



Board of Adjustments Regular Meeting

Agenda

March 21, 2023 @ 5:00 pm

City Hall Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/bpm and include virtual meeting instructions.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"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).

please note

Times are projected and subject to change.

1. **Call to Order**
2. **Consent Agenda**
 - a. [Approval of the February 21, 2023 Meeting Minutes.](#) 1 minute
3. **Public Comments (for items not on the agenda): Three minutes allowed for each speaker**
4. **Public Hearings**
(Public participation and comment on these matters must be in-person.)
 - a. [BOA-2023-0004. Request of Sheila Chichra with Streamline Permitting, Inc.](#) 5 minutes
Request of Sheila Chichra with Streamline Permitting, Inc., on behalf of Rollins College, for variance approval from Section 58-87 subsections (c)(2) and (c)(4), to allow a dock length of 54-feet in lieu of the maximum dock length of 30-feet and a dock square footage of 2,160 square feet in lieu of the maximum dock square footage of 600 square feet, in conjunction with the proposed boat dock to store additional sailboats at 1000 Holt Avenue, zoned PQP.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.
 - b. [BOA-2023-0005. Request of Guillermo Lopez.](#) 10 minutes
Request of Guillermo Lopez for variance approval from Section 58-71 subsections (j)(1), (j)(2), and (n)(2), to allow a swimming pool setback of 8-feet and a pool deck setback of 4-feet in a street-side yard, as well as a wall height of 4-feet in lieu of the maximum 3-foot wall height for street-side yards, in conjunction with the proposed swimming pool and wall located at 1410 Arbor Park Drive, zoned R-1A.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.
 - c. [BOA-2023-0006. Request of Julie Champion.](#) 10 minutes
Request of Julie Champion for variance approval from Section 58-71(n)(2) to allow a street-side fence height of 5-feet in lieu of the maximum 3-foot height for street-side yards, in conjunction with the proposed fence located at 2080 St. George Avenue, zoned R-1A.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.

d. [BOA-2023-0007. Request of Michael Scivally.](#)

5 minutes

Request of Michael Scivally, on behalf of the homeowners, Marshall and Susan Harris, for variance approval from Section 58-65(f)(8), to allow a 14-foot rear setback in lieu of the required rear setback of 25-feet for corner lots, to convert the existing patio into enclosed living space for their single-family home at 2924 Rapidan Trail, zoned R-1A.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.

5. Non-Action Items

6. Staff Updates

7. Board Comments

8. Upcoming Agenda Items

9. Adjournment



Board of Adjustments

agenda item

item type	Consent Agenda	meeting date	March 21, 2023
prepared by	Mary Bush	approved by	
board approval	Completed		
strategic objective			

subject

Approval of the February 21, 2023 Meeting Minutes.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[BOA February 21, 2023 Draft Meeting Minutes.pdf](#)



Board of Adjustments Regular Meeting Minutes

February 21, 2023 at 5:00 p.m.

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

Present

Present In-Person: Jason Johnson, Charles Steinberg, Michael Clary, Cathy Williams, Tom Sims, and Ann Higbie. Absent: Robert Trompke. Also Present: City Attorney Andrew Mai. Staff: Director of Planning & Zoning Jeff Briggs, Senior Planner/Zoning Official John Harbilas, Planner I Nick Lewis, and Recording Secretary Mary Bush.

(1) Call to Order

Chairman Jason Johnson called the meeting to order at 5:00 p.m.

(2) Consent Agenda

Approval of Minutes:

Motion made by Cathy Williams, seconded by Ann Higbie to approve the January 17, 2023 meeting minutes.

Motion carried unanimously with a 6-0 vote. (Robert Trompke was not present for the meeting.)

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

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

(4) Public Hearings

- BOA-2023-0001: Request of David Rizzo for variance approval from Section 58-65(f)(6), to allow a front setback of 25-feet in lieu of the required front setback of 32-feet, in conjunction with the proposed single-family home located at 1147 Oaks Boulevard, zoned R-1A.

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 the properties on the right hand side of the street had been torn down and reconstructed under the 2022 version of the land development code. He also noted that no neighbor letters were received for or against the request. Mr. Lewis then presented the survey for the property showing the existing structure on the lot. He also presented the applicant's site plan design which proposed a front setback of 25 feet and a five foot extension into the front setback for a front porch. He explained that the request adhered to all of the 2022 version of the land development code's setback requirements except for the front setback, which would be verified via survey. He then explained how the 2022 land development code regarding front setbacks differs from the 2023 updated code regarding front setbacks. Mr. Lewis indicated that in late October of 2022 during a final reading, the City Commission adopted a single family code revision that had a phase out date of the old code going to the end of the year. He explained that as long as an applicant filed for a 2022 permit number prior to January 1, 2023, whether the plans were complete or incomplete, they would be grandfathered into the 2022 code. He also explained that the applicant had contacted the City in 2022 and received a preliminary front setback of 25 feet, which would have been verified by a survey when the applicant submitted plans for permitting. Mr. Lewis noted that under the new 2023 code, the front setback is determined as either 20% of the lot depth or the existing home setback, whichever is greater. In the case of the applicant, 20% of the lot depth is 25 feet but the existing front setback is 32 feet which is greater and would be the determined setback. He briefly discussed the five foot allowable encroachment of the proposed front porch and the background for the approval of the 2023 updated land development code and phase out of the 2022 code.

Mr. Lewis then went on to discuss the variance approval criteria as it related to the request. He noted that because the applicant will be building a new home, they will still be able to construct a single story home that conforms to the 2023 code, just not as large as a single story home they would have been able to build under the 2022 code. He added that the applicant's original contact with the City early on in 2022 when they were provided a preliminary front setback of 25 feet was prior to the City beginning discussions about revisions to the 2022 code. He further added that the applicant did not reach back out to the City until the 2023 code went into effect, following the phase out period and public meetings, therefore, the requirement to apply for a permit that would have been grandfathered under the 2022 code was not met. Mr. Lewis then pointed out that granting the request could potentially open the door for other applicants who started plans in 2022 but did not apply for permitting during the phase out period to be able to treat the variance process as a workaround to gain eligibility for a code that is no longer into effect.

Staff recommendation was for denial.

Vice-Chair Steinberg inquired if any documentation existed verifying that the applicant had contacted the City in 2022 and was provided a preliminary front setback of 25 feet. He also inquired as to when and how the City notified the public regarding the updated 2023 code and the phase out period. Brief discussion ensued amongst the Board, staff, and City Attorney Mai. City Attorney Mai explained that the phase out period was considered a courtesy for people that in 2022 had already put in their applications and were formally in the process, to avoid a potential estoppel issue of some sort and allow the applications to be processed under the 2022 code. He further explained that when determining whether or not the applicant had constructed knowledge of the change in the ordinance or could rely on staff's discussion, in this case constructive knowledge would be the publishing of the ordinance and as indicated by staff, the number of times that the new ordinance was put in front of the public would be considered.

Mr. Clary inquired as to whether or not the new setback requirements under the 2023 code have any impact on whether a building is single-story or two-story and any impact on the width of the lot to which Mr. Lewis explained that there would be no impact on either.

The applicant, David Rizzo of 1571 Oneco Avenue, Winter Park, FL 32789 addressed the Board. Mr. Rizzo spoke on concerns with how the 2023 code and phase out period was noticed to the public and felt that a notice should have been mailed to him. He also spoke on the purpose and how long he had planned for the project as well as the setbacks for the property.

Vice-Chair Steinberg inquired with Mr. Rizzo on how and when he initially contacted the City to discuss his project. He also asked Mr. Rizzo when exactly he had become aware of the new 2023 ordinance.

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

The Board then briefly shared their thoughts on the request and overall felt that approving the request would create a special privilege to the applicant, the applicant's claimed hardship was self-made, the City properly noticed the ordinance change as well as the courtesy phase out period, and the request did not meet any of the four variance approval criteria.

Motion made by Jason Johnson, seconded by Charles Steinberg, for variance approval from Section 58-65(f)(6), to allow a front setback of 25-feet in lieu of the required front setback of 32-feet, in conjunction with the proposed single-family home located at 1147 Oaks Boulevard, zoned R-1A.

Motion unanimously denied with a 0-6 vote. (Robert Trompke was not present for the meeting.)

(5) Non-Action Items

Mr. Lewis briefly discussed the potential extension of variance approval expiration. He noted that staff had recently conducted a study of expiration dates for multiple requests, particularly pertaining to Planning & Zoning requests. Staff determined that there are often circumstances that require applicants that have been granted a variance or conditional use to come back after one or two years, respectively, needing to request an extension upon the expiration of their variance or conditional use approval. Mr. Lewis indicated that staff recommended extending the expiration dates to a five year period for both variance and conditional use requests. Brief discussion ensued with the Board. The Board overall expressed a desire for an extension of the expiration dates to up to two years only.

(6) Staff Updates

No staff updates.

(7) Board Comments

No Board comments.

(8) Upcoming Agenda Items

No discussion ensued on upcoming agenda items.

(9) Adjournment

Meeting adjourned at 5:42 p.m.

/s/ Recording Secretary Mary Bush



Board of Adjustments

agenda item

item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date March 21, 2023
prepared by Nicholas Lewis	approved by John Harbilas, Allison McGillis
board approval Completed	
strategic objective	

subject

BOA-2023-0004. Request of Sheila Chichra with Streamline Permitting, Inc.

item list

Request of Sheila Chichra with Streamline Permitting, Inc., on behalf of Rollins College, for variance approval from Section 58-87 subsections (c)(2) and (c)(4), to allow a dock length of 54-feet in lieu of the maximum dock length of 30-feet and a dock square footage of 2,160 square feet in lieu of the maximum dock square footage of 600 square feet, in conjunction with the proposed boat dock to store additional sailboats at 1000 Holt Avenue, zoned PQP.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.

motion / recommendation

Staff recommendation is for approval of the variances being requested.

background

The applicant, Sheila Chichra with Streamline Permitting, Inc., on behalf of Rollins College, is requesting variance approval from Section 58-87(c)(2) and (c)(4) in order to construct a new dock requiring a dock length of 54-feet in lieu of the maximum 30-feet, and dock area of 2,160 square feet, in lieu of the maximum 600 square feet, located at 1000 Holt Avenue. The property is zoned PQP. The new 2,160 square foot dock provides a total dock area for all of Rollins College of 5,329 square feet.

The applicant received approval of this request by the Lakes and Waterways Board at their February 14, 2023 regular meeting without conditions.

Variance Review Criteria:

Special Conditions and Circumstances

In order for a variance to be granted, special conditions and circumstances must exist which are peculiar to the land, structure or building involved and are not applicable to other land, structures or buildings in the same zoning district.

The applicant is seeking this variance request in order to expand the existing dock space at Rollins College for the College's expanding sailing club. The proposed size is the minimum square footage required for the 16 remaining sailboats that currently do not fit within the existing Rollins College dock space. In addition, the code requirements were designed largely for permitting docks in residential zoning districts instead of large commercial properties. Rollins College is also the only waterfront educational facility within the city that provides a sailing club that requires such an extensive fleet.

Deprivation of Rights

The second requirement for granting a variance request is that the literal interpretation of the provisions of the zoning code would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district.

Under Section 58-87(c)(2), the maximum total dock area is 600 square feet. The proposed 2,160 square foot dock is impossible under this provision because Rollins College's existing boat docks already exceed this number. Further, the addition itself also exceeds this number.

Under Section 58-87(c)(4), the maximum dock length is 30-feet. The required dock square footage would not be achieved unless the requested 54-foot dock length is also permitted.

Actions of the Applicant

The special conditions and circumstances must not result from the actions of the applicant.

As stated, the provisions largely relate to residential properties instead of commercial properties. The result is that institutions such as Rollins College are drastically limited in the amount of dock square footage possible. This creates complications when a use such as a sailing club, requires much more space than the standard residential dock would allow. In addition, the applicant has decreased the square footage of the proposed dock to the minimum size necessary to adequately store the 16 remaining sailboats that do not fit within the current dock area.

Special Privilege

The last requirement necessary to grant a variance request is that the variance will not confer on the applicant any special privilege denied by the zoning ordinance to other lands, structures or buildings in the same zoning district. No nonconforming use of the neighboring lands, structures or buildings, in other zoning districts shall be considered grounds for the issuance of a variance.

Because Rollins College is the only entity of its kind within the city, and because its demand requires much more room than the residentially-based code allows, staff does not believe that granting this request would confer onto the applicant any special privilege denied to other lands, structures, or buildings in the same zoning district.

Summary

Staff believes that the applicant meets the four criteria required to grant the variances requested.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[1000 Holt Ave - Area Map.pdf](#)

ATTACHMENTS:

[1000 Holt Ave - Aerial Map.pdf](#)

ATTACHMENTS:

[1000 Holt Ave - Applicant Energov Submittal.pdf](#)

ATTACHMENTS:

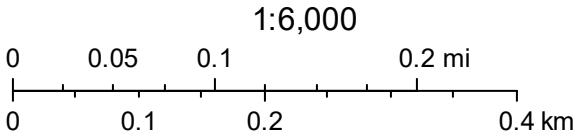
[1000 Holt Ave - L&WB Presentation.pdf](#)

1000 Holt Ave - Area Map



3/13/2023, 10:06:29 AM

Parcels Orange

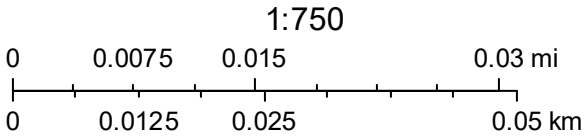


1000 Holt Ave - Aerial Map



3/13/2023, 10:07:48 AM

Parcels Orange





PLAN SNAPSHOT REPORT BOA-2023-0004 FOR CITY OF WINTER PARK

Plan Type: Board of Adjustments	Project:	App Date: 02/14/2023
Work Class: Board of Adjustments/Variance Application	District: Winter Park	Exp Date: NOT AVAILABLE
Status: Submitted - Online	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Harbilas, John	Approval
Description: 4' x 12' gangway and 64' x 33' floating dock for sailboats		Expire Date:

Parcel: 302205940063010	Main	Address: 1000 Holt Ave	Main	Zone:
		Winter Park, FL 32789-4499		

Owner ROLLINS COLLEGE 1000 HOLT AVE ST WINTER PARK, FL 32789 Home: 00 Business: (407) 646-2999 Mobile: 00	Applicant Sheila Cichra 1002 Fort Mason DR Eustis, FL 32726 Home: (352) 602-7766 Business: (407) 450-4241 Mobile: (407) 450-4241
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Plan Custom Fields

Zoning	PQP	Section	58.87	Subsection	c (2) and (3)
Is the property on waterfront?	Yes	Is this property on historic registry or district?	Yes	Describe variance	Requesting a length of 54' in lieu of the 30' max allowed and a total square footage of 2,160 in lieu of the 600 square foot allowed by code.
How long have you owned the property?	123 years	How long have you occupied the property?	123 years	Special Condition	The code was designed for permitting docks on single family parcels, not large commercial parcels. The proposed dock is not for a single family residence. It is for a college sailing club.
Rights/Priv	Many other large commercial waterfront parcels have oversized docks built after obtaining a variance for length and square footage.	Hardship	The hardship is that the current dock ordinance was written primarily for single family residence parcels and has no separate criteria for large commercial parcels.	Limited Variance	The size of the proposed dock has already been reduced dramatically. The proposed size is the minimum required to store the 16 remaining sailboats.

