



Board of Adjustments Regular Meeting

Agenda

February 15, 2022 @ 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 January 18, 2022 Meeting Minutes.](#) 1 minute
 3. **Staff Updates**
 4. **Citizen Comments (for items not on the agenda): Three minutes allowed for each speaker**
 5. **Non-Action Items**
 6. **Action Items**
 - a. [BOA-2022-0001. Request of Hernan Rivera for variance approval from Section 58-66\(f\)\(5\) to allow a 23-foot front yard setback line in lieu of the required front yard setback of 28-feet as determined by staff to construct a new single-family home at 2411 Winter Park Road, zoned R-1AA.](#) 30 minutes
 7. **Board Comments**
 8. **Adjournment**



Board of Adjustments

agenda item

item type	Consent Agenda	meeting date	February 15, 2022
prepared by	Mary Bush	approved by	
board approval	Completed		
strategic objective			

subject

Approval of the January 18, 2022 Meeting Minutes.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[BOA January 18, 2022 Draft Meeting Minutes.pdf](#)



Board of Adjustments Minutes

January 18, 2022 at 05:00 p.m.

Hybrid Meeting
401 S. Park Avenue | In-Person and Virtual | Winter Park, Florida

Call to Order

Chairman Robert Trompke called the meeting to order at 5:03 p.m. Present: Robert Trompke, Michael Clary, Tom Sims, Charles Steinberg, Cathy Sawruk, and Jason Johnson. Absent: Ann Higbie. Also Present: City Attorney J. Giffin Chumley. Staff: Director of Planning and Transportation Bronce Stephenson, Senior Planner John Harbilas, Planner I Nicholas Lewis, Planning Technician Aaron Hull, Building and Permitting Director Gary Hiatt, Building and Permitting Manager Renata Minoga, and Recording Secretary Mary Bush.

Consent Agenda

Motion made by Jason Johnson, seconded by Tom Sims to approve the December 14, 2021 meeting minutes.

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

Staff Updates

City Attorney J. Giffin Chumley provided a presentation on Board order and procedures. He spoke on Board membership, term of office, duties, variance criteria, quasi-judicial decisions, quasi-judicial proceedings and their order, decisions based on criteria, competent substantial evidence, and ex parte communications.

Mr. Stephenson noted that changes were made to certain aspects of the hearings after receiving input from a few of the Board members. Those changes included adding the presence of the City Attorney, breaking down the subject item in the staff reports into different sections that cover the four criteria used to make decisions on variance applications, ensuring that any backup materials are clear and professional, and providing the Board with a staff recommendation. Mr. Stephenson expressed that he looked forward to working with the Board.

Mr. Steinberg inquired about applicants being put on notice of the four criteria considered by the Board prior to the applicant's public hearing. Mr. Stephenson noted that the criteria is a part of the application materials that are provided to the applicant. He also noted that staff will let applicants know if they do not meet the criteria and help advise them on alternative options.

Mr. Steinberg also asked if the applicant is required to state the facts as to each point of criteria on the application and if a copy of the application is included in the hearing packet provided to the Board. Mr. Stephenson advised that the applicant is required to state how they meet each criterion on the application and a copy of the application is included in the Board's meeting packet. Mr. Lewis noted that the application will be updated to more precisely accommodate the breakdown of criteria.

Citizen Comments (for items not on Agenda)

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

Chairman Trompke explained the rules of procedure for variance cases and opened the floor for any disclosures, public comments, or questions.

Non-Action Items

No non-action items.

Action Items

No action items.

Public Hearings

- BOA-2021-0064. RJV Homes, Inc. for: Request for approval to convert the western twenty-four feet of the existing detached garage to living space and to add a 440 square-foot addition to be utilized as living space along the south side of the same detached garage located at 1685 Magnolia Avenue.

Mr. Lewis provided the Board a brief summary of the request. He presented the Board a location map and aerial view of the property. He noted that letters of approval for the application were received from four of the adjacent neighbors to the property. He presented a survey of the existing conditions of the property noting the detached garage is considered a nonconforming structure. The applicant requested to convert a little more than half of the garage into living quarters for their in-laws to move into as well as add 440 square feet as an addition to the living space. Mr. Lewis elaborated on two options that the applicant proposed for the project, noting that staff recommended going with the second, option B, to avoid further negative impact of a rear encroachment on a neighbor's property. The applicant requested a variance for the conversion plus the addition which together create 1,016 square feet of living space. Mr. Lewis reviewed the variance approval criteria as it related to the request, elaborating on special conditions and circumstances, deprivation of rights, actions of the applicant, and special privilege.

Staff recommendation was for approval of option B.

The Board inquired about the following:

- if the project meets FAR and impervious limitations,
- if the garage was permitted by the previous owners,
- the normal setback for a detached garage of the project's nature,
- if the existing carport is a permanent construction,
- if the carport existed prior to the current owner
- and if the carport had been permitted.

The applicant's representative, Robert Vega of RJV Homes at 4040 Gilder Rose Place, Winter Park, FL 32792 addressed the Board. Mr. Vega provided the Board with a brief presentation showing aerial views and photos of the home and detached structures. He noted and elaborated on an empty lot and split easements existing on the back side of the property. He discussed the applicant's intent to convert the detached garage into a living space and detailed how the request would not negatively impact the surrounding neighbors.

The Board inquired about the following:

- the proposed exterior location of the mechanical equipment for the living space,
- if the location of the mechanical equipment would be further than the required 10 foot rear setback,
- if an outdoor kitchen from the earlier site plans was still proposed,
- the applicant's stated hardship,
- and how the limitation of no cooking in the living space would be accommodated.

Mr. Vega stated that he could place the A/C compressor near the washer and dryer area which would be at around a 15 to 18 foot setback. He also briefly elaborated on the hardship being the existing nonconforming structure.

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

The Board briefly expressed their thoughts on the request. The Board overall agreed with the staff's assessment of the four approval criteria being met. The Board expressed desire to include an amendment to the approval addressing the placement of exterior mechanical components within the current setbacks to reduce potential noise impact to neighboring properties.

Motion made by Tom Sims, seconded by Michael Clary, for approval of the applicant's option B to convert the western twenty-four feet of the existing detached garage to living space and to add a 440 square-foot addition to be utilized as living space along the south side of the same detached garage located at 1685 Magnolia Avenue with the following condition:

- The applicant must place any exterior mechanical components outside of the required setbacks to reduce potential noise impact to neighboring properties.

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

Board Comments

No Board comments.

Adjournment

Meeting adjourned at 5:56 p.m.

/s/ Mary Bush.



Board of Adjustments

agenda item

item type Action Items	meeting date February 15, 2022
prepared by Nicholas Lewis	approved by Bronce Stephenson
board approval Completed	
strategic objective	

subject

BOA-2022-0001. Request of Hernan Rivera for variance approval from Section 58-66(f)(5) to allow a 23-foot front yard setback line in lieu of the required front yard setback of 28-feet as determined by staff to construct a new single-family home at 2411 Winter Park Road, zoned R-1AA.

motion / recommendation

Staff recommendation is for denial of the variance requested.

background

Mr. Rivera and his wife, Mrs. Cintas, currently own the property located at 2411 Winter Park Road, zoned R-1AA, and are looking to construct a new single-family home on the property. As part of their plans, the applicants are seeking a variance requesting a 23-foot front yard setback in lieu of the 28-foot required front yard setback determined by staff.

Section 58-66(f)(5) discusses front yard setback determination for R-1A and R-1AA zoning. Subsection (a) states, "The front setback shall be the average of the adjacent two homes on each side of the subject property located on the same side of street. If one of the four homes is set back 50 percent greater or 50 percent less than the other three homes, then that larger or smaller setback number shall be removed from the average, and the front setback of the three remaining homes shall be used to determine the average." Following this analysis, former Director of Building and Permitting George Wiggins determined the front setback to be 28-feet. The adjacent property to the south (2413 Winter Park Road) was not included in the calculation as it is set back 50 percent greater on a lot with a unique depth for the area.

The applicants applied for the requested variance due to the existence of a 10-foot sanitary/sewer easement in the rear of the property. The easement prevents the applicants from building any improvements that would ordinarily be allowed to be constructed within 5-feet of the rear property line including pergolas, arbors, pool decks, and hardscape areas.

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 applicants believe that the 10-foot easement across the rear of their lot creates a hardship that prevents them from utilizing a sizable portion of their lot. However, the existence of a sanitary/sewer easements are common throughout the City, including R-1AA zoned parcels. Therefore, an easement does not arise to the level of hardship based solely on its existence alone. Based on all other conditions, the applicants still have enough room to avoid the easement and construct their single-family home within the 28-foot required front setback. Further, the applicants have owned the property for the last eight years and are aware of the easement's existence before their house plans were submitted.

The applicants are requesting a Variance for a home that is not yet built, therefore can be amended. This is important to note because a person cannot legally create their own hardship (which they are doing in this case).

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.

As stated, an easement by itself, does not amount to a hardship. Further, the easement is located in the rear of the property, whereas the applicants are proposing to build five feet into the required front setback. Staff previously determined that the required front yard setback is 28-feet utilizing Section 58-66(f)(5). The applicants submitted a site plan for permitting that shows that they are able to adhere to the 28-foot requirement. Therefore the Code, in its literal interpretation, does not deprive the applicant from any right to utilize their property in an insurmountable manner. The applicants can still construct a home, including hardscapes, arbors, pergolas, and pool decks, in a way that adheres to the required 28-feet and does not encroach the easement.

Actions of the Applicant

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

The applicants did not authorize the easement. The applicants also had no control over the 28-foot requirement as determined by staff. The applicants do however, have full control over how and where their home is constructed, so long as it adheres to the

required setbacks and does not encroach on the easement. Because the applicants have the ability to construct a home that would be allowed-by-right, but are choosing not to, they create their own hardship.

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 on 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.

Granting this variance would create two special privileges to the applicants. First, by approving this easement, other applicants with city-owned easements on their property must then be allowed to request a variance to decrease the required setbacks and increase their gross buildable area. Second, this would open the door for other applicants, whose projects are not built yet, to request variances based on hardships that can be avoided during site design.

