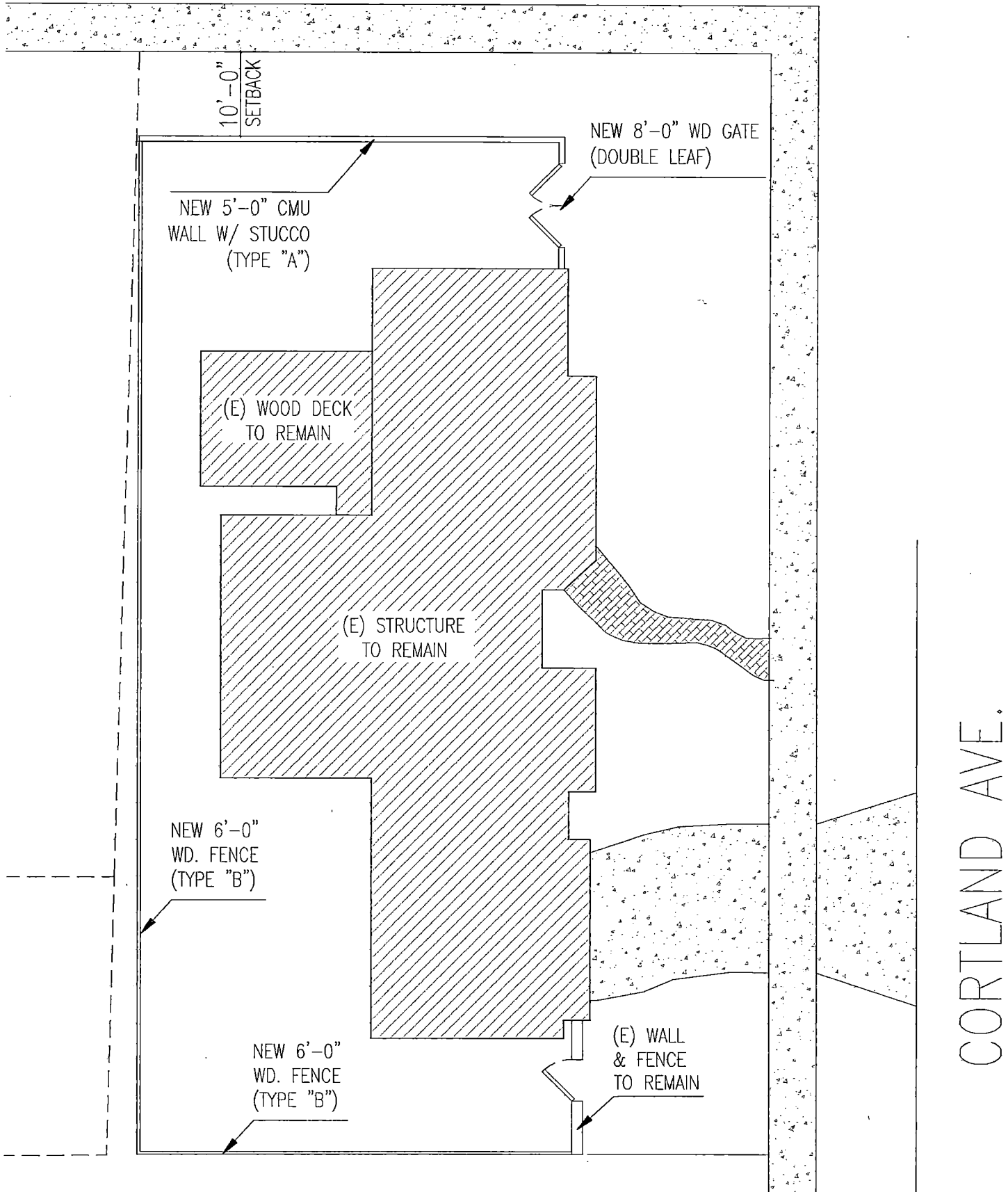
DRAWING:

**A-002**

ADDRESS:  
**271 CORTLAND AVE. WINTER PARK, FL 32789**

APPLICANT:  
**C. GUNDAKER**

ALOMA AVE.



CORTLAND AVE.

DRAWING TITLE:  
**OVERALL SITE PLAN**

SCALE:  
**N.T.S**

ISSUE DATE:  
**08/14/2019**

REVISION:  
**REV 0**

DRAWING:

**A-001**

ADDRESS:  
**271 CORTLAND AVE. WINTER PARK, FL 32789**

APPLICANT:  
**C. GUNDAKER**



201 Brewer Ave

Legend

500 ft

Google Earth

© 2019 Google

© 2018 Google



1051 Aloma Ave

Legend

Google Earth

© 2019 Google

© 2018 Google



# 330 Alberta Drive

Write a description for your map.

