

### Board of Adjustments regular meeting

September 17, 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 August 20, 2019 Meeting

### **New business**

1. Request of Z Properties, on behalf of Juan & Annette Diaz, for a variance to allow the construction of a detached garage, with an area of 741 square feet, located 5 feet from the NW side property line, in lieu of the required setback of 10 feet.

Located at: 2369 Forrest Road

Zoned: R-1AA

2. Request of Coreen Naugle for a variance to allow the construction of a second floor addition located 14.7 feet from the Fitzwalter street side property line, in lieu of the required setback of 20 feet.

Located at: 2572 Fifeshire Drive

Zoned: R-1A

### appeals & assistance

"If a person decides to appeal any decision made by the Board with respect to any matter considered at 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**

То:	Board of Adjustment Members
From:	George Wiggins, Director of Bldg/Legislative Affairs
Date:	September 17, 2019
Subj:	Z Properties Variance Request, 2369 Forrest Road

The applicant is requesting a variance to allow the construction of a detached garage, with an area of 820 square feet to be located 5 feet from the northwest side property line, whereas the required setback is 10 feet.

Under the Zoning Code, a detached garage can be located 5 feet from the side property line if the maximum area of the garage is 600 square feet. Also, in order to qualify for the 5 foot side setback the garage must located in the rear third of the lot depth.

In this case, the subject lot has a somewhat trapezoidal shape with the southwest corner of the lot narrowing substantially toward the rear. In order to orient the garage in line with the proposed home and still accommodate backing out of the garage, the front right side corner of the garage projects into the required 10 foot side setback. This results in having this corner at the five foot setback while the remainder of the garage side wall angles further into the lot and has the required 10 foot side setback at the rear of the garage.

In addition, the design of the garage has a limited height profile, by keeping the side walls at a height of 10 feet which is another requirement for garages and accessory buildings to meet in order to have a 5 foot side setback and 10 foot rear setback. Taller structures must meet the required setbacks of the home.

This property also abuts unincorporated Orange County and Orange County's Beeman Park, a passive park on Lake Sue.

An email from the adjacent property owner expressing no objection to this request has been provided.

### 2369 Forrest Rd



### 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

Applicant: Z Properties Group, Inc.

Date Received 0101 # Assigned 14-1 Date of Hearing CEPT

Owner: Juan Diaz & Annette Lopez Diaz 306 Lake Avenue, APT 231 (Address) Maitland, Florida 32751 (City, State) (Zip) 407-741-3240 (Phone – Home) (Phone – Work or Cell) annettediaz@live.com

(Email Address)

(Phone - Home)

(Phone – Work or Cell)

chanel@zpropertiesinc.com

**PO BOX 488** 

(Address)

(City, State)

407-949-8639

Winter Park, Florida

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.

(Email Address)

\*This request is for a variance from requirements of Article III, Zoning of the Land Development Code of Winter Park, Section 59-71, Paragraph (i) (2), Zoning R-IAA.

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 property2369 Forrest Road, Winter Park, Florida 32789 Legal description of

32790

(Zip)

property See attached property appraiser's page

Describe variance request Requesting a 141 square foot variance for a 3 car garage to be 5 feet from the side setback. 600 square feet is allowed.

We are currently under the FAR of 5,957; we are not asking for a variance on FAR. We are needing a variance for the

3 car garage in the rear 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 topography of the land has extreme drop off at the first 25 feet of the property; so to create a garage in the front

of the home is impossible. We had to put the garage in the back of the home. The property also has an irregular shape. We

### are also trying to avoid the stream in the backyard with our rear garage.

How long have you owned the property? 3 mo.

How long have you occupied the property? 3 mo.

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 difficulty of the large dropoff is causing us to be creative on placement of the driveway,

motorcourt, and garage as to not impact the existing topography.

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 hardship is the topography dropoff & extreme slope at the entrance of the property. Also the irregular shape

of the property. The variance needed is to place a 3 car garage in the rear of the property because the front of

the property will not hold the garage due to the land shape and topography.

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 the applicant will not accept a limited variance

8/20/19

Zane Williams

Signature of Applicant

Date

Name of Applicant (PRINT)

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

### 2369 Forrest Rd

### S. RICK SINGH, CFA - ORANGE COUNTY PROPERTY APPRAISER

Searches	Sales Search	Results	Property Record Card	亭 My Favorites	Sign up for e-Notify
2369 Forrest R	<b>d</b> < 18-22-30-0	000-00-033 >			Click To Enlarge Or Upload
Name(s)		Physical Street	Address		
Diaz Juan D		2369 Forre	st Rd		
Lopez-Diaz Annette		Postal City and	Zipcode		A STATE OF A STATE OF ALL OF AL
Mailing Address On File		Winter Parl	k, FI 32789		
2200 Soaring Eagle Pl		Property Use			
Lake Mary, FL 32746-46	620	0100 - Sing	le Family		30221800000033 12/21/2006
Incorrect Mailing Address?		Municipality			30221800000033 12/21/2006
		Winter Park	< compared by the second se		

Property Features	Values, Exemptions and Taxes	Sales Analysis	Location Info	Market Stats	Update Information
					And the second sec

#### **Property Description**

FROM NW CORNER OF NE1/4 OF SE1/4 OF SEC 18-22-30 W 30 FT TH SOUTH 421.73 FT TH S41-40-0W 153.16 TH S72-57-0W 41.15 FT TH S40-19-0W 41.15 FT TH S21-47-0W 44.88 FT TH S13-52-0W 37.4 FT TO POB TH S9-32-0E 37.4 FT TH S48-31-0E 37.4 FT TH S25-58-0W 126.2 FT TH N62-35-0W 151.35 FT TH N55-47-0E 188 FT TO POB

Total Land Area 15,531 sqft (+/-) | 0.36 acres (+/-) GIS Calculated Notice

#### Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0100 - Single Family	R-1AA	1 LOT(S)	\$450,000.00	\$450,000	\$0.00	\$450,000
Page 1 of 1 (1 total records)			a mana mangana na manga			

#### **Buildings**

	Important Information		Structure			
	Model Code:	01 - Single Fam Residence	Actual Year Built:	1959	Gross Area:	3560 sqft
More	Type Code:	0102 - Single Fam Class II	Beds:	2	Living Area:	2062 sqft
Details	Building Value:	\$82,689	Baths:	2.0	Exterior Wall:	Concrete/Cinder Block
	Estimated New Cost:	\$124,532	Floors:	1	Interior Wall:	Drywall

Page 1 of 1 (1 total records)

#### **Extra Features**

Description	Date Built	Units	XFOB Value	
FPL2 - Average Fireplace	01/01/1959	1 Unit(s)	\$2,500	
PT2 - Patio 2	01/01/1959	1 Unit(s)	\$2,000	
SHED - Shed	01/01/1959	1 Unit(s)	\$500	

Page 1 of 1 (3 total records)

This Data Printed on 08/20/2019 and System Data Last Refreshed on 08/19/2019

## **Parcel Photos - 2369 Forrest Rd**



# 30221800000033 12/21/2006

August 20, 2019

City of Winter

Attn: Board of Adjustments

401 Park Avenue South

Winter Park, Florida 32789

RE: Board of Adjustments / 2369 Forrest Road, Winter Park, Florida 32789

To whom it may concern,

As owner of 2369 Forrest Road, Winter Park, Florida 32789, I give Zane Williams of Z Properties Group, Inc. the authority to act as my agent/applicant in the application process for the variance on the property. Please let me know if you have any questions, 407 -741-3240 or annettediaz@live.com.

