



# Board of Adjustments regular meeting

December 17, 2019 at 5:00p.m.

City Hall | Chapman Room  
401 S. Park Ave. | Winter Park, Florida

## Agenda Items

### Opening & public comments

### Approval

Minutes for the November 19, 2019 Meeting

### Old business

1. Request of Richard Stubbs for a variance to allow the construction of a swimming pool and deck located 7 feet and 2 foot from the side lot line, in lieu of the required side setbacks of 10 feet and 5 feet respectively.

Located at: 2661 Via Tuscany

Zoned: R-1AA

2. Request of Sheila Cichra on behalf of the Mondrian at Winter Park Townhome Association, for a variance to allow the construction of two boat docks with a total area of 1,549 square feet, in lieu of the maximum allowed area of 600 square feet, in order to serve Mondrian Townhomes on Lake Killarney.

Located at: Mondrian Circle

Zoned: R-2

### New business

1. Request of Benjamin McCoy for a variance to allow a parking pad or driveway encroachment of 2 feet into the side setback, in lieu of the required setback of 2 feet, or a front setback encroachment of 18 feet, to provide a replacement required parking space for the space loss by enclosing the carport. **\*Request to Table by Applicant\***

Located at: 1830 Bryan Avenue

Zoned: R-1A

2. Request of Sheila Cichra, on behalf of Charles Clayton, to allow the construction of a boathouse extending out 34 feet into Lake Maitland, in lieu of the maximum allowed distance of 30 feet.

Located at: 2072 Venetian Way

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."



401 S. Park Avenue Winter Park, Florida 32789

407-599-3237 • 407-599-3499 fax  
cityofwinterpark.org

**Building &  
Permitting  
Services**

**TO:** BOARD OF ADJUSTMENTS MEMBERS

**FROM:** GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS

**DATE:** OCTOBER 15, 2019; **UPDATED DECEMBER 15, 2019**

**SUBJ:** STUBBS VARIANCE REQUEST, 2661 VIA TUSCANY

**STAFF REPORT FROM OCTOBER 15, 2019 MEETING**

The applicant is requesting variances to allow the construction of a swimming pool, deck and 4 foot high fencing encroaching 11 feet into the front yard setback and we advertised an alternative request that encroaches 5 feet into the side yard setback with pool deck located 2 feet from the side lot line for both options whereas the required side setbacks are 5 feet to the deck and 10 feet to the pool. Fencing in front yards is limited to 3 feet in height therefore a 4 foot high barrier as required by the Building Code would require a variance also.

The applicant has advised us that they are not interested in the alternate variance option that does not encroach into the front setback but only into the required side yard. That alternate was offered by staff due to the likely difficulty of obtaining a 10 or 11 foot encroachment into the front setback for a new home.

The applicant is the architect for the owner and has been authorized to make this request in behalf of the owner.

Questions are raised on how the Building Code pool barrier requirement will be met in the front yard setback area.

A new home is under construction on this property and is at the final framing inspection stage.

The adjacent property owner at 1160 Howell Branch Road has submitted a letter expressing no objections to either one of the two prospective variance options as advertised.

**UPDATE FOR REVISED REQUEST TO BE HEARD DECEMBER 17, 2019**

The applicant has revised the previously tabled request to show the proposed construction of a swimming pool and deck located 7 feet and at one point 8" feet from the west side lot line, whereas the required side setbacks are 10 feet and 5 feet respectively. This removes any portion of the pool from the required front yard setback area as originally requested, leaving only side setback encroachments to the pool and pool deck location.

**Board of Adjustments  
Stubbs Variance Request  
December 17, 2019  
Page 2**

Revised plans (included in this packet) have been submitted reflecting the changes made to the pool and deck location on the property, except for one needed revision should this variance be granted. A portion of the pool deck on the west side of the lot next to the wall will need to reflect a 2 foot side setback.

A letter of non-objection was submitted by the adjacent property owner on the west side of this property. That letter dated October 8, 2019 addressed reflected non-objection to a pool and deck located in the applicant's side yard with a pool setback of 5 feet and a deck setback of 2 feet.

[illegible]



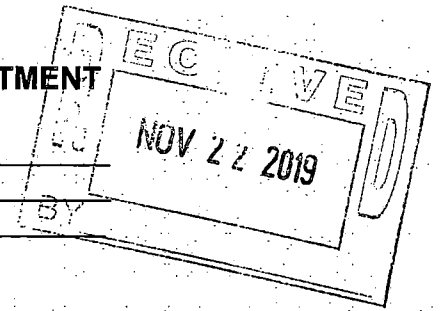
**CITY OF WINTER PARK  
VARIANCE APPLICATION  
BUILDING and PERMITTING SERVICES DEPARTMENT**

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

Date Received \_\_\_\_\_

# Assigned \_\_\_\_\_

Date of Hearing \_\_\_\_\_



**Applicant:** Richard Stubbs

867 Roseling Cir. #129

**(Address)**

Lake Mary, FL 32746

**(City, State)**

**(Zip)**

**(Phone – Home)**

(407) 989-3510

**(Phone – Work or Cell)**

richard@stubbsarchitecture.com

**(Email Address)**

**Owner:** Developer and Builder Group

218 Wilshire Blvd.

**(Address)**

Casselberry, FL 32707

**(City, State)**

**(Zip)**

**(Phone – Home)**

(407) 636-6495

**(Phone – Work or Cell)**

fbermudez@developerandbuildergroup.com

**(Email Address)**

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

**\*This request is for a variance from requirements of Article III, Zoning of the Land Development Code of Winter Park, Section 58-71, Paragraph (i), Zoning R-1AA.**

**State briefly (Clearly Printed or Word Processed) answers to all questions.**

**Note: Submit E-Mail address to have application forwarded to you for word processing.**

**Street address of**

**property** 2661 Via Tuscany, Winter Park, FL 32789

**Legal description of**

**property** MAITLAND SHORES FIRST ADDITION S/68 LOT 1 BLK G (LESS RD R/W ON NE COR)

**Describe variance**

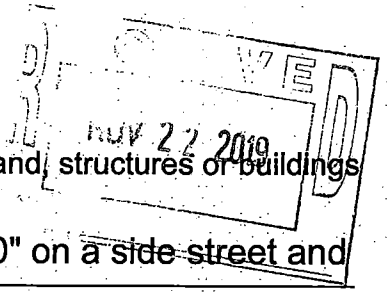
**request** Request to allow pool to encroach the side setback requirement of 10'-0". Requested dimension from side lot line

is 7'-0" as shown on the attached site plan dated 11/21/19 - Revision 3 restrictive setback conditions on the site.

**\*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?

Lot is a corner lot with setbacks of 37'-6" on the front, 25'-0" on a side street and 24'-0" for the garage side as required by the City of Winter Park. This does not allow for sufficient space for a pool in the interior side yard as shown on the site plan.

How long have you owned the property? Property was purchased on 10/30/2017

How long have you occupied the property? N/A - Under Construction

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?

Allowable space for standard swimming pool size due to side, front, and rear setbacks.

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.

Multiple large setbacks for interior side street, front setback, and garage door setback restrict the space allowed for swimming pool placement due to corner lot conditions, as well as requirement for septic system and drainfield as there is no sewer connection available at this site.

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

N/A

Richard G Stubbs

Digitally signed by Richard G  
Stubbs  
Date: 2019.11.22 09:22:20 -05'00'

**Signature of Applicant**

**Date**

**Name of Applicant (PRINT)**

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



# 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: 2661 Via Tuscany

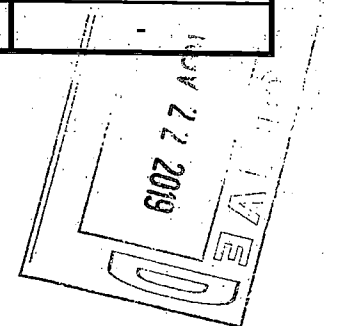
Lot area<sup>1</sup>: 10,631 sq. ft.

	Maximum % Allowed <sup>3</sup>	Existing Area	Additional Proposed Area	New Total Area	Maximum Allowed Area
<b>IMPERVIOUS LOT COVERAGE</b> Include bldg footprint, driveways, sidewalks, patios, pools, A/C pads, artificial turf, etc. (show area tabulations)	2 story home 50%	0	5,305	5,305	5,315
	1 story home 60%	-	-	-	-

	MINIMUM ALLOWABLE SETBACK			PROPOSED
<b>SWIMMING POOL/SPA<sup>2</sup></b>	Interior Side	Lot width ≤ 60 ft.	7.5 ft.	-
		Lot width > 60 ft.	10 ft.	7'-0"
	Rear	All lots	10 ft.	59'-9"
	Street Side <sup>3</sup>	Lot width ≤ 65 ft.	15 ft.	-
		Lot width > 65 ft. to 75 ft.	20 ft.	-
		Lot width > 75 ft.	25 ft.	-
	Lakefront <sup>3,4,5</sup>	same as the main building		-
<b>DECK</b>	Interior Side	50% of the swimming pool/spa setback		0'-8"
	Rear			35'-2"
	Street Side <sup>3</sup>			17'-11"
	Lakefront <sup>3,4,5</sup>	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.



Date: 9.26.19

To Whom it May Concern;

**Subject: No Objection Letter**

Re: Variance request for 2661 Via Tuscany, Winter Park, FL 32789, Property Parcel ID # 32-21-30-5478-07-010 in the Public Records of Orange County, Fl.

WE, KAREN AND ROBERT HALBACK, hereby confirm and agree that we have no objection for a variance to allow the construction of a swimming pool by our neighbor, DEVELOPER AND BUILDER GROUP at 2661 Via Tuscany, Winter Park, FL 32789.

We confirm and agree that we have no objection to allow the construction of a swimming pool, deck and 4 foot high fencing encroaching 11 feet into the front yard setback or as an alternative encroaching 5 feet into the side yard setback with pool deck located 2 feet from side lot line for both options in lieu of the required side setbacks.

Respectfully,

Rh Halback

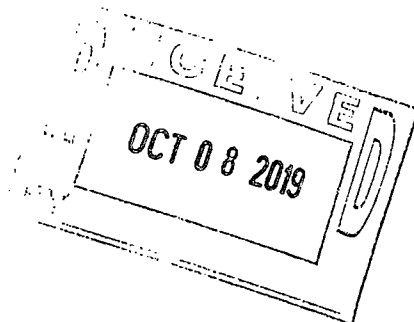
(Signature)

ROBERT HALBACK

(Full Name)

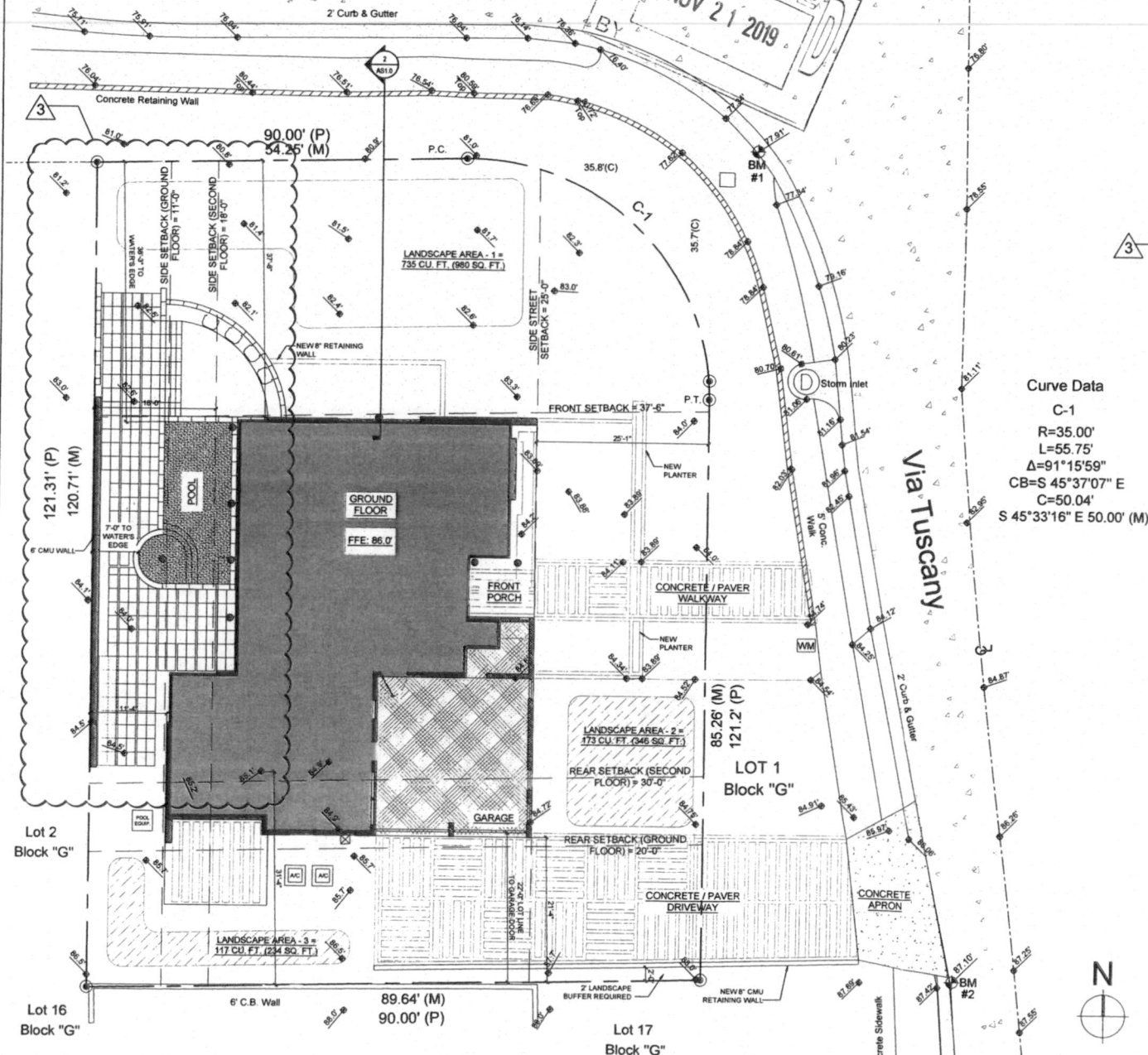
1160 HOWELL BRANCA ROAD

(Property Address)