## Legend

 330 Alberta Dr

Google Earth

© 2019 Google

© 2018 Google



1800 Yorkshire Dr

Legend

330 Alberta Dr

Google Earth

© 2019 Google  
© 2018 Google



**PRIVATE RESIDENCE: SINGLE FAMILY UNIT  
271 COURTLAND AVE., WINTER PARK FLORIDA 32789**

**PLANT IMAGES AND FENCE ELEVATIONS / VIEWS**



DWARF FIREBUSH



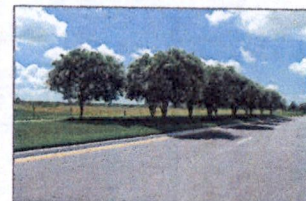
RED IKORA



DWARF ASIATIC JASMINE



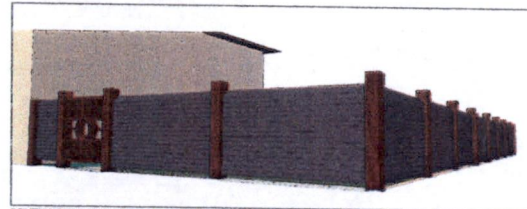
PINK CRAPE MYRTLE



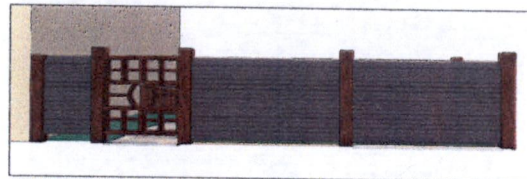
WHITE CRAPE MYRTLE



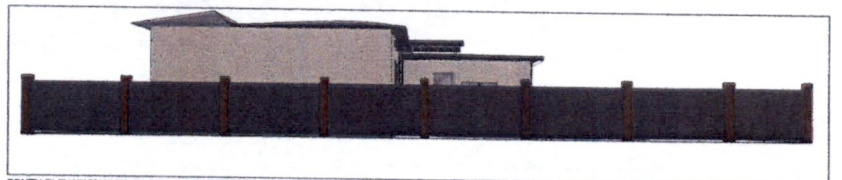
PODOCARPUS



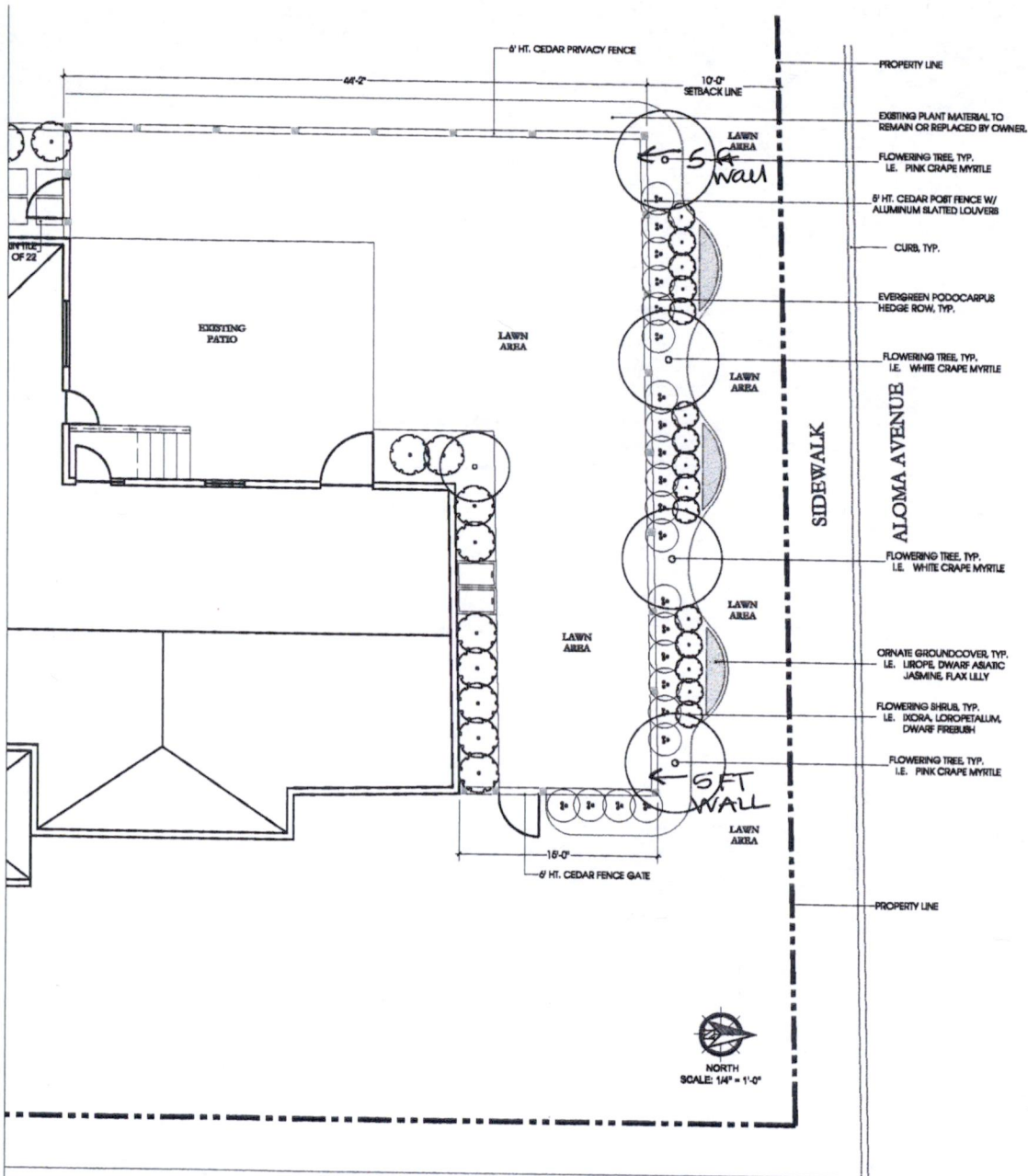
SOUTH-WEST PERSPECTIVE VIEW OF THE PROPOSED FENCE AND GATE



WEST ELEVATION VIEW OF THE PROPOSED FENCE AND GATE



SOUTH ELEVATION VIEW OF THE PROPOSED FENCE





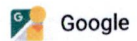
919 FL-426

Wall at 921 Osceola Avenue



Image capture: May 2019 © 2019 Google

Winter Park, Florida



Street View - May 2019



1017 FL-426

Wall/fence at 1017 Aloma Avenue



Image capture: May 2019 © 2019 Google

Winter Park, Florida