Summary

Staff believes that the applicants do not meet the requirements necessary to grant this variance.

alternatives / other considerations

fiscal impact

ATTACHMENTS:

[Location Map.pdf](#)

ATTACHMENTS:

[Aerial Map.pdf](#)

ATTACHMENTS:

[Neighbor Letters Map.pdf](#)

ATTACHMENTS:

[Applicant Energov Submittal.pdf](#)

ATTACHMENTS:

[Survey.pdf](#)

ATTACHMENTS:

[Site Plan.pdf](#)

ATTACHMENTS:

[Combined Neighbor Letters.pdf](#)

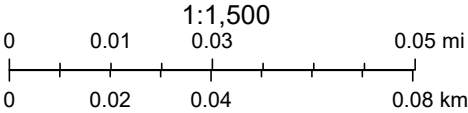
ATTACHMENTS:

[BOA-2022-001_Applicant Presentation.pdf](#)

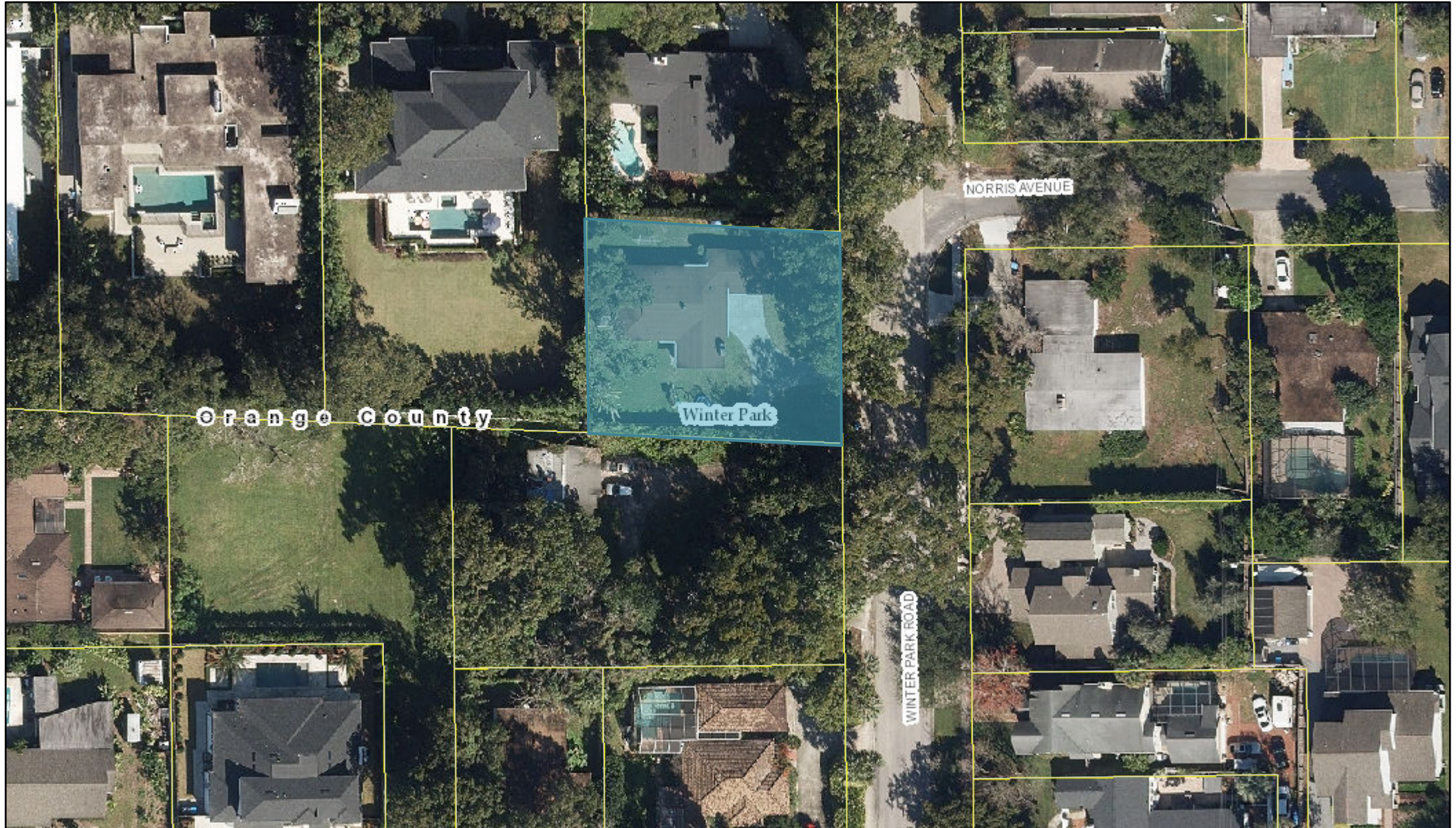
2411 Winter Park Road



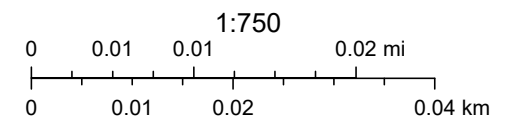
2/8/2022, 1:33:38 PM



2411 Winter Park Road - Aerial



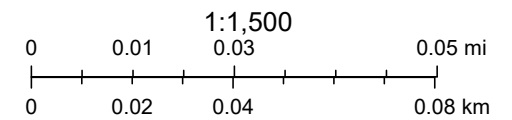
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2411 Winter Park Road - Neighbor Letters Received



2/8/2022, 1:57:50 PM





PLAN SNAPSHOT REPORT BOA-2022-0001 FOR CITY OF WINTER PARK

Plan Type:	Board of Adjustments	Project:		App Date:	01/18/2022	
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:	Wiggins, George	Approval		
Description:	THE RIPPLES ADDITION DB 900/647 LOT 3 BLOCK B				Expire Date:	

Parcel:	302218745402030	Main	Address:	2411 Winter Park Rd Winter Park, FL 32789-6108	Main	Zone:	
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Applicant Hernan m Rivera 2411 winter park RD winter park, FL 32789	Owner RIVERA, HERNAN & CINTAS, CLAUDIA 2411 E WINTER PARK RD ST WINTER PARK, FL 32789-6108 Home: 00 Business: 00 Mobile: 00
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Plan Custom Fields

Zoning	R-1AA	Section	THE RIPPLES ADDITION DB 900/647 LOT 3 BLOCK B	Subsection	
Is the property on waterfront?	No	Is this property on historic registry or district?	No	Describe variance	The Variance is to allow us to encroach 5' into the 28' front setback determined by City of Winter Park Staff, based on the average of the neighboring homes. As the current rear sewer/sanitary easement is overtaking part of our property, thus creating a hardship and depriving us from building any improvements 5' away from the rear property line which is allowed by code. Therefore we lose the ability to build in about 500sf of usable area in our backyard which others are able to do by code for hardscape areas, pergolas and arbors.
How long have you owned the property?	8 years	How long have you occupied the property?	8 years	Special Condition	1. There is 10' Sanitary and Sewer Easement present on the west portion of site (rear), which was signed back in 1970 by Mr. and Mrs. Lee. We are happy to continue to grant this access to the city of winter park. 2. The house frontage is along Winter Park Rd. Properties which front

PLAN SNAPSHOT REPORT (BOA-2022-0001)

winter park road do not maintain a typical distance from the setbacks which face the road and vary widely. We have done our own research and measured the following homes along winter park road and found the following distances.

Therefore we feel that we do not change the character.(some are front setbacks and others are side setbacks, but we are trying to convey the character along winter park rd)

250 Oakwood Way – 26' +/- from property line,
1951 Winter Park Road – 20' +/- from property line,
1911 Winter Park Road – 18' +/- from property line,
270 East Kings Way – 15' +/- from property line,
261 Spring Lane – 18' +/- from property line,
260 Spring Lane – 27' +/- from property line,
2605 Winter Park Road – 15' +/- from property line,

3. There are also walls that are 5' from property line that have been built via variance approvals as these are supposed to be 10' from property line along winter park road. Some are even closer to the road almost at property line along Quail Hollow.

4. We are only requesting that 24' of our frontage be allowed to encroach 5' into the 28' front setback. This area of the house is a 1-story element with a side approach garage entry. The balance of the front of the house will remain at about 45' from front property line.

5. The neighbor across the street is a retention pond so we will never affect them in any way as this is now city of winter park property as part of the drainage improvements being done

for winter park road.

6. Our house also sits lower on the site than the height of the sidewalk due to its natural grade.

7. Our sanitary and sewer easement serves a sanitary line for our neighbors to the right on 260 Spring Lane as well as our house.

Rights/Priv

The adjacent properties which do not have this easement on their backyard are allowed to have hardscapes, pool decks and pergolas 5 feet away from the rear property line as allowed by code. Which we are deprived of and thus lose the ability to build in about 500sf of land.

PLAN SNAPSHOT REPORT (BOA-2022-0001)

Hardship	1. Hardship : 10' Sanitary and Sewer Easement present on the west portion of site (rear) 2. Hardship : This 10' easement won't allow us to locate accessory items such as pergola or hardscape 5' from the rear property line as others are allowed to do per code.	Limited Variance	Yes
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Attachment File Name	Added On	Added By	Attachment Group	Notes
HALLORAN SIGNED.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
Jason Schwieger 220 Spring Ln - Signed.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
Lak Signed.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
Newmans.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
R1A - R1AAA Setback Guidance Complete v2 - HR.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
s3K5C4_95125_survey_r2.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
Site Plan.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
Variance Presentation.pdf	01/18/2022 21:08	Rivera, Hernan		Uploaded via CSS
Signature_Hernan_Rivera_1/19/2022.jpg	01/18/2022 21:09	Rivera, Hernan		Uploaded via CSS
Sohl Letter of Support.pdf	01/25/2022 9:37	Lewis, Nick		
Spencer Letter of Support.pdf	01/25/2022 10:33	Lewis, Nick		
Public Notice Poster Completion Form.pdf	01/26/2022 11:23	Lewis, Nick		

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00019368	Residential Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-00019368		\$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	01/18/2022	01/20/2022	01/25/2022	No	Yes
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Review	Building & Permitting Services	Lewis, Nick	Approved	01/19/2022	01/20/2022	01/25/2022

Workflow Step / Action Name	Action Type	Start Date	End Date
Application Completeness Check v.1			01/25/2022 10:14
Confirm Application Complete v.1	Generic Action		01/25/2022 10:14
Review v.1			02/07/2022 15:14
Board of Adjustments Review v.1	Receive Submittal	01/18/2022 0:00	01/25/2022 9:46
Issue Invoice v.1	Generic Action		02/07/2022 15:14
Final Decision v.1			
Board of Adjustments Decision v.1	Generic Action		