Attachment File Name	Added On	Added By	Attachment Group	Notes
Aerial.pdf	02/14/2023 16:28	Cichra, Sheila		Uploaded via CSS
Plans and Site Plan.pdf	02/14/2023 16:28	Cichra, Sheila		Uploaded via CSS
Rollins Survey.pdf	02/14/2023 16:28	Cichra, Sheila		Uploaded via CSS
Signature_Sheila_Cichra_2/14/2023.jpg	02/14/2023 16:28	Cichra, Sheila		Uploaded via CSS

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00033303	Commercial/Multi-Family Variance Application Fee	\$400.00	\$400.00
Total for Invoice INV-00033303		\$400.00	\$400.00
Grand Total for Plan		\$400.00	\$400.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Board of Adjustments Review v.1	Approved	02/14/2023	02/16/2023	02/15/2023	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
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PLAN SNAPSHOT REPORT (BOA-2023-0004)

Zoning Review	Building & Permitting Services	Lewis, Nick	Approved	02/14/2023	02/16/2023	02/15/2023
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Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			02/15/2023 11:40
Board of Adjustments Review v.1	Receive Submittal	02/14/2023 0:00	02/15/2023 11:40
Issue Invoice v.1	Generic Action		02/15/2023 11:40
Final Decision v.1			
Board of Adjustments Decision v.1	Generic Action		



BLDC-2023-0012 1000 Holt Ave

- Applicant: Rollins College
- Contractor: Secured Dock Builders Inc
- Permitting Agent: Sheila Cichra
- Structure: Dock
- New/Existing: Addition to existing
- Waterbody: Virginia

Parameters

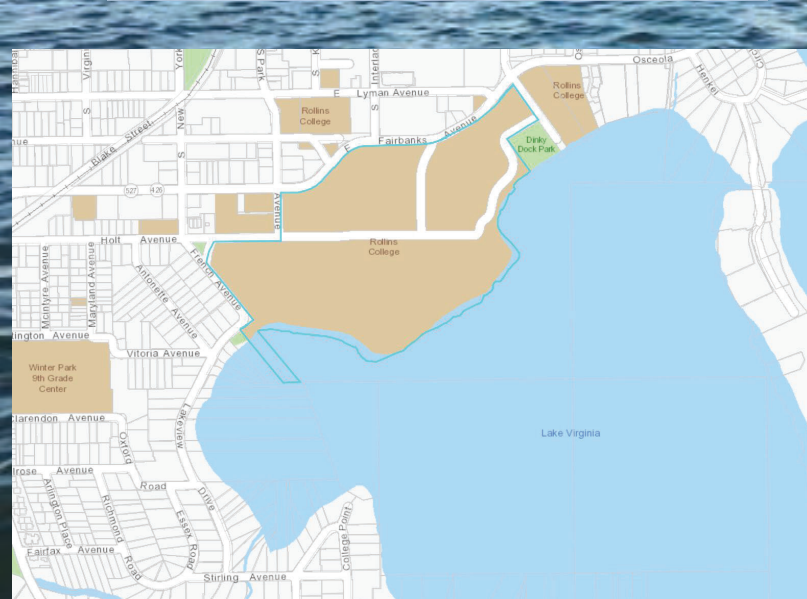
Dock Parameter	Proposed	Allowed	Variance Req.?
Total Area (ft ²)	2160 addition, 5329 total	600 max	Yes
Length from OHW (ft)	54.6	30'	Yes
Height of Roof (ft above deck)	No additional	11 max	N/A
Height of Deck (ft above OHW)	1	2 max	No
Enclosures?	No additional	80 ft ² max (no plumbing/water allowed)	N/A
Side Yard Setback(s) (ft)	Over 500'	10 min*	No
Meet Vegetation Criteria?	Yes	50% may be cleared	No

Staff Recommendation: **Approve**
Reviewed by: Joey Cordell

Map View

Basemap

Aerial View



22

Photos



23

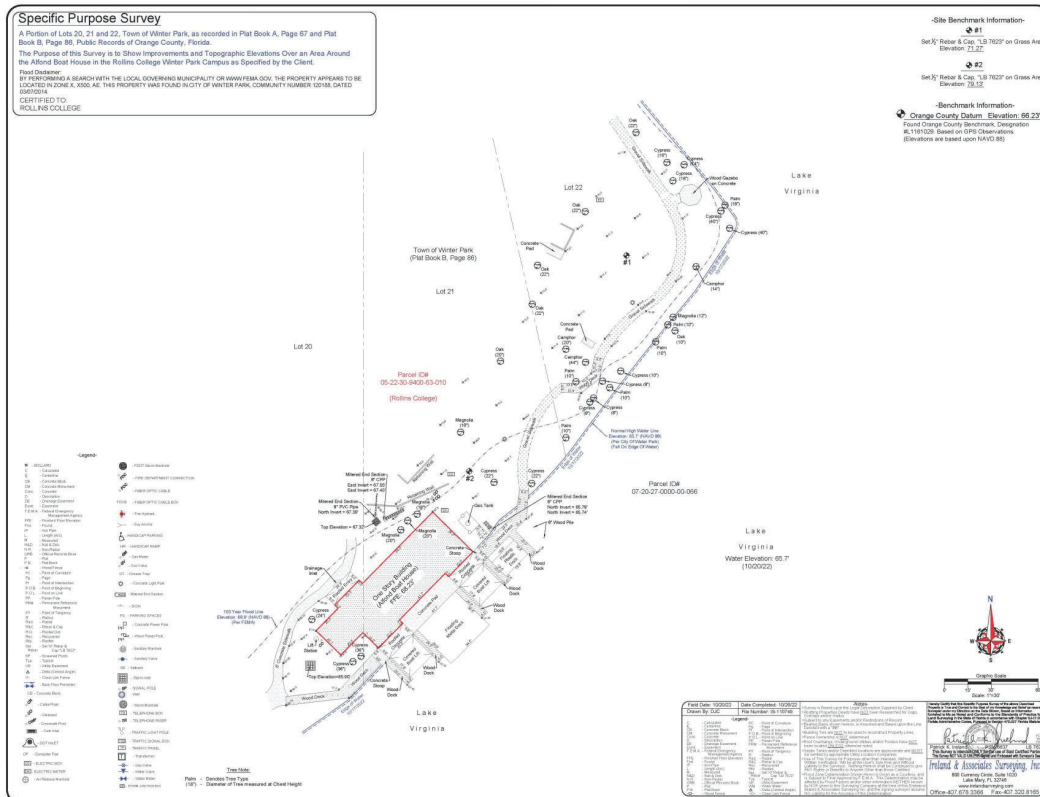
Photos



Photos

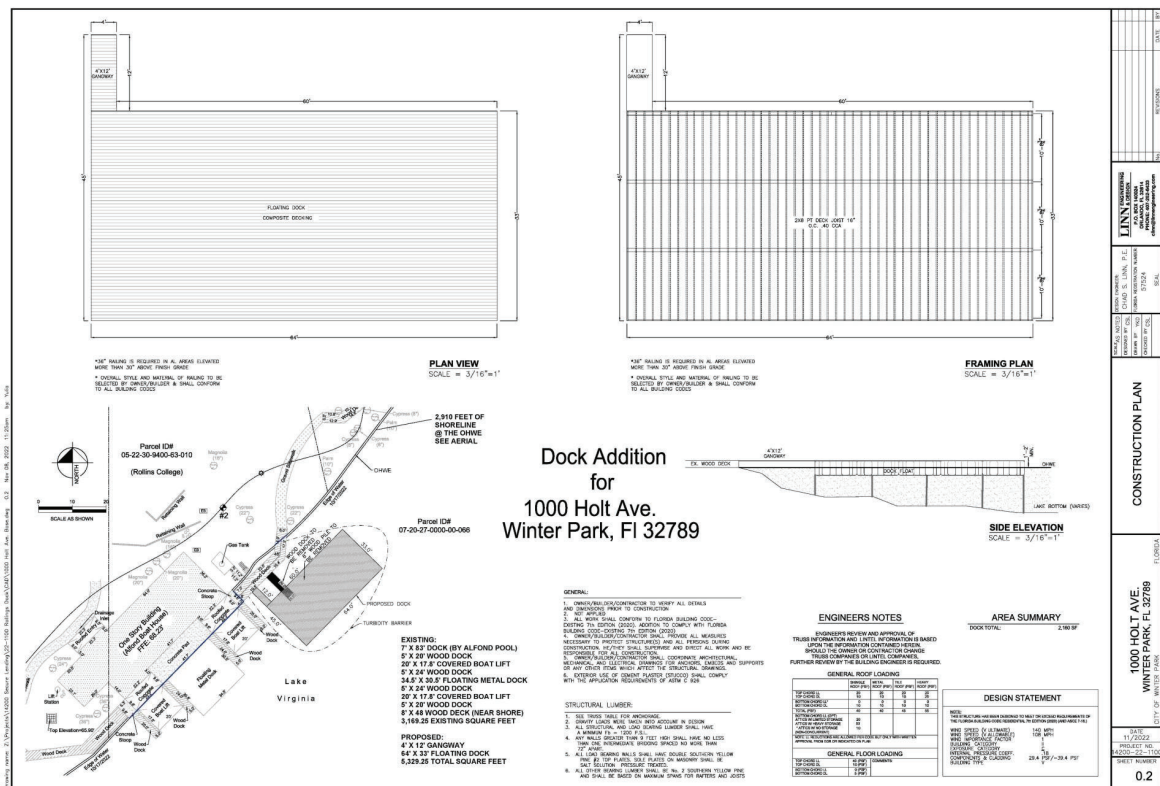


Survey

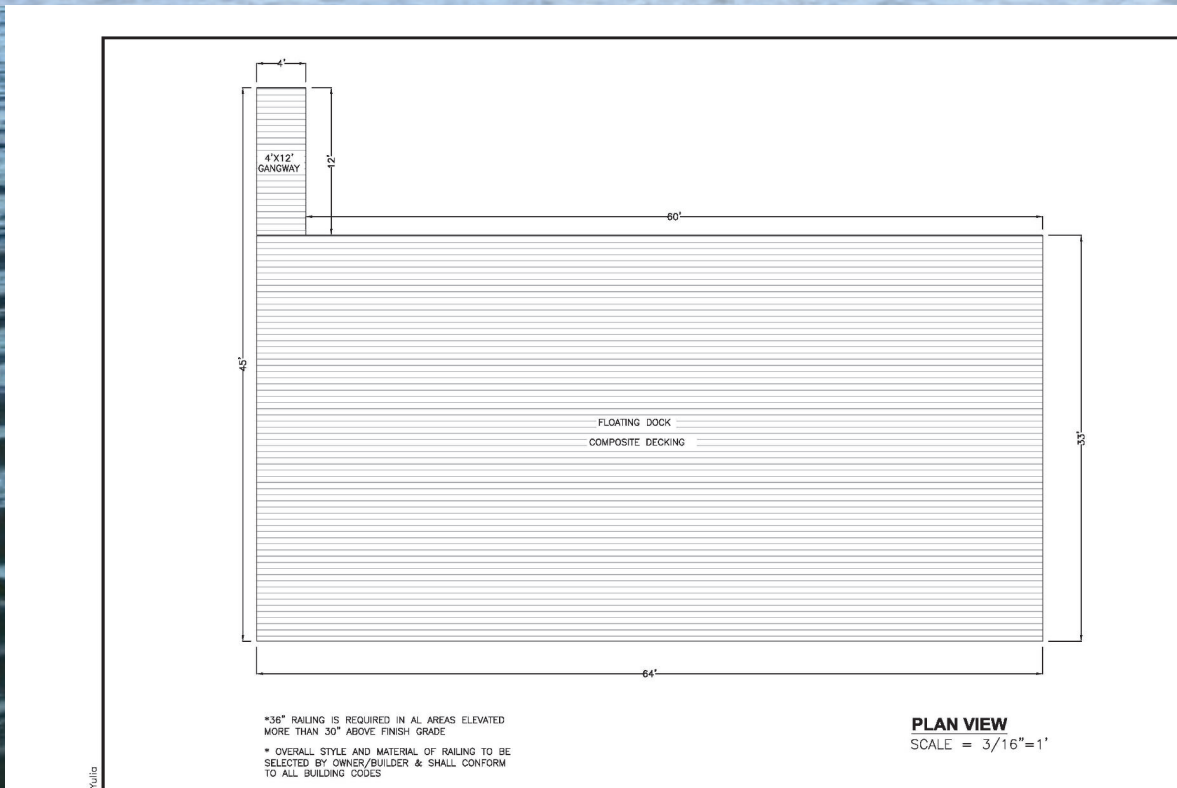


Survey zoomed

Plans



Plans



Plans

Dock Addition for 1000 Holt Ave. Winter Park, FL 32789

EX. WOOD DECK

GENERAL:

1. OWNER/BUILDER/CONTRACTOR TO VERIFY ALL DETAILS AND DIMENSIONS PRIOR TO CONSTRUCTION
2. NOT APPLIED
3. ALL WORK SHALL CONFORM TO FLORIDA BUILDING CODE-EXISTING 7th EDITION (2020). ADDITION TO COMPLY WITH FLORIDA BUILDING CODE-EXISTING 7th EDITION (2020)
4. OWNER/BUILDER/CONTRACTOR SHALL PROVIDE ALL MEASURES NECESSARY TO PROTECT STRUCTURE(S) AND ALL PERSONS DURING CONSTRUCTION. HE/THEY SHALL SUPERVISE AND DIRECT ALL WORK AND BE RESPONSIBLE FOR ALL CONSTRUCTION.
5. OWNER/BUILDER/CONTRACTOR SHALL COORDINATE ARCHITECTURAL, MECHANICAL, AND ELECTRICAL DRAWINGS FOR ANCHORS, EMBEDS AND SUPPORTS OR ANY OTHER ITEMS WHICH AFFECT THE STRUCTURAL DRAWINGS.
6. EXTERIOR USE OF CEMENT PLASTER (STUCCO) SHALL COMPLY WITH THE APPLICATION REQUIREMENTS OF ASTM C 928

STRUCTURAL LUMBER:

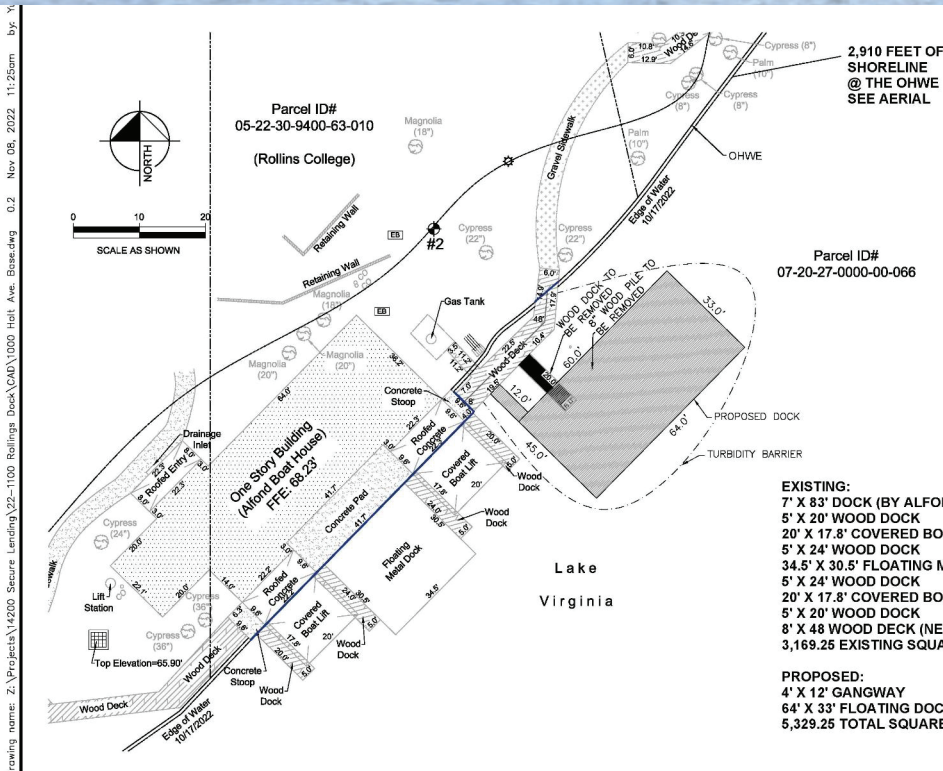
1. SEE TRUSS TABLE FOR ANCHORAGE.
2. GRAVITY LOADS WERE TAKEN INTO ACCOUNT IN DESIGN
3. ALL STRUCTURAL AND LOAD BEARING LUMBER SHALL HAVE A MINIMUM FB = 1200 F.S.I.
4. ANY WALLS GREATER THAN 9 FEET HIGH SHALL HAVE NO LESS THAN ONE INTERMEDIATE BRIDGING SPACED NO MORE THAN 72" APART.
5. ALL LOAD BEARING WALLS SHALL HAVE DOUBLE SOUTHERN YELLOW PINE #2 TOP PLATES, SOLE PLATES ON MASONRY SHALL BE SALT SOLUTION, PRESSURE TREATED.
6. ALL OTHER BEARING LUMBER SHALL BE NO. 2 SOUTHERN YELLOW PINE AND SHALL BE BASED ON MAXIMUM SPANS FOR RAFTERS AND JOISTS

EXISTING:

- 7' X 83' DOCK (BY ALFOND POOL)
- 5' X 20' WOOD DOCK
- 20' X 17.8' COVERED BOAT LIFT
- 5' X 24' WOOD DOCK
- 34.5' X 30.5' FLOATING METAL DOCK
- 5' X 24' WOOD DOCK
- 20' X 17.8' COVERED BOAT LIFT
- 5' X 20' WOOD DOCK
- 8' X 48' WOOD DECK (NEAR SHORE)
- 3,169.25 EXISTING SQUARE FEET

PROPOSED:

- 4' X 12' GANGWAY
- 64' X 33' FLOATING DOCK
- 5,329.25 TOTAL SQUARE FEET



Drawing name: Z:\Projects\14200 Secure Landing\22-1100 Rollings Dock\CAD\1000 Holt Ave. Base.dwg 0.2 Nov 06, 2022 11:25am by: Y



Board of Adjustments

agenda item

item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date March 21, 2023
prepared by Nicholas Lewis	approved by John Harbilas, Allison McGillis
board approval Completed	
strategic objective	

subject

BOA-2023-0005. Request of Guillermo Lopez.

item list

Request of Guillermo Lopez for variance approval from Section 58-71 subsections (j)(1), (j)(2), and (n)(2), to allow a swimming pool setback of 8-feet and a pool deck setback of 4-feet in a street-side yard, as well as a wall height of 4-feet in lieu of the maximum 3-foot wall height for street-side yards, in conjunction with the proposed swimming pool and wall located at 1410 Arbor Park Drive, zoned R-1A.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.

motion / recommendation

Staff recommendation is for approval of the variances requested.

background

The applicant, Guillermo Lopez, is requesting variance approval from Section 58-71(j)(1), (j)(2), and (n)(2) in order to construct a new swimming pool, pool deck, and wall at 1410 Arbor Park Drive. The property is zoned R-1A. The applicant's proposal meets the required impervious coverage for the lot.

Variance Review Criteria:

Special Conditions and Circumstances

In order for a variance to be granted, special conditions and circumstances must exist which are peculiar to the land, structure or building involved and are not applicable to other land, structures or buildings in the same zoning district.

The applicant is seeking these variance requests in order to construct a new swimming pool and pool deck in the front/street-side portion of the lot. The parcel is a unique, triangular-shaped lot that also functions as a corner lot with streets on two of the three sides. The setbacks create an extremely limiting building pad for the principal structure located towards the north side of the parcel away from the corner where both streets meet.

The applicant received approval of the principal structure and access via Arbor Park Drive without need of a variance. But the result is that a very small portion of the buildable area remains that is not sufficient to place a pool and deck. Further, the applicant is seeking the wall variance to comply with the necessary height required by the Florida Building Code to keep the swimming pool adequately secured.

Deprivation of Rights

The second requirement for granting a variance request is that the literal interpretation of the provisions of the zoning code would deprive the rights commonly enjoyed by other properties in the same zoning district.

Under Section 58-71(j)(1), swimming pools are not permitted within front and street-side required yards. Similarly, Section 58-71(j)(2), provides that pool decks shall be no closer than 50% of the required setbacks for rear and side yards. Because swimming pools are not permitted per subsection (j)(1), then pool decks are also not permissible under (j)(2). Because there is not enough room in the remaining buildable area of the lot, there is no location, other than the proposed area within the required front/street-side yard, for a swimming pool and deck.

Under Section 58-71(n)(2), the maximum fence/wall height in front and street-side yards is 3-feet. Although the applicant could install a 3-foot high wall, the pool needs to be secured by a 4-foot fence/wall per the Florida Building Code. The applicant cannot achieve that height without a variance.

Actions of the Applicant

The special conditions and circumstances must not result from the actions of the applicant.

The applicant purchased the property in 2021 and has received approval for the principal structure in early 2023. The actions of the applicant did not create the unique shape and location of the lot. Because the applicant was severely limited in the principal structure's location on the lot, that leaves the front/street-side frontage as the only place to put a swimming pool, which is not the result of the applicant.

Special Privilege

The last requirement necessary to grant a variance request is that the variance will not confer on the applicant any special privilege denied by the zoning ordinance to other lands, structures or buildings in the same zoning district. No nonconforming use of the neighboring lands, structures or buildings in other zoning districts shall be considered grounds for the issuance of a variance.

Because of the lot's unique shape and location, also functioning as a corner lot, which limits the placement of the structure to the north side of the property leaving only the front/street-side frontage to put a swimming pool and deck, requiring a 4-foot wall height, staff does not believe that granting this request would confer any special privilege onto any other applicant.

Summary

Staff believes that the applicant meets the four criteria required to grant the variances requested.

[alternatives / other considerations](#)

[fiscal impact](#)

ATTACHMENTS:

[1410 Arbor Park Dr - Area Map.pdf](#)

ATTACHMENTS:

[1410 Arbor Park Dr - Aerial Map.pdf](#)

ATTACHMENTS:

[1410 Arbor Park Dr - Applicant Energov Submittal.pdf](#)

ATTACHMENTS:

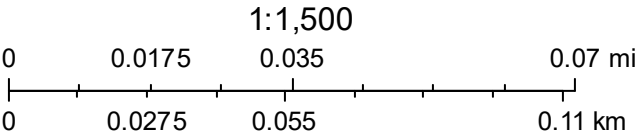
[Arbor Grading Plan Site Pool-03-08-23.pdf](#)

1410 Arbor Park Drive - Area Map



3/13/2023, 11:27:31 AM

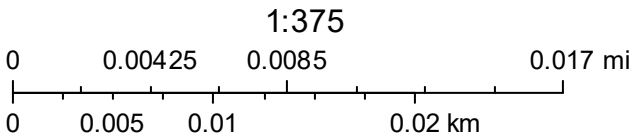
Parcels Orange



1410 Arbor Park Drive - Aerial Map



3/13/2023, 11:26:20 AM
Parcels Orange





PLAN SNAPSHOT REPORT BOA-2023-0005 FOR CITY OF WINTER PARK

Plan Type: Board of Adjustments **Project:** **App Date:** 02/19/2023
Work Class: Board of Adjustments/Variance Application **District:** Winter Park **Exp Date:** NOT AVAILABLE
Status: Submitted - Online **Square Feet:** 0.00 **Completed:** NOT COMPLETED
Valuation: \$0.00 **Assigned To:** Harbilas, John **Approval**
Expire Date:

Parcel: 302132170806150	Main	Address: 1410 Arbor Park Dr Winter Park, FL 32789	Main	Zone:
--------------------------------	------	---	------	--------------

Owner
Guillermo A Lopez
1410 Arbor park DR
Home: (407) 234-5612
Business: (407) 234-5612

Applicant
Guillermo A Lopez
1410 Arbor park DR
Home: (407) 234-5612
Business: (407) 234-5612

Plan Custom Fields

Zoning		Section		Subsection	
Is the property on waterfront?	No	Is this property on historic registry or district?	No	Describe variance	getting a pool on a site of lot and also get the max high fence at the rear side back just where the house will be
How long have you owned the property?	2 years	How long have you occupied the property?	0	Special Condition	the lot has a particular shape and the only place I can place pool is on that area
Rights/Priv	most of the lots have pools	Hardship	base on zoning code I can't have a pool and also I can have a 6' tall fence on the rear side	Limited Variance	yes

Attachment File Name	Added On	Added By	Attachment Group	Notes
1410 Arbor Pool Plan-01-25-23.pdf revised.pdf	02/19/2023 20:33	Lopez, Guillermo		Uploaded via CSS
Signature_Guillermo_Lopez_2/20/2023.jpg	02/19/2023 20:33	Lopez, Guillermo		Uploaded via CSS

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00033510	Residential Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-00033510		\$200.00	\$200.00
Grand Total for Plan		\$200.00	\$200.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Board of Adjustments Review v.1	Approved	02/19/2023	02/21/2023	02/21/2023	No	Yes
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Review	Building & Permitting Services	Lewis, Nick	Approved	02/19/2023	02/21/2023	02/21/2023

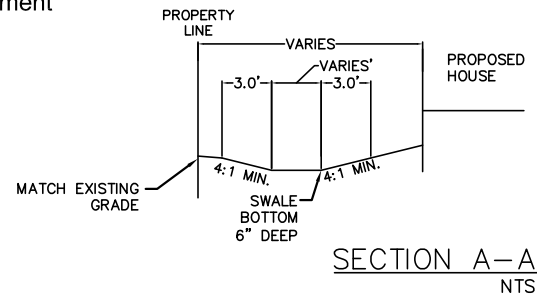
Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			02/21/2023 14:43
Board of Adjustments Review v.1	Receive Submittal	02/19/2023 0:00	02/21/2023 14:43
Issue Invoice v.1	Generic Action		02/21/2023 14:43
Final Decision v.1			
Board of Adjustments Decision v.1	Generic Action		

-Benchmark Information-
Orange County Benchmark Datum
Elevation: 88.30'
Designation # B036015
(Elevations are based upon North American Vertical Datum 1988)

-Site Benchmark Information-
#1
Set Nail & Disk (LB 7623) in Edge of Pavement
Elevation: 88.30'
#2
Set Nail & Disk (LB 7623) in Edge of Pavement
Elevation: 88.87'

LEGAL DESCRIPTION:
Lot 15 and the Northerly 55 feet of Lot 16, Block F, CONWILL ESTATES (Less that part Deeded for Right-of-way for Lake Howell Road in Deed Book 946, Page 376), according to the plat thereof as recorded in Plat Book S, Page 13, of the Public Records of Orange County, Florida.