# State Road 436 A Howell Branch Road

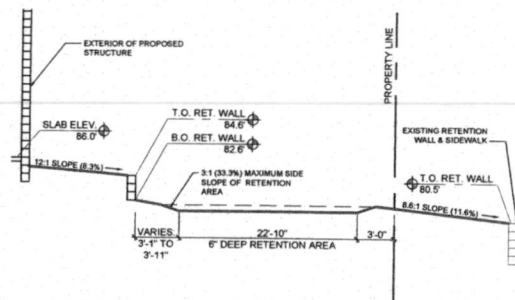
NOV 21 2019



Curve Data  
C-1  
R=35.00'  
L=55.75'  
Δ=91°15'59"  
CB=S 45°37'07" E  
C=50.04'  
S 45°33'16" E 50.00' (M)

SCALE: 1/8" = 1'-0"

## 2 SITE SECTION @ RETENTION AREA SCALE: N.T.S.



SITE INFORMATION	
SITE DEVELOPMENT	
ZONING DISTRICT	R-1AA
LOT AREA	10,631 SQUARE FEET
HOUSE SETBACKS	
TWO-STORY HOUSE:	
HEIGHT: (MAX ROOF HEIGHT)	26'-0"
FRONT SETBACK (1ST FLOOR WALL)	37'-6"
FRONT SETBACK (2ND FLOOR WALL)	37'-6"
SIDE STREET SETBACK (1ST FLOOR WALL)	25'-0"
SIDE STREET SETBACK (2ND FLOOR WALL)	25'-0"
RIGHT SIDE SETBACK (1ST FLOOR WALL)	10'-0"
RIGHT SIDE SETBACK (2ND FLOOR WALL)	18'-0"
REAR SETBACK (1ST FLOOR WALL)	20'-0"
REAR SETBACK (2ND FLOOR WALL)	30'-0"
IMPERVIOUS LOT COVERAGE	
HOUSE FOOTPRINT (HOUSE / GARAGE):	2,627 SQ. FT.
FRONT PORCH:	103 SQ. FT.
POOL DECK:	1,167 SQ. FT.
DRIVEWAYS:	947 SQ. FT.
WALKWAYS / SIDE PATIO:	414 SQ. FT.
A/C & POOL EQUIP. PADS:	27 SQ. FT.
TOTAL IMPERVIOUS AREA SHOWN:	5,305 SQ. FT. (49.9%)
TOTAL IMPERVIOUS AREA PERMITTED - 50% OF LOT AREA = 5,316 SQ. FT.	
FLOOR AREA RATIO (F.A.R.)	
FIRST FLOOR AREA	2,032 SQ. FT.
SECOND FLOOR AREA	1,936 SQ. FT.
GARAGE	595 SQ. FT.
TOTAL AREA	4,563 SQ. FT.
TOTAL F.A.R.	0.429

SITE RETENTION CALCULATIONS	
POOL DECK:	1,167 SQ. FT.
PAVER WALKWAYS / SIDE PATIO:	414 SQ. FT.
DRIVEWAYS:	947 SQ. FT.
A/C & POOL EQUIPMENT PADS:	27 SQ. FT.
TOTAL ROOF AREA (SEE DWG A1.3):	3,298 SQ. FT.
TOTAL AREA OF WATER RUNOFF:	5,873 SQ. FT.
CALCULATING AT 1" RAINFALL DEPTH (17") PER CITY OF WINTER PARK REQUIREMENTS.	
AREA x DEPTH = RAINFALL RETENTION AREA REQUIRED (CUBIC FEET)	
5,873 x .17 = 999 CU.FT. REQUIRED	
LANDSCAPE AREA 1 (6" DEEP):	735 CU.FT. (980 SQ.FT.)
LANDSCAPE AREA 2 (6" DEEP):	173 CU.FT. (346 SQ.FT.)
LANDSCAPE AREA 3 (6" DEEP):	117 CU.FT. (234 SQ.FT.)
TOTAL RETENTION AREA PROVIDED:	1,025 CU.FT.

SIA

STUBBS | ARCHITECTURE  
richard@stubbsarchitecture.com  
407-989-3510  
FIRM CERT. # AA26003690

DEVELOPER & BUILDER GROUP

230 Wilshire Blvd., Suite 218, Casselberry, FL 32767

MODERN TUSCANY (SFR)  
2661 VIA TUSCANY  
WINTER PARK, FL 32789



Richard Stubbs  
License No.: AR94800

### Revisions

No.	Description	Date
1	Response to Comments	8/14/18
2	Field Changes	8/26/19

### SITE PLAN

Drawn: JB  
Checked: IP  
Date: 6/13/18

AS1.0

Project #: 2018.08

### 1 SITE PLAN





401 South Park Avenue • Winter Park, Florida 32789

407-599-3237 • 407-599-3499 fax  
cityofwinterpark.org

**Building &  
Permitting  
Services**

**TO:** BOARD OF ADJUSTMENTS MEMBERS

**FROM:** GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS

**DATE:** December 17, 2019

**SUBJECT:** Cichra/Mondrian VARIANCE REQUEST, Mondrian Circle (Formerly 1800 Lee Road)

**STAFF REPORT FROM NOVEMBER 19 MEETING:**

The applicant is requesting a variance to allow the construction of two boat docks with a total area of 1,549 square feet, whereas of the maximum allowed area for one dock or boathouse is 600 square feet.

The proposed two boat slip docks are requested to serve 30 new townhomes (known as Mondrian Townhomes on Lake Killarney) on this property fronting on Lake Killarney which has an overall size of over three acres with over 300 feet of lake and canal frontage. Typically, only one boathouse or boat dock is permitted for a residential lakefront property. Currently no dock exists on this site.

The property is adjacent to an office zoned property on the west side, and on the east side is a canal leading to a small parcel owned by the City. The next property continues with office zoned properties to the east along Lee Road to Executive Drive.

The proposed dock on the east side has 5 boat slips and projects 40 feet into the Lake, and the west dock has 6 boat slips and projects out 41 feet. Lake Killarney has very shallow shorelines and our Zoning Code was amended to those allow those docks to extend out to 50 feet. In addition the proposed walkways and deck area abutting the lake are within the allowable to allow 10% coverage limitation permitted for accessory deck/walkway structures on lakefront properties.

If a variance is granted by this Board, the request will also go before the Lakes Board at their December meeting and issues relating to shoreline vegetation and obstruction of boat traffic is addressed.

No letters from abutting property owners have been provided, however, the property has been posted with the required notice of hearing and notices were mailed to property owners within 200 feet.

**UPDATED STAFF REPORT FOR DECEMBER 17 MEETING:**

At last month's meeting after hearing from the applicant and after hearing comments by lakefront homeowners who live near these proposed boat docks expressing concerns that one of these two proposed docks will interfere with boat traffic at this choke point leading to a canal from Lake Killarney, the Board decided to table this request so that the

**December 17, 2019 Board of Adjustment Staff Report**  
**Cichra/Mondrian Variance Request**  
**Page 2**

applicant could take this request before the Lakes and Waterways Board to get their input on the proximity of these docks on the lake.

During the process of applying for approval by the Lakes Board at their December 10 meeting, the Public Works staff recalled that a substantially similar request for these boat slips had already been approved in April, 2016. The difference with this new request is that the number of boat slips have been reduced from 10 to 9. Information on the previous approval was distributed to the Board and discussed at the meeting.

Although the Board's initial response was to let stand the previous approval, one Board member felt it necessary to review this new request which has a slight modification in the boat dock plan which reduces the number of boat slips from 10 to 9 even though this is a lesser request. The Board, therefore, proceeded with hearing the request, including hearing from the applicant and from 6 residents. After extensive discussion over the concern about the location of the 5 slip boat dock on the west side shoreline of the property and discussion on whether this would pose a safety issue to boat traffic near this dock, the Board tabled this request, taking no action on this matter. However, three of the four Board members present were leaning toward approving the request.

Having reviewed this matter with our City Attorney, he expressed that based on the prior Lakes Board approval and the fact that this request is virtually the same request less one boat slip, if the variance is granted by the Board of Adjustment, then it will not be necessary to go back before the Lakes Board.

In your packet, I am also including a memorandum from Tim Egan, former Lakes Manager, who had been involved in the original approval of this request by the Lakes Board. He provides guidance on approving excessive dock area, dock location and navigation that may need to be considered if several residents come to the meeting expressing opposition to this request.

Here is some additional information that may be helpful:

Mondrian Townhome Property:

3.1 Acres (135,707 sf) of R-2 Zoned land  
In R-2 Zoning 22 homes can be developed.

However, the applicant chose to go through a Conditional Use zoning process which allows a greater density for cluster townhomes resulting in approving 30 units.

Developing single family homes would allow 13 lakefront & canal front homes with ability to build a boathouse on each waterfront property.

**December 17, 2019 Board of Adjustment Staff Report**  
**Cichra/Mondrian Variance Request**  
**Page 3**

Lakefront shoreline distance: 452' allowing 9 lakefront homes at 50' lot width each.

Canal front shoreline distance: 223' allowing 4 canal front homes at 50' lot width each.

The area of permitted boathouses 9 lakefront homes would be 9 X 600: 5400 sf

The area of permitted boathouses 4 canal front homes would be 4 X 450: 1800 sf.

Adding these two results is **7200** sf of boathouses for this R-2 zoned property.

Based what is shown here, if the property was developed with homes in this R-2 Zoning District then there could be (7200 - 1549 sf) or 5651 sf more boathouse/dock areas allowed without a variance and also permitted to extend 50 feet into the lake.

In addition there are two homes in this cove area of Lake Killarney that extend out to distances of 41' (575 Lakefront Blvd) and 46' (585 Lakefront Blvd).

They are located in the southeast section of the cove next to each other near the entrance into the large section of Lake Killarney.



The map displays the Lakefront area in Winter Park, Florida, with various property lots and roads. Key features include:

- Roads:** Lee Rd, Mondrian Cir, Lake Dr, Blossom Ln, Lake Front Blvd, and Country Club Dr.
- Water Bodies:** Lake Dr, Lake Front Blvd, and Lake Dr.
- Property Lots:** Numerous lots are numbered, including 1950, 1936, 1850, 1720, 1748, 1800, 2008, 2016, 2024, 2032, 2040, 2048, 2054, 2100, 2119, 2127, 2131, 2135, 2139, 2143, 2150, 2001, 2000, 2006, 2010, 2012, 2014, 2016, 2018, 2020, 2022, 2024, 2026, 2028, 2030, 2032, 2034, 2036, 2038, 2040, 2042, 2044, 2046, 2048, 2050, 2052, 2054, 2056, 2058, 2060, 2062, 2064, 2066, 2068, 2070, 2072, 2074, 2076, 2078, 2080, 2082, 2084, 2086, 2088, 2090, 2092, 2094, 2096, 2098, 2100, 2102, 2104, 2106, 2108, 2110, 2112, 2114, 2116, 2118, 2120, 2122, 2124, 2126, 2128, 2130, 2132, 2134, 2136, 2138, 2140, 2142, 2144, 2146, 2148, 2150, 2152, 2154, 2156, 2158, 2160, 2162, 2164, 2166, 2168, 2170, 2172, 2174, 2176, 2178, 2180, 2182, 2184, 2186, 2188, 2190, 2192, 2194, 2196, 2198, 2200, 2202, 2204, 2206, 2208, 2210, 2212, 2214, 2216, 2218, 2220, 2222, 2224, 2226, 2228, 2230, 2232, 2234, 2236, 2238, 2240, 2242, 2244, 2246, 2248, 2250, 2252, 2254, 2256, 2258, 2260, 2262, 2264, 2266, 2268, 2270, 2272, 2274, 2276, 2278, 2280, 2282, 2284, 2286, 2288, 2290, 2292, 2294, 2296, 2298, 2300, 2302, 2304, 2306, 2308, 2310, 2312, 2314, 2316, 2318, 2320, 2322, 2324, 2326, 2328, 2330, 2332, 2334, 2336, 2338, 2340, 2342, 2344, 2346, 2348, 2350, 2352, 2354, 2356, 2358, 2360, 2362, 2364, 2366, 2368, 2370, 2372, 2374, 2376, 2378, 2380, 2382, 2384, 2386, 2388, 2390, 2392, 2394, 2396, 2398, 2400, 2402, 2404, 2406, 2408, 2410, 2412, 2414, 2416, 2418, 2420, 2422, 2424, 2426, 2428, 2430, 2432, 2434, 2436, 2438, 2440, 2442, 2444, 2446, 2448, 2450, 2452, 2454, 2456, 2458, 2460, 2462, 2464, 2466, 2468, 2470, 2472, 2474, 2476, 2478, 2480, 2482, 2484, 2486, 2488, 2490, 2492, 2494, 2496, 2498, 2500, 2502, 2504, 2506, 2508, 2510, 2512, 2514, 2516, 2518, 2520, 2522, 2524, 2526, 2528, 2530, 2532, 2534, 2536, 2538, 2540, 2542, 2544, 2546, 2548, 2550, 2552, 2554, 2556, 2558, 2560, 2562, 2564, 2566, 2568, 2570, 2572, 2574, 2576, 2578, 2580, 2582, 2584, 2586, 2588, 2590, 2592, 2594, 2596, 2598, 2600, 2602, 2604, 2606, 2608, 2610, 2612, 2614, 2616, 2618, 2620, 2622, 2624, 2626, 2628, 2630, 2632, 2634, 2636, 2638, 2640, 2642, 2644, 2646, 2648, 2650, 2652, 2654, 2656, 2658, 2660, 2662, 2664, 2666, 2668, 2670, 2672, 2674, 2676, 2678, 2680, 2682, 2684, 2686, 2688, 2690, 2692, 2694, 2696, 2698, 2700, 2702, 2704, 2706, 2708, 2710, 2712, 2714, 2716, 2718, 2720, 2722, 2724, 2726, 2728, 2730, 2732, 2734, 2736, 2738, 2740, 2742, 2744, 2746, 2748, 2750, 2752, 2754, 2756, 2758, 2760, 2762, 2764, 2766, 2768, 2770, 2772, 2774, 2776, 2778, 2780, 2782, 2784, 2786, 2788, 2790, 2792, 2794, 2796, 2798, 2800, 2802, 2804, 2806, 2808, 2810, 2812, 2814, 2816, 2818, 2820, 2822, 2824, 2826, 2828, 2830, 2832, 2834, 2836, 2838, 2840, 2842, 2844, 2846, 2848, 2850, 2852, 2854, 2856, 2858, 2860, 2862, 2864, 2866, 2868, 2870, 2872, 2874, 2876, 2878, 2880, 2882, 2884, 2886, 2888, 2890, 2892, 2894, 2896, 2898, 2900, 2902, 2904, 2906, 2908, 2910, 2912, 2914, 2916, 2918, 2920, 2922, 2924, 2926, 2928, 2930, 2932, 2934, 2936, 2938, 2940, 2942, 2944, 2946, 2948, 2950, 2952, 2954, 2956, 2958, 2960, 2962, 2964, 2966, 2968, 2970, 2972, 2974, 2976, 2978, 2980, 2982, 2984, 2986, 2988, 2990, 2992, 2994, 2996, 2998, 3000.
- Buildings and Landmarks:** Winter Park Executive Ctr, Skyline Center, Lee World Center, Pan Coastal LTD Partnership, Anderen Bank, Valley National Bancorp, McCarron Cpa Ellen Drive LLC, City Of Winter Park, Lord's Sub.
- Other Features:** A red outline highlights a specific area near Mondrian Cir and Lake Dr.

RECEIVED  
OCT 31 2019

**VARIANCE APPLICATION**  
**BUILDING and PERMITTING SERVICES DEPARTMENT**

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

Date Received 10/24/2019  
# Assigned \_\_\_\_\_  
Date of Hearing 11/19/2019

Applicant: Sheila Cichra

2154 Oak Beach Blvd  
(Address)  
Sebring, FL 33875  
(City, State) (Zip)  
(863) 314-6711  
(Phone – Home)  
(407) 450-4241  
(Phone – Work or Cell)  
sheilacichra@gmail.com  
(Email Address)

Owner: Mondrian at Winter Park Townhome Assn, Inc.

Mondrian Circle  
(Address)  
Winter Park, FL 32789  
(City, State) (Zip)  
(Phone – Home)  
(813) 367-7553  
(Phone – Work or Cell)  
weisserdevelopments@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 58-87, Paragraph (c) (2), Zoning R2.

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 Mondrian Circle

Legal description of  
property MONDRIAN AT WINTER PARK TOWNHOMES 94/74 TRACT B (COMMON AREA)

Describe variance  
request Increase total square footage allowed from 600 to 1,549

\*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?

This property is a condo, so there are many residents that would like to use the dock. They need as many boat slips as possible.

How long have you owned the property? 2 year

How long have you occupied the property? < 1 year

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?

Without the ability to add more boat slips, many of the residents would not be able to use the dock.

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 code for residential boat docks is overly restrictive to multi-family structures.

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 believe that we are asking for the minimum variance.

  
Signature of Applicant

10/23/2018  
Date

Sheila Cichra  
Name of Applicant (PRINT)

I, J. Mark Stroud, as Chief Operating Officer of Lindell Investments, Inc., as Manager of LINV Managers LLC as manager of BC Killarney LLC, owner of The Mondrian, located at Mondrian Circle, in the City of Winter Park, hereby grant permission to Sheila Cichra of Streamline Permitting, Inc. to act as my agent in obtaining all permits and variances associated with the construction of our boat dock.

Mark Stroud

9/12/19

(Signature)

(Date)

J. Mark Stroud

(Print Name)

ACKNOWLEDGEMENT:

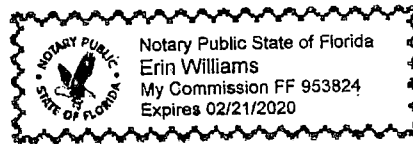
STATE OF FLORIDA

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of September 2019, by J. Mark Stroud.

(NOTARY SEAL)

Erin Williams



(Signature of Notary Public – State of Florida)

Erin Williams

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced

\_\_\_\_\_

## **George Wiggins**

---

**From:** Tim Egan  
**Sent:** Thursday, December 12, 2019 10:34 AM  
**To:** Donald Marcotte; George Wiggins  
**Cc:** Kurt Ardaman; Dan Langley; Troy R Attaway; 'sdiclemente@statefundins.com'; Randy Knight  
**Subject:** RE: Lakes Board action for Mondrian Townhome (1800 Lee Road) Boat Dock Variance Request

Don/George

I didn't want to speak out of place since I was not involved in the review of this iteration of the project. I would like to provide some information that may help at the Board of Adjustments meeting. I did not send this to anyone from the applicant's team, but think that Sheila Cichra from Streamline Permitting should have access to it. You can Forward it to her if you feel it is appropriate. This information is from my recollection of the original discussions three years ago, so take that into account...

### **Dock area**

Historically, the city (through the development review process) has allowed multi-family and commercial properties to have more dock area where the length of shoreline on the property was greater than 100 feet. A lot with 100 linear feet of shoreline has been used as the benchmark for allowable dock area (sort of an ERU for docks). The Planning and Zoning Board and the City Commission have allowed up to 600 square feet of dock area per 100 feet of linear shoreline. This is not in the code but has been used as internal policy. Jeff Briggs could probably give you a number of examples. I do not remember if the number of docks was discussed.

### **Dock location & configuration**

The project in question was discussed at length by the Lakes Board and was tabled the first time they looked at it with a request that the following modifications be made:

- The boat slips were too short in the opinion of the board and they asked that they be lengthened without increasing the length that the docks extended into the lake. To do this the "T" sections of the dock were moved landward to allow the slips to be at least 21' long.
- The docks (I don't recall if it was one or both) were moved away from the tip of the point to reduce the amount of the strait would be impacted by the docks.

There were three reasons why the docks were not pushed farther off the point.

- Water depth - moving the docks (particularly the easternmost one) would put them in shallower water
- Vegetation impacts - moving them would result in more impacts to shoreline vegetation
- Layout of the project - The dock were placed so they are within the common area of the property rather than behind the residential units (might not matter to the city but was part of the discussion).

### **FDEP involvement**

Most docks constructed within Winter Park are exempted by the state as they have area limit of 1,000 square feet and don't allow plumbing or enclosed areas. If you don't meet the exemption, you must obtain an individual ERP. Criteria for an ERP include a requirement that the end of the boat slip (waterward end) be in at least 4.5' of water. They do not have a length restriction.

### **Navigation**

The Area between points is approximately 200 feet in width. The normal shoreline is not visible because of tree canopy coverage. The trees around the southern point are growing in the water and the visible edge of the canopy is actually some distance from shore. Based on past experience, this is not an area that would be considered a navigation hazard,

even if both points of land had docks of the maximum length allowed on Killarney (50'). All ERP's are sent to the Army corps of Engineers (ACOE) for review and they will typically respond if they have any concerns. For projects of this nature, they typically issue a nationwide permit (or a denial). If they feel it meets an exemption, they may or may not respond.

<div data-bbox="178 380 345 551"></div> <div data-bbox="139 638 384 691"><p>City of Winter Park 401 Park Avenue South</p></div> <div data-bbox="142 723 381 778"><p>Winter Park, FL. 32789 cityofwinterpark.org</p></div>	<div data-bbox="466 483 753 546"><p><b>Timothy J. Egan</b> Natural Resources Manager</p></div> <div data-bbox="467 638 751 668"><p>Parks and Recreation Dept.</p></div> <div data-bbox="571 900 753 929"><p>p: 407.599.3546</p></div>
---	---

**From:** Donald Marcotte

**Sent:** Tuesday, December 10, 2019 3:40 PM

**To:** George Wiggins <Gwiggins@cityofwinterpark.org>

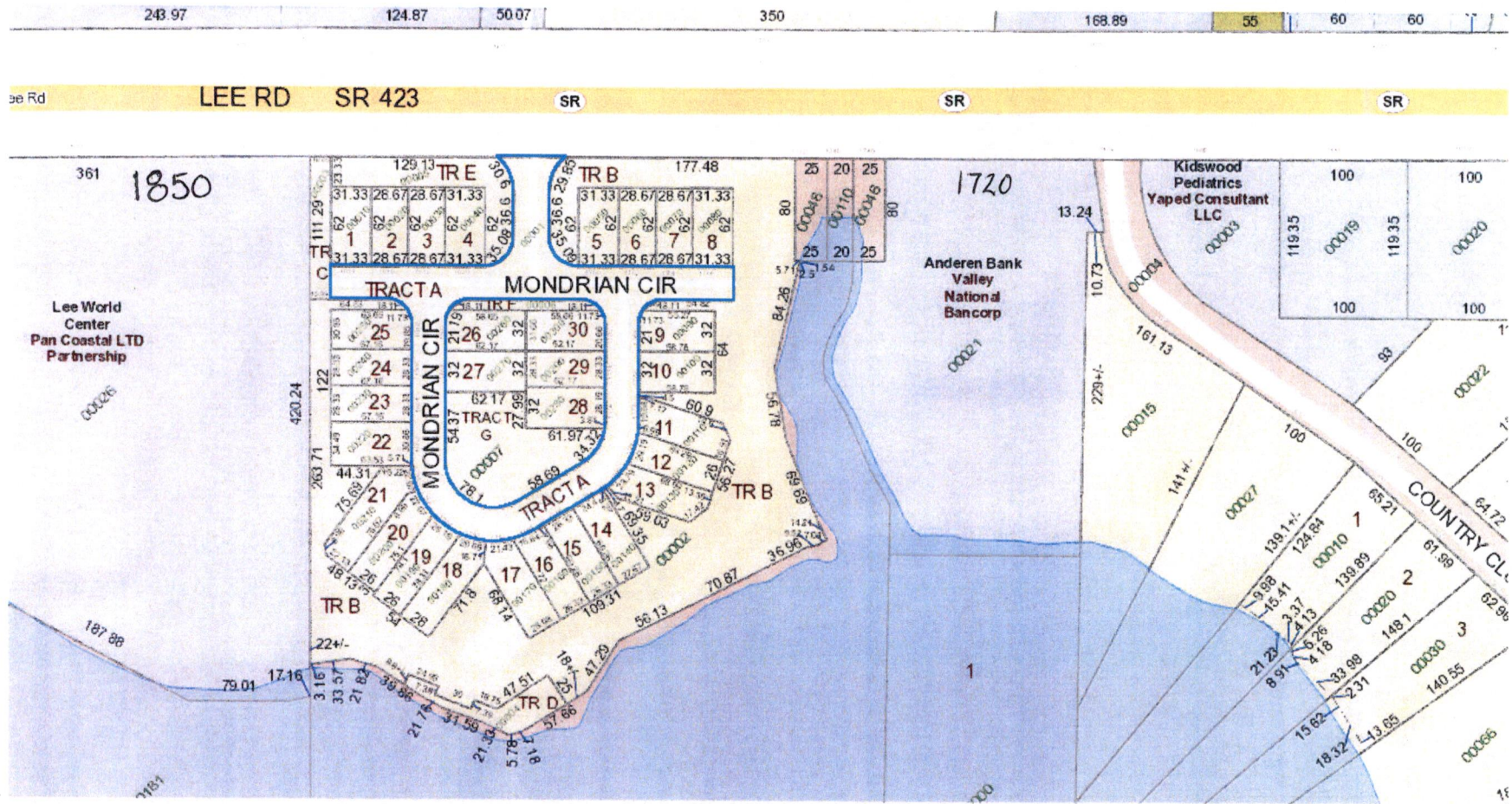
**Cc:** Kurt Ardaman <ardaman@fishbacklaw.com>; Dan Langley <dlangle@fishbacklaw.com>; Troy R Attaway <Tattaway@cityofwinterpark.org>; 'sdiclemente@statefundins.com' <sdiclemente@statefundins.com>; Tim Egan <Tegan@cityofwinterpark.org>; Randy Knight <Rknight@cityofwinterpark.org>