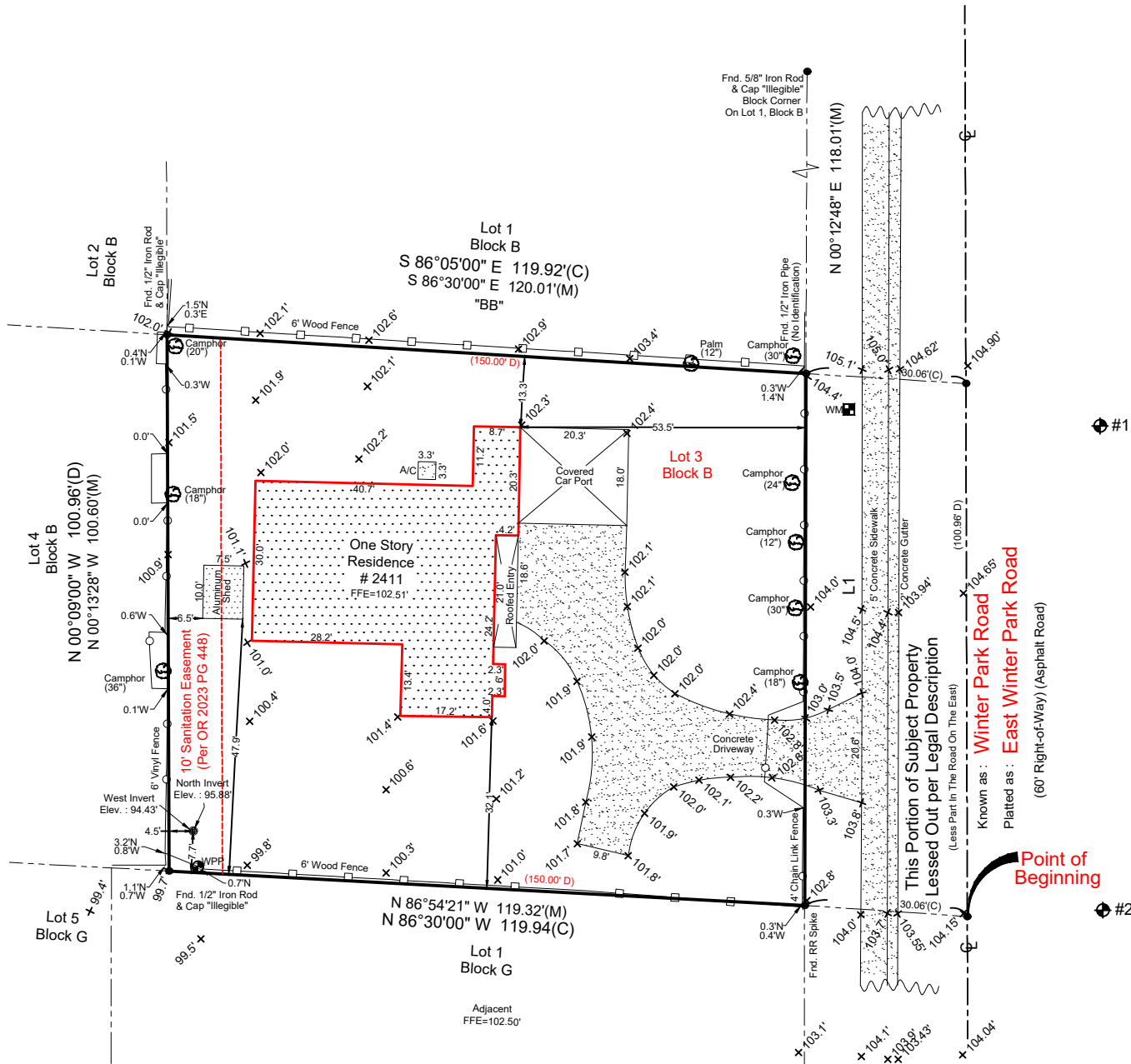
Boundary Survey

Legal Description:

LOT 3, BLOCK B, RIPPLES ADDITION, ACCORDING TO THE PLAT THERE OF AS RECORDED IN DEED BOOK 900, PAGE 647, PUBLICRECORDS OF ORANGE COUNTY, FLORIDA. ALSO DESCRIBED AS: BEGINNING AT A POINT IN THE CENTER OF EAST WINTER PARK ROAD, WHICH ISSOUTH 0 DEGREES 9 MINUTES EAST 930.7 FEET FROM THE INTERSECTION OF SAID ROAD AND THE NORTH LINE OF THE NORTHEAST 1/4OF THESOUTHEAST ¼ OF SECTION 18,TOWNSHIP 22 SOUTH, RANGE 30 EAST, RUN THENCE NORTH 86 DEGREES 30 MINUTES WEST 150 FEET, THENCENORTH 0 DEGREES 09 MINUTES WEST 100.96 FEET, THENCE RUN SOUTH 86 DEGREES 05 MINUTES EAST A DISTANCE OF 150 FEET, THENCE TOTHE POINT OF BEGINNING (LESS PART IN THE ROAD ON THE EAST).

Flood Zone : BY PERFORMING A SEARCH WITH THE LOCAL 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.

CERTIFIED TO : Hernan Rivera and Claudia Cintas; Clarkson Concepts, Inc.



-Site Benchmark Information-

#1
Fnd. Nail & Disk "LB 7623" in Asphalt
Elevation: 104.64'

#2
Fnd. Nail & Disk "LB 7623" in Asphalt
Elevation: 103.94'

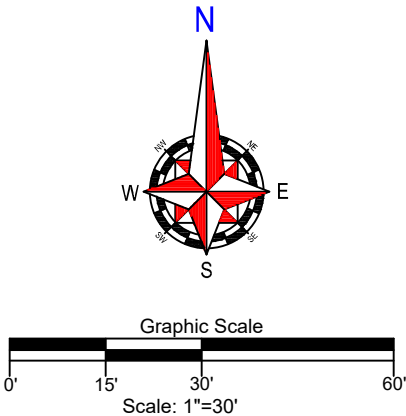
-Benchmark Information-

Florida Department of Transportation Datum

(Elevations are based upon North American Vertical Datum 1988)

Revision : Revised Manhole Location - (01/05/22) - ADS
Revision : Revised Trees - (12/15/21) - ADS
Revision : Certifications - (12/28/21) - KC