FLOOD INFORMATION:
BY PERFORMING A SEARCH WITH THE GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF WINTER PARK, COMMUNITY NUMBER 120188, DATED 9/25/2009.



VOLUME REQUIRED:

CITY OF WINTER PARK REQUIRES TO RETAIN:
1.0 INCH OF WATER OVER THE IMPERVIOUS AREA
 $3,884 \times 1.0/12 = 324$ CF
(AREAS WHICH OVERFLOW TO THE STREET)

LOT AREA = 7,767 SF
MAX. IMPERVIOUS AREA (50%) = 3,884
IMPERVIOUS AREA = 3,715
REQUIRED VOLUME TO BE RETAINED = 324
(BASED ON MAX. IMP.)

VOLUME PROVIDED:

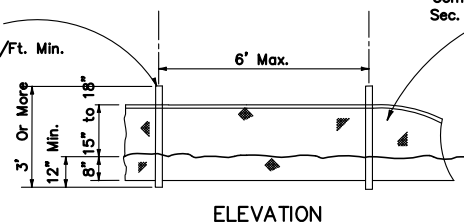
NORTH SWALE
TOP = 715 SF
BOTTOM = 97 SF
VOLUME PROVIDED = 203 CF

EAST SWALE
TOP = 743 SF
BOTTOM = 170 SF
VOLUME PROVIDED = 228 CF

SOUTH SWALE
TOP = 228 SF
BOTTOM = 73 SF
VOLUME PROVIDED = 151 CF

TOTAL VOLUME PROVIDED = 582 CF

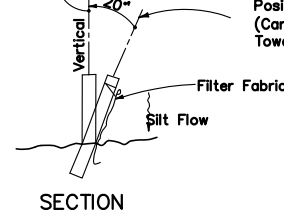
Post Options:
Wood 2" x 4" Min. 0
Wood 2" x 4" Min. 0
Oak 1 1/2" x 1 1/2" Min. 0
Steel 1.33 Lbs/Ft. Min.



TYPE III SILT FENCE
N.T.S.

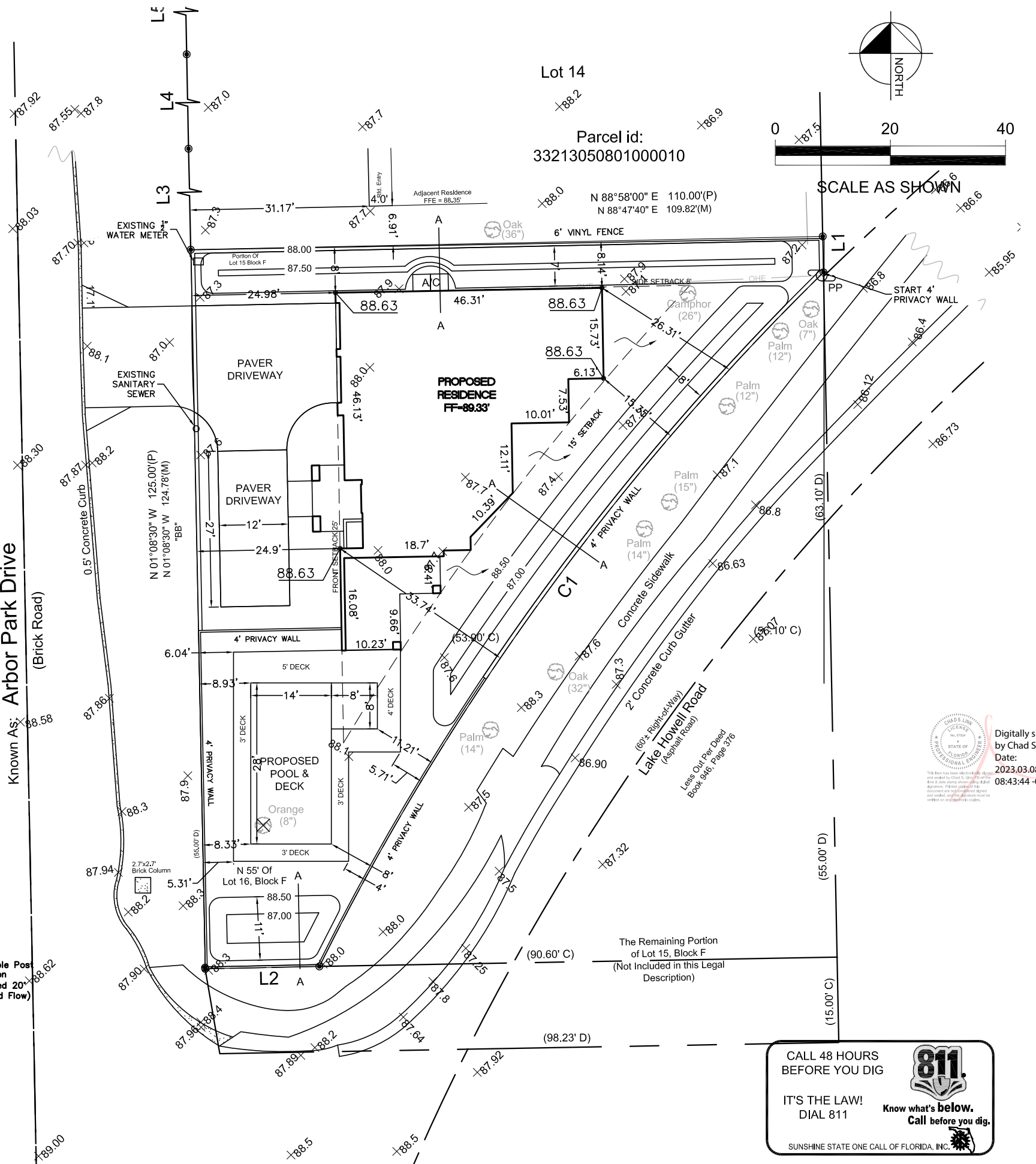
Filter Fabric (In Conformance With Sec. 985 FDOT Spec.)

Optional Post Positions



Principle Post Position (Canted 20° Toward Flow)

Platted As: Lakemont Ave.
Known As: Arbor Park Drive
(60' Right-of-Way)
(Brick Road)



CALL 48 HOURS BEFORE YOU DIG

IT'S THE LAW!
DIAL 811

Know what's below.
Call before you dig.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

LINN ENGINEERING & DESIGN, INC.

P.O. BOX 140024
ORLANDO, FL 32814
PHONE: 407-252-6433
clinn@linnengineering.com

DESIGN ENGINEER:
CHAD S. LINN

FLORIDA REGISTRATION NUMBER:
57524

SCALE AS NOTED

DESIGNED BY
CSL

DRAWN BY
CSL

CHECKED BY
CSL

SEAL

SITE PLAN

LOPEZ RESIDENCE
1410 ARBOR PARK DR.
WINTER PARK, FL 32789
ORANGE COUNTY FLORIDA

DATE
11/22
PROJECT NO.

SHEET NUMBER

C1



Board of Adjustments

agenda item

item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date March 21, 2023
prepared by Nicholas Lewis	approved by John Harbilas, Allison McGillis
board approval Completed	
strategic objective	

subject

BOA-2023-0006. Request of Julie Champion.

item list

Request of Julie Champion for variance approval from Section 58-71(n)(2) to allow a street-side fence height of 5-feet in lieu of the maximum 3-foot height for street-side yards, in conjunction with the proposed fence located at 2080 St. George Avenue, zoned R-1A.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.

motion / recommendation

Staff recommendation is for approval of the variance requested.

background

The applicant and homeowners, Julie and Ken Champion, are requesting variance approval from Section 58-71(n)(2) to allow a street-side fence height of 5-feet in lieu of the maximum 3-foot height in conjunction with the proposed 5-foot aluminum picket fence for their property at 2080 St. George Avenue. The property is zoned R-1A.

The applicant received approval to have a street-side setback of 5.8 feet in lieu of the required street-side setback of 15-feet at the June 15, 2021, Board of Adjustment regular meeting. The applicants also received approval to construct their home, including the street-side variance, from the Planning and Zoning Board, which reviews all lakefront homes, at their April 5, 2022, regular meeting.

Variance Review Criteria:

Special Conditions and Circumstances

For a variance to be granted, special conditions and circumstances must exist that are peculiar to the land, structure, or building involved and do not apply to other land, structures or buildings in the same zoning district.

The applicant is seeking this variance to enclose their property via a fence to increase security and privacy as well as to limit public access to the lake from their property.

Under Section 58-71(n)(2), the maximum height for a fence in a street-side yard on a corner lot is 3-feet unless setback by at least 10-feet, subject to vegetative planting on the street-facing side of the fence. In all other sides and rear yard areas, walls and fences may be a maximum of 6-feet in height. This property is located on a corner lot, requiring them to adhere to stricter fence requirements than would usually be prescribed to other lots.

Lakefront requirements require open fencing limited to materials including aluminum pickets, which allow visibility across property lines and to the water. The applicant's proposal to install an open fence made of aluminum pickets meets this requirement.

The property has a smaller lot size than the other lakefronts around the property, with a lot width of only 50-feet, while the lakefronts to the north of the lot have an average lot width of 110-feet. Thus, the property has a substantially smaller lot width than other lakefronts near the property, making the side setbacks for the structure and fence more intense. To ease the burden created by the setbacks, the applicant received approval to have a street-side setback of 5.8-feet for the house.

The property is located at the intersection of St. George Avenue and Oak Street; the St. George right-of-way is within the city limits of Winter Park, but the Oak Street right-of-way is within the City of Orlando. Across Oak Street from the property is a City of Orlando pocket park. Due to the applicant's property being within the city limits of Winter Park, they must meet the city's code even though the street-facing side of the property facing Oak Street abuts the city limits of Orlando. Under Section 58.929(b) of the City of Orlando, fences for street-side yards may be 6-feet in height. The applicant is requesting a 5-foot fence on the street-side which would be allowed if the parcel was within the city limits of Orlando.

Deprivation of Rights

The second requirement for granting a variance request is that the literal interpretation of the provisions of the zoning code would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district.

Under Section 58-71(n)(2), the maximum height for a fence in a street-side yard is 3-feet

unless setback by at least 10-feet. Based on the structure's location, approved by the Board of Adjustment and the Planning and Zoning Board, it is impossible to set the fence back 10-feet from the property line to achieve a greater height.

Actions of the Applicant

The special conditions and circumstances must not result from the applicant's actions.

As stated, the lot is relatively small compared to the other nearby lakefront properties. The applicant received approval to have a street-side setback of 5.8-feet due to the strict corner lot setback requirements. The result is that the applicant will not be able to meet the required 10-foot setback for a 5-foot high fence.

Special Privilege

The last requirement necessary to grant a variance request is that the variance will not confer on the applicant any special privilege denied by the zoning ordinance to other lands, structures or buildings in the same zoning district. No nonconforming use of the neighboring lands, structures, or buildings in other zoning districts shall be considered grounds for the issuance of a variance.

Because the applicant has a unique location of the property being within the City of Winter Park but the street-facing side abutting the City of Orlando and the relatively small lot size for a corner lot which makes the setbacks for the fence impossible to meet, staff does not believe that granting this request would confer onto the applicant any special privilege denied to other lands, structures or buildings in the same zoning district.

Summary

Staff believes that the applicant meets the four criteria required to grant the requested variance.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[2080 St George Ave - Area Map.pdf](#)

ATTACHMENTS:

[2080 St George Ave - Aerial Map.pdf](#)

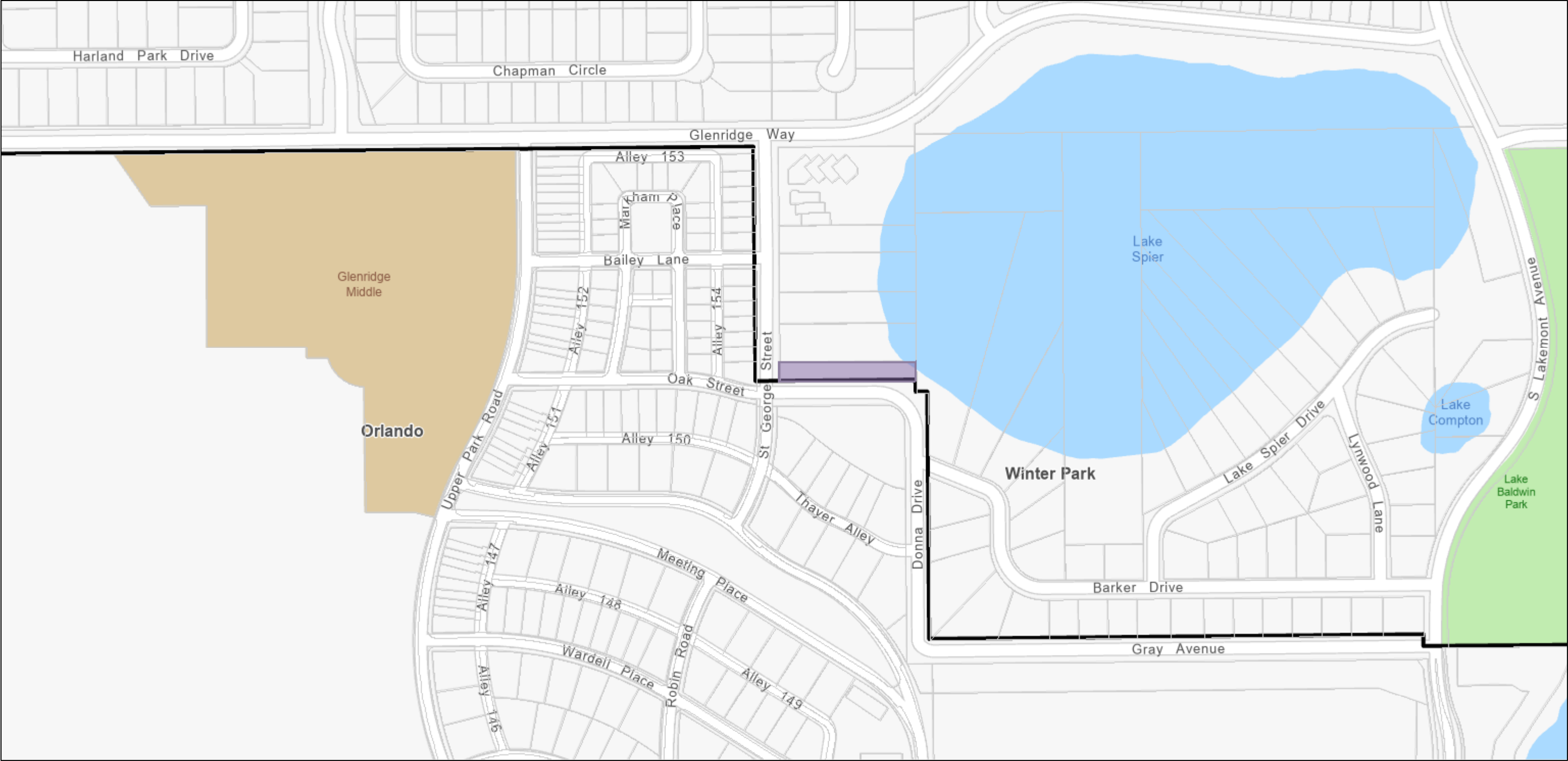
ATTACHMENTS:

[2080 St George Ave - Applicant Energov Submittal.pdf](#)

ATTACHMENTS:

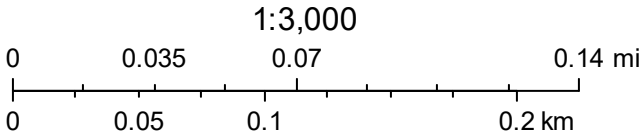
[2080 St George Ave - Fence Site Plan.pdf](#)

2080 St. George Ave - Area Map



3/13/2023, 4:11:12 PM

Parcels Orange

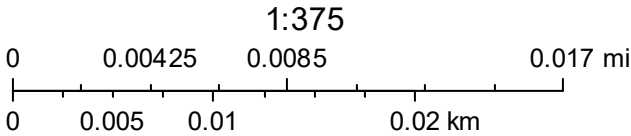


2080 St. George Ave - Aerial Map



3/13/2023, 4:09:58 PM

Parcels Orange





PLAN SNAPSHOT REPORT BOA-2023-0006 FOR CITY OF WINTER PARK

Plan Type: Board of Adjustments
Work Class: Board of Adjustments/Variance Application
Status: Fees Paid
Valuation: \$0.00
Description: Variance request for a 5 foot fence along the street side of 2080 St. George Avenue.

Project:
District: Winter Park
Square Feet: 0.00
Assigned To: Harbilas, John

App Date: 02/21/2023
Exp Date: NOT AVAILABLE
Completed: NOT COMPLETED
Approval Expire Date:

Parcel: 302217638413010	Main	Address: 2080 St George Ave Winter Park, FL 32789-6232	Main	Zone:
Applicant Julie Champion 2080 St. George Avenue Winter Park, FL 32789	Owner Julie Champion 2080 St. George Avenue Winter Park, FL 32789			

Plan Custom Fields

Zoning		Section	Parcel #	Subsection	
			17-22-30-6384-13-010		
Is the property on waterfront?	Yes	Is this property on historic registry or district?	No	Describe variance	We are requesting a variance to place a 5 foot fence on our property line, rather than the standard 3 foot fence allowed. We were granted a variance to build within 7.5 feet of our property line due to the odd shape of our lot. Therefore, we can not meet the 10 feet setback required for a 5 foot fence.
How long have you owned the property?	2 years	How long have you occupied the property?	0 years	Special Condition	Our lot is odd shaped at 50 feet wide X 348 feet deep and is located on a corner lot that has City of Winter Park on one side and City of Orlando on the other. We have already been granted a variance of the 15 feet required setback for the house, and are now requested a variance to put a 5 foot fence on the property line. This fence will only be for the side and back yards and will not be on the front yard.
Rights/Priv	When the lots sizes were determined, the corner lot was not in line with the sizes of the other lots on the street, so meeting the corner setbacks has been a challenge. We also border both City of Orlando and City of Winter Park, so have been working between the 2	cities for our project.		Hardship	The hardship is that we can not meet the 10 foot setback required for a 5 foot fence due to our house and porch only being 7.5 feet from our property line.

PLAN SNAPSHOT REPORT (BOA-2023-0006)

Limited Variance Yes, we are open to discussions on other ways to incorporate a higher fence on our property. The issue with a 3 foot fence is we have 2 black labrador retrievers and are concerned they could leap a 3 foot fence and escape out of our back yard.

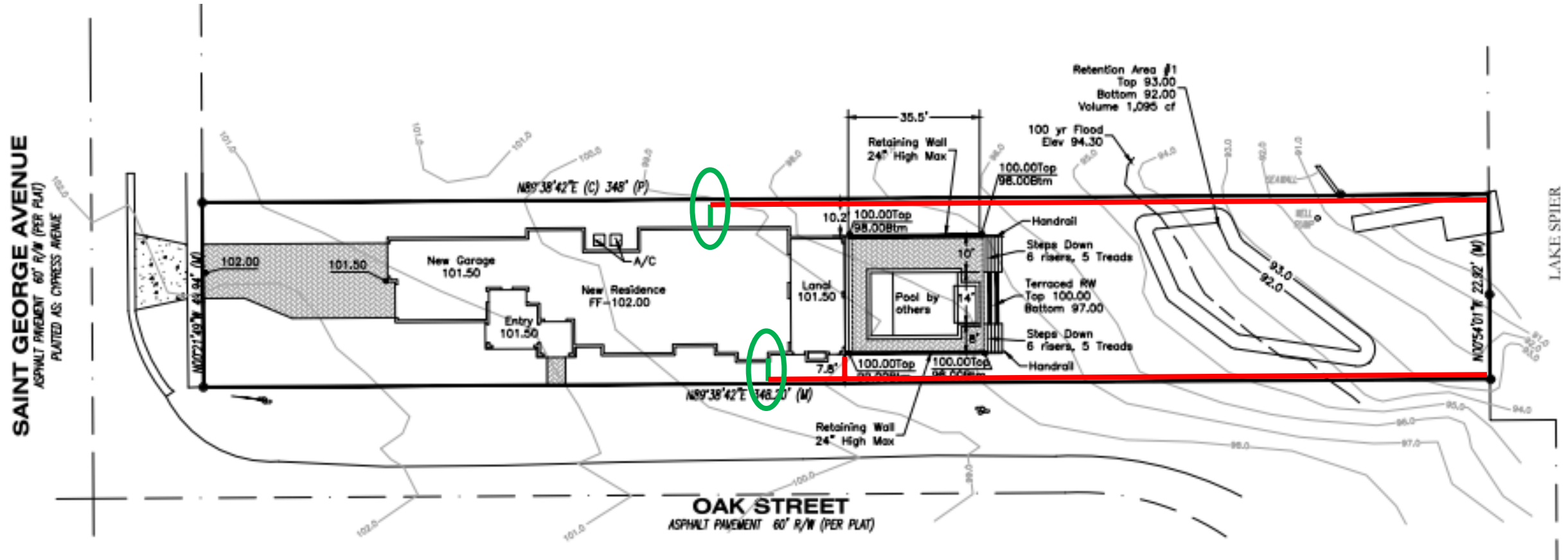
Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Julie_Champion_2/21/2023.jpg	02/21/2023 15:00	Champion, Julie		Uploaded via CSS
2080 St George Fence March 2023.v2.pdf	03/07/2023 11:35	Lewis, Nick	Available Online	Site Plan

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00033516	Residential Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-00033516		\$200.00	\$200.00
Grand Total for Plan		\$200.00	\$200.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Board of Adjustments Review v.1	Approved	02/21/2023	02/23/2023	02/21/2023	No	Yes
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Review	Building & Permitting Services	Lewis, Nick	Approved	02/21/2023	02/23/2023	02/21/2023

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			02/21/2023 15:28
Board of Adjustments Review v.1	Receive Submittal	02/21/2023 0:00	02/21/2023 15:27
Issue Invoice v.1	Generic Action		02/21/2023 15:28
Final Decision v.1			
Board of Adjustments Decision v.1	Generic Action		

2080 Saint George Avenue, Winter Park 32789



— 5 Foot-high Residential Aluminum Picket Black Pool Code Fence



① 5 Foot-high Residential Aluminum Picket Black Pool Code Gate



Board of Adjustments

agenda item

item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date March 21, 2023
prepared by Nicholas Lewis	approved by John Harbilas, Allison McGillis
board approval Completed	
strategic objective	

subject

BOA-2023-0007. Request of Michael Scivally.

item list

Request of Michael Scivally, on behalf of the homeowners, Marshall and Susan Harris, for variance approval from Section 58-65(f)(8), to allow a 14-foot rear setback in lieu of the required rear setback of 25-feet for corner lots, to convert the existing patio into enclosed living space for their single-family home at 2924 Rapidan Trail, zoned R-1A.

The applicant's full application and stated hardship are provided in the "Applicant Energov Submittal" attachment below.

motion / recommendation

Staff recommendation is for approval of the variance extension request.

background

The applicant, Mike Scivally, on behalf of the homeowners, Marshall and Susan Harris, is requesting to extend the variance approval from Section 58-65(f)(8) to allow a 14-foot rear setback in lieu of the required first-floor rear setback of 25-feet in order to convert their existing covered patio into enclosed living space at 2924 Rapidan Trail. The property is zoned R-1A.

This request came before the Board of Adjustment at the March 15, 2022 regular meeting and was approved without conditions. The proposal has not changed since the Board's initial approval, nor have any recent code changes effected the proposal. The applicant filed an application for extension prior to the variance's expiration on March 15, 2023.

Variance Review Criteria:

Special Conditions and Circumstances

In order for a variance to be granted, special conditions and circumstances must exist which are peculiar to the land, structure or building involved and are not applicable to other land, structures or buildings in the same zoning district.

The covered patio is an existing nonconformity erected prior to enforcement of the City's code. Further, this home is located on a corner lot on a dead-end street, and backs up to a private cemetery, as opposed to another single-family home. Because it is private, the cemetery is zoned R-1A. However, it is historic and will remain a graveyard in perpetuity. If it was zoned the same as any other graveyard in the city (PR), then the applicant would be permitted to have a 10-foot rear setback per code.

Deprivation of Rights

The second requirement for granting a variance request is that the literal interpretation of the provisions of the zoning code would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district.

Under Section 58-65(f)(8), the required rear setback is 25-feet. The applicants cannot proceed with their request because the existing covered patio is already nonconforming and the change of material from aluminum to cement block creates a slightly larger encroachment by a couple of inches.

Actions of the Applicant

The special conditions and circumstances must not result from the actions of the applicant.

The nonconformity existed before the applicants purchased the property in 2021 as well as before the city annexed the property in 2002. The current homeowners had no control over the design, materials, function, or location of the structure. The applicant's plan to change the construction material from aluminum to concrete block to match the rest of the structure, will create a slightly larger encroachment, yet it is the least amount necessary to maintain the existing concrete slab.

Special Privilege

The last requirement necessary to grant a variance request is that the variance will not confer on the applicant any special privilege denied by the zoning ordinance to other lands, structures or buildings in the same zoning district. No nonconforming use of the neighboring lands, structures or buildings in other zoning districts shall be considered grounds for the issuance of a variance.

Because of the existing nonconformity and the unique location of the lot, being a corner lot on a dead-end street which backs up to a private graveyard, staff does not believe that granting this variance would confer any special privilege onto the applicants.

Summary

Staff believes that the applicant meets the four criteria required to grant the requested extension of the variance granted on March 15, 2022.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[2924 Rapidan Tr Area Map.pdf](#)

ATTACHMENTS:

[2924 Rapidan Tr Aerial Map.pdf](#)

ATTACHMENTS:

[2924 Rapidan Tr Neighbor Letter Map.pdf](#)

ATTACHMENTS:

[BOA-2023-0007 - Application Energov Submittal.pdf](#)

ATTACHMENTS:

[Result Letter_BOA-2022_0002.pdf](#)

ATTACHMENTS:

[2924 Rapidan Tr Survey.pdf](#)

ATTACHMENTS:

[BOA-2022-0002 - 2924 Rapidan Tr Complete Plan Set.pdf](#)

ATTACHMENTS:

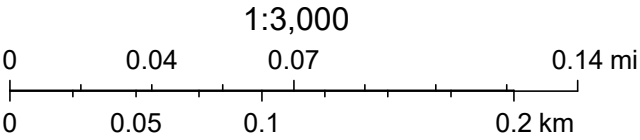
[2924 Rapidan Tr Neighbor Letters.pdf](#)

2924 Rapidan Trail - Area Map



3/3/2022, 8:49:14 AM

Parcels Orange

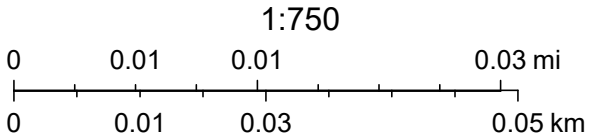


2924 Rapidan Trail - Aerial Map



3/3/2022, 8:47:13 AM

Parcels Orange

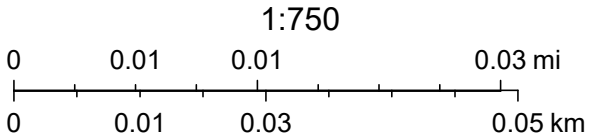


2924 Rapidan Trail - Neighbor Letters



3/3/2022, 8:44:15 AM

Parcels Orange





PLAN SNAPSHOT REPORT BOA-2023-0007 FOR CITY OF WINTER PARK

Plan Type: Board of Adjustments
Work Class: Board of Adjustments/Variance Application
Status: Fees Due
Valuation: \$0.00

Project:
District: Winter Park
Square Feet: 0.00
Assigned To: Harbilas, John

App Date: 03/01/2023
Exp Date: NOT AVAILABLE
Completed: NOT COMPLETED
Approval Expire Date:

Description: Variance extension request. Demolition of existing metal attached structure with an existing rear set back of 15' from the rear property line, with a concrete block and frame structure of the exact footprint.