**Subject:** RE: Lakes Board action for Mondrian Townhome (1800 Lee Road) Boat Dock Variance Request

Got it, thanks

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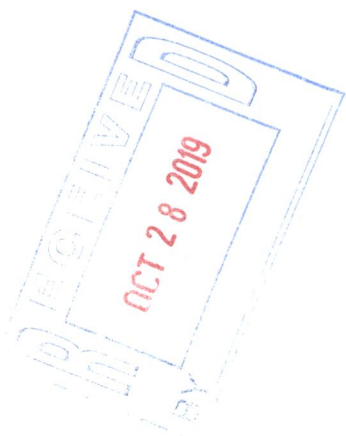
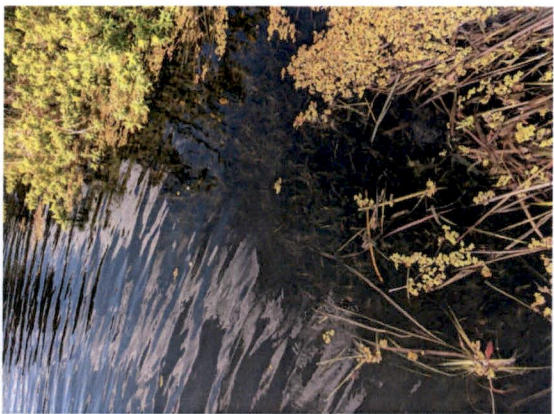
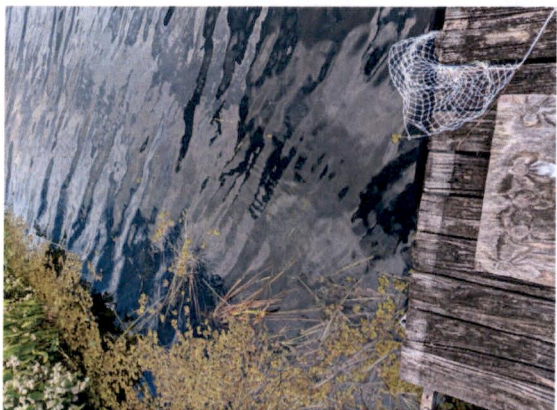
# Mondrian Circle

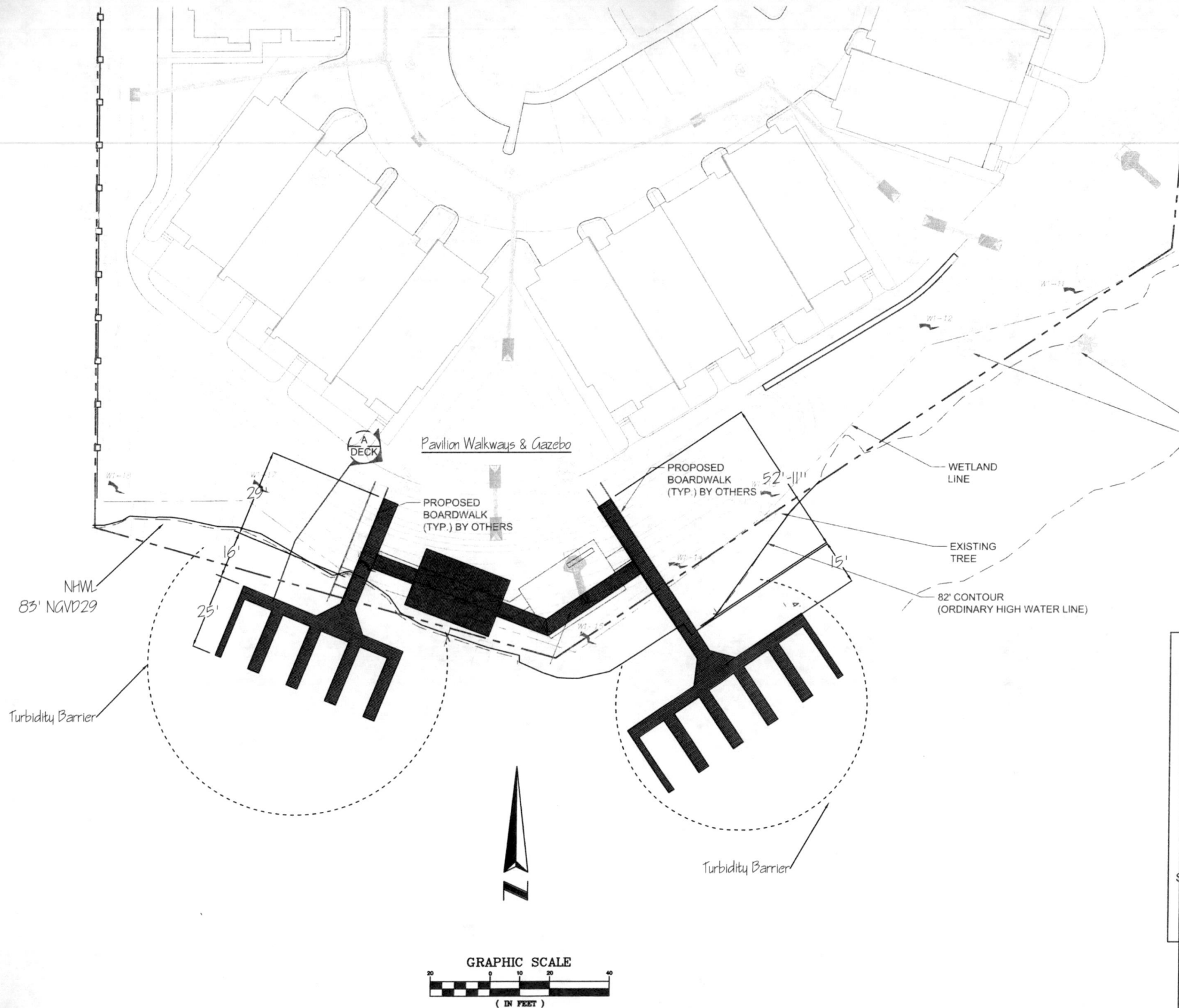












#### 101. GENERAL NOTES

101.1 DETAILS SHOWN ON PLANS MAY BE FOR TYPICAL CONDITIONS. FOR CONDITIONS NOT SHOWN, PROVIDE DETAILS OF A SIMILAR NATURE, OR IF NOT CERTAIN HOW TO PROCEED, CONTACT JENNIFER TELIGA AT (321)662-7503.

101.2 DIMENSIONS SHOWN ON THESE PLANS SHALL BE VERIFIED BY THE CONTRACTOR OR BUILDER PRIOR TO CONSTRUCTION. THESE PLANS MAY NOT BE DRAWN TO SCALE. SCALING OF DRAWINGS IS STRONGLY DISCOURAGED.

101.3 THE CONTRACTOR SHALL COORDINATE ALL NEW WORK WITH EXISTING CONDITIONS AND SHALL REPORT ANY DISCREPANCIES TO JENNIFER TELIGA IMMEDIATELY AND BEFORE PROCEEDING WITH WORK.

101.4 OBTAIN APPROVAL OF JENNIFER TELIGA FOR ALL STRUCTURAL MODIFICATIONS OR SUBSTITUTIONS.

101.5 CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION PRACTICES, INCLUDING TECHNIQUES, PROCEDURES, SHORING, AND THE SEQUENCE OF CONSTRUCTION. CONTRACTOR SHOULD NOTIFY JENNIFER TELIGA IF A CONFLICT ARISES DUE TO VARIATIONS OR OTHER PROBLEMS WITH THE CONSTRUCTION DOCUMENTS.

#### 102. APPLICABLE CODES AND STANDARDS

CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THESE STRUCTURAL SPECIFICATIONS AND THE REQUIREMENTS CONTAINED IN THE FOLLOWING CODES AND STANDARDS. WHEN A DIFFERENCE EXISTS BETWEEN THESE SPECIFICATIONS AND ANY OTHER GOVERNING CODE, THE MORE STRINGENT SHALL CONTROL. ANY OTHER ITEMS NOT COVERED THEREIN SHALL BE COMMENSURATE WITH SOUND ENGINEERING AND STANDARD CONSTRUCTION PRACTICE.

102.1 2017 FLORIDA BUILDING CODE

102.2 AISC MANUAL OF STEEL CONSTRUCTION - 13TH EDITION

102.3 ACI BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE - ACI 318-08

102.4 AMERICAN WOOD COUNCIL - NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION - 2009 EDITION

102.5 ASCE 7-10 MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES

#### 103. DESIGN LOADS

THIS STRUCTURE HAS BEEN DESIGNED FOR THE FOLLOWING LOADS. DESIGN LOADS INDICATED ARE IN POUNDS PER SQUARE INCH UNLESS NOTED OTHERWISE. IF ANY PERMANENT MATERIALS EXCEED THESE LOADS, JENNIFER TELIGA SHALL BE CONTACTED TO REVISE THE STRUCTURAL DESIGN AND CONSTRUCTION DOCUMENTS.

103.1 DEAD LOADS: WEIGHT OF STRUCTURE AND ALL THINGS PERMANENTLY ATTACHED.  
DECK - 10 PSF ROOF - 10 PSF - BOTTOM CHORD

103.2 LIVE LOADS:  
DECK - 40 PSF WIND SPEED - 140 MPH  
EXPOSURE - D  
INTERNAL PRESSURE COEFFICIENT - 0.0 (COMPLETELY OPEN)  
BUILDING TYPE: 1 - RISK FACTOR 1.0

#### 301. STRUCTURAL LUMBER FRAMING (DIMENSIONAL LUMBER)

301.1 UNLESS NOTED OTHERWISE, ALL STRUCTURAL LUMBER SHALL BE SOUTHERN YELLOW PINE (SYP) #2 OR BETTER

301.2 STRUCTURAL LUMBER EXPOSED TO WEATHER SHALL BE PRESSURE TREATED OR MANUALLY SEALED AT TIME OF CONSTRUCTION.

301.3 ALL FASTENERS TO BE HOT DIPPED GALVANIZED (HDG) OR STAINLESS STEEL.

301.4 ALL DECKING SHALL BE SOUTHERN YELLOW PINE (SYP) #2 OR BETTER OR WOOD/PLASTIC COMPOSITE CONFORMING WITH ASTM D7032.

301.5 LIVE LOADS:  
GUARDRAILS AND HANDRAILS - 200 PSF  
GUARDRAILS IN-FILL COMPONENTS - 50 PSF  
STAIRS - 40 PSF

311.7.7 HANDRAILS  
HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE ON EACH CONTINUOUS RUN OF TREADS OR FLIGHT WITH FOUR OR MORE RISERS

311.7.8 ILLUMINATION  
ALL STAIRS SHALL BE PROVIDED WITH ILLUMINATION IN ACCORDANCE WITH SECTION R303.6

Prepared for:



Jennifer Teliga, P.E.