- Manhole

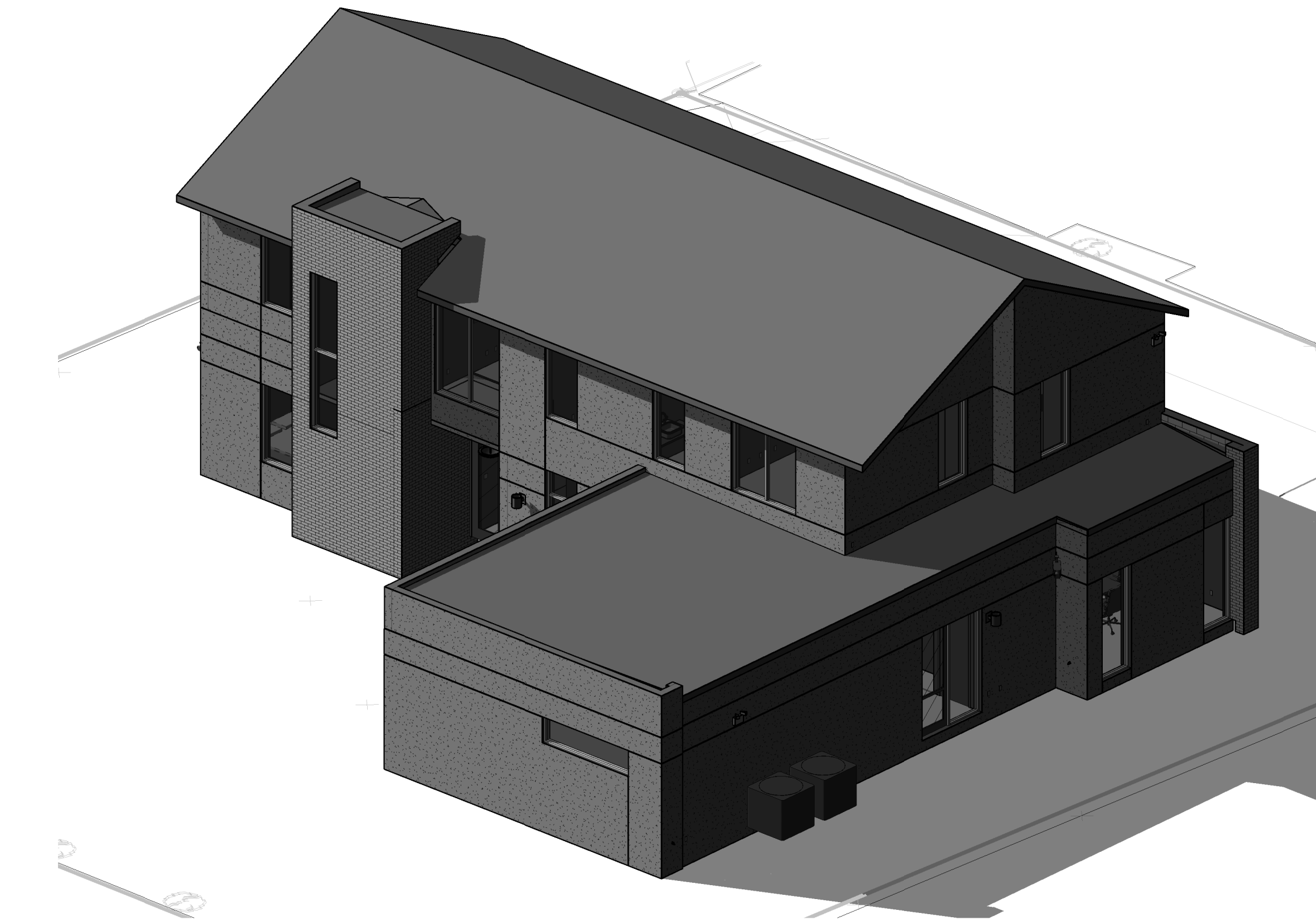
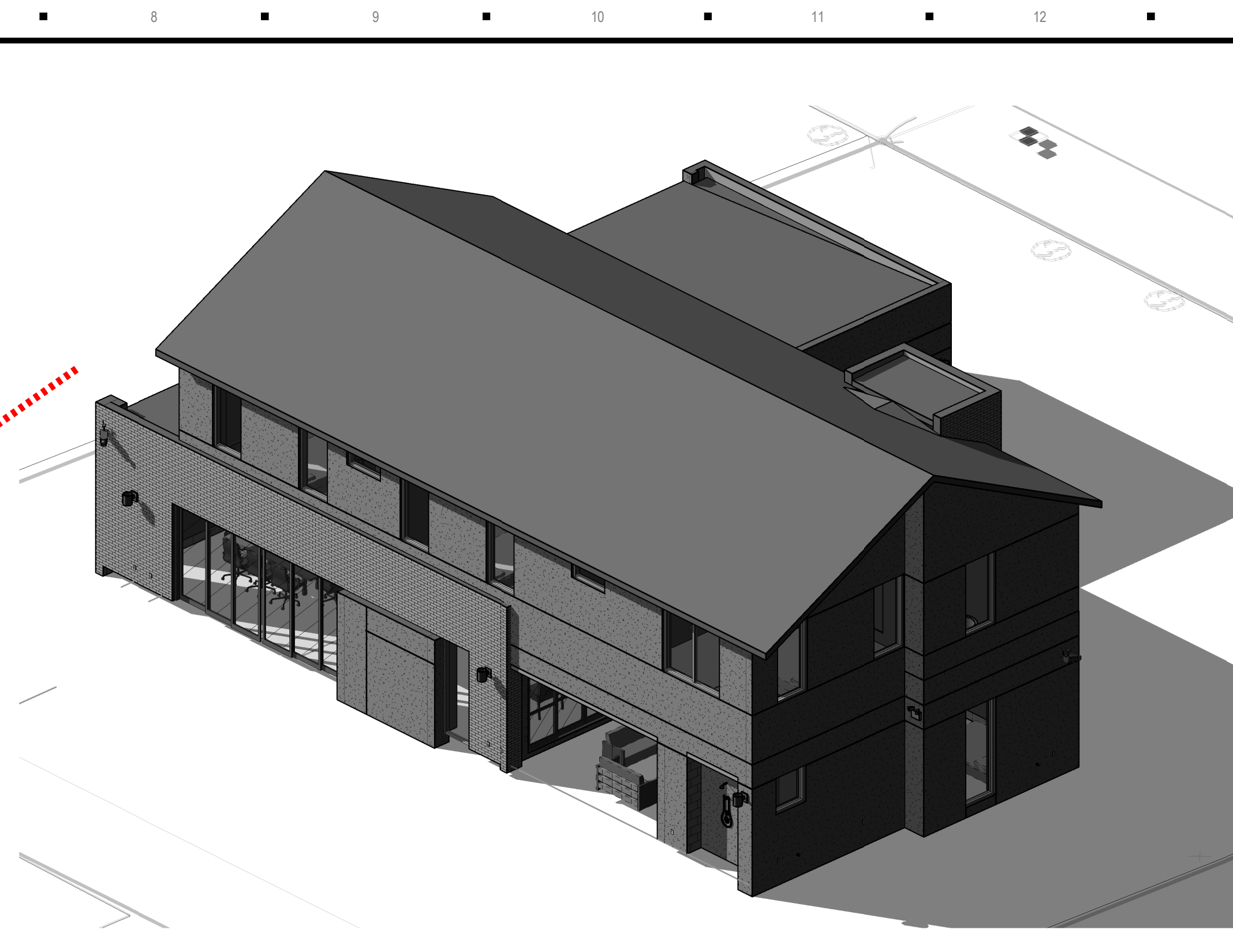
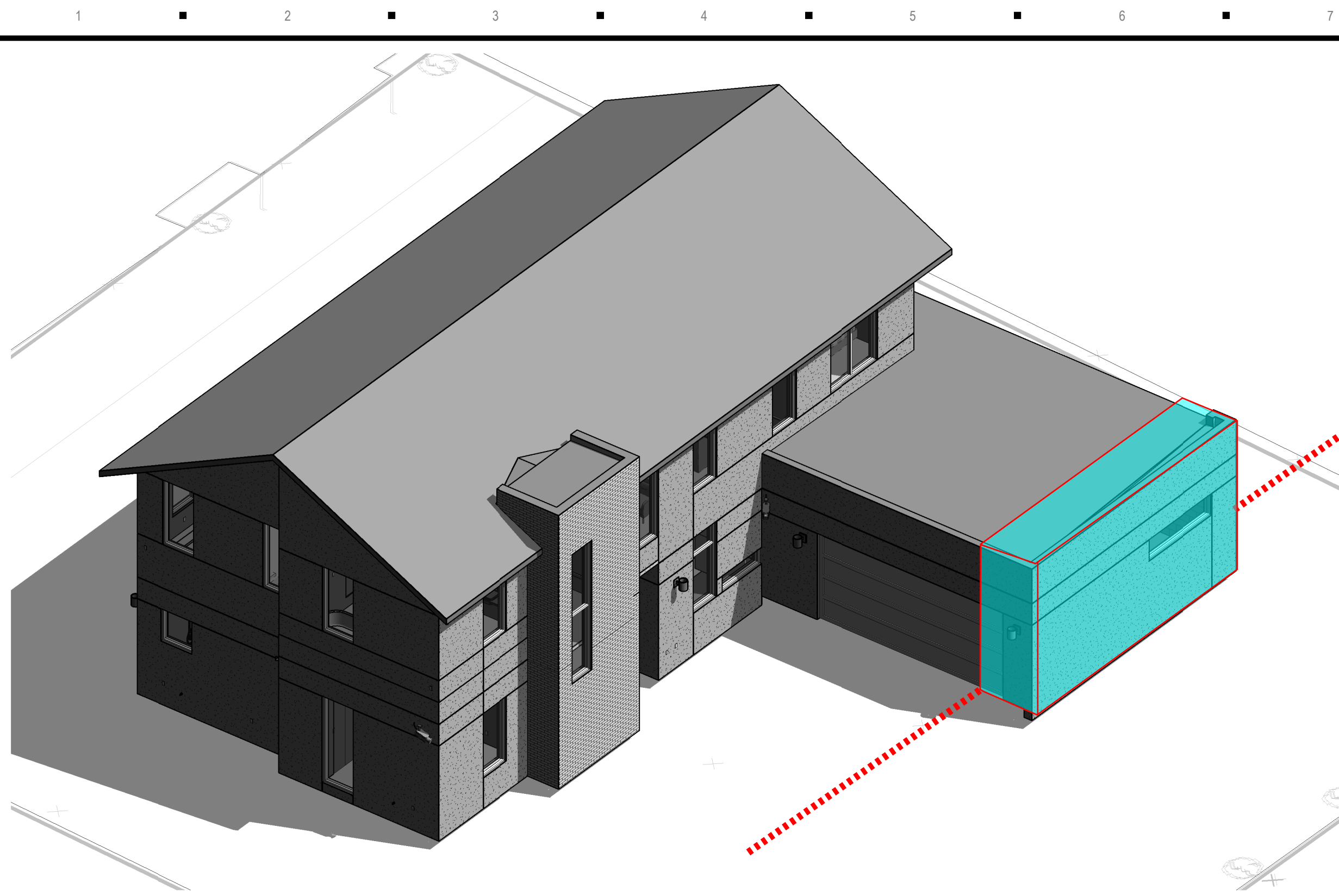


Field Date: 12/08/21	Date Completed: 12/09/21	-Notes-	
Drawn By: SMT	File Number: IS-97255	>Survey is Based upon the Legal Description Supplied by Client.	
-Legend-		>Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.	
C - Calculated	PC - Point of Curvature	>Subject to any Easements and/or Restrictions of Record.	
CB - Concrete Block	Pg - Page	>Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".	
CM - Concrete Monument	PI - Point of Intersection	>Building Ties are NOT to be used to reconstruct Property Lines.	
Conc. - Concrete	P.O.B. - Point of Beginning	>Fence Ownership is NOT determined.	
D - Description	P.O.L. - Point on Line	>Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.	
DE - Drainage Easement	PP - Power Pole	>Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.	
Emst. - Easement	PRM - Permanent Reference Monument	>Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified.	
F.E.M.A. - Federal Emergency Management Agency	PT - Point of Tangency	>Flood Zone Determination Shown Heron is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.	
FFE - Finished Floor Elevation	R - Radius		
Fnd. - Found	Rad. - Radial		
IP - Iron Pipe	R&C - Rebar & Cap		
L - Length (Arc)	Rec. - Recovered		
M - Measured	Rfd. - Roofed		
N&D - Nail & Disk	Set - Set ½" Rebar & Cap "LB 7623"		
N.R. - Non-Radial	Typ. - Typical		
ORB - Official Records Book	UE - Utility Easement		
P - Plat	WM - Water Meter		
P.B. - Plat Book	Δ - Delta (Central Angle)		
W - Wood Fence	-O- - Chain Link Fence		

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standard of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland PS 126637 LB 7623
FOR THE FIRM
This Survey is intended ONLY for the use of Said Certified Parties.
This Survey NOT VALID UNLESS signed and Embossed with Surveyor's Seal.

Ireland & Associates Surveying, Inc.
800 Currency Circle, Suite 1020
Lake Mary, Florida 32746
www.irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165



SEAL



HERNAN M. RIVERA, AIA

AR97083

CASA RIVERA CINTAS
2411 WINTER PARK, FL
32789

Hunton Brady
ARCHITECTS

DATE	SUBMISSION	NO
12/28/2021	CONSTRUCTION DOCUMENTS	

3D VIEWS

PROJ. NO.	20084.00	SHEET
DRAWN	HR	

A107

Date: 01/06/2022

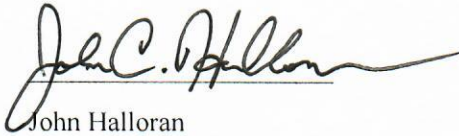
To: City of Winter Park Board of Adjustments

From: John Halloran and Susan Halloran

Residing at: 2412 Winter Park rd, Winter Park, FL 32789

I am in support of the variance being requested by our neighbors **Hernan Rivera and Claudia Cintas who reside on 2411 Winter Park Rd.** Which will allow them to encroach 5 feet on their 28 feet front setback that has been determined by city staff. This request is being asked due to the hardship they have of a 10 feet rear easement, which doesn't allow them to build 5 feet from the rear property line like others are allowed to do by code such as pavement, pergolas or Arbors.

Regards,



John Halloran



Susan Halloran

Date: 01/06/2022

To: City of Winter Park Board of Adjustments

From: Jason Schwieger

Residing at: 220 Spring Lane, Winter Park, FL 32789

I am in support of the variance being requested by our neighbors **Hernan Rivera and Claudia Cintas who reside on 2411 Winter Park Rd.** Which will allow them to encroach 5 feet on their 28 feet front setback that has been determined by city staff. This request is being asked due to the hardship they have of a 10 feet rear easement, which doesn't allow them to build 5 feet from the rear property line like others are allowed to do by code such as pavement, pergolas or Arbors.

Regards,

A handwritten signature in black ink, consisting of several loops and a horizontal line at the end, positioned above a horizontal line.

Jason Schwieger

Date: 01/06/2022

To: City of Winter Park Board of Adjustments

From: Lakhana Doomkum

2415 Winter Park rd, Winter Park, FL 32789

I am in support of the variance being requested by our neighbors **Hernan Rivera and Claudia Cintas** who reside on **2411 Winter Park Rd.** Which will allow them to encroach 5 feet on their 28 feet front setback that has been determined by City of Winter Park staff. This request is submitted due to the hardship they have of a 10 feet rear easement, which doesn't allow them to build 5 feet from the rear property line like others are allowed to do by code such as pavement, pergolas or Arbors.

Regards,

A handwritten signature in black ink, appearing to be 'Lakhana', written over a horizontal line.