Best,

metter good ion

Annette Lopez-Diaz Owner

Address: <u>2369</u> Forrest 1 Submitted by: <u>ZPropertie</u>	For Single Family Zoning Distric		Lot width2: 10+	width a.F. 15,676 S	<u>s.b</u> 85'-0 F
	Maximum % Allowed <sup>4</sup>	Existing Area <sup>10</sup>	Additional Proposed Area <sup>10</sup>	New Total Area	Maximum Allowed Area
IMPERVIOUS LOT COVERAGE Include bldg footprint, driveways, sidewalks, patics, swimming pools, A/C pads, etc.	2 story - 50%			7838	7838
	1 story - 60%				10.00
FLOOR AREA RATIO (F.A.R.) <sup>5,6</sup>	Lots < 11,600 sf: Use <u>38%</u> Base FAR or w/ increased side setbacks: <u>43%</u> Max FAR				
For one and two story bidgs (include 1st & 2nd floors, garages/carports, stair areas on both floors, areas on 2nd floors which are open to the 1st floor <sup>7</sup> , and accessory bidgs. EXCLUDE - pool screen enclosure areas and certan open front,	Lots 11,600 sf to 13,600 sf Use <u>4,500 sf</u> Base area & <u>5,200 sf</u> Maximum area				~~
side & rear porches <sup>6</sup> .	Lots > 13,600 sf Use <u>33%</u> Base FAR or w/ increased side setbacks: <u>38%</u> Max FAR			5877 37.5.1.	5957 38·1
SCREEN POOL ENCLOSURE	8% <sup>9</sup>				
	Minimum % Required	Existing Area <sup>10</sup>	Landscape Area Reduced <sup>10</sup>	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%			2105	

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 bidg line across lot. The bidg line is located at the required front setback for vancant lots or front bidg 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 setbackas described on page 2.

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.

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.

	Mir	Minimum Allowable Dimensions			Existir	lg	Prop	osed
FRONT	Average o	Average of 2 adjacent homes on each use 3 adjacent home		f corner lot,				
SIDES <sup>1,2</sup>		1st Floor		Α			13'-0" 17'-0'	
(see other side setback options on pg 4)	2nd Floor		pages 3&4 B		松前	ight	17'-0"	
		1st Floor		25 ft				- () <sup>11</sup>
REAR <sup>1,3,4</sup>	2nd Floor		- 35 ft <sup>5</sup>		Ų		(08'-0"	
		Lakefront		e note 6				
	1st Floor	Lot width ≤ 65 ft		15 ft			· · · · · · · · · · · · · · · · · · ·	
CORNER LOT	13111001	Lot width > 65 ft <sup>7</sup>		20 ft				
a simply pair	2nd Floor	Lot width ≤ 65 ft		15 ft		•	•	· · · · · · · · · · · · · · · · · · ·
	$Lot width > 65 ft^7$			22.5 ft				
BUILDING HEIGHT <sup>8,9,10,11,12</sup>	30 ft -	35 ft plus 2 ft or 40 ft (se	e notes 1	1 & 12)			30'	-0"

### SETBACKS (complete boxes A and B first)

<u>Notes</u>:

1. Any building wall that exceeds 12 it in height measured from natural grade to top of wall plate or truss kneewall must meet the setbacks for the 2nd floor.

2. Accessory buildings' maximum side wall height (natural grade to roof sheathing) shall not exceed 10.5 ft and interior side setback is 5 ft minimum (no gable end allowed) for garages up to 600 sf, pool cabana up to 500 sf and all other accessory buildings up to 320 sf. Other accessory buildings used for habitation shall meet setbacks of the main residence.

3. Rear setbacks for properties abutting non-residential zoned, R-3/R-4, or a permanent stormwater retention area over 25 ft in width may be 10 ft.

4. Accessory buildings: garage/carport up to 820 sf, pool cabana up to 500 sf and storage bldg up to 320 sf - minimum rear setback shall be 10 ft. Other accessory buildings used for habitation shall meet setbacks of the main residence.

5. The rear setback may be reduced to 25 ft for two-story components when those consist of a second story loft or mezzanine that is within the normal scale and 18-ft max height of a typical one-story structure.

6. Require Planning & Zoning commission approval. Lakefront setback is based on the average setback establish by the adjacent residences within 200 ft or 50 ft, whichever is greater, measured from ordinary high water line.

7. Setbacks given are measured on the side yard adjacent to the street & lots over 75 ft with 1st and 2nd floor setbacks of 25 ft may reduce the rear setback by 5 ft on each floor.

8. Building height is the vertical distance measured from the average elevation of the existing lot grade measured directly adjacent to the front of the building or proposed building.

9. No building or portion thereof shall exceed 30 ft in height except for homes with a roof slope of 8:12 or greater may be permitted to have 2 ft additional building height.

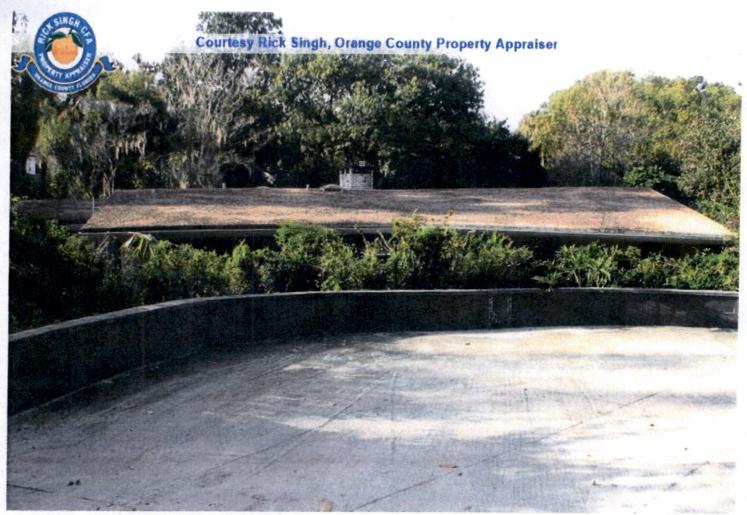
10. Accessory building that exceeds 18 ft in height shall meet the same setbacks as the principal building on the property.

11. Properties or lots with at least 80 ft of width at the building line are permitted to have a building height of 35 ft if the side setbacks are increased to 20 ft at 30 ft above the side lot line. Exception: homes with a roof slope of 8:12 or greater

12. Properties or lots exceeding 50,000 sq.ft. in size with at least 100ft width at the building line may be permitted building heights of 40 ft if side setbacks are increased to 35 ft to the portion of the roof over 30 ft in height.