11854 Briar Hollow Lane

Clermont, FL 34711

P.E. #64681

(321) 662-7503

The Mondrian Dock

1800 Lee Rd.

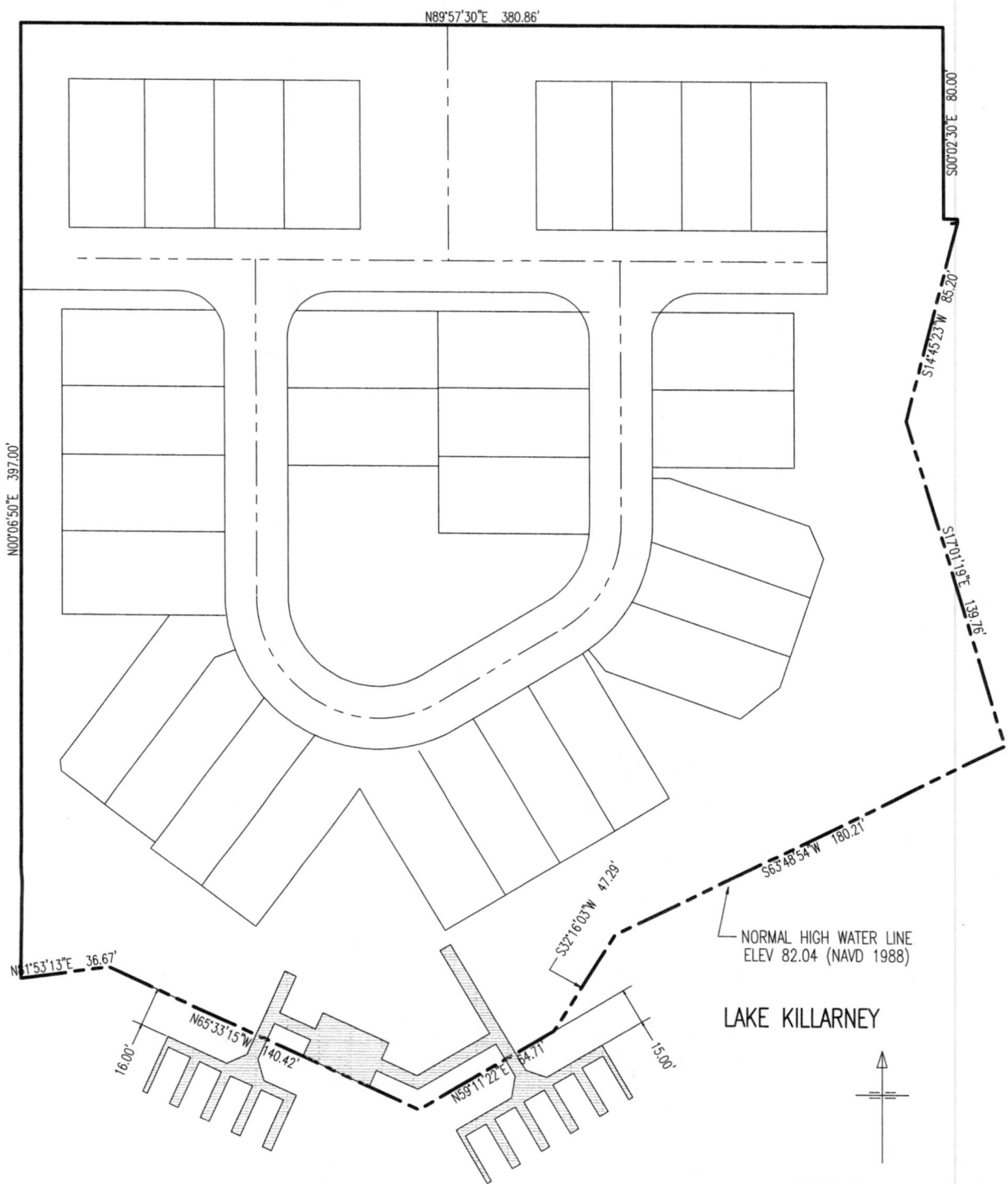
Winter Park, FL.

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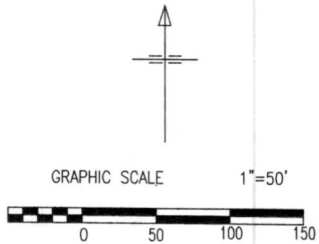
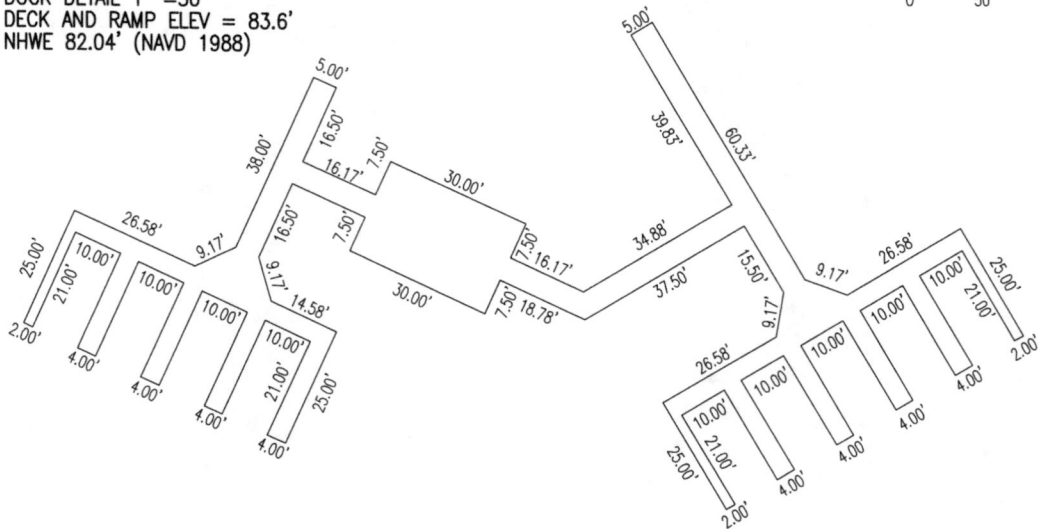
Project:  
SDD-2016-00

S0

SPECIAL PURPOSE SURVEY  
PROPOSED DOCK LOCATION  
THE MONDRIAN

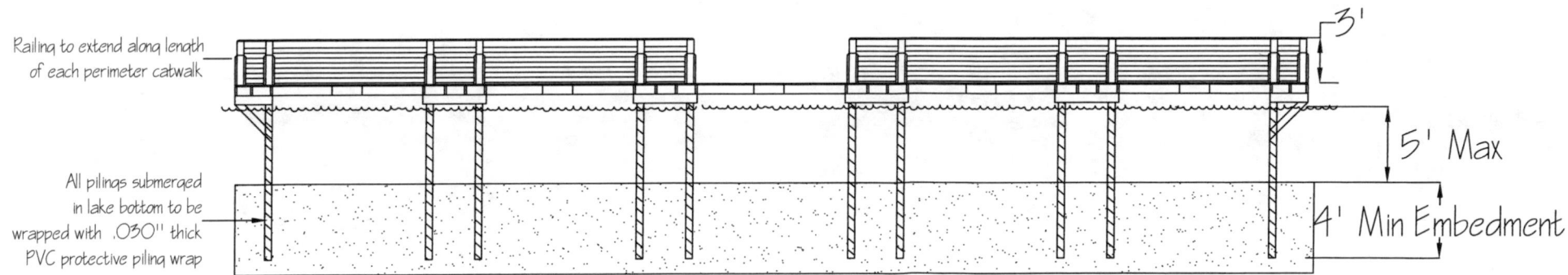
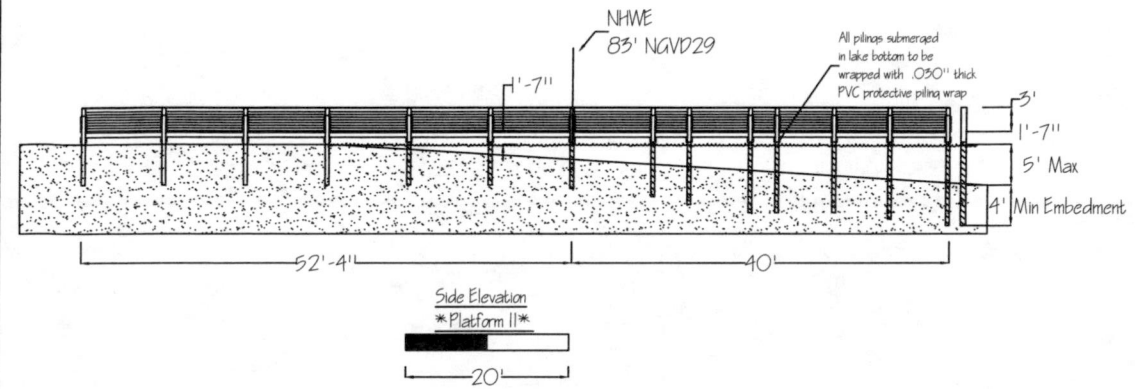
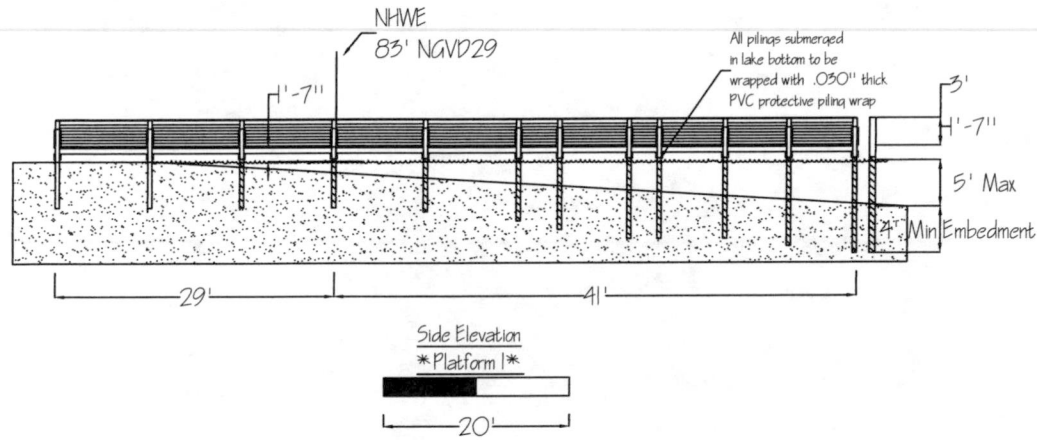


DOCK DETAIL 1" = 30'  
DECK AND RAMP ELEV = 83.6'  
NHWE 82.04' (NAVD 1988)



<p>EDWARD MIZO PLS PROFESSIONAL LAND SURVEYOR 2625 LEGACY VILLAS DRIVE MAITLAND, FL 32751 (321) 436-9391</p>	<p>SPECIAL PURPOSE SURVEY</p> <p>PROPOSED DOCK LOCATION THE MONDRIAN</p>	<p>PLOT PLAN</p>	<p>10-8-2019</p>
--	--	------------------	------------------





Prepared for:  
**SUMMIT**  
A Best and Best, LLC  
5969 E Lakehurst Drive  
Orlando, FL 32819  
(407) 868-6851  
www.summitundocks.com

Jennifer Teliga, P.E.  
11634 Briar Hollow Lane  
Clermont, FL 34711  
P.E. #64681  
(321) 662-7503

The Mondrian Dock  
1800 Lee Rd.  
Winter Park, FL.

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Project:  
SDD-2016-00

S6



**Sec. 58-87. - Lakefront lots, canalfront lots, streamfront lots, boathouses and docks.**

- (a) *Purpose and intent.* It is the intent of this section to insure that buildings and structures on canalfront lots, lakefront lots and streamfront lots are not constructed or placed such that boating hazards will be created, that construction shall be compatible with the natural grade of the property, that water pollution from stormwater runoff and other sources will be minimized, that views of water from adjoining properties will not be unduly impaired, that existing trees shall be preserved to the degree reasonably possible and the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. The city's lakes, canals and streams are among the city's greatest assets, and it is in the public interest to require that their aesthetic appeal and water quality be maintained and enhanced when possible.
- (b) *Building plans.*
- (1) A building permit shall not be issued for any new structure or building, addition to any existing structure or building, fence or wall or significant change to an existing property on a lakefront, canalfront or streamfront lot until satisfactory building plans are reviewed and approved that are deemed in compliance with the objectives established in the aforementioned purpose and intent. The planning department shall review all such plans and provide a recommendation to the planning and zoning board.
  - (2) In cases involving the construction of swimming pools (without screen pool enclosures), or patios, or hardscape additions of under 1,000 square feet, the planning department shall provide an administrative review which will result in approval, approval with conditions or denial of the permit. In such cases, the owner may appeal the planning department's determinations to the planning and zoning board.
  - (3) In all other cases, the planning and zoning board shall review and approve construction upon lakefront lots, canalfront lots and streamfront lots when deemed in compliance with the objectives established in the aforementioned purpose and intent.
  - (4) The lakes and waterways board shall review and approve construction of boathouses, docks, gazebos over the lakes or other water bodies. However, review and approval by the lakes and waterways board of boathouses, docks and gazebos shall not be required if the structure is replacing an existing boathouse, dock or gazebo and is in the same location and is meeting the code requirements set forth in this section. The review and approval by the lakes and waterways board is only required when variances are requested or when there is not an existing boathouse, dock or gazebo on the property/water or when the location of the boathouse, dock or gazebo is being changed by more than five feet from the current location.
  - (5) The requirements of this section are minimum requirements, and the planning and zoning board or the lakes and waterways board may impose more restrictive requirements and conditions on the height, bulk, location and any other aspect of the proposed development where necessary in order to accomplish the purpose and intent of this section. Review by the planning and zoning board or the lakes and waterways board shall be at a public hearing following notification of adjacent waterfront property owners.
- (c) *Docks and boathouses.* The following minimum or maximum standards shall apply to all construction or renovation of docks and boathouses:
- (1) Before a building permit is issued, the plans for docks and boathouses shall be approved by the lakes and waterways board after review of comments from city staff and notification of the adjacent lakefront property owners.
  - (2) The total area of docks and boathouses built at the water's edge over land and water shall not exceed 600 square feet. In the case of canalfront lots (other than boathouse lots on canals as set forth in

subsection (f) hereafter), the maximum total area of docks, boathouses, decks, stairs and any other attachments shall be based on the length of the canal frontage as follows:

- a. Seventy-five feet or less of frontage, 450 sq. ft.
- b. Seventy-six feet to 100 feet of frontage, 500 sq. ft.
- c. Over 100 feet of frontage, 550 sq. ft.

The maximum width of canal boathouses shall be 20 feet.