Lakhana Doomkum

Date: 01/06/2022

To: City of Winter Park Board of Adjustments

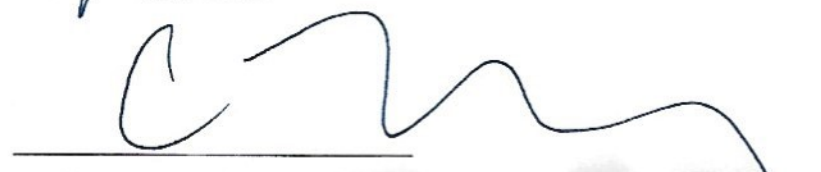
From: Aaron and Carly Newman

260 Spring Lane, Winter Park, FL 32789

I am in support of the variance being requested by our neighbors **Hernan Rivera and Claudia Cintas** who reside on **2411 Winter Park Rd.** Which will allow them to encroach 5 feet on their 28 feet front setback that has been determined by City of Winter Park staff. This request is submitted due to the hardship they have of a 10 feet rear easement, which doesn't allow them to build 5 feet from the rear property line like others are allowed to do by code such as pavement, pergolas or Arbors.

Regards,



Aaron Newman

Carly Newman

Date: 01/23/2022

To: City of Winter Park Board of Adjustments

From: Paul A. Sohl and Kathryn R. Sohl

261 Spring Ln, Winter Park, FL 32789

I am in support of the variance being requested by our neighbors **Hernan Rivera and Claudia Cintas** who reside on **2411 Winter Park Rd.** Which will allow them to encroach 5 feet on their 28 feet front setback that has been determined by City of Winter Park staff. This request is submitted due to the hardship they have of a 10 feet rear easement, which doesn't allow them to build 5 feet from the rear property line like others are allowed to do by code such as pavement, pergolas or Arbors.

Regards,

A handwritten signature in black ink, appearing to read 'Paul A. Sohl', written over a horizontal line.

Paul A. Sohl

A handwritten signature in black ink, appearing to read 'Kathryn R. Sohl', written over a horizontal line.

Kathryn R. Sohl

Date: 01/25/2022

To: City of Winter Park Board of Adjustments

From: J. Fredrick Spencer

2414 Winter Park rd, Winter Park, FL 32789

I am in support of the variance being requested by our neighbors **Hernan Rivera and Claudia Cintas who reside on 2411 Winter Park Rd.** Which will allow them to encroach 5 feet on their 28 feet front setback that has been determined by City of Winter Park staff. This request is submitted due to the hardship they have of a 10 feet rear easement, which doesn't allow them to build 5 feet from the rear property line like others are allowed to do by code such as pavement, pergolas or Arbors. Similarly my home was also pushed 5' closer to Winter Park Road by the city's recommendation. This was due to trees and Power easements (non recorded easements) . I also would think that as homes are made closer to roadways, there is a tendency for cars to slow down.

However, I do also feel that if a low fence was also requested by the applicant, that it should be limited to the current city of Winter Parks Ordinances ,58-71-7(n) General provision for residential zoning.

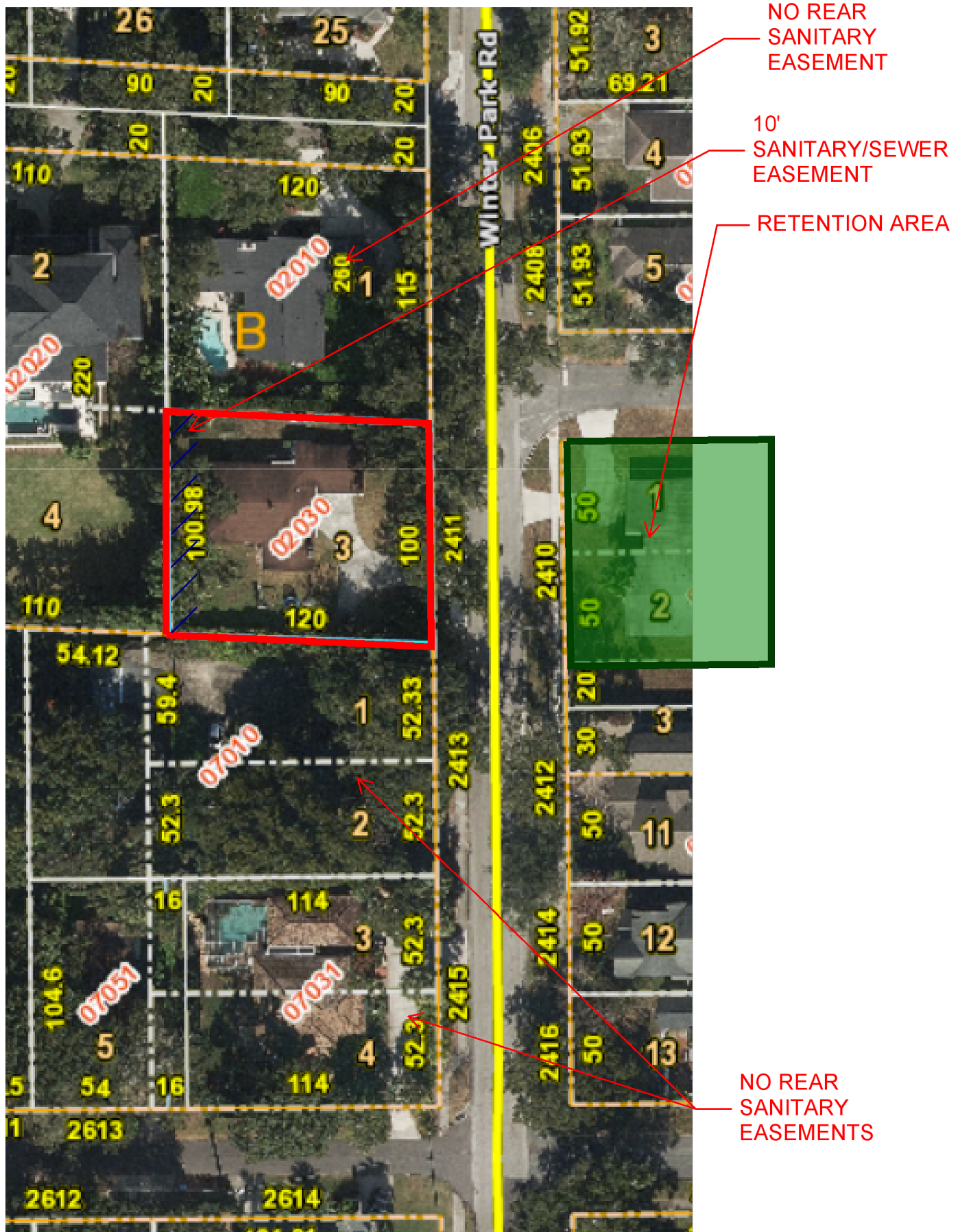
Regards,

A handwritten signature in dark ink, appearing to read "J. Fredrick Spencer", with a long horizontal flourish extending to the right.