(Feb 2013) PAGE 2

## Parcel Photos - 2369 Forrest Rd



# 30221800000033 12/21/2006

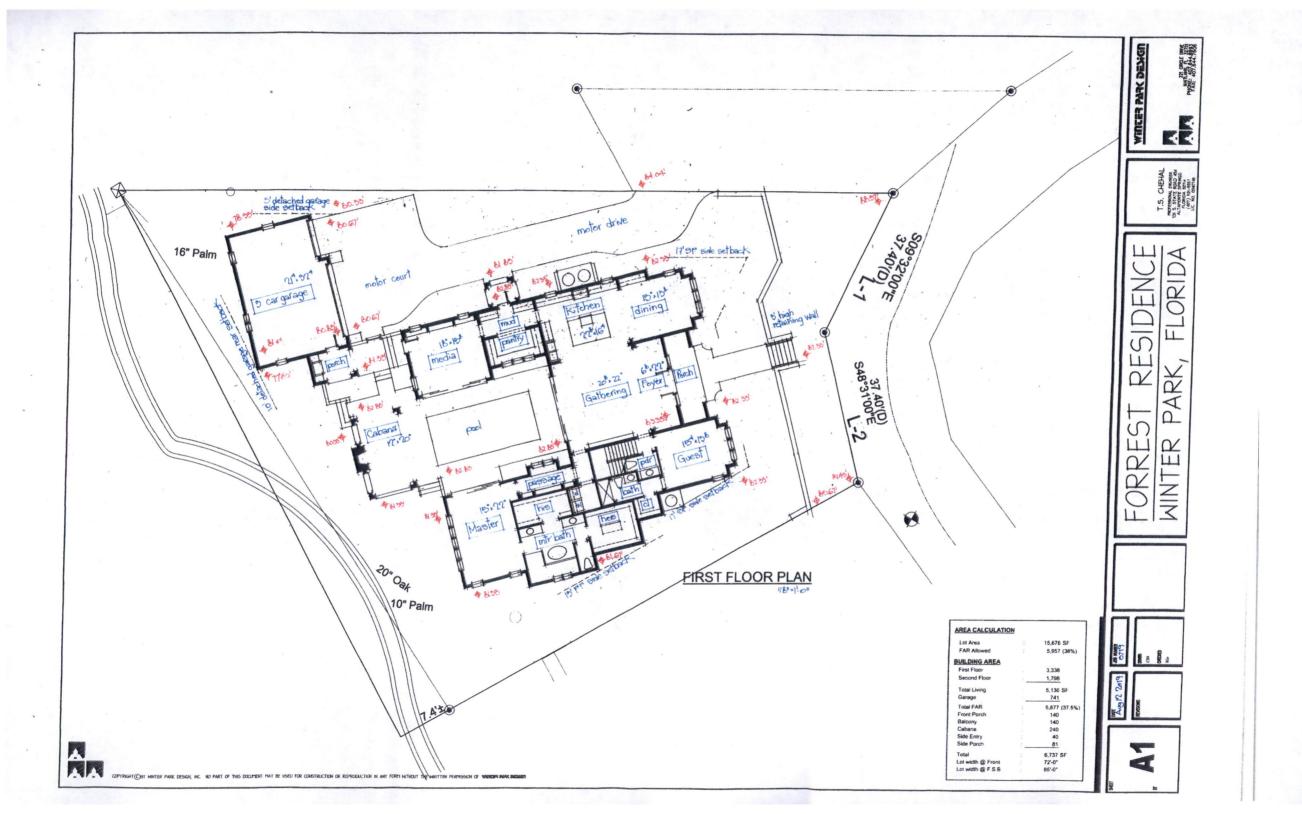
### **George Wiggins**

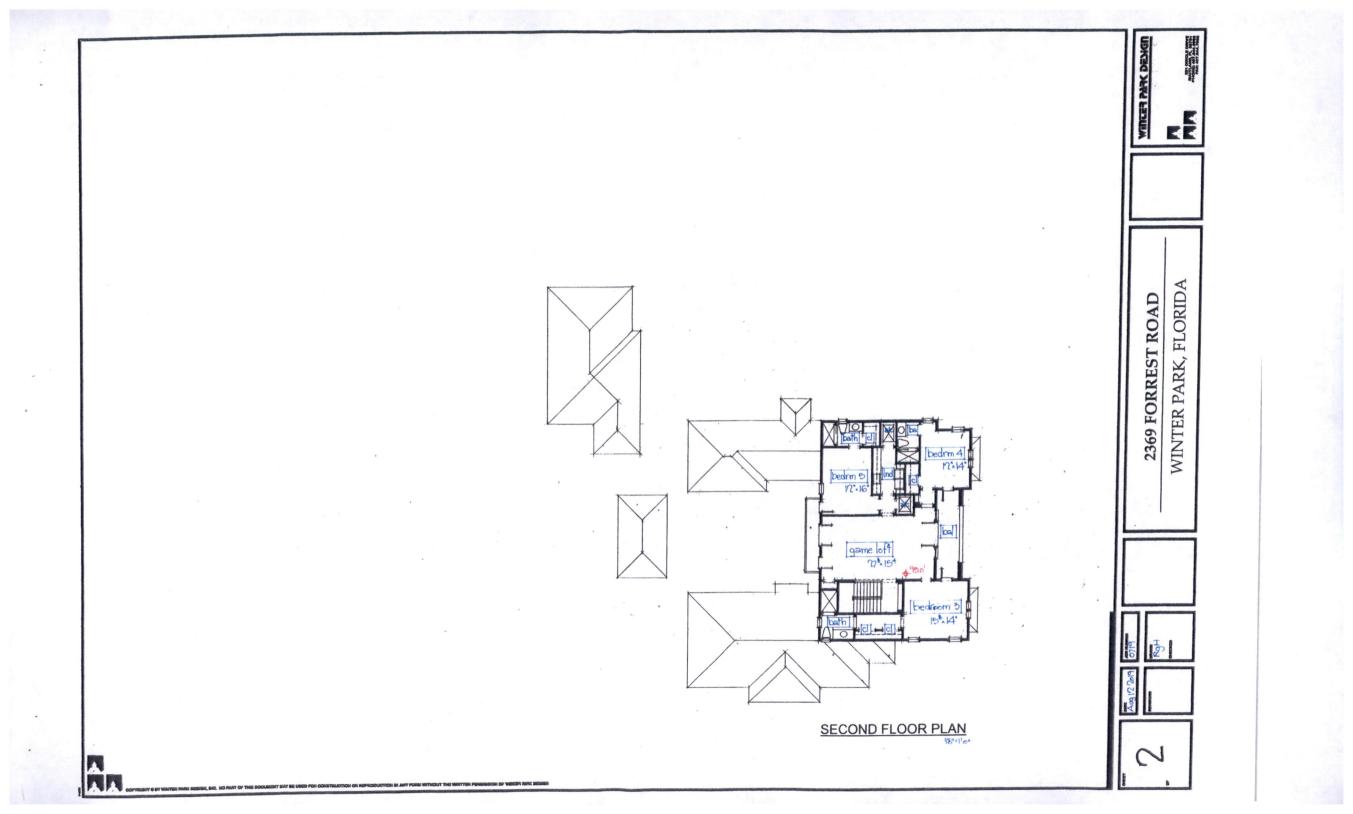
From:	leonardo cisneros <lencisneros@yahoo.com></lencisneros@yahoo.com>
Sent:	Monday, September 9, 2019 8:32 AM
То:	George Wiggins
Cc:	zane@ZPropertiesinc.com; Christy -email
Subject:	[External] Diaz Garage