Street View - May 2019



1040 FL-426

Wall along Aloma at 330 Alberta Drive



Image capture: May 2019 © 2019 Google

Winter Park, Florida



Street View - May 2019





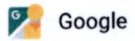
1051 FL-426

Wall at 1051 Aloma Avenue



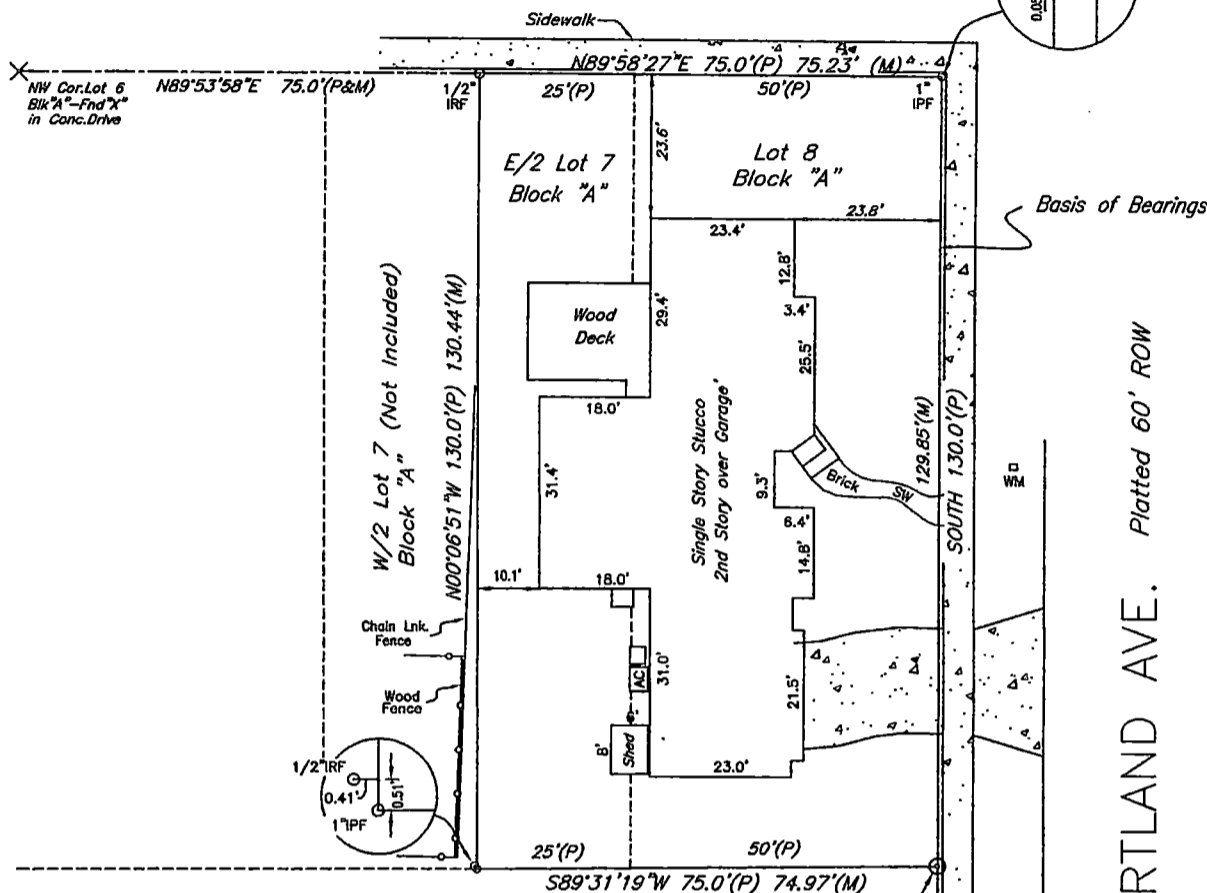
Image capture: May 2019 © 2019 Google

Winter Park, Florida



Street View - May 2019

ALOMA AVE Platted 60' ROW



The Basis of Bearings is Assumed North & South along the West ROW of Cortland Avenue Based on Recovered 1" Iron Pipes

Lot 39 Block "A"

Legend

- = 10" Potable Water per Plan
- ===== = Lot Boundary Line
- = Road Right of Way
- o---o---o--- = 5' Wood Fence
- = Chain Link Fence
- WM □ = Water Meter
- (P) = Platted
- (M) = Measured
- IPF = Iron Pipe Found
- IRF = Iron Rod Found

SHEET 1 OF 2 (not valid without sheet 2)



DALE STOCKSTILL & ASSOCIATES, P.A.  
PROFESSIONAL LAND SURVEYORS

3476 GRAND AVE  
DELAND, FLORIDA  
386-804-7267

SURVEY FOR  
CHARLIE GUNDAKER