J. Fredrick Spencer

California Architect C 27245

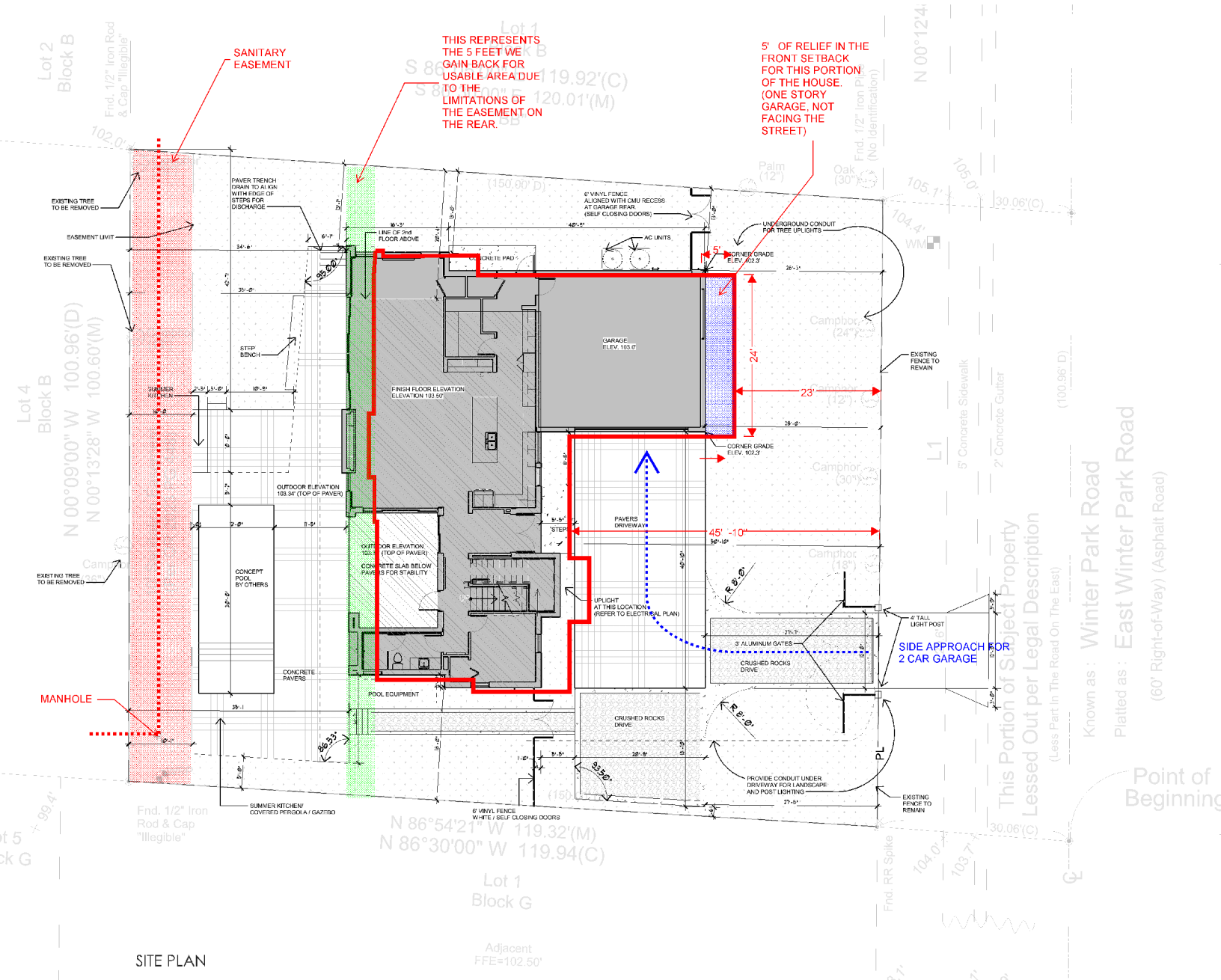
EASEMENT DIAGRAM

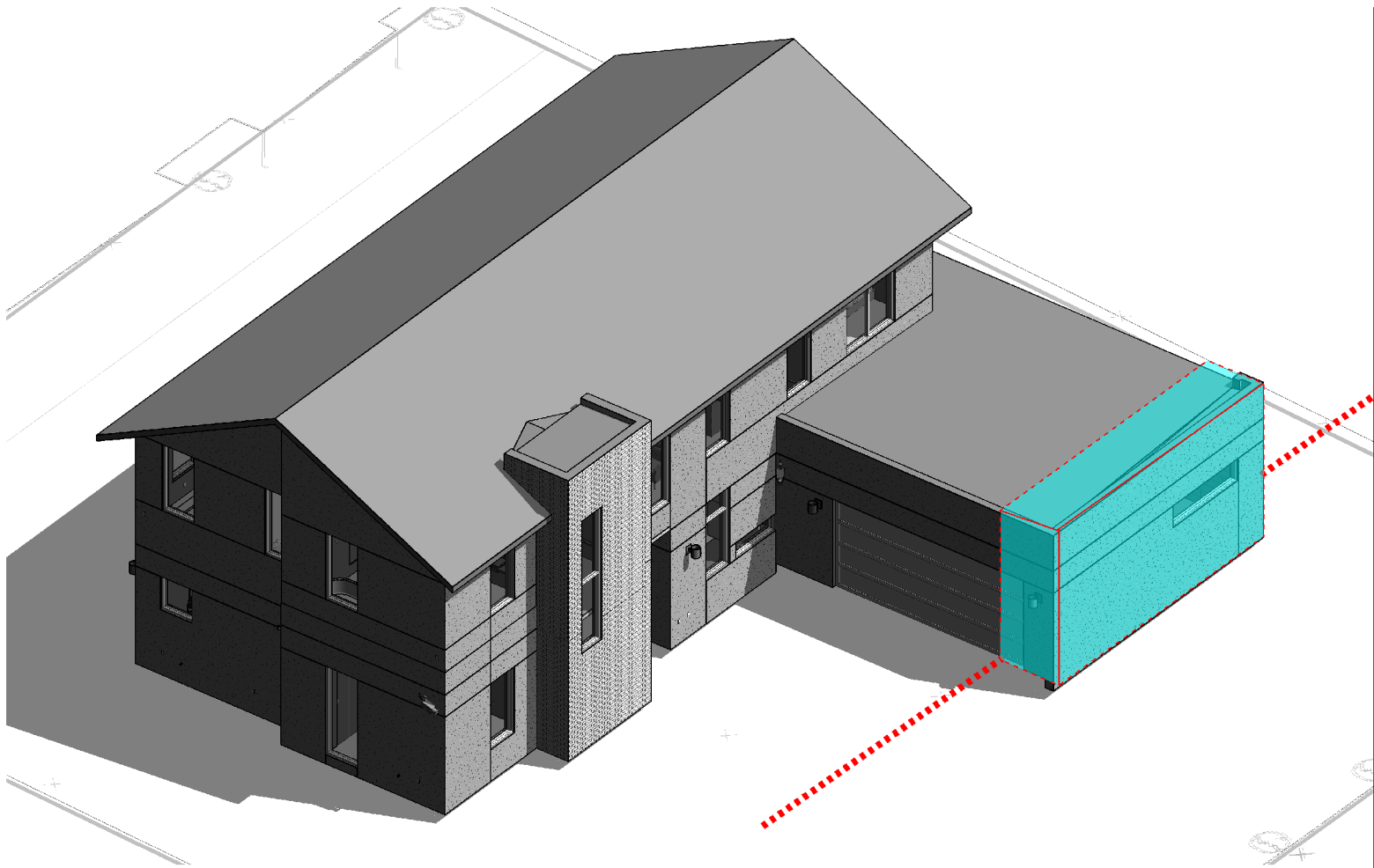


CODE
ALLOWS US TO HAVE
IMPROVEMENTS 5 FEET FROM
THE PROPERTY LINE.
DUE TO THE EASEMENT WE
ARE DEPRIVED OF THE ABILITY
TO DO SO.
WHICH OUR NEIGHBORS ARE
ALLOWED TO DO.



5 FEET OF
RELIEF IN THE
FRONT SETBACK
(FROM 28' TO 23')





1	SOUTHEAST VIEW
	5' variance requested

CHARACTER OF WINTER PARK ROAD

FROM LAKE SUE AVENUE TO PARKLAND DRIVE.

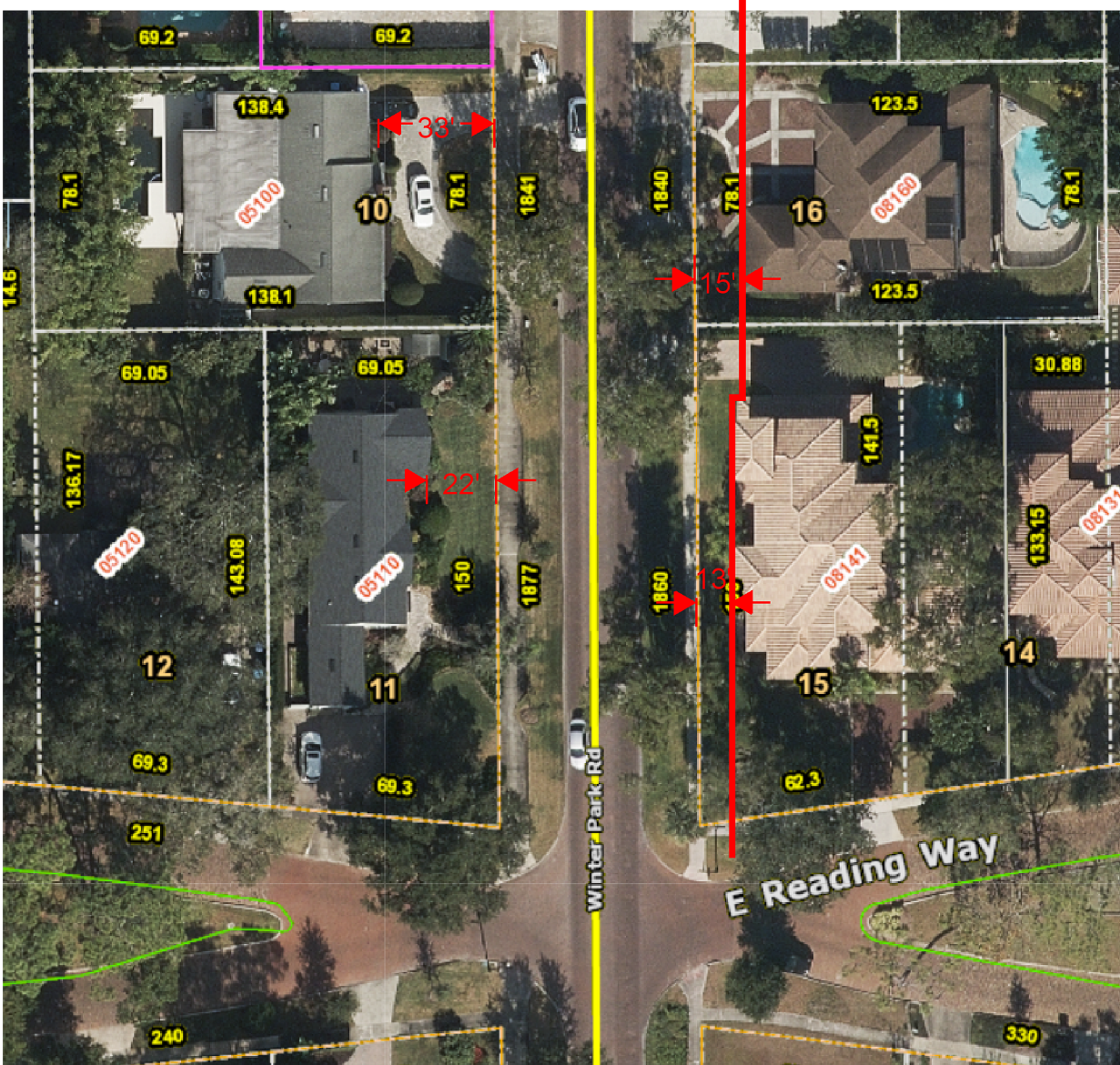


1761 WINTER PARK RD



1770 WINTER PARK RD

CHARACTER OF WINTER PARK ROAD FROM LAKE SUE AVENUE TO PARKLAND DRIVE.

