



**CITY OF WINTER PARK
Board of Adjustments**

**Regular Meeting
City Hall, Commission Chambers**

**October 25, 2016
5:00 p.m.**

MINUTES

PRESENT

Chair, John Simpson; Vice Chair, Jeff Jontz, Brian Mills; Ann Higbie, Patrice Wenz, Cynthia Strollo and Director of Building, George Wiggins and Recording Clerk, Theresa Dunkle. Absent: Robert Trompke

APPROVAL OF MINUTES

Ann Higbie made a motion, seconded by Brian Mills, to approve the minutes from the September 20, 2016 meeting. The minutes were approved by a vote of 6-0.

OPENING STATEMENT AND PUBLIC COMMENTS

Mr. Simpson explained the rules of procedure for variance cases and opened the floor for any public comments or questions.

NEW BUSINESS

1. Request of Steve O'Brien for a variance to allow an addition onto a garage resulting in a rear setback of 5 feet, in lieu of the required setback of 10 feet.

Located at 1806 Barker Drive

Zoned: R-1A

George Wiggins, Director of Building gave the following staff report:

This property is a through lot extending from Barker Drive (a Winter Park street) to Donna Drive (an Orlando street). The prevailing yard pattern along Donna Drive is rear yards on the west side, therefore, the applicant can utilize a 10 foot setback to the rear lot line for the garage. Two homes are located to the west along Donna Drive, and are located in Baldwin Park (City of Orlando). Both of these homes are on corner lots with closest building setbacks of 15 feet, and a swimming on one lot is located only 10 feet from Donna Drive. To facilitate making the existing garage more functional for parking and access, the applicant is requesting permission to enlarge the area of the garage by extending it five more feet toward the rear lot line.

The existing garage has an area of 612 square feet (30.3' by 20.2'), and is proposed to be expanded 10 feet in length for a total new area of 814 square feet. The purpose is to allow greater usability of the garage. Currently, side entry access is compromised by a swimming pool enclosure.

The applicant has two different options to accomplish having better access to an enclosed parking space. One option is to enlarge the existing garage and access a parking area inside from the existing non-improved driveway on the south side of the property as a side entry garage. The other "preferred" option is to access the garage on the north side of the property by creating a new driveway entrance from Donna Drive.

With this addition to the garage the allowable impervious coverage and maximum allowable floor area for this property is not exceeded.

A utility easement which is 5 feet wide is located at the rear of this property along Donna Drive. This plan was routed to City departments with utilities and the responses I've received have indicated that there are no utilities in this easement and they have no objection to placing a driveway across the easement.

We have not received any letters regarding this request.

Mr. Wiggins responded to Board questions, stating that a variance would not be required if the garage door was added to the gable end of the existing garage. This option would only require a driveway permit from Winter Park and the City of Orlando.

The applicant, Steve O'Brien, stated his hardship is the minimal open area in front of the existing garage doors, which makes it extremely difficult to maneuver a vehicle to enter the garage. The area on the front of the home is available to allow enclosed secured parking as an option.

He responded to Board questions, noting the impeding pool enclosure next to this existing garage structure was installed before the garage. Ten years ago, when the garage was installed, the City of Orlando denied a curb cut from Donna Drive. However, with the buildout of Baldwin Park, he believes the City of Orlando access requirements have changed and will now allow a driveway entrance.

FINDINGS

The Board stated that if the variance is denied at this meeting, a 3 year waiting period to reapply is required. Therefore, they suggested the applicant confer with the City of Orlando to determine if a curb cut from Donna Drive is allowable, in which case a variance would not be required.

ACTION

Based on the findings, Jeff Jontz made a motion, seconded by Cynthia Strollo, to table the request for up to three months; the motion to table was approved by a vote of 6-0.

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2. Request of David Runnels for a variance to allow the construction of an addition to be located 7.5 feet from the north side lot line and 8 feet from the rear lot line, in lieu of the required setbacks of 10 feet and 25 feet respectively.

Located at 266 Chase Avenue

Zoned: R-1AA

George Wiggins, Director of Building gave the following staff report:

The owners of this home desire to add an updated master suite to this non-designated historic home. They do not want to compromise the architecture of the home for this addition. The current position of the home on the lot makes it difficult to add this addition in other locations on the lot due to an existing large front setback.

The architect was asked to look at attaching the addition to the garage/guest house in order to gain floor area and increase the rear setback substantially more than 8 feet as currently being requested. However, attaching to the garage/guest house makes that building more nonconforming since it has a rear setback of only 5 feet.

The purpose of asking for the 7.5 foot side setback is to allow more room for the master suite while still maintaining the required 5 foot separation from the garage/guest house.

Some of the unique features of this property include:

- 1) The location of the existing home is situated over 65 feet back from the front lot line, and it would not be appropriate architecturally to add to the front of the home.
- 2) The adjacent homes on the north and south side have very minimal front setbacks of 15 feet and 25 feet.
- 3) The property adjacent to the rear lot line of the subject property has a very long garage structure only 3 feet from the rear lot line.

With this proposed 952 square foot addition, the resultant impervious coverage and gross area is still within the allowable areas permitted by the zoning code.

Although I have not received anything in writing at this time, I understand that the owners have contacted the neighboring property owners and have expressed no objection to the variances.

The owners also have the option of requesting that this home be placed on the historic registry, and then request these same variances be granted through that process where the criteria is not as rigorous.

Mr. Wiggins responded to Board questions, noting older homes, such as this one, had smaller setbacks when originally constructed.

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The Architect, David Runnels, stated the hardship is maintaining the Colonial Style Architecture, specifically the front façade. This limits the available location for an addition to the side.

The owner, Robert Nadeau, stated he spoke with the neighbors to the North and East of his lot, and expressed that both did not oppose the proposed addition at the location requested with the variances. Mr. Nadeau stated the addition will provide a first floor master suite. Due to his knee replacement, it is difficult for him to use the stairs to the current 2nd floor master suite, and this first floor addition will be much more accessible to him.

FINDINGS

The Board found the hardship to be the difficulty of positioning the addition in any other location, without compromising the historical front architectural features of the home with the larger than normal front setback.

ACTION

Based on the findings, Patrice Wenz made a motion, seconded by Jeff Jontz, to approve the request. The request was approved by a vote of 6-0.

The meeting was adjourned at 5:50 pm.

Theresa Dunkle
Recording Clerk