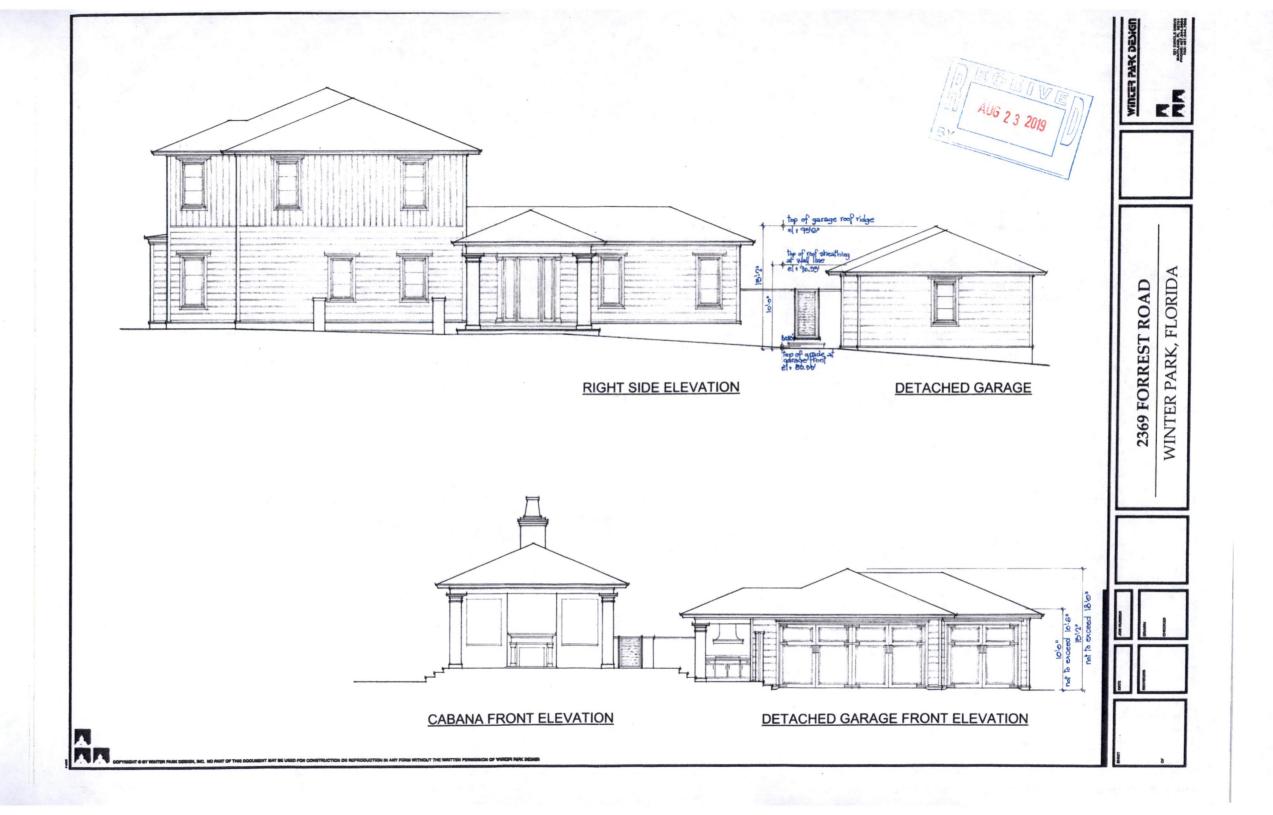
[Caution: This email originated from outside the City of Winter Park email system. Before clicking any hyperlinks contained in the email, verify the real address by hovering over the link with your mouse. Do not open attachments from unknown or unverified sources.]

My name is Leonardo Cisneros I live on 2365 Forrest road, winter Park ,FL 32789 and am the neighbor to the property with the variance request on Forrest road. I am agreeable to the variance request. If you have any questions don't hesitate to contact me at 4077900439 Lenny

1









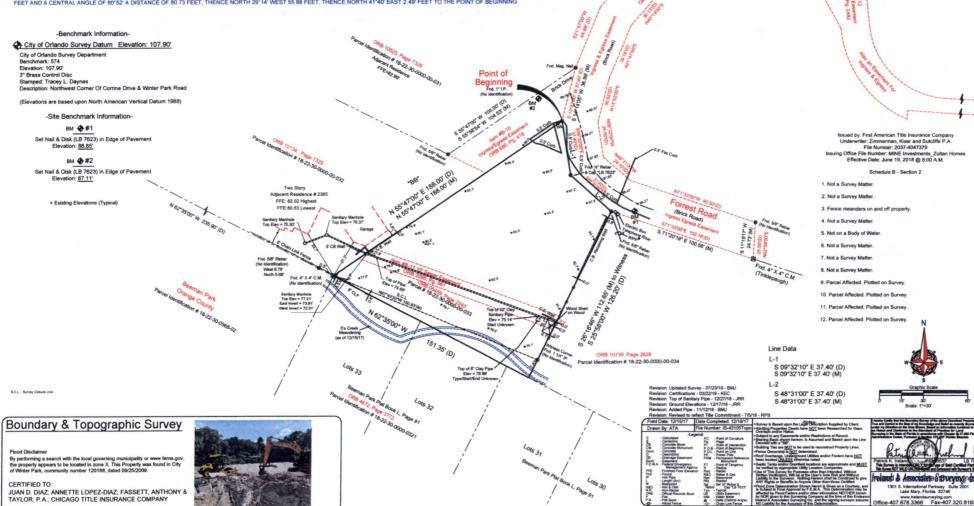
#### Legal Description:

FROM THE NW CORNER OF THE NW 1/4 OF THE SE 1/4 OF SECTION 18, TOWNSHIP 22 SOUTH, RANGE 30 EAST, RUN WEST 30 FEET; THENCE SOUTH 421.73 FEET, THENCE SOUTH 41'40' WEST 153 18 FEET TO THE SE CORNER OF LOT 8, BLOCK C, OF THE RIPPLES SUBDIVISION, AS RECORDED IN PLAT BOOK "S", PAGE 26, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE SOUTH 22'57 WEST 41.15 FEET, THENCE SOUTH 40'19' WEST 41.15 FEET; THENCE SOUTH 21' 47 WEST 44.88 FEET, THENCE SOUTH 13'52' WEST 37.40 FEET TO THE POINT OF BEGINNING; RUN THENCE SOUTH 9'32 FAST 37.40 FEET, THENCE SOUTH 49'11 EAST 37.40 FEET, THENCE SOUTH 25'58 WEST 126 20 FEET, THENCE NORTH 62'35' WEST 151.35 FEET, THENCE NORTH 55'47 EAST 188 FEET TO THE POINT OF BEGINNING

TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESS AS DESCRIBED BELOW. FROM THE NORTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF SECTION 18, TOWNSHIP 22 SOUTH. RANGE 30 EAST RUN WEST 30.00 FEET, THENCE SOUTH 421.73 FEET, THENCE SOUTH 41'40' WEST 153.16 FEET TO THE SOUTHEAST CORNER OF LOT 8, BLOCK C, OF THE RIPPLES SUBDIVISION. AS RECORDED IN PLAT BOOK S, PAGE 26, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, FOR THE POINT OF BEGINNING, RUN SOUTH 72"57" WEST 41:15 FEET, THENCE SOUTH 40"19" WEST 41:15 FEET, THENCE SOUTH 21"47" WEST 44:38 FEET, THENCE SOUTH 13"52" WEST 37:40 FEET, THENCE SOUTH 9"32" EAST 37:40 FEET, THENCE SOUTH 40"31" EAST 37:40 FEET, THENCE SOUTH 71'33' EAST 102.18 FEET, THENCE NORTH 2'58' EAST 25:00 FEET, THENCE NORTH 71'33' WEST 90:50 FEET, THENCE NORTH 48'31' WEST 24:10 FEET, THENCE NORTH 9'32' WEST 24:20 FEET, THENCE NORTH 19'32' WEST 24:20 FEET, THENCE NORTH 19'2' FEET, THENCE NORTH 7/29 FET, THENCE NORTH 41'40' EAST 2.49 FEET TO THE SOUTHWEST CORNER OF LOT 11, BLOCK B OF THE SAID THE RIPPLES SUBDIVISION THENCE SOUTH 85'21' WEST 43 43 FEET. THENCE NORTH 67°45' WEST 31.31 FEET TO THE POINT OF BEGINNING.