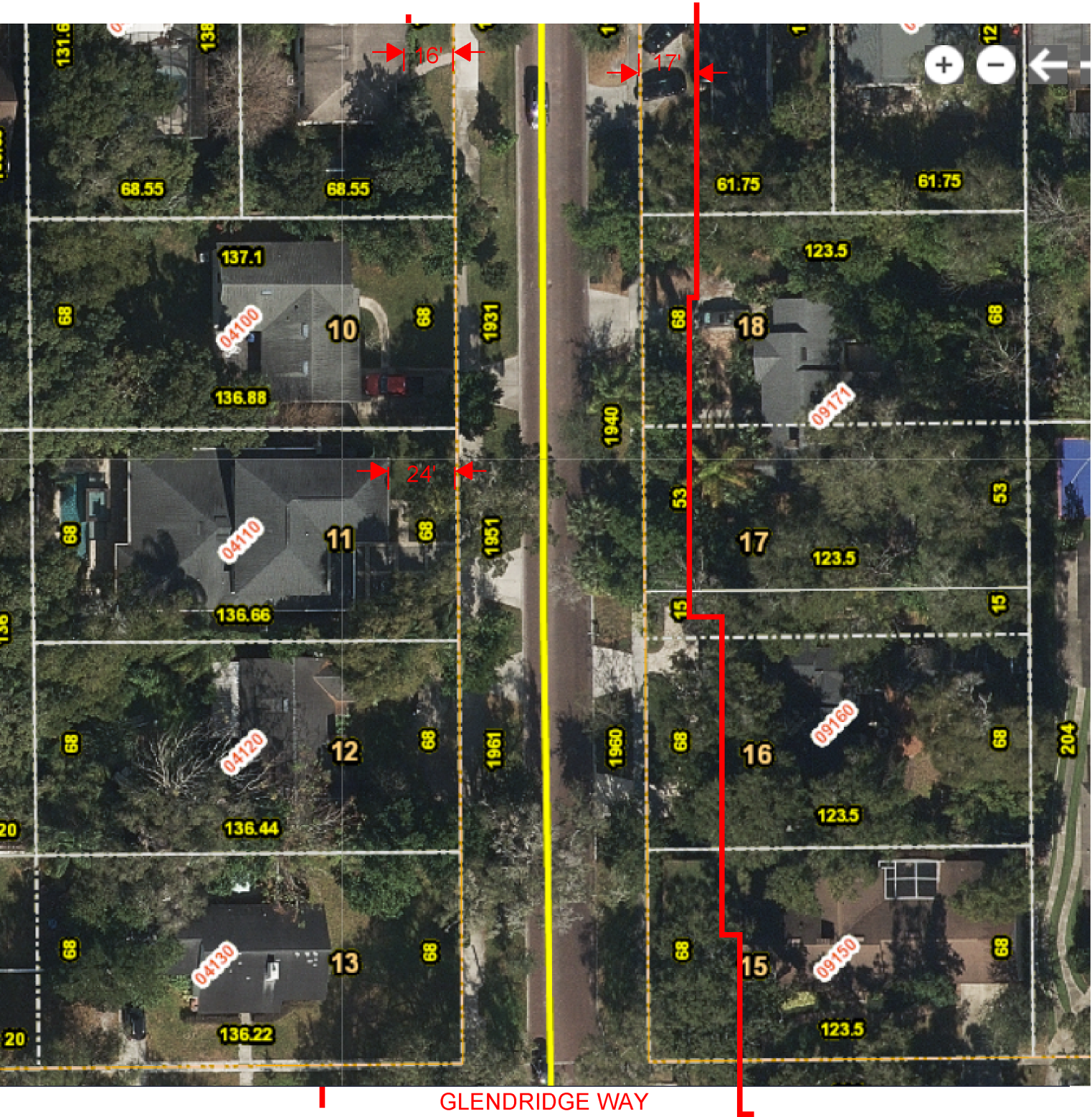


1877 WINTER PARK RD

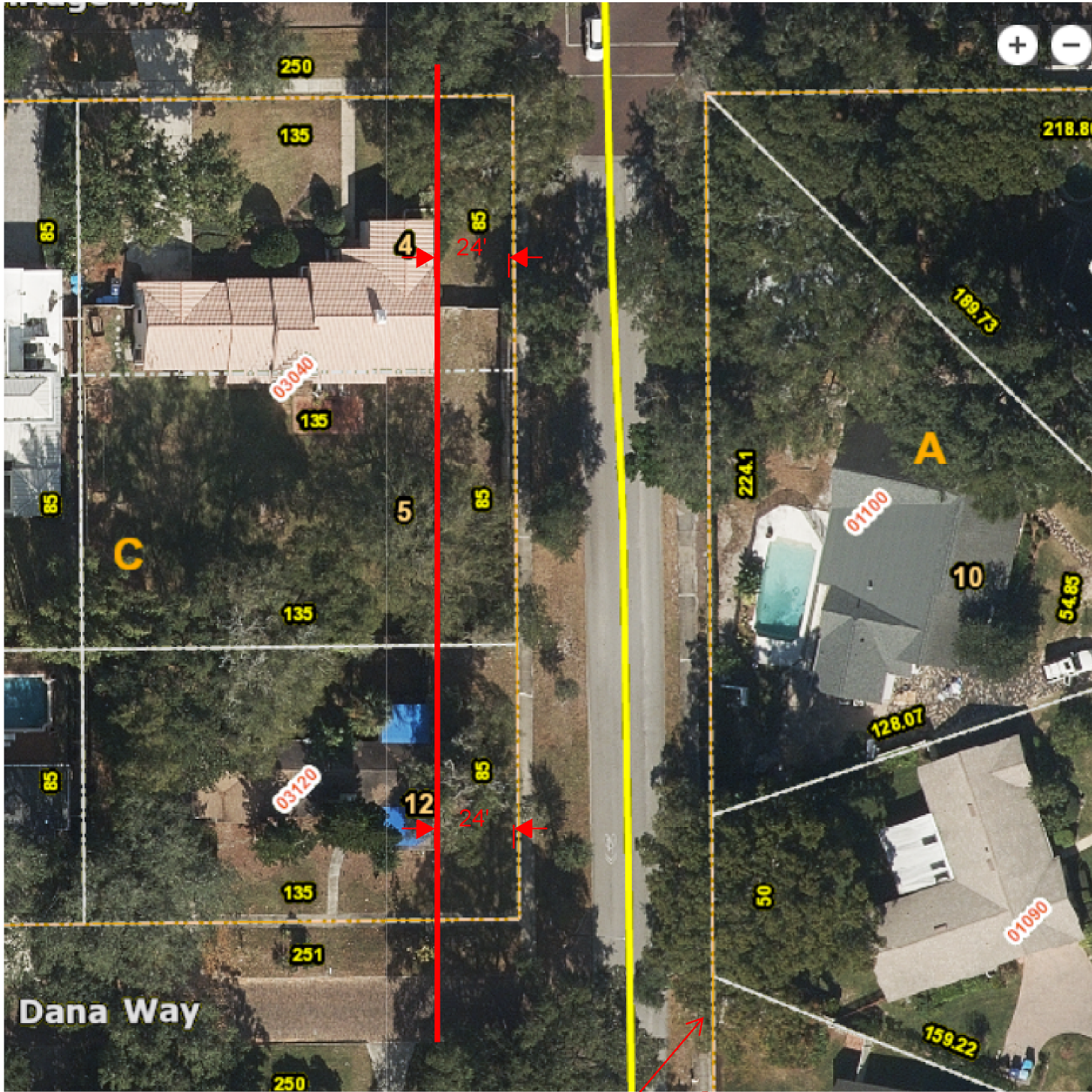


1840 WINTER PARK RD

CHARACTER OF WINTER PARK ROAD
FROM LAKE SUE AVENUE TO PARKLAND DRIVE.

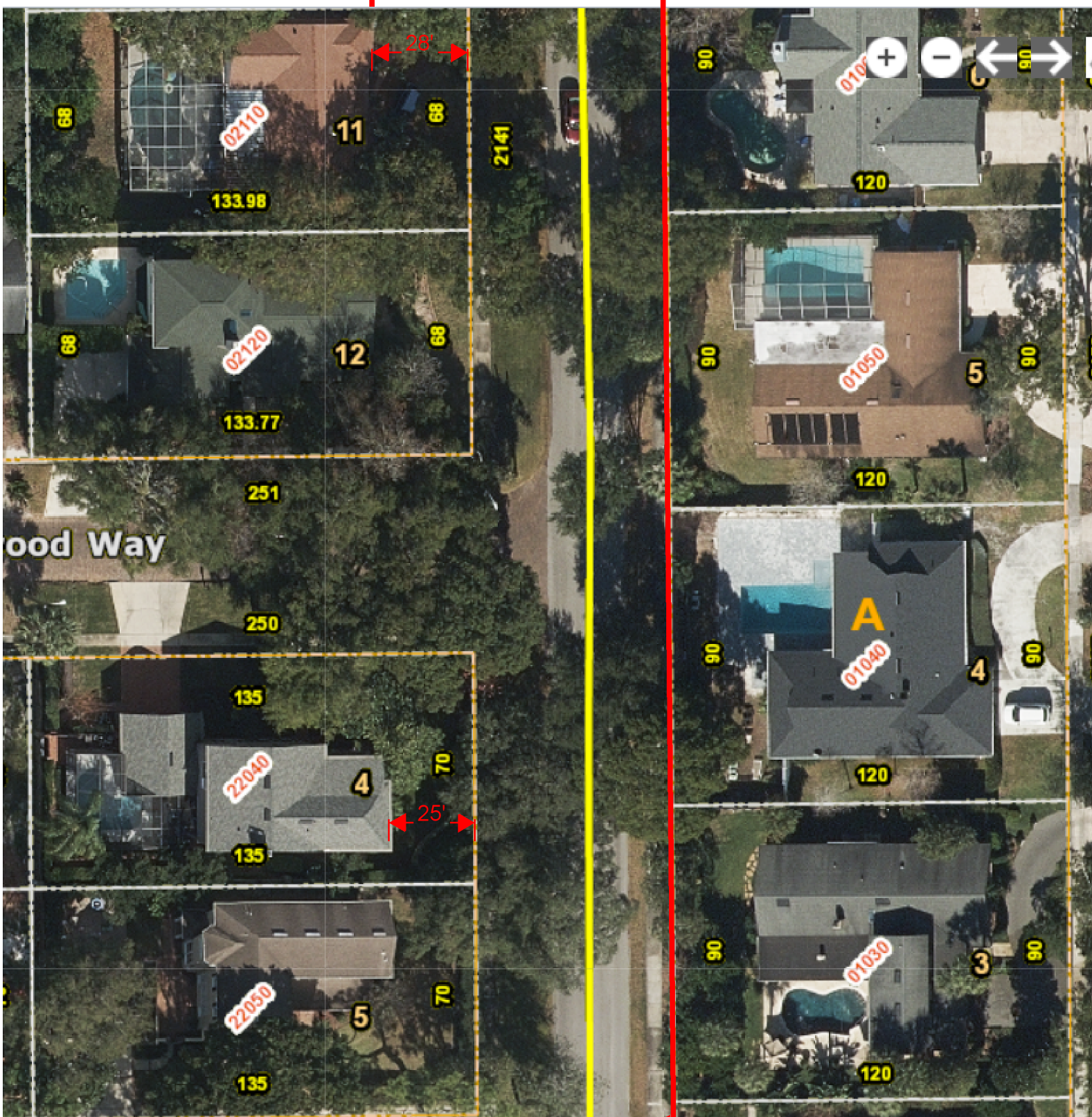


CHARACTER OF WINTER PARK ROAD
FROM LAKE SUE AVENUE TO PARKLAND DRIVE.



WALL AT
PROPERTY LINE

CHARACTER OF WINTER PARK ROAD FROM LAKE SUE AVENUE TO PARKLAND DRIVE.