Parcel: 302129957202060 Main
Address: 2924 Rapidan Trl Main
Winter Park, FL 32789-0915
Zone:

Applicant Michael I Scivally
565 Brookside Circle 565
Brookside Circle
Maitland, FL 32751
Home: (407) 310-5453
Business: (407) 310-5453
Mobile: (407) 310-5453

Owner Marshall & Susan Harris
Home: (407) 740-7378

Plan Custom Fields

Zoning		Section		Subsection	
Is the property on waterfront?	No	Is this property on historic registry or district?	No	Describe variance	Extension request.
					Replacement of metal and glass addition at the rear of existing residence with a structure of concrete block and frame structure of identical size and shape and set back.
How long have you owned the property?	Since October 25, 2021	How long have you occupied the property?	Since November 16, 2021	Special Condition	Extension request.
					The existing addition structure is of aluminum and glass without the benefit of heat or air conditioning. Mr. and Mrs. Harris would like to enjoy full usage of the space by replacing said addition with a more substantial construction of concrete block and frame with heat and air conditioning. The replacement structure will be of the same dimensions, but with a more pleasing roof of hip design and asphalt shingles to match the home's existing roof.
Rights/Priv	Extension request.		more substantial type of construction.	Hardship	Extension request.
	Mr. and Mrs. Harris would like to enjoy use of this "Florida" room through out the year with the benefits of climate control and a				The hardship that Mr. and Mrs. Harris are experiencing is the opportunity to improve their living experience not

PLAN SNAPSHOT REPORT (BOA-2023-0007)

thru a need to vary from Zoning Code requirements but to improve an existing structure as described in the Rights or privileges paragraph above.

Limited Variance

Extension request.

A limited variance would not suffice in this instance due to the fact that this request is to replace an existing structure within the confines of that which already is in place.

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Michael_Scivally_3/1/2023.jpg	03/01/2023 14:49	Scivally, Michael		Uploaded via CSS
2924 Rapidan Tr Aerial Map.pdf	03/02/2023 14:29	Lewis, Nick		
2924 Rapidan Tr Area Map.pdf	03/02/2023 14:29	Lewis, Nick		
2924 Rapidan Tr Neighbor Letter Map.pdf	03/02/2023 14:29	Lewis, Nick		
2924 Rapidan Tr Neighbor Letters.pdf	03/02/2023 14:29	Lewis, Nick		
2924 Rapidan Tr Survey.pdf	03/02/2023 14:29	Lewis, Nick		
BOA-2022-0002 - 2924 Rapidan Tr Complete Plan Set.pdf	03/02/2023 14:29	Lewis, Nick		
Harris Representation Letter.pdf	03/02/2023 14:29	Lewis, Nick		
Result Letter_BOA-2022_0002.pdf	03/02/2023 14:29	Lewis, Nick		

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00033799	Reinstatement/Extension Variance Fee	\$200.00	\$200.00
Total for Invoice INV-00033799		\$200.00	\$200.00
Grand Total for Plan		\$200.00	\$200.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Board of Adjustments Review v.1	Approved	03/01/2023	03/03/2023	03/02/2023	No	Yes
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Review	Building & Permitting Services	Lewis, Nick	Approved	03/01/2023	03/03/2023	03/02/2023

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			03/02/2023 14:35
Board of Adjustments Review v.1	Receive Submittal	03/01/2023 0:00	03/02/2023 14:35
Issue Invoice v.1	Generic Action		03/02/2023 14:35
Final Decision v.1			
Board of Adjustments Decision v.1	Generic Action		

BOARD OF ADJUSTMENT

March 17, 2022

Mr. Marshall and Mrs. Susan Harris
2924 Rapidan Trail
Winter Park, FL 32789

Dear Mr. and Mrs. Harris,

On March 15, 2022 the Board of Adjustment approved your request for a variance to allow a 14-foot rear yard setback line in lieu of the required rear yard setback of 25-feet to convert the existing enclosed patio into enclosed, climate-controlled living space including a new roof over the addition to match that of the existing home at 2924 Rapidan Trail, zoned R-1A. **Approval was NOT subject to any conditions.**

The subject property described as Parcel ID# 29-21-30-9572-02-060 as recorded in the Public Records of Orange County, Florida.

Located at 2924 Rapidan Trail

Zoned: R-1A

Please have your contractor bring a copy of this approval notice when applying for the construction permit for this variance.

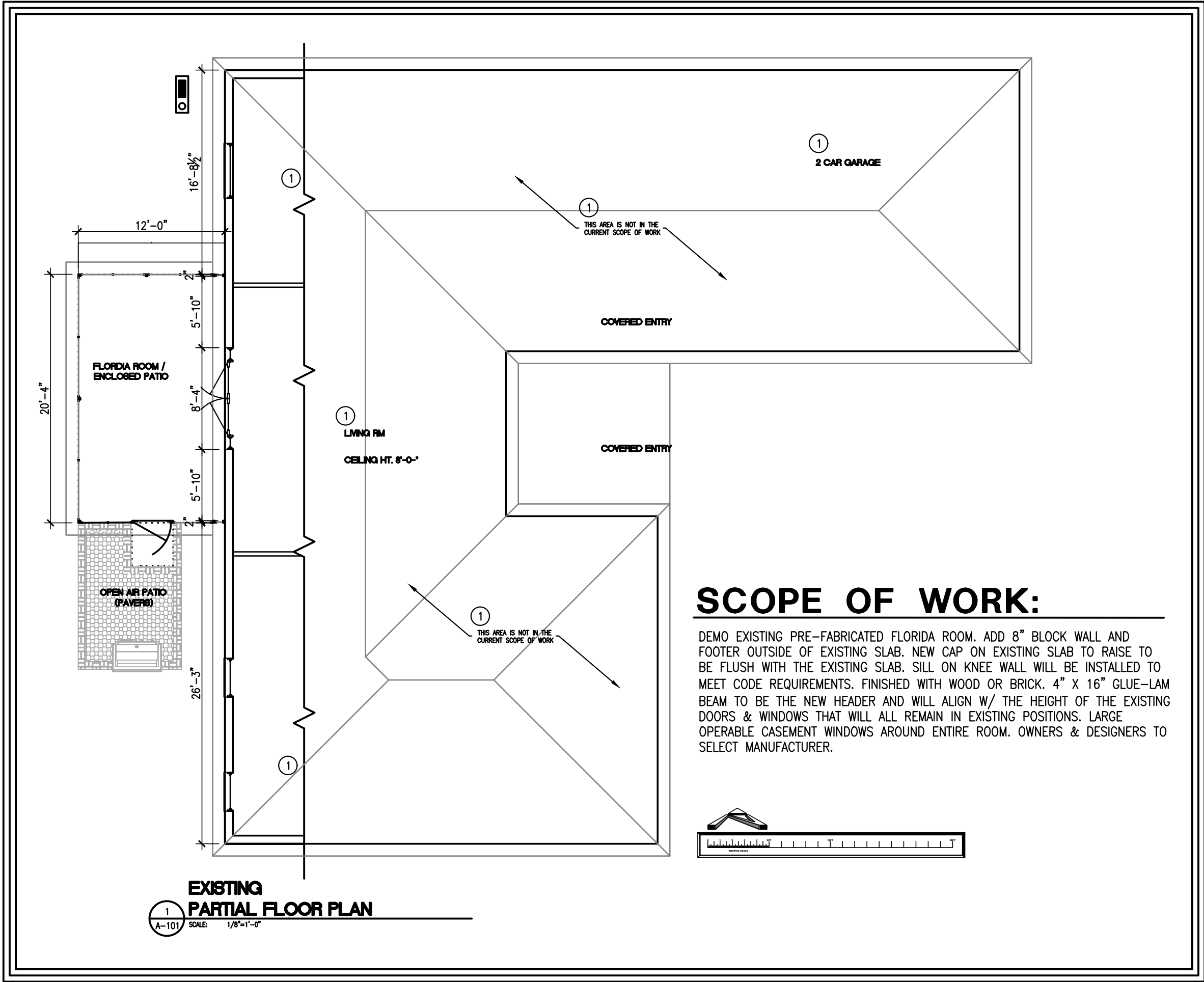
If I can be of further assistance, please feel free to contact me.

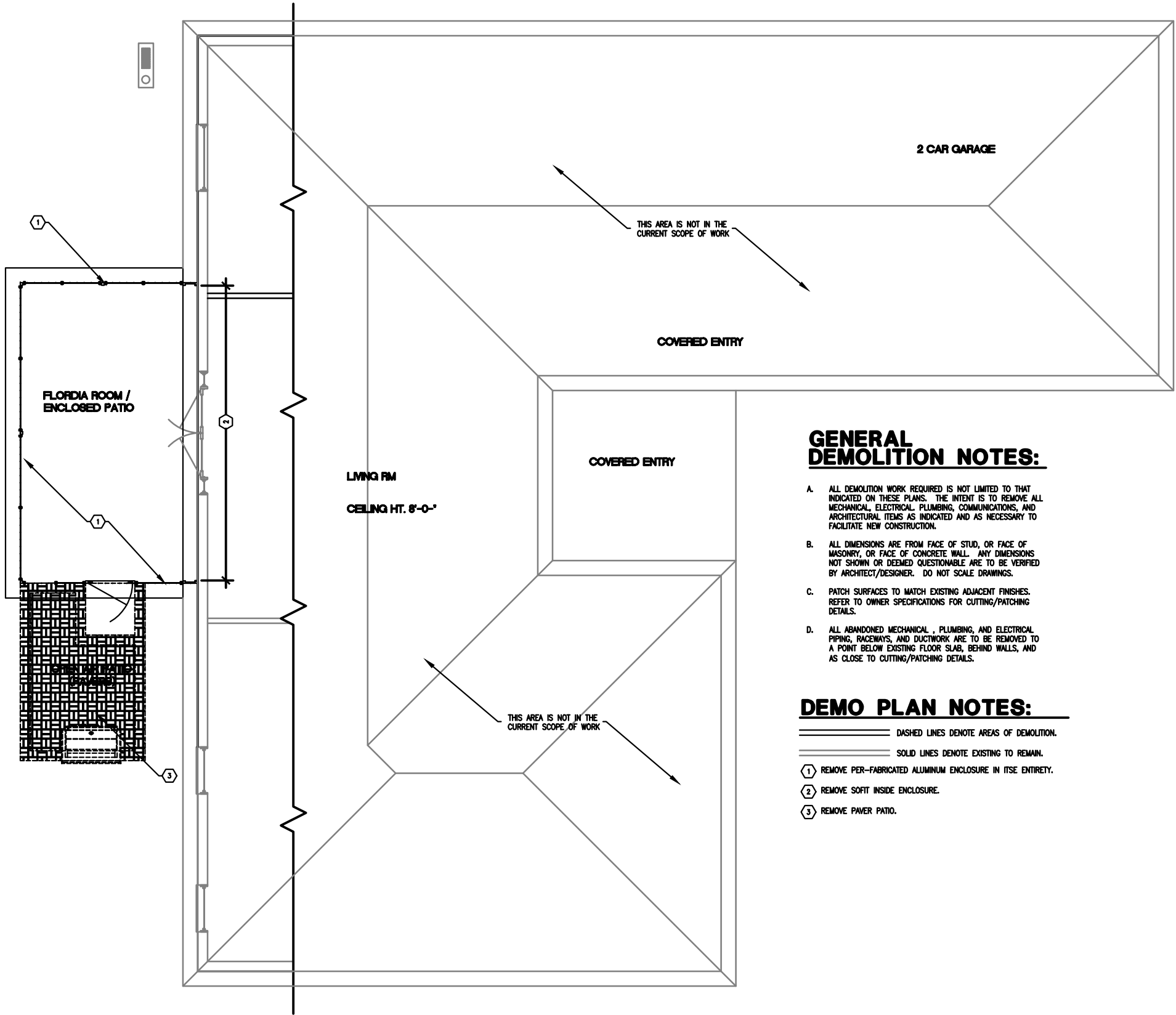
Respectfully,



Nicholas W. Lewis
Planner I
407-599-3508

All variance(s) expire one year from the date of approval by the Board of Adjustment. Any extension requests must be received and heard prior to the expiration date. Requests to reinstate an expired variance are subject to any changes that have occurred in the Code. Requests to extend or reinstate a variance will require payment of fee and re-publication & re-hearing of the variance request.





**GENERAL
DEMOLITION NOTES:**

- A. ALL DEMOLITION WORK REQUIRED IS NOT LIMITED TO THAT INDICATED ON THESE PLANS. THE INTENT IS TO REMOVE ALL MECHANICAL, ELECTRICAL, PLUMBING, COMMUNICATIONS, AND ARCHITECTURAL ITEMS AS INDICATED AND AS NECESSARY TO FACILITATE NEW CONSTRUCTION.
- B. ALL DIMENSIONS ARE FROM FACE OF STUD, OR FACE OF MASONRY, OR FACE OF CONCRETE WALL. ANY DIMENSIONS NOT SHOWN OR DEEMED QUESTIONABLE ARE TO BE VERIFIED BY ARCHITECT/DESIGNER. DO NOT SCALE DRAWINGS.
- C. PATCH SURFACES TO MATCH EXISTING ADJACENT FINISHES. REFER TO OWNER SPECIFICATIONS FOR CUTTING/PATCHING DETAILS.
- D. ALL ABANDONED MECHANICAL, PLUMBING, AND ELECTRICAL PIPING, RACEWAYS, AND DUCTWORK ARE TO BE REMOVED TO A POINT BELOW EXISTING FLOOR SLAB, BEHIND WALLS, AND AS CLOSE TO CUTTING/PATCHING DETAILS.