- (3) All new docks and boathouses shall be constructed ten feet from a side lot line. This side setback can be reduced to five feet if written approval is presented from the adjacent property owners.
  - (4) All new docks and boathouses shall not extend over 30 feet into the water from the elevations specified in this section. However, on Lake Killarney the maximum distance may be 50 feet.
  - (5) The highest point of a boathouse or gazebo roof or any railing shall not exceed 11 feet and the roofs must be pitched so as to eliminate flat roofs and use of such areas as sundecks. The height shall be measured from the surface of the dock or floor to the highest point of the roof or railing. In addition, the surface of any dock, sundeck or floor of any boathouse, gazebo, etc., shall not be more than two feet above the elevations specified in this subsection.
  - (6) In order that all docks or boathouses be utilized only for boating and other recreational activities and not as living space, there shall be no bathrooms or cooking facilities permitted in them, nor as an improvement to any existing boathouse. There also shall not be any enclosed rooms over water except for storage rooms limited in size to a maximum of 80 square feet.
  - (7) Only one boathouse shall be permitted for each lakefront property owner. In the case of common ownership of lakefront property such as in a condominium arrangement or property owned by a subdivision, there shall only be one boathouse permitted.
  - (8) The sale or lease of a portion of lakefront after January 1, 1980, shall be construed as a subdivision and shall not enable the owners to make application for a dock and boathouse unless that subdivision has received the approval of the city commission.
  - (9) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. On lots that are divided by a public street, landscape buffering shall be required to substantially cover 50 percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, grass paver or other improved surface.
  - (10) As a condition for a permit to build or repair any lakefront dock or boathouse, the lakefront water area along shorelines that do not meet the vegetation standards of subsection 114-6(a) of this Code shall be required to be planted so that no more than 50 feet, or 50 percent (whichever is less) of the shoreline remains clear of vegetation.
- (d) *Other structures on lakefront, canalfront or streamfront lots.* The following standards shall apply to all construction on lakefront, canalfront or streamfront lots:
- (1) Lakefront, canalfront and streamfront lots shall be developed to maximize the amount of natural rainfall which is percolated into the soil and to minimize direct overland runoff into the water. With the exception of boathouses, docks or other over-water construction, storm water runoff from structures and other impervious surfaces shall be directed into swales or terraces on the lot or restrained by berms so as to

provide for the on-site retention and percolation of the first one inch of runoff. Properties being developed or redeveloped shall eliminate any direct piped discharges of storm water into the water, so that this runoff is directed to the on-site retention and percolation areas. The planning and zoning board may require, as conditions necessitate, the submission of soil and water table information, topographic detail, drainage calculations and professionally designed plans so as to insure these requirements are met. All storm water retention compliance shall prioritize the preservation of existing trees and the impacts of fill or excavation on tree root systems shall be minimized and the planning and zoning board shall have the authority to require berm or alternative retention methods and volumes where necessary to protect the root systems and survivability of existing oak and cypress trees.

- (2) No lakefront, canalfront or streamfront lot owner shall grade the lot in such a way as to interfere with the natural drainage of adjoining lots or in a way that diverts drainage from their lot onto adjoining lots. The planning and zoning commission may require, as conditions necessitate, the construction of physical features, grading, swaling and piping of roof gutters so as to insure that runoff on a lot does not negatively impact adjoining lots.
- (3) Structures on lakefront, canalfront or streamfront lots shall, to the extent reasonably possible, be designed and located to minimize their obstruction or degradation of traditional views to and through the property to the water. Structures in this context shall also include fences and walls. Structures shall also be located so that existing trees shall be preserved to the degree reasonably possible. The planning and zoning board, may as conditions necessitate, reduce the height of structures, alter their location, size and design so as to accomplish these objectives. The planning and zoning board shall also have limited authority to grant exceptions to the front and side setback standards when deemed necessary to accomplish these objectives.
- (4) Structures on lakefront, canalfront or streamfront lots shall be developed and landscaped so that when viewed from the water, those structures are as unobtrusive as is reasonably possible. When a lot is being redeveloped, or a lot's structure is being extended or altered, the planning and zoning commission may require the planting of new trees and other landscaping in order to achieve this objective. To the extent practical, vehicles shall not be visible from the lake. To achieve this objective, the parking of vehicles in any area between the rear of the principal building and the water shall be prohibited. Driveways and other parking surfaces for vehicles when located on the side of lots shall be screened by walls or fences (not including wood fences) or landscaping at least four feet in height that can effectively screen the view of the vehicles from the lake. This shall not apply to driveways and parking areas in the front of the lot that may be situated such that vehicles are visible from the lake.
- (5) Structures on lakefront lots require the approval of the planning and zoning board prior to the issuance of a building permit. As conditions necessitate, the planning and zoning board or city commission may impose increased setbacks in concert with their waterfront review or conditional use authority as necessary to accomplish the objectives in this section. Structures in this context shall also include parking lots, driveways, swimming pools, cabanas, gazebos, screen enclosures, tennis courts and other accessory buildings.
  - a. *Setbacks - Single family/duplex.* The setback from the water's ordinary high water elevation for single family and duplex buildings and any other accessory structures on those properties (other than boathouses, docks, over the water gazebos or retaining walls) shall be the average established by the adjacent water front properties within 200 feet of the subject property, or 50 feet, whichever

is greater. The planning and zoning board shall have the authority to approve water front setbacks less than the average determined above to a minimum of 50 feet in accordance with their water front review authority.

- b. *Setbacks - Multi-family/non-residential/mixed use.* The water front setback from the ordinary high water elevation for multi-family (three or more units) or non-residential or mixed use buildings and any other accessory structures on those properties (other than boathouses, docks, over the water gazebos or retaining walls) shall correspond to the height of the proposed structure. For buildings and structures 35 feet in height or less, the water front setback shall be a minimum of 75 feet. As the height of the building or structure increases, for each one foot increase in height over 35 feet in height, the water front setback shall increase by two and one-half feet. Parking lots, driveways, swimming pools or other accessory structures shall be setback a minimum of 50 feet from the ordinary high water elevations below.
- c. *Ordinary high water elevations.* For convenience, the ordinary high water elevations of the city's principal lakes are listed below. These elevations have been determined by the Florida Department of Environmental Protection (FDEP) Bureau of Survey and Mapping. All elevations reference NGVD (88 datum). For the canal and stream front locations, the ordinary high water elevations are to be provided by the public works department.

1. Lake Berry ..... 69.4 feet
2. Lake Killarney ..... 82.0 feet
3. Lake Maitland ..... 65.7 feet
4. Lake Mizell ..... 65.7 feet
5. Lake Osceola ..... 65.7 feet
6. Lake Sue ..... 70.7 feet
7. Lake Sylvan ..... 71.2 feet
8. Lake Virginia ..... 65.7 feet
9. Lake Bell ..... 88.6 feet
10. Lake Spier ..... 89.7 feet
11. Lake Forrest ..... 100.0 feet
12. Lake Grace ..... 100.8 feet
13. Lake Rose ..... 87.8 feet
14. Lake Tuscany ..... 69.1 feet
15. Lake Baldwin ..... 90.7 feet
16. Lake Temple ..... 66.6 feet

- (6) Structures on canalfront or streamfront lots require the approval of the planning and zoning board prior to the issuance of a building permit. Other than boathouses, the waterfront setback shall be at least 50 feet from the canal bulkhead or stream. Structures in this context shall also include driveways, parking lots, swimming pools and pool decks, screen enclosures, tennis courts, cabanas and other accessory buildings. Swimming pools and decks on canalfront or streamfront lots may be permitted a minimum of 25 feet from the canal bulkhead or stream ordinary high water elevation, provided the swimming pool has an elevation of no more than two feet above the existing grade on the side closest to the canal or stream. The planning and zoning board may require, as conditions necessitate, the imposition of increased setbacks to accomplish the objectives in this section.



- (7) Fences or walls on lakefront, canalfront, or streamfront lots shall not be permitted to extend into the water beyond the ordinary high water elevation or into a canal beyond the bulkhead. Fences and walls shall not be permitted which run parallel to or across the lakefront, canalfront or streamfront anywhere within the 50-foot setback from the ordinary high water elevation. Fences but not walls may be permitted which run parallel to or across the lakefront, canalfront or streamfront on that portion of the land between the rear of the main structure and the 50-foot setback provided such fence does not exceed four feet in height above existing grade. Retaining walls, terrace walls, decks, railings or other structures higher than three feet above existing grade shall not be permitted within the 50-foot setback. Other accessory structures or improvements that do not exceed three feet in height within the 50-foot setback such as walkways, railings, patios, decks, fire pits, etc., shall not cover more than ten percent of the land area within that 50-foot setback. Fences running down the sides of properties within the 50-foot setback or parallel to or across the waterfront shall be substantially open fences limited to the materials such as aluminum picket, wrought iron, or green or black clad vinyl chain link which allow visibility across property lines and to the water. Wood shadow box fences shall not qualify as open fencing. The planning and zoning board may permit fences closer than the 50 feet but only on canalfront or streamfront lots as necessary to enclose swimming pools.
- (8) Swimming pool and spa decks, patios and terraces shall not be constructed more than three feet in height above the average existing grade elevation on the lakeside edge of that deck, patio or terrace. In addition, the facade of these retaining walls facing the lake shall be screened with landscape plantings across the length of the retaining wall except for any sections involving stairs down to the lakefront. On lots with severe grade drops of over seven feet throughout the length of the house, the planning and zoning board may approve swimming pool and spa decks, patios and terraces higher than three feet above existing grade on the water side if approved by four members of the planning board.
- (e) *Retaining walls or seawalls.* The construction of retaining walls or seawalls shall be done in accordance with the Lakeshore Protection regulations within this Code of Ordinances.
- (f) *Boathouse lots on canals.* The boathouse lots which exist along the canals interconnecting the lakes within the city were platted and accepted by the city under the premise that these lots would serve as lake access for the residents of that subdivision. As such, the purpose and intention of these boathouse lots is to serve as accessory lots to the main residential properties within that subdivision. In accordance with the policies contained within the comprehensive plan, the following regulations shall apply:
- (1) The buildability and use of all canal boathouse lots, which are determined to be accessory lots, shall be restricted to the owners of real property within the subdivision in which these accessory boathouse lots were platted.
  - (2) Canal boathouse lots which are held January 1, 1981, by property owners residing outside of the subdivision for which they are platted shall be nonconforming boathouse lots which may still be used for constructing a boathouse and for lake access. However, any canal boathouse lots owned by real property owners on January 1, 1981, in the subdivision for which they were platted, shall only be buildable and used to serve the lake access needs of residents of that subdivision.
  - (3) Minimum lot widths shall be 50 feet.
  - (4) Canal boathouses shall be constructed a minimum of five feet from side lot line. There shall be no front setback.
  - (5) The highest point of a canal boathouse shall be no more than ten feet above the ordinary high water elevation of the closest lake as detailed in this section.



- (6) Canal boathouses shall not exceed 400 square feet in size for all areas of boathouses, stairs, and decking.
- (7) Canal boathouses shall be located so as not to interfere with navigation and to result in the minimum of loss of existing large oak, pine or cypress trees. Electric service shall be provided via underground wiring. Landscape buffering shall be required to substantially cover 50 percent of the structure as viewed from the street. Boathouses shall only be painted or have exterior covering of a color that blends in with and does not detract from the natural surroundings. Off-street parking areas shall remain without asphalt, concrete, brick, gravel, grass paver or other improved surface.
- (g) *Wetlands*. Located adjacent to certain streams, lakes and canals are wetland areas, as defined by the Florida Department of Environmental Protection (FDEP) and St. Johns River Water Management District (SJRWMD) methodology, soil types, hydrological requirements and vegetation types in which no adding of soil or other fill materials shall be permitted. In addition, the use of these wetland areas for any structure shall be permitted only as a conditional use granted only upon the affirmative vote of four members of the city commission and said structures shall be limited to elevated boardwalks or gazebos. The criteria utilized to evaluate such conditional use requests shall include, but not be limited to: the effect on the wetland's function; environmental impacts on the wetlands from the construction process; the loss of environmentally sensitive areas and the precedent for similar construction in other such wetland areas including conformance to the comprehensive plan. For any other building or structure(s) there shall be a 50-foot minimum setback required from the edge of such designated wetlands.

(Ord. No. 2362, § 1, 7-11-00; Ord. No. 2398, § 1, 11-28-00; Ord. No. 2469-02, §§ 1, 2, 6-11-02; Ord. No. 2590-04, § 4, 7-12-04; Ord. No. 2764-09, § 1, 3-9-09; Ord. No. 2796-10, § 1(Exh. A), 2-22-10; Ord. No. 2832-10, § 1, 11-22-10; Ord. No. 2833-10, § 1, 12-13-10; Ord. No. 2850-11, § 1, 9-12-11; Ord. No. 3019-15, § 1, 11-9-15; Ord. No. 3098-17, § 4, 12-11-17; Ord. No. 3133-18, § 1, 12-10-18)

**Editor's note—** Ord. No. 2833-10, § 1, adopted Dec. 13, 2010, changed the title of § 58-87 from "Lakefront lots, canalfront lots, streamfront lots, boathouses and docks" to "Lakefront lots, canalfront lots, streamfront lots, wetlands, boathouses and docks." This historical notation has been preserved for reference purposes.