I HEREBY CERTIFY THIS SURVEY TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND COMPLIES IN FORM WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 F.A.C. PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

FOR THE LICENSED BUSINESS NO. LB8052 BY:

*H. Fogle* 22 JUNE 15

HARLAND R. FOGLE, III  
Professional Surveyor &  
Mapper No. 6409

SURVEY OF LOT 8 & E1/2 LOT 7  
CORTLAND PARK SUBDIVISION  
ORANGE COUNTY, FLORIDA

|                  |                |                    |               |
|------------------|----------------|--------------------|---------------|
| SURVEYED BY: BPW | DATE: 03/16/15 | DRAWN BY: BAC      | DATE: 5/14/15 |
| CHECKED BY: HRF3 | DATE: 6/22/15  | DRAWING NO. 1 of 2 |               |
| DWG: DSA-01-15   | SCALE: 1"=30'  | PROJECT NO.        |               |
| Rev:             | SHEET 1 OF 2   |                    |               |

## SURVEYOR'S REPORT


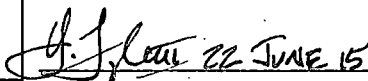
**LEGAL DESCRIPTION: (FURNISHED BY CLIENT)**

Lot 8 and the East Half of Lot 7, Block "A", Cortland Park  
As Recorded in Plat Book J, Page 73 of the Public Records  
of Orange County, Florida.