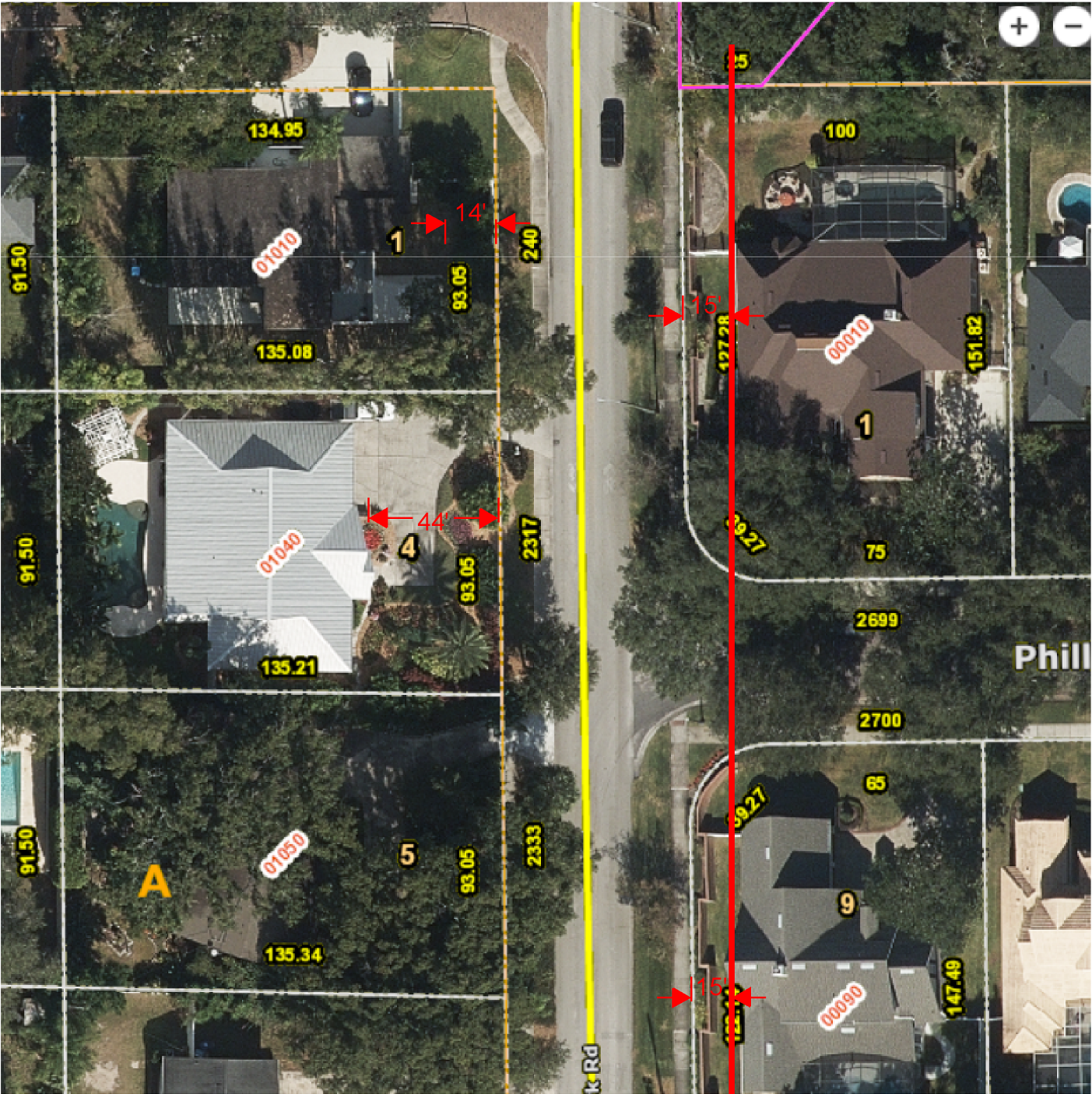
WALL AT
PROPERTY LINE

CHARACTER OF WINTER PARK ROAD
FROM LAKE SUE AVENUE TO PARKLAND DRIVE.

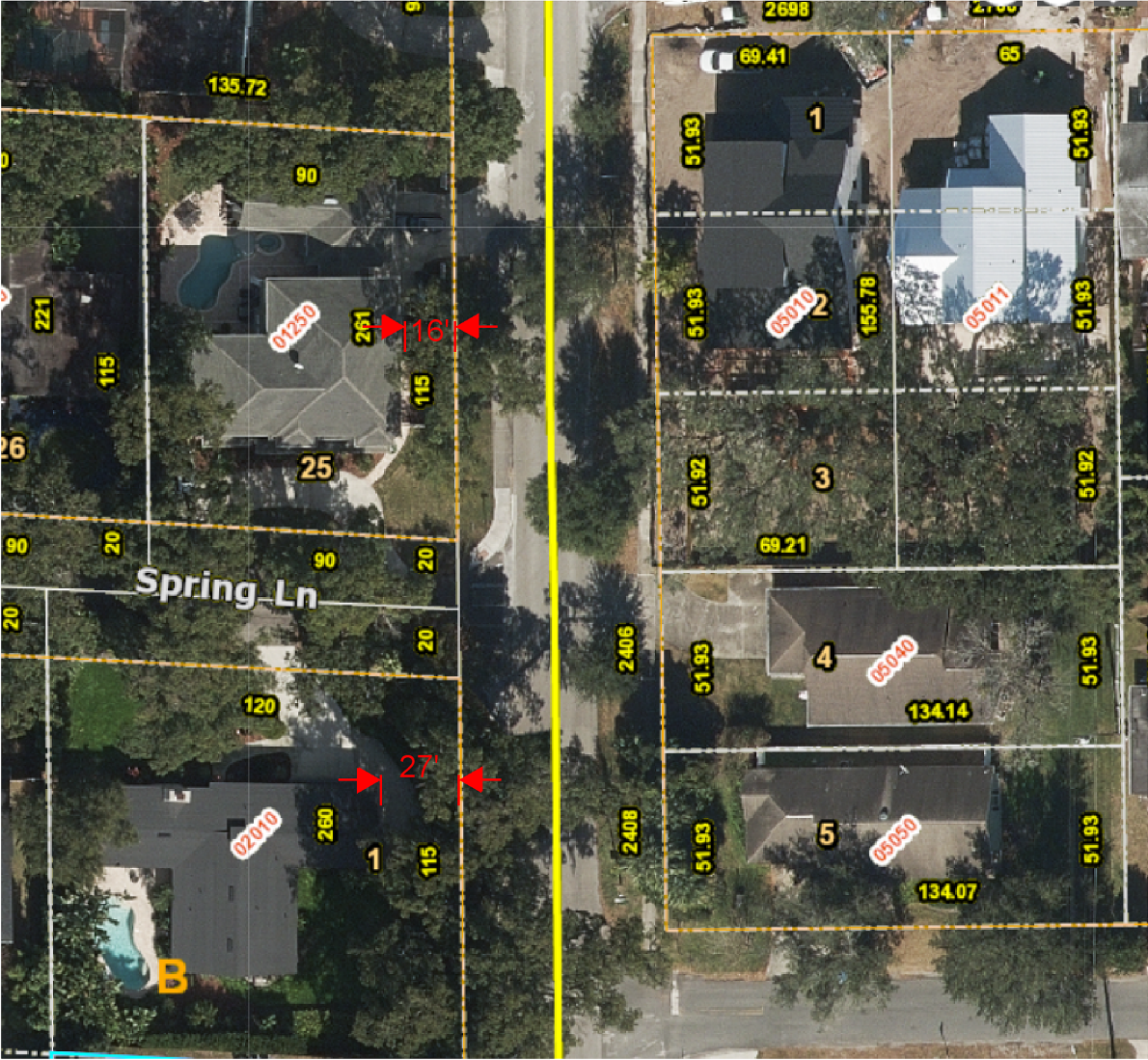
NEW WALL APPROVED 5' FROM
PROPERTY LINE



CHARACTER OF WINTER PARK ROAD
FROM LAKE SUE AVENUE TO PARKLAND DRIVE.



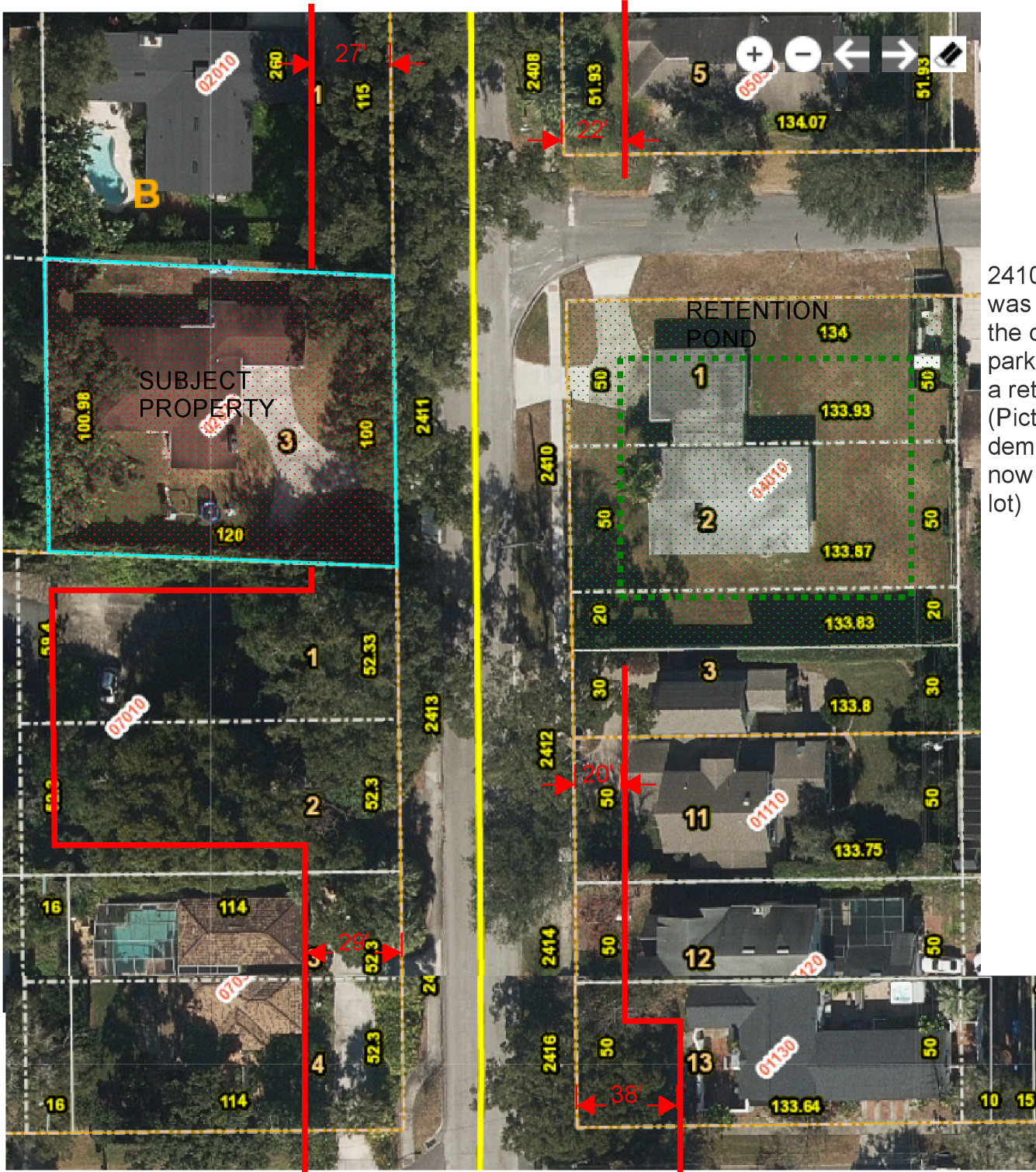
CHARACTER OF WINTER PARK ROAD
FROM LAKE SUE AVENUE TO PARKLAND DRIVE.



261 SPRING LANE



CHARACTER OF WINTER PARK ROAD FROM LAKE SUE AVENUE TO PARKLAND DRIVE.



2410 winter park rd
was purchased by
the city of winter
park and made into
a retention area.
(Picture taken after
demo april 2021,
now it is a grass
lot)



VIEW OF 2411 TODAY, DEPICTING HOW LOW OUR LOT GOES IN REFERENCE TO THE SIDEWALK (104' AT ROAD - 100' BACK OF SITE)



NEIGHBORS IN SUPPORT

LETTERS HAVE BEEN SUBMITTED