## George Wiggins

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**To:** Theresa Dunkle; George Wiggins  
**Subject:** 1800 Lee Road - Mondrian - Dock Variance

**From:** david r <drobold1@gmail.com>; 612 Country Club Drive  
**Sent:** Wednesday, December 4, 2019 4:27 PM  
**To:** George Wiggins <Gwiggins@cityofwinterpark.org>  
**Subject:** 1800 Lee Road - Mondrian - Dock Variance

To all members of the Board - I am writing to you to share the local community's concerns about the the proposed dock construction on Lake Killarney at the Mondrian project. I have spoken to lakefront home owners in the immediate area of the project as well as several on the main lake.

The area of proposed construction is in the small cove portion of Lake Killarney. This area of the lake already has major construction along the waterfront. The Killarney Shores development will be adding 9 lakefront homes which will likely have their respective docks. The Killarney Shores HOA is constructing a boat ramp that will provide access to the 30 families (plus additional adjacent non-HOA home owners who have deeded access to the lake). This Killarney cove (and the lake as a whole) is simply too small for safe navigation if the proposed dock construction is allowed.

Adjacent home owners will have their traditional views obstructed. The boat traffic will interfere with the quiet enjoyment of their lakefront area.

The simple reason to deny the variance is there are provisions in the Winter Park Code of Ordinances that specifically prohibit the proposed construction. Winter Park Code of Ordinances Sec. 58-87(c)(2) and (c)(7).

The standard for approving a variance has not been met either. Winter Park Code of Ordinances Sec. 58-92(c) requires the applicant to demonstrate:

1. that a special condition exist that is peculiar to this land - there is nothing special about this land.
2. the applicant would be deprived of rights commonly enjoyed by other properties - they are not deprived of any rights. They may have a dock of the size that fits the Code. Ref. Sec 58-87(c)(2) and (c)(7).
3. the granting will not confer on the applicant a special privilege - the applicant will receive a special privilege if granted. No other home owner would be allowed to build such a dock. Moreover, if the Mondrian project is allowed to construct a dock that is not consistent with the Code, then other development projects may use the Mondrian dock as precedent for varying from the Code.

Please let me know when the matter is scheduled to be heard before the Board of Adjustments, and/or the Planning & Zoning board, or City Commission. There are many local home owners that object to the proposed construction and they would like to be heard.

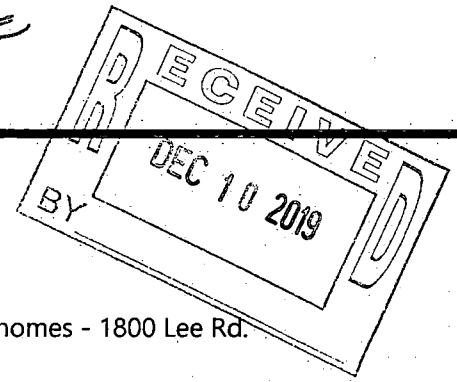
Please make this email part of any public hearing on the matter.

Thank you !

--

*David Robold*  
[drobold1@gmail.com](mailto:drobold1@gmail.com)  
407-925-7419

*LETTER OF OBJECTION  
MONDRIAN CIRCLE  
OUR BUSINESS #2*



**Theresa Dunkle**

**From:** George Wiggins  
**Sent:** Tuesday, December 10, 2019 6:55 AM  
**To:** Theresa Dunkle  
**Cc:** George Wiggins  
**Subject:** Objection to Proposed Docks at Mondrian Townhomes - 1800 Lee Rd.

**From:** John Carollo <jcarolloart@gmail.com>  
**Sent:** Monday, December 9, 2019 4:54 PM  
**To:** Jeffrey Briggs <jbriggs@cityofwinterpark.org>  
**Cc:** George Wiggins <Gwiggins@cityofwinterpark.org>  
**Subject:** [External] Objection to Proposed Docks at Mondrian Townhomes - 1800 Lee Rd.

Mr. Briggs,

My name is John Carollo, and I am the owner of 2008 Lake Dr. on the cove of Lake Killarney - a property which has been in my family for over 22 years.

After becoming aware via street signage of the variance request for dock construction at the Mondrian townhomes at 1800 Lee Rd, several neighbors and myself spoke out in objection to the project in its proposed form at the 12/19 public hearing of the Board of Adjustments. I will be attending the Lakes and Waterways discussion of the project on December 10, as well as the BOA meeting on 12/17 and have included several of my points of objection below for your consideration.

I would also like to emphasize, that other than the city-wide notice of the original townhome development proposal in 2015, which included dock renderings drastically different from what is now being proposed, neither myself nor my neighbors have any recollection of any sort of notification about past dock proposals which were apparently considered and voted on in 2015 and 2016. This despite our residential properties all being within several hundred feet of the subject parcel, our homes and lake view yards all looking directly at it from a short distance across the water, and the impact on our sight lines and boat traffic adjacent to our properties appearing to be significant. When the plans were presented by Mr. Wiggins at the BOA meeting, it was stated that no letters of objection had been received about them in the past. This was simply because we had absolutely no notice or awareness that anything had even been proposed. After voicing our concerns in November, we received written notice of the December BOA meeting.

#### Points of Objection:

First, let me clearly state that I am in no way opposed to the Mondrian having docks/boat slips in a general sense. It is a lakefront property and it was always to be expected that they would provide some sort of water access for residents. The objection centers around the extremely large nature of what has been proposed, its location on the property, and most importantly, its 40' protrusion into the lake.

#### 1. Location on the Property

The Developer states in their application that they have a hardship need to provide as many boat slips for their projected 30 units as possible. (Note: as of this date, and over the past 4 years of construction, only 8 units have been completed, with just 2 sales in 2 of a proposed 9 buildings. A third building has been sitting untouched in a state of partial completion for the past year, with the rest of the property an unsecured construction site.) The lakeside portion of the property has two distinct zones, west and east, on either side of protruding point, and the current design splits boat slips into 4 on the west and 5 on the east, leaving a large area of the shoreline extending east to the small drainage canal un-utilized.

## 2. Protrusion into the Cove

The current plans show significant extensions of 40' and 41' out into the water, with the stated reasoning being bridges extending over wetlands and further extension needed to provide enough depth for boats. I find this point confusing as most of the other properties around the cove, mine included, have accommodations for boats which are all significantly closer to shore with no depth issues encountered. My own boat is positioned about 4' from shore and has ample depth to operate. Additionally, newly constructed boathouses on Country Club Dr. are also similarly tight against the shoreline. Nowhere around our cove portion of the lake is any dock/boathouse that extends anywhere near the proposed distance.

I believe the location and extreme extensions are problematic for the following reasons:

Safety - especially as currently positioned on either side of the point of the property, and extending beyond it, the structures are located directly at the "choke point" of the cove - the narrowest portion of the water. From the tip of the point to the Black family property directly across is in the region of 100'. Anything that reduces this passage for boats and creates an obstruction that, especially at night, protrudes presents a safety hazard. I have good reason for stating this: our portion of the lake has had a decades-long issue with speeders. Even though 2 5-mph signs are posted, they are rarely observed and joy-riding by both boats and jet skis rocketing through the cove and into the canal is a common occurrence.

Never was this problem more clearly illustrated than on September 9 of this year (WP Police Case #2019TA011650, L. Hofer officer ) when three intoxicated gentlemen from the Lake Killarney Condos piloted their boat in excess of 20 mph into the cove at 11:30 pm, sped past my home and slammed headfirst into my nextdoor neighbors' (2000 Lake Dr.) boathouse. I was an eyewitness to the event, heard the impact, and went out to investigate, discovering a boat with a completely demolished bow, all glass shattered, one individual ejected from the boat and all three occupants covered in blood and requiring emergency services. Our cove portion of the lake is small and quite dark at night. Anything narrowing the already narrow passage is certain to present a hazard.

Boating lane - the positioning of the docks as proposed is sure to shift boat traffic closer to our properties on Lake Dr., as boaters curve an acceptable distance away from the new structures. I watch boats come and go from the cove and canal on a daily basis, and the current path takes most very close to where the new docks would be. Experience suggest that most will steer more in our direction, increasing wakes against our docks, boathouses and seawalls.

Sight lines - all our homes on the adjacent portion of Lake Dr. are angled to take advantage of the extended lake view east down the length of the cove, and the 40' protrusions will surely impact and obstruct those views, which are the major value aspects of our homes. Something in the 20' range would minimize the issue greatly.

Eel Grass - due to the positioning of our portion of the cove, and the commonly prevailing east-west wind direction, when the eel grass goes through one of its semi-frequent shedding periods, the floating grass tends to significantly collect at the western end of the cove and into the canal. In the summer, the monsoons then drain water into the canal flowing west to east, pushing the grass back out. Then winds push it back in again. This

back and forth bumper situation with the grass can go on for weeks at a time, with a huge floating mass of the grass covering the surface and causing severe boating/propeller issues. The grass situation can be at times extreme and extends all the way from the canal to the Mondrian property. A 40' structure on the Western portion of their property will only exacerbate the problem, providing yet another opportunity for the grass to get stuck/restricted.

Restrictions on Facing Property Owners - Currently, all the properties facing the Mondrian on Lake Dr., Country Club Dr. and Lakefront Blvd. have docks/boathouses with minimal protrusion into the lake. My own boathouse/walkway extends 13' with a separate dock area being even smaller. 2016 Lake Dr. has a 12' dock. 2026 Lake Dr. has a 4' dock and no boathouse, though the owner's intention is to add one in the future. The 4-acre Black property on the wooded point has been subdivided and is being prepped for development, which is sure to include docks/boathouses in the future. As much of that shoreline is currently in a natural state with wetlands and cypress, any construction would need some extension.

There is only so much lake area in this narrow passage. While the code for Lake Killarney as a whole allows for a 50' extension, there is a huge difference between the main, expansive lake and this small cove. The boat traffic has to go somewhere. If the Mondrian is allowed to extend 41', would that not restrict the facing owners from doing the same? Is it not better for all owners in the cove to responsibly build structures closer to shore, preserving the shared open space for all, as has historically been the case?

#### Compromise Position:

The Mondrian property has left a large area of their shoreline to the east, extending to the small drainage canal un-utilized. This area would seem to be large enough to accommodate all the proposed boat slips, while positioning them on the larger and more expansive area of the cove. It would eliminate the cluster at the narrow waterway choke point, cause considerably less sight line obstruction, and allow their boats to navigate in and out of the slips much easier than the sharp turn required for the Western slip as currently proposed.

#### Impact of Recent Development on the Cove

Between the Mondrian and Lake Killarney Shores developments, our small area of water must absorb 60 new homesites with lake access. That is a LOT of change in a very short time to an area that has historically been very quiet, and significantly more development than is happening on the large portion of the lake. The residents of the cove are NOT against change, and we have benefitted from many of the improvements to the corridor over the past 5 years. The cove area is a beautiful place and my neighbors and I are asking you to manage its growing construction in a manner that will allow additions without obliterating the openness, ease of navigation and expansive views that have made it such a wonderful home for decades.

Thank you for your consideration,

John Carollo  
2008 Lake Dr.  
WP 32789

407-616-7170





401 South Park Avenue • Winter Park, Florida 32789

407-599-3237 • 407-599-3499 fax  
cityofwinterpark.org

## Building & Permitting Services

**TO:** BOARD OF ADJUSTMENTS MEMBERS  
**FROM:** GEORGE WIGGINS, DIRECTOR OF BLDG/LEGISLATIVE AFFAIRS  
**DATE:** December 17, 2019  
**SUBJECT:** Cichra/Clayton VARIANCE REQUEST, 2072 Venetian Way

The applicant is requesting a variance to allow the construction of a boathouse extending out 34 feet into Lake Maitland, whereas the maximum allowed distance is 30 feet. which is a replacement of the existing boathouse at the same location.

The existing boathouse requires replacement due to deterioration and the water depth at this location of Lake Maitland necessitates the extra 4 feet of length to allow the functional use of a boat lift after entering the boathouse due to shall depth.

All other parameters with regard to allowable area, height above the ordinary high water line to the deck and allowable height from the deck to the top of the roof is being met with the proposed design.

The applicant will be providing details on water depth measurement prior to or at the meeting to verify the need to extend the rebuilt boathouse the requested 4 feet in length.

In addition, the applicant has include a necessary letter of approval from the adjacent property owner to allow a continuation of the 5 foot side setback in lieu of having to move the new boathouse to a 10 foot side setback. The adjacent neighbor's boathouse appears to also be located at a 5 foot side setback from the common lot line between these properties. The Planning and Zoning Board, the Lakes Board and staff have encourage locating boathouses adjacent to the common lot line on lakefront properties to enhance views to the lake.

This boathouse construction request came before the Lakes Board on December 11 and was approved pending granting a variance by the Board of Adjustments. With regard to the variance requested, the Lakes Division staff has also looked this request and does not have any objections to the variance requested.