ALSO AN EASEMENT FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED STRIP OF LAND. THAT PART OF LOT 11, BLOCK B OF THE RIPPLES SUBDIVISION, AS RECORDED IN PLAT BOOK S, PAGE 26, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS. THAT PART OF LOT 11, BLOCK B OF THE RIPPLES SUBDIVISION AS RECORDED IN PLAT BOOK S, PAGE 20, OF THE PUBLIC RELONDS OF UNANCE COUNTY, FLORIDA, DESURIBLE AS FOLLOWS. BEGIN AT THE SOUTHWEST CORRER OF SADID D11 1, BLOCK B, RUN NORTH 41'40 EAST ALONG THE NORTHWESTERLY BOUNDARY OF SADID LOT 11 A DISTANCE OF 53.12 FEET, THENCE SOUTH 6'22 EAST 38.35 FEET, THENCE SOUTH 85'21' WEST 39.34 FEET TO THE POINT OF BEGINNING; AND AN EASEMENT FOR INGRESS AND EGREES OVER THE FOLLOWING DESCRIBED STRIP OF LAND: FROM THE NORTHWEST CORNER OF THE NORTHEAST 14 OF THE SOUTHEAST 14 OF SECTION 18, TOWNSHIP 22 SOUTH, RANCE 30 EAST RUN WEST 30.00 FEET, THENCE SOUTH 421.73 FEET, THENCE SOUTH 41'40' WEST 153.16 FEET TO THE SOUTHEAST CORNER OF LOT 8, BLOCK

C, OF THE RIPLES SUBDIVISION, AS RECORDED IN PLAT BOOK S, PAGE 26, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE SOUTH 67:45 EAST 31.31 FEET, THENCE NORTH 85'21' EAST 43:43 FEET TO THE SOUTHWEST CORNER OF LOT 11, BLOCK B, THE RIPPLES FOR THE POINT OF BEGINNING, RUN THENCE NORTH 85'21' EAST 39.34 FEET, THENCE SOUTH 6'22' EAST 51.94 TEET TO THE P.O.B. OF A CURVE TO THE LEFT WHICH HAS A RADIUS OF 55.99 FEET AND A CENTRAL ANGLE OF 79'45. THENCE SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.95 FEET. THENCE SOUTH 86'05' EAST 54.67 FEET. THENCE SOUTH 86'05' EAST 54.67 FEET, THENCE SOUTH A DISTANCE OF THE TO THE BEGINNING OF A CURVE, THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHICH HAS A RADIUS OF 75 99 THENCE SOUTH 3'11' WEST 5 94 FEET TO THE BEGINNING OF A CURVE, THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT WHICH HAS A RADIUS OF 75 99 FEET AND A CENTRAL ANGLE OF 60 52' A DISTANCE OF 80 73 FEET, THENCE NORTH 25 588 FEET, THENCE NORTH 41'40' EAST 2.49' FEET TO THE POINT OF BEGINNING.



30.00° (D) N90\*001

Point of Beginning

Ripples Sub. Plat Book S, Page 26

SW Corner Lot 11, Block B

Ingress Egress Ea

421

OX

Point of Beginning

SE Corner Lot 8, Block C

**Ripples Sub** 

Plat Book S, Page 26

Ingress Egress Eas

Point of

Commencement NW Corner of the NE 1/4 of the

SE 1/4 of Section 18-22-30

A Portion of Lot 11, Block B Ripples Subdivision Plat Book S, Page 26



## **Board of Adjustments**

То:	Board of Adjustment Members
From:	George Wiggins, Director of Bldg/Legislative Affairs
Date:	September 17, 2019
Subj:	Naugle Variance Request, 2572 Fifeshire Drive

The applicant is requesting a variance to allow the construction of a second floor addition located 14.7 feet from the Fitzwalter Drive street side property line, whereas the required setback is 20 feet.

This corner lot property has a lot width of 84.5 feet and length of 110 feet along the side street, Fitzwalter Drive. Under the current Zoning Code the required street side setback is 20 feet, whereas previously (approximately 20 years ago) the required setback was 15 feet. The home was built in 1962.

The owner wishes to expand the second floor master bedroom for additional living area along with a walk-in closet and an open covered balcony area. This expanded area will occur directly over the existing garage and utility room. The roof covered addition projects 9 feet from the existing second floor east side wall and extends 26 feet in length.

One unique feature for this lot and other properties in this area is that both Fitzwalter and Fifeshire Drives have right of way widths of 60 feet versus the normal residential right of way width of 50 feet. This has the visual and actual impact having of 5 feet of additional yard area on each street front. Adding this extra distance (5 feet) to the Fitzwalter Drive side of the home gives the appearance of having a 19.7 foot setback instead of 14.7 feet.

The proposed addition is well under the allowable maximum floor area and well under the maximum allowable impervious coverage for this lot which has an area of 9,288 square feet.

The applicant has provided letters of non-objection for this request.

### 2572 Fifeshire Dr



### 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 <u>B/26/20</u> # Assigned <u>H-2</u> Date of Hearing <u>SEMT</u>

Applicant: COREEN C. NAUGLE	Owner: COREEN C. NAUGLE
2572 FIFESHIRE DR	2572 FIFESHIRE DR
(Address)	(Address)
WINTER PARK, FL 32792	WINTER PARK, FL 32792
(City, State) (Zip)	(City, State) (Zip)
321-363-6804	321-363-6804
(Phone – Home)	(Phone – Home)
SAME	SAME
(Phone – Work or Cell)	(Phone – Work or Cell)
COREENNAUGLE@GMAIL.COM	COREENNAUGLE@GMAIL.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  $\frac{58-66}{\$^8 - n!}$ , Paragraph  $\frac{6}{(h)(2)}$ , Zoning  $\frac{R1-A}{k}$ .

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 2572 FIFESHIRE DR WINTER PARK, FL 32792

Legal description of

property BROOKSHIRE HEIGHTS 2ND ADDITION Y/85 LOT 9 BLK B, OF THE PUBLIC RECORDS

OF ORANGE COUNTY FL,

## Describe variance request SEEKING A VARIANCE TO ALLOW A 7'-8" ENCROACHMENT INTO THE EAST SIDE SETBACK

OF THE PROPERTY FOR AN ADDITION TO THE EXISTING MASTER BEDROOM ON THE SECOND FLOOR INTO

THE EXISTING BALCONY FACING EAST OF THE PROPERTY

\*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?

EXTENDING THE MASTER BEDROOM TO THE EAST SIDE OF THE PROPERTY IS THE ONLY VIABLE

OPTION FOR DESIRED ADDITION, SINCE IT WOULD TAKE OVER THE EXISTING BALCONY

AND WOULD NOT INCREASE THE EXISTING FOOTPRINT OF THE HOME ON THE LOWER LEVEL, AND

IT WOULD KEEP THE ADDITIONAL SQUARE FOOTAGE WITHIN THE ALLOWABLE FAR.

How long have you owned the property? \_\_\_\_\_

How long have you occupied the property?

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?