**NOTES:**

1. No instruments of record reflecting easements, rights of way, and or ownership were provided to this surveyor except as shown.
2. Legal description shown hereon was provided by the client.
3. There may be easements and restrictions of record and/or private agreements not furnished to this surveyor or shown on this boundary survey that may affect property rights and/or land use rights of the subject property.
4. This Survey was performed without the benefit of a Title Search or Title Commitment, no research of the public records was done by this firm.
5. There may be environmental issues and/or other matters regulated by various Departments of Federal, State or Local Governments affecting the subject property not shown on this survey.
6. This Survey was performed for the sole and exclusive benefit of the entities listed hereon and shall not be relied upon by any other entity or individual whomsoever.
7. This Survey is not valid without the signature and original raised seal of a Florida Licensed Surveyor and mapper.
8. Underground utilities and improvements were not located, unless shown heron.
9. No Flood Zone Determination Requested or Performed.

SHEET 2 OF 2 (not valid without sheet 1)

|   |   |   |   |
|---|---|---|---|
|    | <b>DALE STOCKSTILL &amp; ASSOCIATES, P.A.</b><br><small>PROFESSIONAL LAND SURVEYORS</small> | 3476 GRAND AVE<br>DELAND, FLORIDA<br>386-804-7267                                   | SURVEY FOR<br><b>CHARLIE GUNDAKER</b>                   |
| I HEREBY CERTIFY THIS SURVEY TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND COMPLIES IN FORM WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 51-17 F.A.C. PURSUANT TO SECTION 472.027, FLORIDA STATUTES. |   | FOR THE LICENSED BUSINESS NO. LB8052 BY:  |   |
|   |   |  |   |
| SEE SHEET ONE OF TWO FOR SKETCH<br>NOT VALID WITHOUT SHEET ONE  |   | <b>HARLAND R. FOGLE, III</b><br>Professional Surveyor &<br>Mapper No. 6409          |   |
|   |   | SURVEY OF LOT 8 & E1/2 LOT 7<br>CORTLAND PARK SUBDIVISION<br>ORANGE COUNTY, FLORIDA |   |
| SEE SHEET ONE OF TWO FOR SKETCH<br>NOT VALID WITHOUT SHEET ONE  |   | SURVEYED BY: BPW    DATE: 3/16/15    DRAWN BY: BAC    DATE: 5/14/15                 | CHECKED BY: HRF3    DATE: 6/22/15    DRAWING NO. 2 of 2 |
|   |   | DWG: DSA 001-15    SCALE:   | PROJECT NO.   |
| SEE SHEET ONE OF TWO FOR SKETCH<br>NOT VALID WITHOUT SHEET ONE  |   | Rev:  | SHEET 2 OF 2  |

Dear Board of Directors,

I, Reboen Hillman, residing at 251 Cortland Avenue, grant permission to Diesta and Charlie Gundacker at 271 Cortland Ave to build a 5 foot tall stucco / masonry wall 10 feet from their front property line along Aloma Ave., and a 6 foot wood fence connecting the west side property to the front wall.

I / we understand that this will require a variance to the current code that will only allow a 3 ft wall and a 20 ft Aloma set back of the wood fence.

Regards,



251 Cortland Ave  
Winter Park, FL 32789

Date 08.14.2019

Dear Board of Directors,

I, Loei Audie, residing at 211 Cortland Avenue, grant permission to Diesta and Charlie Gundacker at 271 Cortland Ave to build a 5 foot tall stucco / masonry wall 10 feet from their front property line along Aloma Ave., and a 6 foot wood fence connecting the west side property to the front wall.

I / we understand that this will require a variance to the current code that will only allow a 3 ft wall and a 20 ft Aloma set back of the wood fence.

Regards,



211 Cortland Ave  
Winter Park, FL 32789

Date 8-15-19

Dear Board of Directors,

I, Valerie H Boos, residing at 140 Cortland Avenue, grant permission to Diesta and Charlie Gundacker at 271 Cortland Ave to build a 5 foot tall stucco / masonry wall 10 feet from their front property line along Aloma Ave., and a 6 foot wood fence connecting the west side property to the front wall.

I / we understand that this will require a variance to the current code that will only allow a 3 ft wall and a 20 ft Aloma set back of the wood fence.

Regards,



140 Cortland Ave  
Winter Park, FL 32789

Date 8/15/2019

Dear Board of Directors,

I, JASPER DANC, residing at 260 Cortland Avenue, grant permission to Diesta and Charlie Gundacker at 271 Cortland Ave to build a 5 foot tall stucco / masonry wall 10 feet from their front property line along Aloma Ave., and a 6 foot wood fence connecting the west side property to the front wall.

I / we understand that this will require a variance to the current code that will only allow a 3 ft wall and a 20 ft Aloma set back of the wood fence.

