



Board of Adjustments Regular Meeting Minutes

September 20, 2022 at 5:00 p.m.

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

Present

Present In-Person: Jason Johnson, Charles Steinberg, Robert Trompke, Michael Clary, and Cathy Sawruk. Absent: Tom Sims and Ann Higbie. Also Present: City Attorney J. Giffin Chumley. Staff: Planner I Nicholas Lewis, Planning Technician Aaron Hull, Building and Permitting Director Gary Hiatt, and Recording Secretary Mary Bush.

(1) Call to Order

Chairman Jason Johnson called the meeting to order at 4:59 p.m.

(2) Consent Agenda

Approval of Minutes:

Motion made by Michael Clary, seconded by Cathy Sawruk to approve the August 16, 2022 meeting minutes.

Motion carried unanimously with a 7-0 vote.

(3) Staff Updates

Mr. Lewis asked the Board if they were available for the currently scheduled November and December Board meeting dates since they are very close to holidays. The Board expressed that they wanted to stick with the November scheduled date but desired to change the December date to December 13, 2022. Staff will look into the feasibility of having the December meeting on December 13th.

(4) Public Comments (for items not on Agenda)

No one from the public wished to speak. The public hearing was closed.

(5) Non-Action Items

No non-action items.

(6) Action Items

No action items.

(7) Public Hearings

- BOA-2022-0017: Request of Lamar Design for variance approval from Section 58-66 subsections (f)(4) and (f)(6) to allow a side setback of 10.5-feet in lieu of the required side setback of 19-feet and a first-story building height of 16-feet in lieu of the required maximum 12-feet to extend the wall height to accommodate a vehicle lift and to enclose the existing courtyard to create an enclosed addition to the existing home located at 1620 Highland Road, zoned R-1AA.

Mr. Lewis informed the Board that the applicant desired to develop and present revised plans for their proposed addition so they requested to table the item until the next meeting of the Board of Adjustments.

Motion made by Robert Trompke, seconded by Charles Steinberg, to table the item until the next meeting of the Board of Adjustments scheduled for October 20, 2022.

Motion approved with a 5-0 vote. (Tom Sims and Ann Higbie were not present for the meeting.)

- BOA-2022-0014: Request of Darrell and Meredith Carpenter for variance approval from Section 58-66(f)(7) to allow a rear setback of 20.5-feet in lieu of the required rear setback of 25-feet in conjunction with the proposed 460 square-foot addition to the existing home located at 2216 Mallard Circle, zoned R-1AA.

Mr. Lewis provided the Board a brief summary of the request. He presented to the Board an area map and aerial view of the property. He noted that staff only received one neighbor letter, which was in approval of the request. He then noted that the applicant's proposed addition would be located in the place of their existing patio with the exact same footprint. He added that the side yard would not be altered and the applicant's proposed changes would leave the home at 25% floor-area-ratio. Mr. Lewis then went on to review the variance approval criteria as it related to the request. He indicated that there was an existing swimming pool and tree canopy on the southeast corner of the home. He explained that the tree canopy was made up of a protected species of oak trees that are required by City ordinance to be saved where reasonably possible. These conditions prohibit sufficient room to place the addition on the southeast corner of the home.

Staff recommendation was for approval.

The Board briefly discussed the item and inquired about the following:

- the length of the northern property line,
- the concrete pad shown on the aerial in the southeast corner of the lot,
- clarification of the enclosure only being over the first floor patio,
- if the applicant was informed of the super majority vote required for the request,
- and if elevations for the proposed addition were available.

The applicants, Darrell and Meredith Carpenter of 2216 Mallard Circle, Winter Park, FL 32789 addressed the Board. Mr. and Mrs. Carpenter spoke on their plans for the property noting that they were proposing a single story covered patio with a metal roof located a few feet below their home's second floor window line.

The Board inquired with the applicants as to whether or not they had obtained an architect for the project, clarification on the request only being to build within the setback requirement, and whether or not the roof will extend past the wall of the patio.

No one from the public wished to speak. The public hearing was closed.

The Board briefly shared their thoughts on the request and were unanimously in favor of it. Chairman Johnson expressed that the Board should condition the request on the construction otherwise complying with the City's zoning code outside of the setback requirement.

Motion made by Robert Trompke, seconded by Charles Steinberg, for variance approval from Section 58-66(f)(7) to allow a rear setback of 20.5-feet in lieu of the required rear setback of 25-feet in conjunction with the proposed 460 square-foot addition to the existing home located at 2216 Mallard Circle, zoned R-1AA with the condition that the proposed addition otherwise fully adheres to the City of Winter Park zoning code.

Motion approved with a 5-0 vote. (Tom Sims and Ann Higbie were not present for the meeting.)

(8) Board Comments

Chairman Johnson commented that he would like to make some revisions to the Chairman's opening statement. He requested that staff email him the opening statement, the current month's meeting agenda, and provide him with the City Attorney's contact information so that he could make revisions and have the attorney review and approve them prior to the next Board meeting.

(9) Upcoming Agenda Items

No discussion ensued on upcoming agenda items.

(10) Adjournment

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Meeting adjourned at 5:20 p.m.

Minutes Approved by Board on October 18, 2022.

/s/ Recording Secretary Mary Bush