SINCE THE PROPERTY IS ON A CORNER LOT THE SIDE SETBACKS ARE MORE RESTRICTIVE

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 GARAGE IS ALREADY IN THE SIDE SETBACK WHERE THE 2ND FLOOR ADDITION

WILL BE CONSTRUCTED. IN ADDITION, THE STREET RIGHT OF WAY IS LARGER THAN THE TYPICAL

WINTER PARK STREET RIGHT OF WAY

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, WE CAN REMOVE THE ROOF PORTION GOING OVER THE NEW BALCONY, AND KEEP IT AS A DECK

08/22/19 Date nature of Applicant

COREEN C. NAUGLE

Name of Applicant (PRINT)

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



### **SETBACK / COVERAGE WORKSHEET**

For Single Family Zoning Districts (R-1A, R-1AA & R-1AAA)<sup>1</sup>

### Address: 2572 FIFESHIRE DR WINTER PARK, FL 32792

Submitted by: COREEN C. NAUGLE

Lot width<sup>2</sup>: 84.5 FT Lot area<sup>3</sup>: 9288 SQFT

Maximum % Existing Additional New Total Maximum Allowed<sup>4</sup> Area<sup>11</sup> **Proposed Area**<sup>11</sup> Area Allowed Area IMPERVIOUS LOT COVERAGE 3380.5 SQFT 2 story - 50% 4644 SQFT Include bldg footprint, driveways, sidewalks, patios, swimming 1 story - 60% pools, A/C pads, artificial turf, etc Lots < 11,600 sf: 3015 SQFT 200 SQFT 3215 SQFT 3994 SQFT (SECOND Use 38% Base FAR or w/ increased FLOOR AREA RATIO (F.A.R.)<sup>5,6,7</sup> FLOOR) side setbacks: 43% Max FAR For one and two story bldgs (include 1st & 2nd floors, Lots 11,600 sf to 13,600 sf garages/carports, stair areas on both floors, areas on 2nd floors Use 4,500 sf Base area & which are open to the 1st floor<sup>8</sup>, and accessory bldgs. 5,200 sf Maximum area incl. covered ballony EXCLUDE - pool screen enclosure areas and certain open front. Lots > 13,600 sf side & rear porches<sup>9</sup>. Use 33% Base FAR or w/ increased side setbacks: 38% Max FAR **8%**<sup>10</sup> SCREEN POOL ENCLOSURE

	Minimum % Required	Existing Area <sup>11</sup>	Landscape Area Reduced <sup>11</sup>	New Total Area	Minimum Required Area
FRONT YARD LANDSCAPE COVERAGE Count all landscaped green areas - exclude hard surfaces and all driveway surfaces (pervious & impervious).	50%				
Front Lot Area:					

#### 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. 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				Exi	Existing <sup>13</sup>		Proposed	
FRONT	Average of 2 adjacent homes on each side. If corner lot, use 3 adjacent homes.			28'					
SIDES <sup>1,2</sup> (see other side setback options on pg 4)	1st Floor		See	A			1 .	<u>.</u>	
	2nd Floor		pages 3&4	B		N E		NU GULT	
REAR <sup>1,3,4</sup>	1st Floor		25 ft.						
	2nd Floor		35 ft <sup>5</sup>						
	Lakefront		see note 6		r = 3 h ±				
CORNER LOT	1st Floor	Lot width ≤ 65 ft.		15 ft.					
		Lot width > 65 ft <sup>7</sup>	20 ft.						
	2nd Floor	Lot width ≤ 65 ft.		15 ft.					
		Lot width > 65 ft <sup>7</sup>	22.5 ft.		22'-6"		14'-10"		
BUILDING HEIGHT <sup>8,9,10,11,12</sup>	<b>30 ft 35 ft. plus 2 ft. or 40 ft.</b> (see notes 11 & 12)								

#### Notes:

1. Any building wall that exceeds 12 ft. in height measured from natural grade to top of wall plate or truss kneewall must meet the setbacks for the 2nd floor.

2. Accessory buildings' maximum side wall height (natural grade to roof sheathing) shall not exceed 10.5 ft. and interior side setback is 5 ft. minimum (no gable end allowed) for garages up to 600 sf, pool cabana up to 500 sf and all other accessory buildings up to 320 sf. Other accessory buildings used for habitation shall meet setbacks of the main residence.

3. Rear setbacks for properties abutting non-residential zoned, R-3/R-4, or a permanent stormwater retention area over 25 ft. in width may be 10 ft. For lots that are 75ft deep or less a first floor setback of 10ft and a second floor setback of 25ft is allowed. For lots which are 105ft deep or less a first floor setback of 15ft and a second floor setback of 30ft is allowed.

4. Accessory buildings: garage/carport up to 820 sf, pool cabana up to 500 sf and storage bldg up to 320 sf - minimum rear setback shall be 10 ft. . Other accessory buildings used for habitation shall meet setbacks of the main residence.

5. The rear setback may be reduced to 25 ft. for two-story components when those consist of a second story loft or mezzanine that is within the normal scale and 18-ft max height of a typical one-story structure.

6. Require Planning & Zoning commission approval. Lakefront setback is based on the average setback establish by the adjacent residences within 200 ft. or 50 ft., whichever is greater, measured from ordinary high water line.

7. Setbacks given are measured on the side yard adjacent to the street & lots over 75 ft. with 1st and 2nd floor setbacks of 25 ft. may reduce the rear setback by 5 ft. on each floor.

8. Building height is the vertical distance measured from the average elevation of the existing lot grade measured directly adjacent to the front of the building or proposed building.

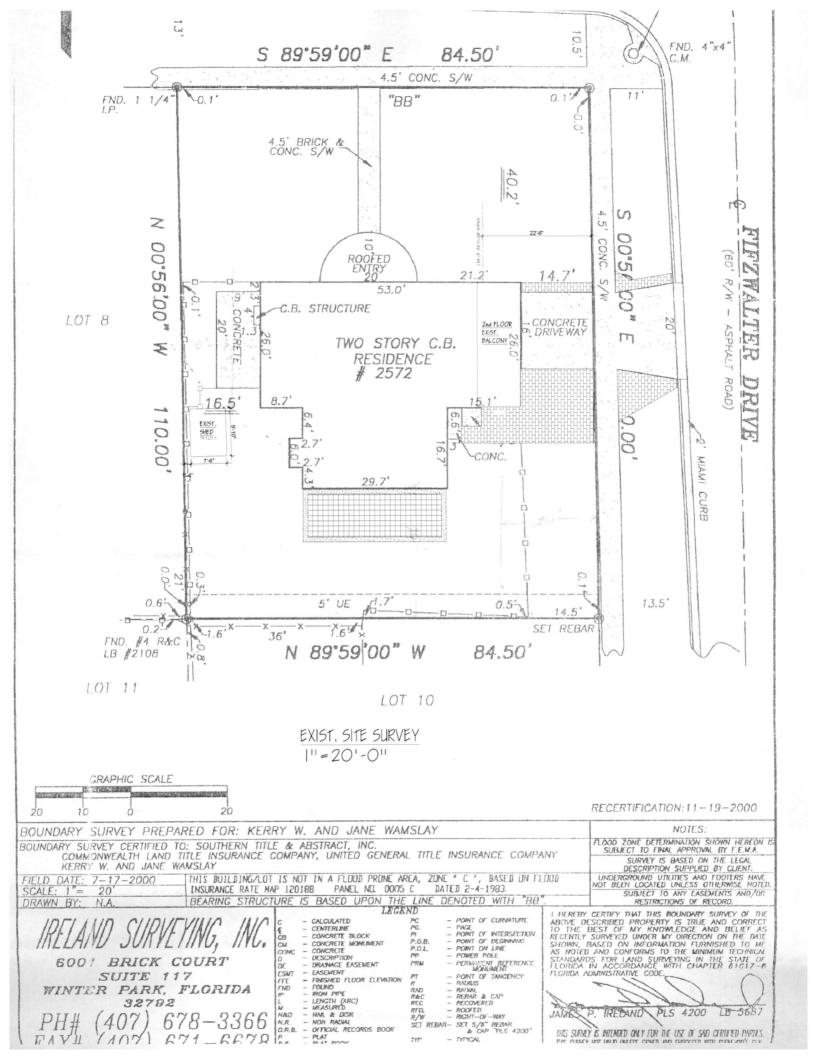
9. No building or portion thereof shall exceed 30 ft, in height except for homes with a roof slope of 8:12 or greater may be permitted to have 2 ft. additional building height.