Regards,



260 Cortland Ave  
Winter Park, FL 32789

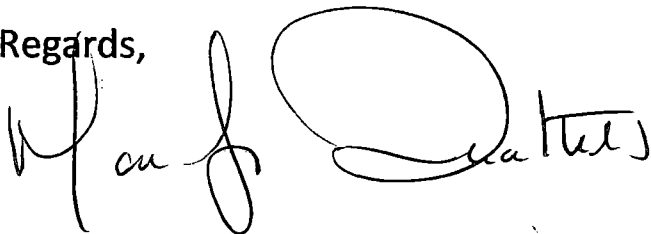
Date 8/15/19

Dear Board of Directors,

I, Marilyn Qualkers, residing at 181 Cortland Avenue, grant permission to Diesta and Charlie Gundacker at 271 Cortland Ave to build a 5 foot tall stucco / masonry wall 10 feet from their front property line along Aloma Ave., and a 6 foot wood fence connecting the west side property to the front wall.

I / we understand that this will require a variance to the current code that will only allow a 3 ft wall and a 20 ft Aloma set back of the wood fence.

Regards,

A handwritten signature in black ink that reads "Marilyn Qualkers". The signature is written in a cursive style with a large, prominent loop for the letter 'Q'.

181 Cortland Ave  
Winter Park, FL 32789

Date 8-10-19

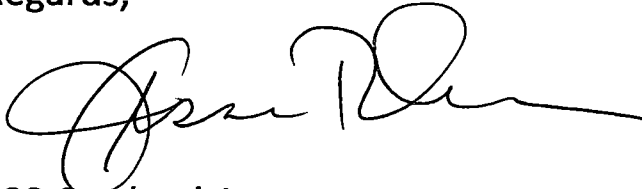


Dear Board of Directors,

I, Jessica de Arcos, residing at 200 Cortland Avenue, grant permission to Diesta and Charlie Gundacker at 271 Cortland Ave to build a 5 foot tall stucco / masonry wall 10 feet from their front property line along Aloma Ave., and a 6 foot wood fence connecting the west side property to the front wall.

I / we understand that this will require a variance to the current code that will only allow a 3 ft wall and a 20 ft Aloma set back of the wood fence.

Regards,



200 Cortland Ave  
Winter Park, FL 32789

Date 8/6/19

Dear Board of Directors,

I, *Elija G Bruscato*, residing at 212 Cortland Avenue, grant permission to Diesta and Charlie Gundacker at 271 Cortland Ave to build a 5 foot tall stucco / masonry wall 10 feet from their front property line along Aloma Ave., and a 6 foot wood fence connecting the west side property to the front wall.

I / we understand that this will require a variance to the current code that will only allow a 3 ft wall and a 20 ft Aloma set back of the wood fence.

Regards,

*Bruscato*

212 Cortland Ave  
Winter Park, FL 32789

Date 8/1/19

BOARD OF ADJUSTMENT

City of Winter Park, Florida

Regular Meeting  
City Hall

June 16, 1992  
5:00 p.m.

A G E N D A

Approval of Minutes from May 19, 1992 meeting

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OLD BUSINESS

#1 Request of Nicholas & Kathryn Geary for a variance to allow the erection of a 7' block wall located 10' from the front property line on Aloma Avenue and located 1' from the street side property line on Alberta Drive in lieu of the maximum allowable height of 3'. 330 Alberta Drive.

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#2 Request of Joe Hydrick for a variance to allow a 6' wood fence to remain 2' from the street side property line in lieu of the required setback of 20' from the property line. 531 Brechin Drive.

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NEW BUSINESS:

#1 Request of Thomas B. Drage, Jr. for a variance to allow the erection of a 5' wrought iron fence located within the required front yard setback in lieu of the maximum allowable height of 3'. 155 Brewer Avenue.

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#2 Request of Gregg & Barbara Kern for a variance to allow the construction of an addition located 7.4' from the west side property line in lieu of the required setback of 10'. 2019 Natalen Road.

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#3 Request of Robert Matthias for a variance to allow the replacement and height extension of a second floor wall located 9.7' from the SW property line and to add a second floor room addition 11.1' from the NE property line in lieu of the required second floor setback of 12.5'. 2359 Forrest Road.

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#4 Request of Barbara & Gerard Corkery for a variance to allow the north wall extension from 8' to 10' in height located 7.8' from the N side property line in lieu of the required setback of 10'. 531 Dunraven Drive.