DEMO PLAN NOTES:

- ===== DASHED LINES DENOTE AREAS OF DEMOLITION.
- ===== SOLID LINES DENOTE EXISTING TO REMAIN.
- ① REMOVE PER-FABRICATED ALUMINUM ENCLOSURE IN ITS ENTIRETY.
- ② REMOVE SOFT INSIDE ENCLOSURE.
- ③ REMOVE PAVER PATIO.

**DEMO
PARTIAL FLOOR PLAN**

1
A-102 SCALE: 1/8"=1'-0"

Owner:

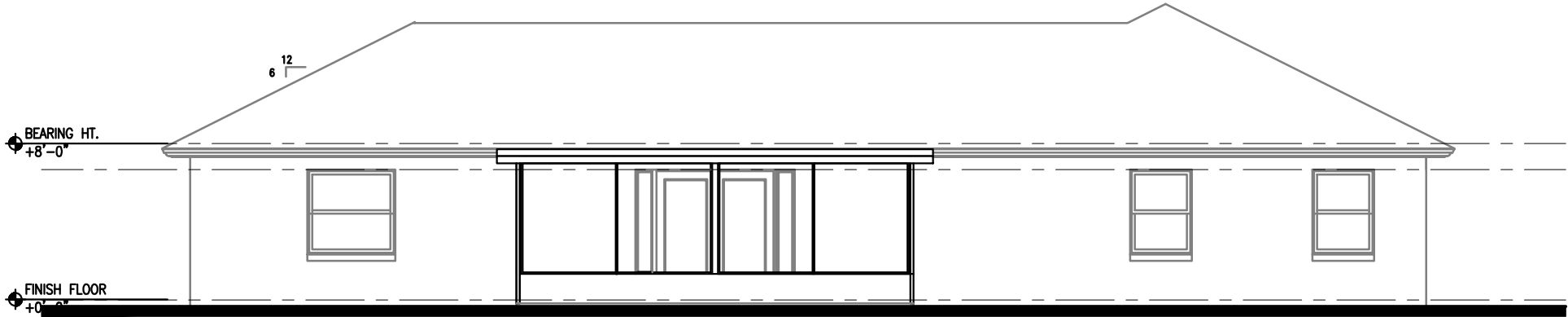
SUSAN
HARRIS

EXISTING ELEVATIONS ELEVATIONS

ADDITION HARRIS RESIDENCE
2024 RAPIDAN TRAIL
WINTER PARK, FL 32789

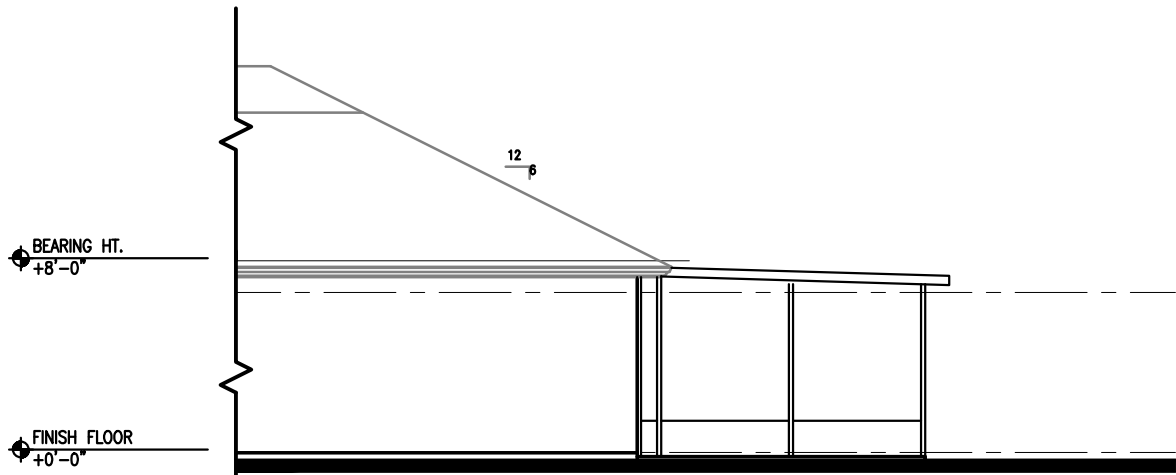
Revisions:		

Date: 1/22/2022	Drawn By: SC	Checked By: -
Project No. 22-001		
Sheet No. A-103		



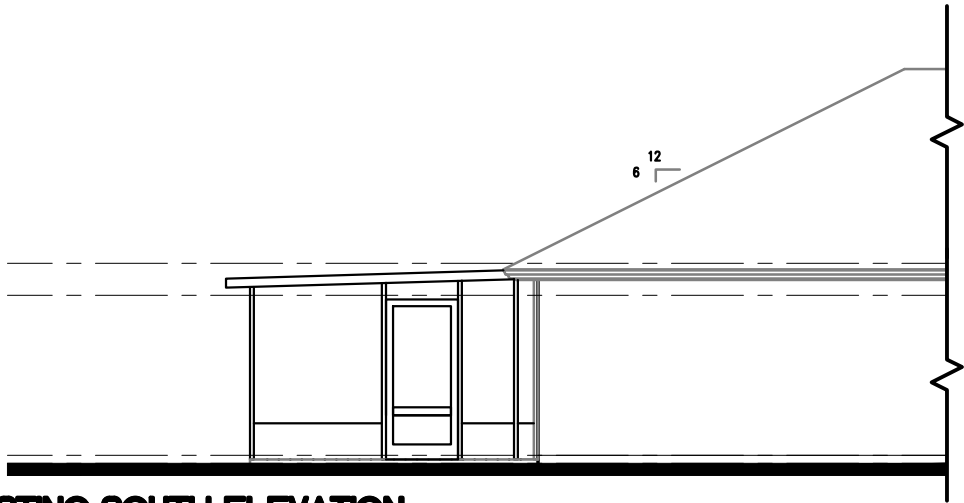
1
A-103
SCALE: 1/8"=1'-0"

EXISTING WEST ELEVATION



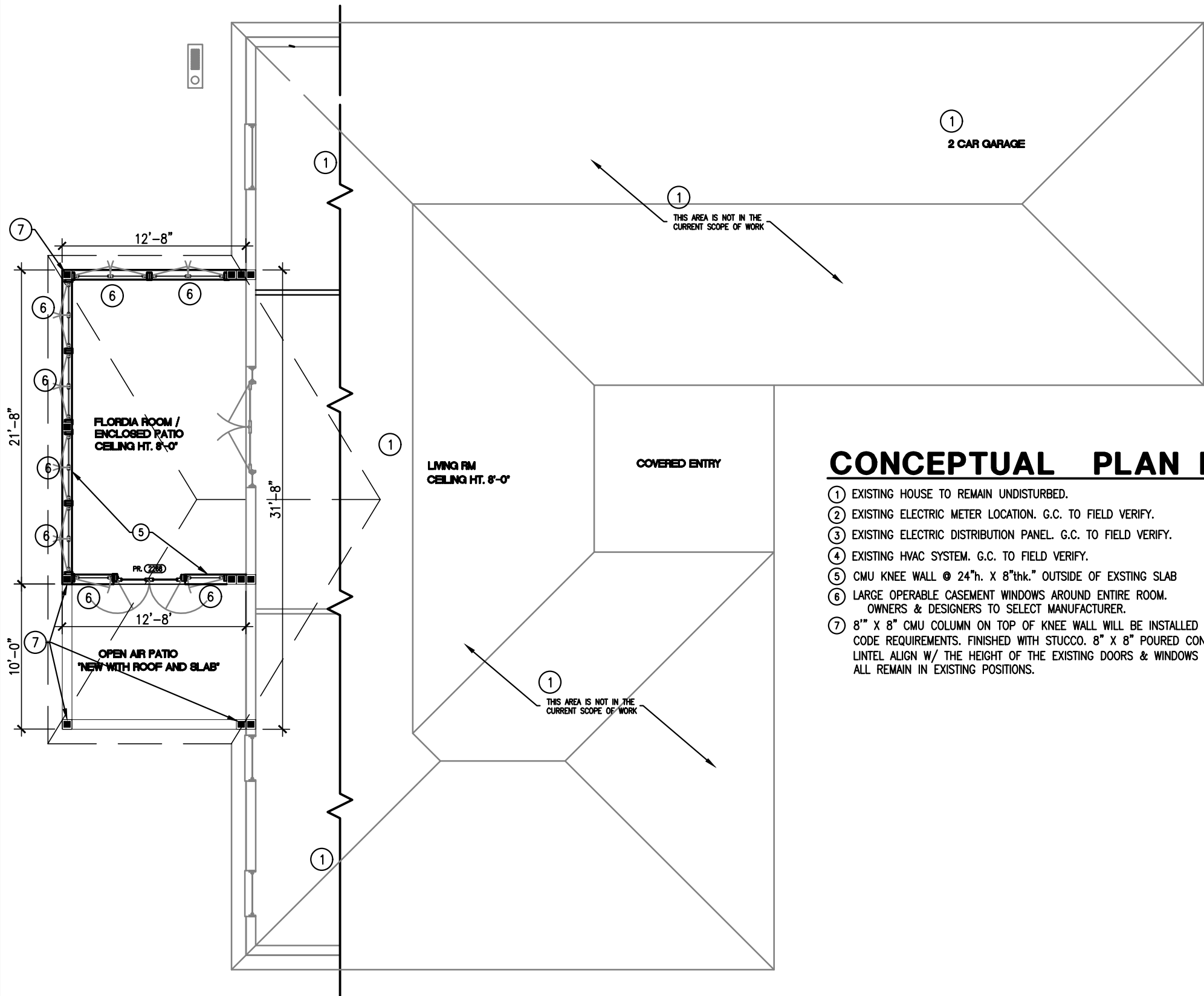
2
A-103
SCALE: 1/8"=1'-0"

EXISTING NORTH ELEVATION



3
A-103
SCALE: 1/8"=1'-0"

EXISTING SOUTH ELEVATION



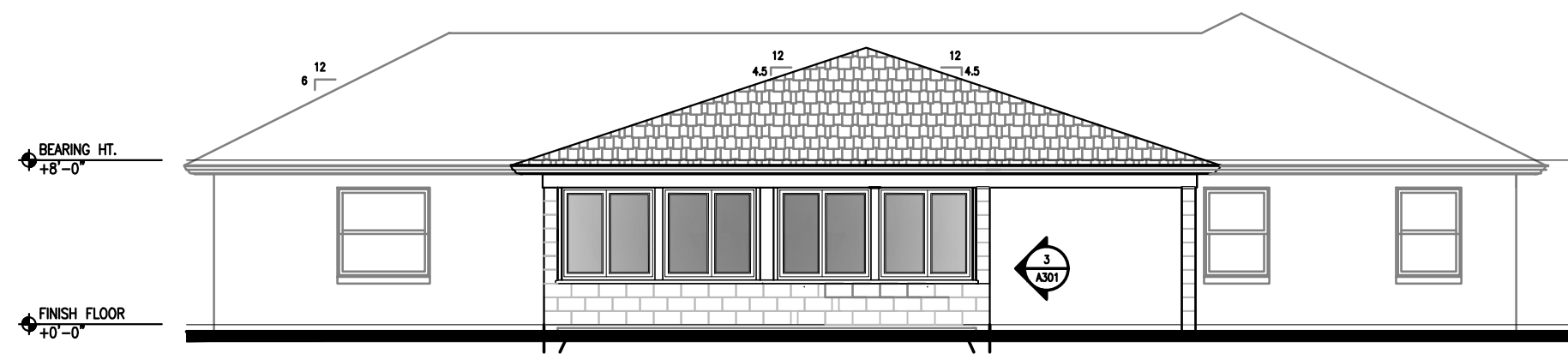
1
A-201

CONCEPTUAL
PARTIAL FLOOR PLAN

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

CONCEPTUAL PLAN NOTES:

- 1 EXISTING HOUSE TO REMAIN UNDISTURBED.
- 2 EXISTING ELECTRIC METER LOCATION. G.C. TO FIELD VERIFY.
- 3 EXISTING ELECTRIC DISTRIBUTION PANEL. G.C. TO FIELD VERIFY.
- 4 EXISTING HVAC SYSTEM. G.C. TO FIELD VERIFY.
- 5 CMU KNEE WALL @ 24"h. X 8"thk." OUTSIDE OF EXSTING SLAB
- 6 LARGE OPERABLE CASEMENT WINDOWS AROUND ENTIRE ROOM. OWNERS & DESIGNERS TO SELECT MANUFACTURER.
- 7 8" X 8" CMU COLUMN ON TOP OF KNEE WALL WILL BE INSTALLED TO MEET CODE REQUIREMENTS. FINISHED WITH STUCCO. 8" X 8" POURED CONCRETE LINTEL ALIGN W/ THE HEIGHT OF THE EXISTING DOORS & WINDOWS THAT WILL ALL REMAIN IN EXISTING POSITIONS.