# 2072 Venetian Way



**VARIANCE APPLICATION**  
**BUILDING and PERMITTING SERVICES DEPARTMENT**

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

Date Received 11/19/2019  
# Assigned #  
Date of Hearing 12/17/2109

Applicant: Sheila Cichra

Owner: Charles Clayton

2154 Oak Beach Blvd  
(Address)

Sebring, FL 33875  
(City, State) (Zip)

(863) 314-6711  
(Phone – Home)

(407) 450-4241  
(Phone – Work or Cell)

sheilacichra@gmail.com  
(Email Address)

2250 Lee Road, Suite 120  
(Address)

Winter Park, FL 32789  
(City, State) (Zip)

(407) 628-3334  
(Phone – Home)

Melanie@CharlesClayton.com  
(Phone – Work or Cell)

Melanie@CharlesClayton.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 58-87, Paragraph (c) (4), Zoning R-1AAA.**

**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 2072 Venetian Way

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

Maitland Shores R/150 Lot 3 Blk C & that part of occupied platted lake lying southwesterly of said lot

Describe variance  
request Increase length from 30' allowed to 34'

**\*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 trying to rebuild the new boathouse in the same location as the existing boathouse,  
so that the boat slip will be in the same place and therefore be deep enough, due to the years  
of use and prop wash.

The directly adjacent boathouse will still be longer than the proposed boathouse.

How long have you owned the property? almost 3 years

How long have you occupied the property? N/A - the old house was demolished and  
a new one is under construction

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?

If the boathouse were rebuilt at only 30' in length, the boat slip wouldn't be usable part of the  
year.

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.

Only being able to use the boat slip in high water conditions would be a hardship.

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?

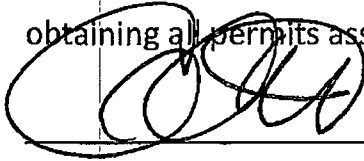
We believe that we are asking for the minimum variance, as is.

  
**Signature of Applicant**

04/22/2018  
**Date**

Sheila Cichra  
**Name of Applicant (PRINT)**

I, Charles Clayton, owner of 2072 Venetian Way, in the City of Winter Park, hereby grant permission to Sheila Cichra, of Streamline Permitting, Inc., to act as my agent in obtaining all permits associated with the construction of our dock and boathouse.



(Signature)

10 - 29 - 19

(Date)

Charles Clayton

(Print Name)

ACKNOWLEDGEMENT:

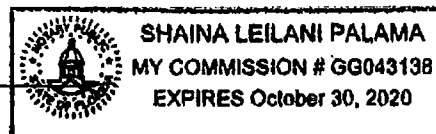
STATE OF FLORIDA

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 29 day of

October 2019, by Charles Clayton

(NOTARY SEAL)



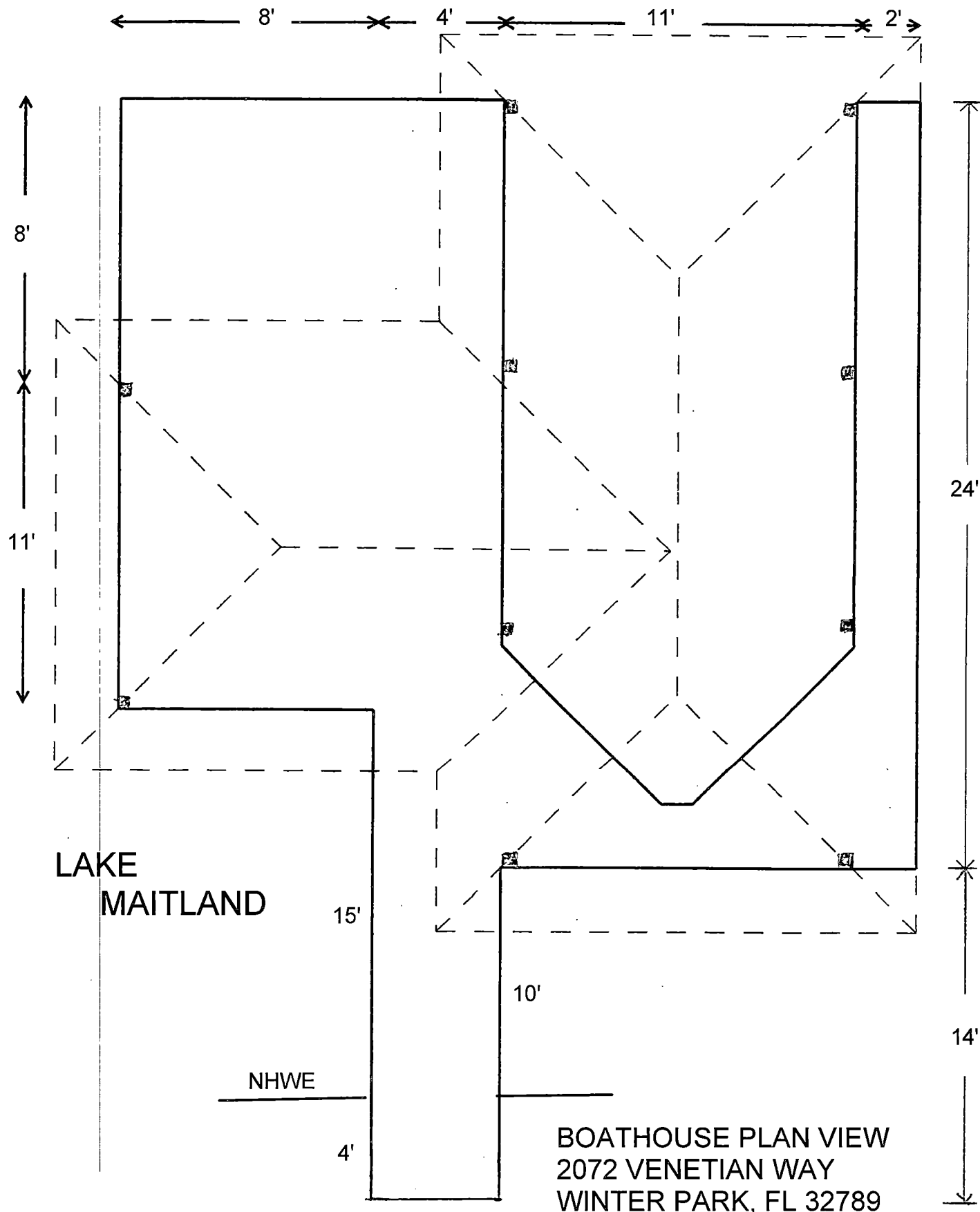
(Signature of Notary Public – State of Florida)

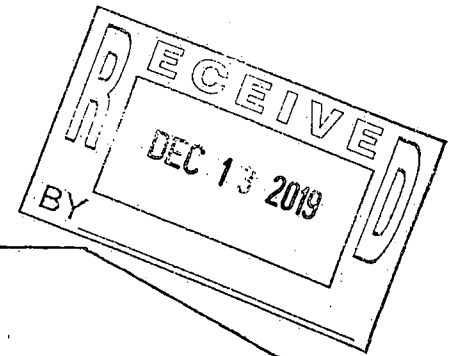
Personally Known ☒ OR Produced Identification \_\_\_\_\_

Type of Identification Produced

\_\_\_\_\_







13' MAX ABOVE NHWE

11'

6' 8"

7.5"  
MAX

NHWE 66.50

1' 8"

3' 4"

LAKE  
MAITLAND

4'

1' MIN - 2' MAX

BOATHOUSE ELEVATION  
2072 VENETIAN WAY  
WINTER PARK, FL 32789

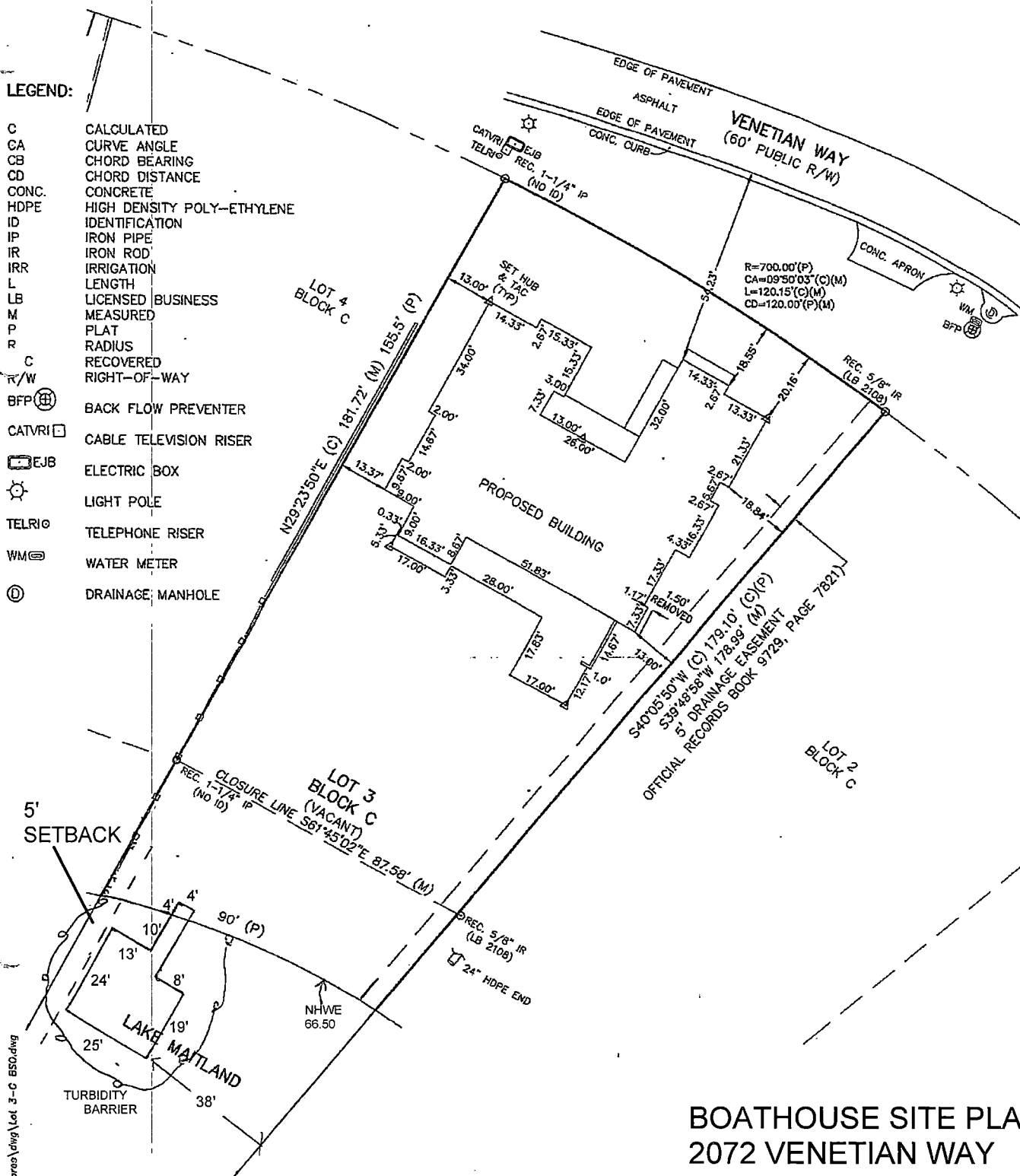
# CONSTRUCTION LAYOUT SURVEY FOR CHARLES CLAYTON CONSTRUCTION

## DESCRIPTION:

LOT 3, BLOCK C, MAITLAND SHORES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK R, PAGE 150, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

## LEGEND:

C	CALCULATED
CA	CURVE ANGLE
CB	CHORD BEARING
CD	CHORD DISTANCE
CONC.	CONCRETE
HDPE	HIGH DENSITY POLY-ETHYLENE
ID	IDENTIFICATION
IP	IRON PIPE
IRR	IRON ROD
IRR	IRRIGATION
L	LENGTH
LB	LICENSED BUSINESS
M	MEASURED
P	PLAT
R	RADIUS
R/W	RECOVERED RIGHT-OF-WAY
BFP	BACK FLOW PREVENTER
CATVRI	CABLE TELEVISION RISER
EJB	ELECTRIC BOX
TELRI	TELEPHONE RISER
WM	WATER METER
DM	DRAINAGE MANHOLE



**BOATHOUSE SITE PLAN  
2072 VENETIAN WAY  
WINTER PARK, FL 32789**

## SURVEYOR'S NOTES:

1. The lands as shown hereon lie within Section 32, Township 21 S., Range 30 E., Orange County, Florida.
2. This survey represents a survey made on the ground under the supervision of the signing surveyor, unless otherwise noted.
3. Underground improvements or underground foundations have not been located except as noted.
4. This survey does not reflect or determine ownership.
5. All easements of which the surveyor has knowledge of, or has been furnished, have been noted on this map.
6. No title data has been provided to this surveyor unless otherwise noted.

I, Jesper Knudsen, owner of 2064 Venetian Way, on Lake Maitland, have reviewed my adjacent property owner's proposed boat dock construction plan and have no objection to the project, which will have a 5' side setback from my projected property boundary.

[Signature]  
(Signature)

9-23-19  
(Date)

Jesper Knudsen  
(Print Name)

ACKNOWLEDGEMENT:

STATE OF FLORIDA

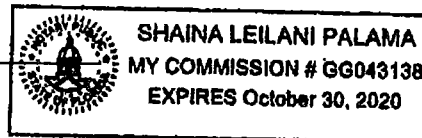
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 23 day of Sept 2019, by

Jesper Knudsen

(NOTARY SEAL) [Signature]

(Signature of Notary Public - State of Florida)



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced

\_\_\_\_\_