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#5 Request of Richard Greatwood for a variance to allow the construction of a second story addition located 8' from the east and west side property lines in lieu of the required second floor setback of 10'; and to allow the Floor Area Ratio to be 40.1% or 350 square feet over the maximum allowable Floor Area Ratio of 35%. 1340 Hibiscus Avenue.

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#6 Request of William & Jacqueline Giovanetti for a variance to allow the placement of a screen enclosure located 8' from the east side property line in lieu of the required setback of 10'; and located 17.5' from the rear property line in lieu of the required 25' rear setback; and to allow the screen enclosure to be over the maximum allowable 5% Floor Area Ratio by 129.87 square feet. 1500 Hibiscus Avenue.

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#7 Request of W. A. Harmening for a variance to allow the replacement and height extension of three porches; 1) located 8.03' from the south side property line, 2) located 3' and 6.76' from the north side property line and 3) located 4' from the north side property line in lieu of the required setbacks of 10'. 1241 & 1251 Arlington Place.

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#8 Request of Patrice S Stowe for a variance to allow the erection of a 5'6" security gate with 7'1" high columns with light fixtures located in the front setback area in lieu of the maximum height of 3' for the gate and a maximum height of 4' for the columns with light fixtures. 1180 Park Avenue North.

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#9 Request of Mr. & Mrs. Yeager for a variance to allow a 273 square foot two story addition to the rear of the existing home, 35' in height in lieu of the maximum 30' height limit. 2170 Fawsett Road.

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BOARD OF ADJUSTMENT

City of Winter Park, Florida

Regular Meeting  
City Hall

16 June 1992  
5:00 P.M.

M I N U T E S

PRESENT: Ronald Dale, Chairman; Tully Blalock; Jere Daniels; Dick Mahaffey; Daniel McIntosh; Karen Proctor; and George Wiggins, Director of Code Enforcement were present.

MINUTES: The minutes from the May 19, 1992 meeting were approved as published.

OLD BUSINESS

#1 Request of Nicholas & Kathryn Geary for a variance from Section 31-21 "General Provisions", par. 12(b) & 14(b) to allow the erection of a seven (7) foot block wall located ten (10) feet from the front property line on Aloma Avenue and located one (1) foot from the street side property line on Alberta Drive in lieu of the maximum allowable height of three (3) feet. Located at 330 Alberta Drive.

Mr. Wiggins stated that this variance was discussed in the last meeting. At that time the Board was inclined to deny the variance, however, the applicant requested that the Board table the request so that he could make modifications. Mr. Geary, the applicant, has submitted a revised set of drawings showing the wall located at the rear of the house and ten (10) feet back from the sidewalk. Lt. Bracknell, reviewed the revised plan and has written a memo stating that he has no problem with the placement of the fence, but he would like the Board to address the concerns he has in regards to vegetative obstruction. Mr. Wiggins handed out a copy of the City Ordinance stating that plantings could not be any higher at intersections than two and one-half (2.5) feet in height to maintain visibility.

Mr. Geary stated that there is approximately a fifty (50) foot setback from Alberta to the proposed fence. The requested fence height was lowered one-half (1/2) foot, and they would like to keep it that high so that if someone were standing in the back yard they could not see cars passing by. He stated that he is trying to provide protection, privacy, and noise reduction. He stated that he had spoken to Mr. Sewell, 1017 Aloma Avenue, on the opposite corner and has given his verbal approval.

FINDINGS OF THE BOARD:

The Board found that the fence would not be as imposing at the corner of the house, and that it would provide safety for the children. However, the Board did not see a need of the six and one-half (6.5) feet height and felt that safety could be provided with a wall of lesser height.

ACTION:

Based on these findings Mr. Daniels seconded the motion to vote on the variance as advertised. The variance was DENIED by a vote of 6 0.

Findings of the Board:

The Board found that a wall of a lesser height should provide protection and not be as obvious visually from Aloma Avenue.

ACTION:

Based on these findings Mr. Dale made a motion to vote on the variance with a height of five (5) feet at the proposed location as shown on the revised plan with the proposed landscaping also shown on the plan. Mr. Mahaffey seconded the motion. The variance was APPROVED by a vote of 4-2 with Mr. Daniels and Mr. McIntosh dissenting.

#2 Request of Joe Hydrick for a variance from Section 31-21 "General Provisions", par. 12(b) and 14(b) to allow a six (6) foot wood fence to remain two (2) feet from the street side property line in lieu of the required setback of twenty (20) feet from the property line. Located at 531 Brechin Drive.