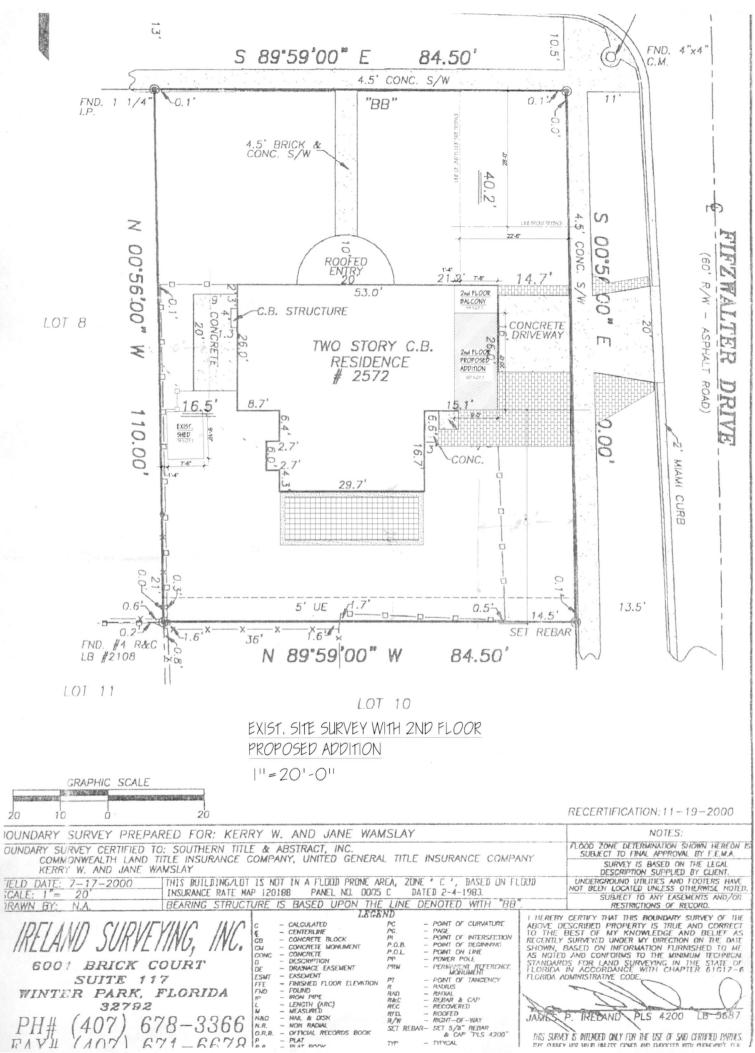
10. Accessory building that exceeds 18 ft. in height shall meet the same setbacks as the principal building on the property.

11. Properties or lots with at least 80 ft. of width at the building line are permitted to have a building height of 35 ft. if the side setbacks are increased to 20 ft. at 30 ft. above the side lot line. Exception: homes with a roof slope of 8:12 or greater are permitted 2 ft. of additional building height.

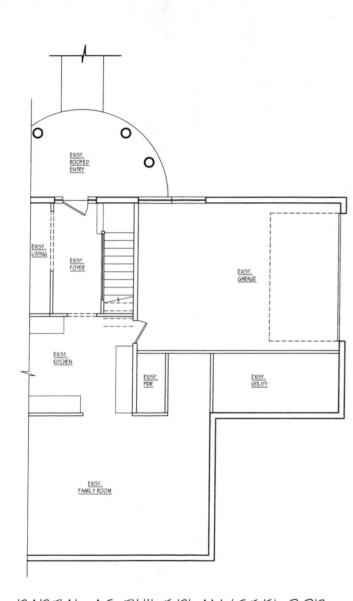
12. Properties or lots exceeding 50,000 sq.ft. in size with at least 100ft width at the building line may be permitted building heights of 40 ft. if side setbacks are increased to 35 ft. to the portion of the roof over 30 ft. in height.

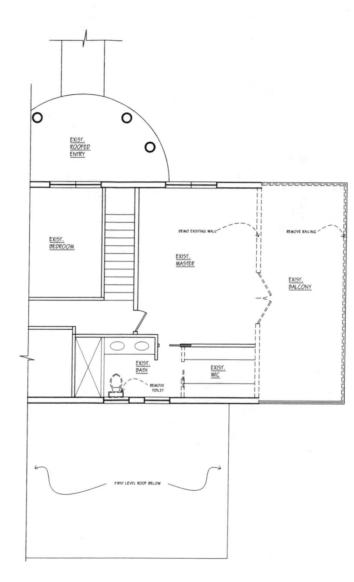
13. This column only applies to existing homes.





THIS SURVEY IS INTERVED ONLY FOR THE USE OF SHID CERTIFIED PARTES. THE OTRACY WITH HILL TO COMEN AND SUBJECTS WITH MEMORY OF THE





### SHEET INDEX: I. EXISTING SURVEY, INDEX, AND GENERAL NOTES 2. PARTIAL AS-BUILT/DEMO PLAN

PROJECT NAME:

SCOPE OF WORK:

5. PROPOSED 2ND FLOOR PLAN & SPACE ANALYSIS 4. EXTERIOR ELEVATIONS

-EXTEND EXISTING MASTER BEDROOM AREA INTO BALCONY

PEMOLITION NOTES: I. BUDERTOFELD VERTY ALL EXISTING RAPING LOCATIONS-REDRY TO ALL EMOLITION: 21 ITS THE REPORTS I'VE BULGER TO PROVER TEMPORARY SOLING SHORT OF ANY EXISTING TRUSSES PRORE TO HEADING THEOREM SUBJECT OF ANY EXISTING TRUSSES PRORE TO REMOVING ANY INTERCR BEARING WALL - BULDER MUST NOTIFY THE ENCINEER OF RECORD UMEDIATELY WHER NEW BEANS OR BEANING WALL PARTITIONS OR BEARING POSTS MAY BE REQUIRED IN THE FIELD.

