



**CITY OF WINTER PARK  
Board of Adjustments**

**Regular Meeting  
City Hall, Commission Chambers**

**September 26, 2017  
5:00 p.m.**

**MINUTES**

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**PRESENT**

Lucy Morse Chair, Phil Kean, Vice Chair, Patrice Wenz, Aimee Hitchner, Michael Clary, Zachary Seybold, Director of Building, George Wiggins and Recording Clerk, Theresa Dunkle. Absent: Robert Trompke, Tom Sacha

**APPROVAL OF MINUTES**

Patrice Wenz made a motion, seconded by Michael Clary, to approve the minutes from the August 15, 2017 meeting. The minutes were approved.

**OPENING STATEMENT AND PUBLIC COMMENTS**

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

**NEW BUSINESS**

George Wiggins, Director of Building, stated the 3rd item on the agenda, for 1614 Roundelay Ave, was withdrawn by the applicant, Jeff Winters on September 14, 2017.

1. Request of Martin White for a variance to allow the construction of a swimming pool and deck located 13 feet from a canal bulkhead in lieu of the required setback of 25 feet or 20 feet if approved by the Planning and Zoning Board.

Located at 2550 Venetian Way

Zoned R-1AA

**ACTION**

Mr. Wiggins stated we received a request on September 15, 2017 from the applicant, Martin White, to table the 1st item on the agenda, at 2550 Venetian Way, and confirmed no members from the public were present for this case.

Michael Clary made a motion, seconded by Zachary Seybold, to approve the request to table for up to three months. The request was approved by a vote of 6-0.

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2. Request of Jeffrey and Judith Sievers for a variance to allow enclosing an open front porch with screen and located 22.7 feet from the front lot line in lieu of the required setback of 26.7 feet.

Located at 925 Grover Avenue

Zoned: R-1AA

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

Under the Zoning code, a screened front porch for a home is only permitted when the porch is set back at the required front setback. In this case the porch is open, encroaches 4 feet into the established front setback and covers an area of 130 square feet.

In single family zoned areas, such as this location, having open front porches is incentivized by allowing a porch or entry way to encroach 5 feet into the established front setback. This provision was added to the Zoning code approximately 20 years ago when much redevelopment of older homes was occurring. At that time, new replacement homes were being built directly at the allowable front setback line and often did not have a front porch because lack room on the lot due to counting this open porch area in the overall allowable floor area of the home. Part of the criteria required to allow the front porch to encroach into the setback is that it must remain open and not be screened.

The applicant has provided some information from our front setback files regarding the front setbacks on Grover Avenue and is trying to show that the front setback to the porch on this home is not far off from the established front setback for this block of Grover Avenue which extends from Denning to Orchid Avenues. By taking the average front setback for the entire street, the amount of encroachment is decreased to only 2 feet.

However, within the last 6 years, we changed the method of calculating the required front setback in an established neighborhood to averaging only the two dwellings on each side of the home seeking the required front setback criteria. Under this method, the current home has a porch which will be encroaching 4 feet into the front setback if enclosed.

Therefore, if the Board recognizes that this is only a minor deviation from the overall average front setback, then the applicant could be allowed to treat the front porch setback as the permitted front setback for the home. Doing this will then allow the screen enclosure of the porch.

If the Board accepts this argument and agrees to grant the variance, then a condition should be placed on the variance that will prohibit the enclosure of the porch by anything other than screening material and that it cannot be enclosed with a solid wall or windows for additional conditioned space.

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The applicant has provided a petition expressing approval of the variance signed by 11 neighboring property owners on Grover Avenue. Although the petition states the setback encroachment as 2.3 feet instead of 4 feet, the neighbors who signed were informed that the request is for permission to screen enclose the existing porch and not extend the porch further into the setback.

Board Member Michael Clary stated he would like to move to approve with the condition that the porch never be enclosed, that a light color screen be used and that the screen be inset from the face of the porch columns. Patrice Wenz stated the screen inset condition should be a recommendation only.

The applicant, Jeffrey Sievers, said he would agree to the conditions proposed.

### **FINDINGS**

The majority of Board members agreed the request is minor deviation from the overall average front setback and the hardship is the existing location of the entry porch.

### **ACTION**

Based on the findings, Michael Clary made a motion, seconded by Phil Kean, to approve the request with stipulations the porch never be enclosed and a light color screen be used. The request with the stipulations was approved by a vote of 6-0.

The meeting was adjourned at 5:18 pm.

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Theresa Dunkle  
Recording Clerk