Mr. Wiggins stated that this was tabled from last month's meeting. A fence permit was obtained but the fence was improperly located two (2) feet from the Brechin property line. As indicated in an attached letter from the owner, the fence has been recently changed and cut off at the corner.

Mr. Darrel Weeks, representative for Mr. Hydrick, stated that there was a misunderstanding in where to place the fence. He did not know where his property line was located. The gas meter is located five (5) feet from the house which would be in the way if the fence was relocated to the required twenty (20) foot measured from the property line. However, the neighbor

**FINDINGS OF THE BOARD:**

The Board stated that hardships for the request as the size of the lot which is narrow in a neighborhood generally with wider lots, the approval of the neighbors and the small percentage of FAR over the allowable area.

**ACTION:**

Mr. Jontz made a motion to approve the request with the condition that no further application be made to enclose the open rear porch. Mrs. Builder seconded the motion. The request was approved 5-1 with Mr. Bechtel voting in opposition.

**Agenda Item #3**

Request of David Fout/Mark Estrin for a variance to allow the construction of a 5.5 foot wall to be located five (5) feet from the front lot line in lieu of the maximum permitted height of three (3) feet within a front yard area. Located at 1051 Aloma Avenue. Zoned R-1AA.

Mr. Wiggins stated that the applicant is requesting a variance to allow the construction of a 5.5 foot high masonry wall to be located within a front yard setback area. The wall is proposed to be located ten feet from the front lot line and join the adjacent wall which had obtained a variance previously on June 16, 1992 for a five foot high wall. The adjacent property to the west is a corner lot at 330 Alberta Drive.

The minutes of that meeting were submitted for the Board's review. When the variance was granted for that wall, the Code required a twenty foot street side setback for walls over three feet in height. Today, the Code allows a five foot wall to be located ten feet from the street side lot line. Therefore, the neighbor's wall, which is in a street side yard is nearly in compliance with the current Code provision.

Mark Estrin, contractor representing the applicants, stated that the Fouts own the property at 1051 Aloma Avenue and reside on Cortland Avenue. The Fouts decided to build on the Aloma lot and sold another property. The construction of a new residence is underway on the lot. After twelve years Mrs. Fout found out she is pregnant and realized the great safety concerns and felt that choosing this particular lot may have not been the right choice. Mr. Estrin stated the hardships for the request as Aloma Avenue, the four lane highway running through a residential neighborhood and the noise that is created. The intent is to match the existing block wall next door that was previously granted a variance. Also, the northbound traffic on Cortland Avenue directs car lights onto the front of the house, in this area.

**FINDINGS OF THE BOARD:**

The Board stated the hardships as the location of the property near the curve of a major highway, and the heavy traffic volume on the road.

**ACTION:**

Based on these findings Mr. McIntosh made a motion to approve the request with the condition that the applicant plant and maintain shrubbery as shown on the plans. Mrs. Builder seconded the motion. The request was approved 4-2 with Mr Jontz and Mrs. Gerber voting in opposition

**Agenda Item #4**

Request of Oren Gabbai for a variance to allow the enclosure of a porch addition as additional living area on the rear of the existing five (5) unit apartment building, a non conforming structure. Located at 1163 S Pennsylvania Avenue. Zoned R 3.

Mr. Wiggins stated that the applicant is requesting a variance to allow the enclosure of an open porch with windows and to provide additional air conditioned living space for four nonconforming apartments on a property which does not meet the minimum lot size for a multi-family dwelling. The property is Zoned R-3, Multiple Family which requires a minimum lot size of the 15,000 square feet of area. The property has an area of 13,700 square feet. The building has four first floor apartments and one unit upstairs and has been grandfathered in since the building was constructed many years prior to the 1971 Zoning Code.

The current owner performed some remodeling on this building two years ago and during the remodeling removed the rear porch due to structural reasons. Rebuilding the open porch was permitted conditioned upon it remaining an open porch so as not to violate the Code provision dealing with expansion of a nonconforming structure.

A new owner is seeking to further improve the property and would like the ability to turn the porch areas into additional living area. Based on the lot area of 13,700 square feet, with the Zoning Code density requirement of one unit for each 2500 square feet of land area, the property would support five dwelling units. Each of the existing units in this building are quite small, and the new owner is seeking relief to allow more comparably sized apartments for the area.

Maggie Rogers, owner, addressed the Board stating that she presently has a contract for