NAUGLE RESIDENCE - ADDITION 2572 FIFESHIRE DR. WINTER PARK, FL

Kelly Carr 321 946 595; Kfskjr@gmail ~

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DCA

KLC DATE 07-24-2019 REV SCALE

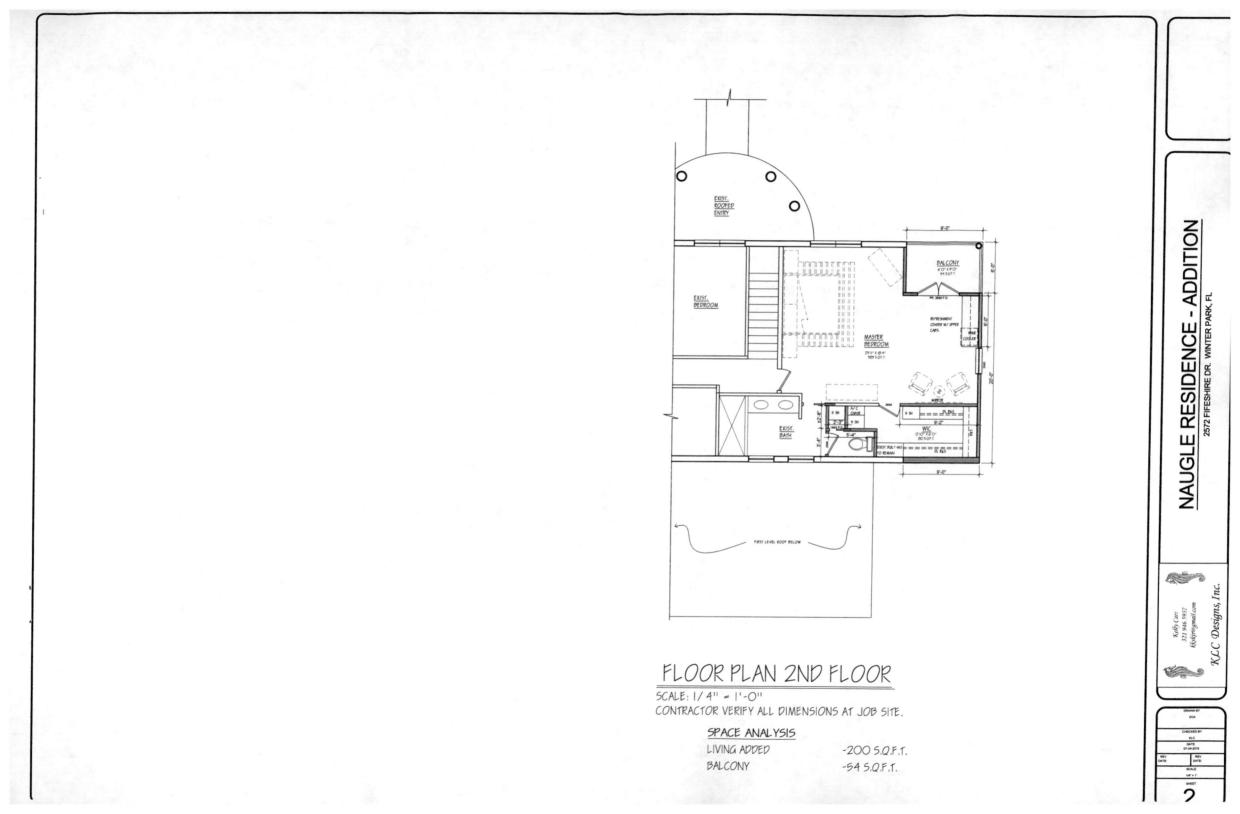
KLC Designs, Inc

NAUGLE RESIDENCE ADDITION 2572 FIFESHIRE DR. WINTER PARK, FL

PARTIAL AS-BUILT/DEMO PLAN 2ND FLOOR 1/4"=|'-0"

PARTIAL AS-BUILT PLAN IST FLOOR

1/4"=1'-0"



EXTEND EXIST. ROOF LINE MATCH EXIST.



- ADDITION

NAUGLE RESIDENCE - A

0

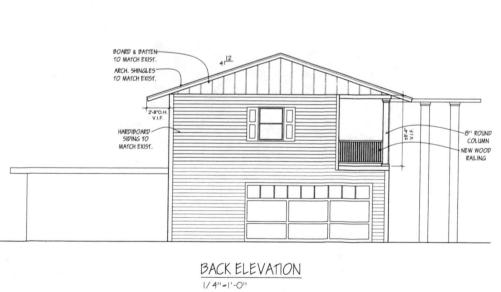
Xelly Carr 321 946 5957

6

DCA CHECKED BY RLC OATE DATE DATE SCALE SCALE SCALE SCALE SCALE SCALE SCALE SCALE

KLC Designs, Inc.

PARTIAL REAR ELEVATION





Front View - 2572 Fifeshire Dr



Street Side Corner - 2572 Fifeshire Dr

I, <u>NICHOLAS THOMAM</u>, residing at <u>648</u> FITZWALTER <u>DK</u>, grant permission to Jim and Coreen Naugle at 2572 Fifeshire Drive to build an addition to the existing master bedroom on the east side (Fitzwalter Drive) of the property using the existing footprint of the home on the lower level, keeping the additional square footage within the allowable floor area ratio (F.A.R.).

I/we understand that this will require a variance to the current code that will allow a 7'-8" encroachment into the East side set back of the property.

Regards,

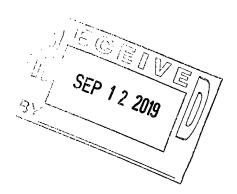
(signature)

Address:

648 FITZWALTER DR WINTER PARK, FL 32792

Date:

9-9-19



Banes, residing at 624 Fitzwalter Dr., grant I.

permission to Jim and Coreen Naugle at 2572 Fifeshire Drive to build an addition to the existing master bedroom on the east side (Fitzwalter Drive) of the property using the existing footprint of the home on the lower level, keeping the additional square footage within the allowable floor area ratio (F.A.R.).

I/we understand that this will require a variance to the current code that will allow a 7'-8" encroachment into the East side set back of the property.

Regards,

9/10/19

(signature)

Address:

624 Fitzwalter Dr Winter Park FL 32792



1, ROBERT R GINGEN, residing at 2563 FIFESHINE DR, grant permission to Jim and Coreen Naugle at 2572 Fifeshire Drive to build an addition to the existing master bedroom on the east side (Fitzwalter Drive) of the property using the existing footprint of the home on the lower level, keeping the additional square footage within the allowable floor area ratio (F.A.R.).

I/we understand that this will require a variance to the current code that will allow a 7'-8" encroachment into the East side set back of the property.

Regards,

mar A

(signature)

Address:

2563 FIFESHINE DA WINTER PAAK, FL

9/11/19

Julienne Guidera, residing at 656 Fitzwalter Dr., grant permission to Jim and Coreen Naugle at 2572 Fifeshire Drive to build an addition to the existing

master bedroom on the east side (Fitzwalter Drive) of the property using the existing footprint of the home on the lower level, keeping the additional square footage within the allowable floor area ratio (F.A.R.).

I/we understand that this will require a variance to the current code that will allow a 7'-8" encroachment into the East side set back of the property.

Regards,

(\$ignature)

Address:

656 Fitzwalter Drives 32792

10/19



I, <u>Chuhne Armshong</u>, residing at <u>2532</u> <u>Fifeshire Drue</u>, grant permission to Jim and Coreen Naugle at 2572 Fifeshire Drive to build an addition to the existing master bedroom on the east side (Fitzwalter Drive) of the property using the existing footprint of the home on the lower level, keeping the additional square footage within the allowable floor area ratio (F.A.R.).

I/we understand that this will require a variance to the current code that will allow a 7'-8" encroachment into the East side set back of the property.

Regards,

The any trap

(signature)

Address:

2032 Freshive DR. Winter Park, FC 32792

9/10/19

I, <u>SOHN</u> <u>CROCKER</u>, residing at <u>2563</u> FOR FAR SHIRE, grant permission to Jim and Coreen Naugle at 2572 Fifeshire Drive to build an addition to the existing master bedroom on the east side (Fitzwalter Drive) of the property using the existing footprint of the home on the lower level, keeping the additional square footage within the allowable floor area ratio (F.A.R.).

I/we understand that this will require a variance to the current code that will allow a 7'-8" encroachment into the East side set back of the property.

Regards (signatur/e)

Address:

2563 FORFARSHIRE DR. WINTER PARKFL 321792

Date:

SEPT-4-19