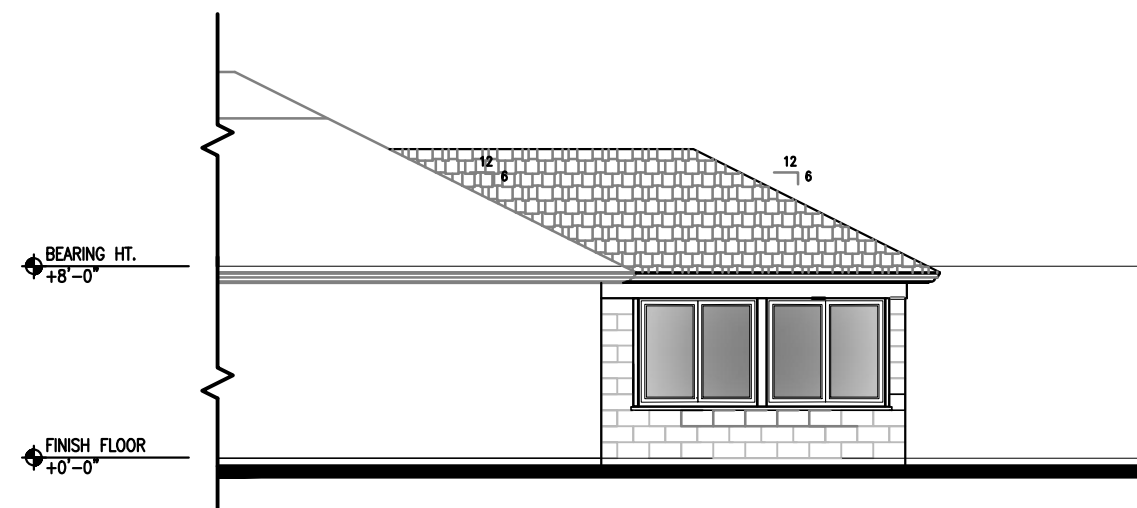


1

A-301

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

CONCEPTUAL WEST ELEVATION

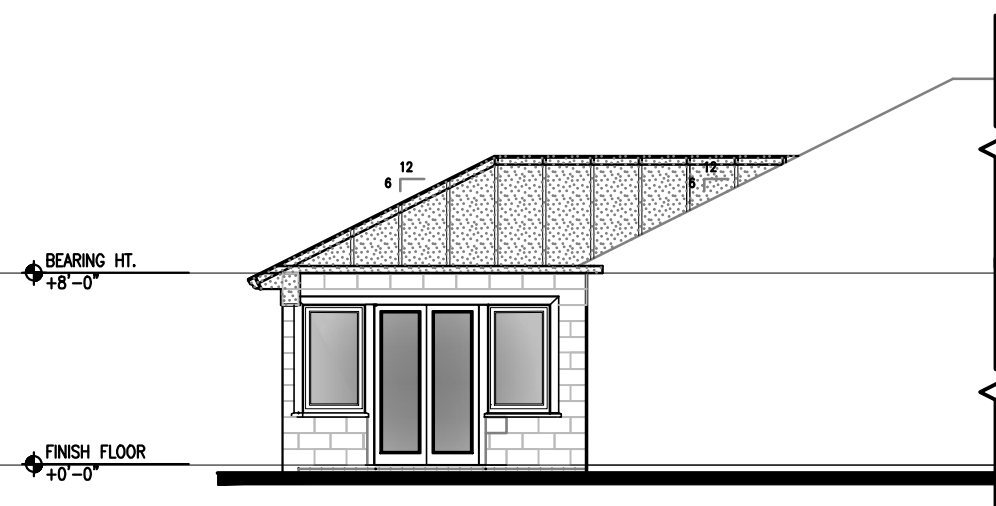


2

A-301

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

CONCEPTUAL NORTH ELEVATION

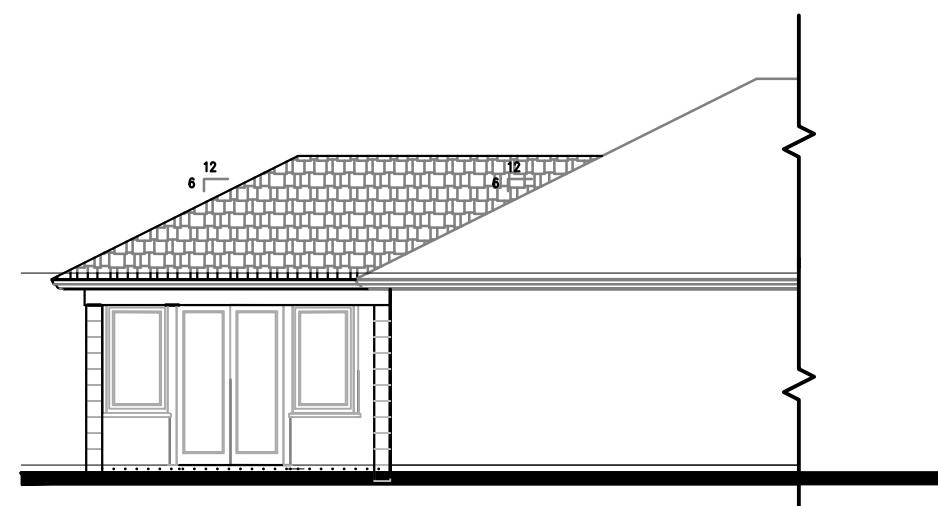


3

A-301

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

CONCEPTUAL SOUTH ELEVATION

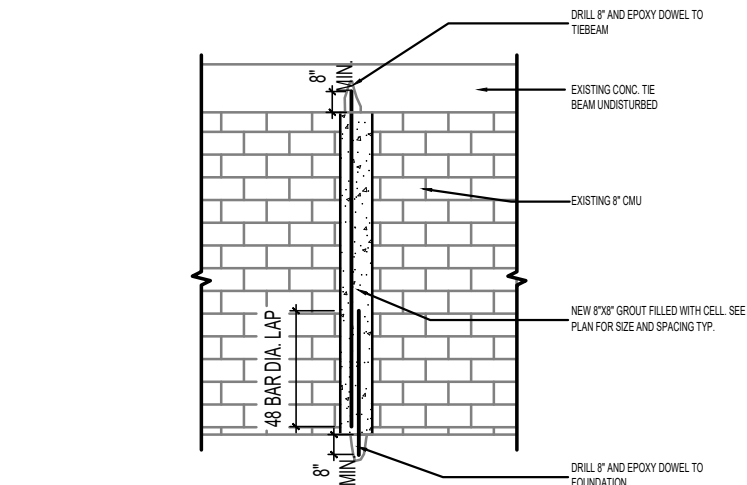


4

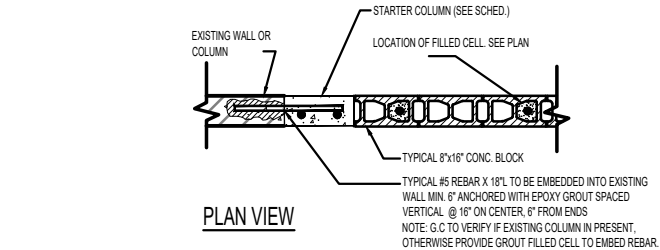
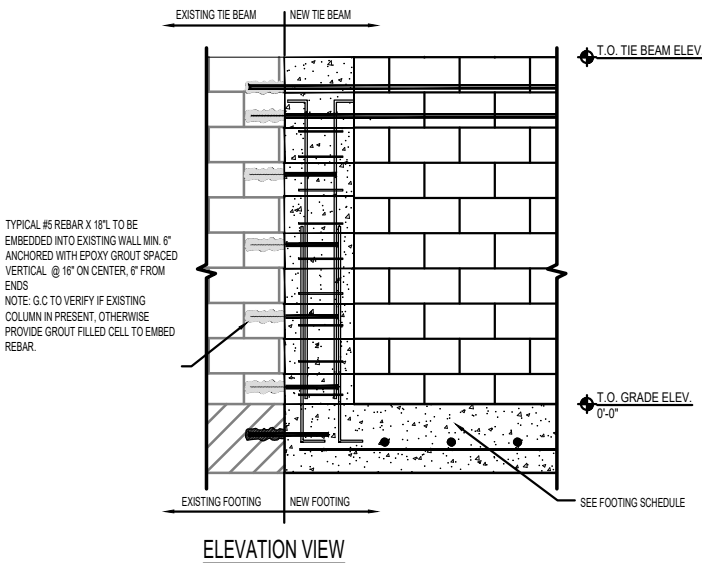
A-301

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

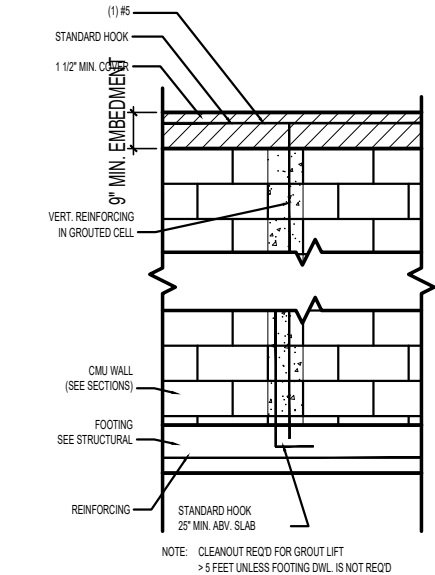
CONCEPTUAL SOUTH ELEVATION



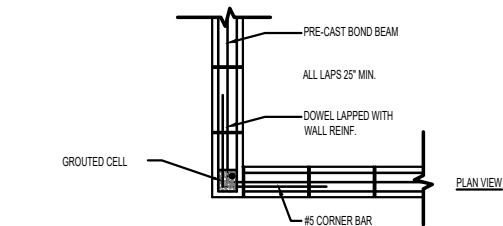
1
A400
SCALE: NTS
NEW FILLED CELL IN EXST. WALL



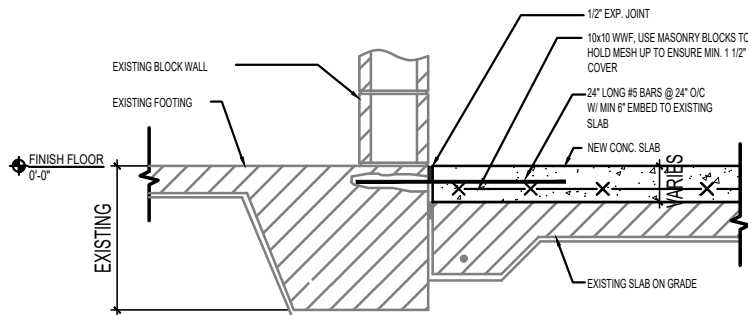
2
A400
SCALE: NTS
STARTER COLUMN DETAIL



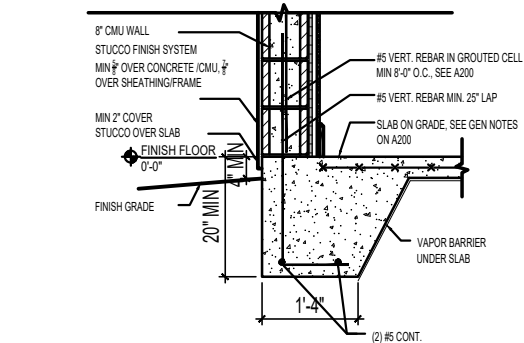
3
A401
SCALE: 3/4\" = 1'-0\"
GROUTED CELL DETAIL



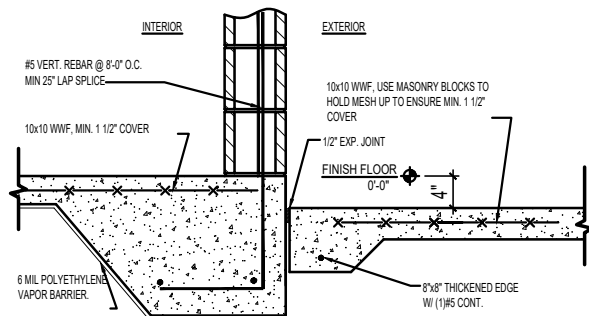
4
A400
SCALE: 1/4\" = 1'-0\"
CONTINUITY OF BOND BM. & WALL REINFORCING



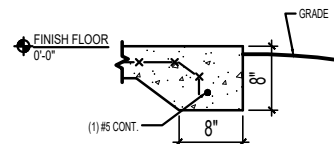
5
A400
SCALE: NTS
SLAB POUR OVER EXST SLAB



6
A400
SCALE: 1\" = 1'-0\"
TYP. ONE STORY MONO FOOTING



7
A400
SCALE: 1\" = 1'-0\"
EXT. SLAB @ STEP DN.



8
A400
SCALE: 1\" = 1'-0\"
EXPOSED EDGE



SCALE: 1"=20'



A-101

March 2, 2022

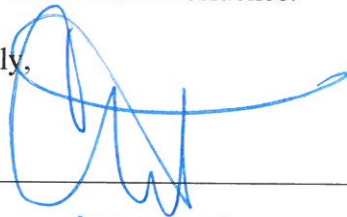
City of Winter Park
Board of Adjustments
March 15, 2022 Meeting
Attn: Mr. John Harbilis - Planner

Re: Application for Variance
Marshall & Susan Harris
2924 Rapidan Trail
Winter Park, Fl. 32789

Dear Mr. Harbilis:

We have no objections with respect to the referenced variance request for a setback relocation in the rear of the Harris residence.

Sincerely,

A handwritten signature in blue ink, appearing to be "Catherine D'Amico", written over a horizontal line.

Print Name: CATHERINE D'AMICO

Address: 2505 MORRIS TRAIL WP 32789

March 2, 2022

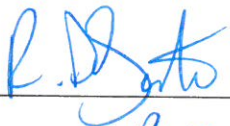
City of Winter Park
Board of Adjustments
March 15, 2022 Meeting
Attn: Mr. John Harbilis - Planner

Re: Application for Variance
Marshall & Susan Harris
2924 Rapidan Trail
Winter Park, Fl. 32789

Dear Mr. Harbilis:

We have no objections with respect to the referenced variance request for a setback relocation in the rear of the Harris residence.

Sincerely,



Print Name: RYAN DiSANTO
Address: 2501 MODAC TRL

March 2, 2022

City of Winter Park
Board of Adjustments
March 15, 2022 Meeting
Attn: Mr. John Harbilis - Planner

Re: Application for Variance
Marshall & Susan Harris
2924 Rapidan Trail
Winter Park, Fl. 32789

Dear Mr. Harbilis:

We have no objections with respect to the referenced variance request for a setback relocation in the rear of the Harris residence.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrea Michaud", written over a horizontal line.

Print Name:

Andrea Michaud

Address:

2918 Rapidan Tr.

March 2, 2022

City of Winter Park
Board of Adjustments
March 15, 2022 Meeting
Attn: Mr. John Harbilis - Planner

Re: Application for Variance
Marshall & Susan Harris
2924 Rapidan Trail
Winter Park, Fl. 32789

Dear Mr. Harbilis:

We have no objections with respect to the referenced variance request for a setback relocation in the rear of the Harris residence.

Sincerely,



Print Name: Kimberly Sadowski

Address: 2925 Rapidan Trail
Winter Park, FL 32789