



Board of Adjustments Regular Meeting Minutes

September 19, 2023 at 5:00 p.m.

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

Present

Present In-Person: Charles Steinberg, Michael Clary, Robert Trompke, Ann Higbie, Cathy Williams, Tom Sims, and Jason Johnson. Also Present: City Attorney Brandon Pownall. Staff: Director of Planning & Zoning Jeff Briggs, Planner II Nick Lewis, Planner I Corinna Lundgren, and Recording Secretary Mary Bush.

(1) Call to Order

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

(2) Consent Agenda

Approval of Minutes:

Motion made by Ann Higbie, seconded by Tom Sims to approve the July 18, 2023 meeting minutes.

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

(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-2023-0016: Request of Andrew Orosz, for variance approval from Section 58-65(f)(7), to allow a second-story side setback of 18.5-feet in lieu of the required second-story side setback of 36-feet, in conjunction with the proposed addition and overall renovations to the existing single-family home located at 715 Via Lugano, zoned R-1AA.

Mr. Lewis provided the Board a brief summary of the request. He then went on to present to the Board an area map, aerial view, survey, and site plan for the project. He noted that staff had received one neighbor letter in favor of and one email of non-objection to the request and no letters in opposition of it. He then noted that the applicant desired to extend the second story of the existing home over two thirds of the sunroom to create a home office/sitting room. He went on to briefly discuss the details of the existing second story floor plan and the applicant's proposed addition and elevations. Mr. Lewis then discussed the variance approval criteria as it related to the request. He noted that the existing 34.6-foot setback of the second story is already nonconforming, leaving no room to expand the existing second-story towards the eastern lot line without a variance. He went on to explain that the desired use of the addition as a home office/sitting room for the primary bedroom requires that the addition be close to, if not connected to the primary suite. He also explained that the roof of the existing sunroom is experiencing water-intrusion and the addition would help to correct the issue. Mr. Lewis added that because of these issues staff did not believe that granting the request would confer any special privilege denied by the zoning ordinance.

Staff recommendation was for approval.

The applicant, Andrew Orosz at 715 Via Lugano, Winter Park FL 32789 addressed the Board. Mr. Orosz spoke about keeping the existing mature tree growth on the front side of the home, the architectural style of the home, the cumulative setback of the property being in excess of code requirement, the intended repair of the water damage to the sunroom, the proposed location and layout of the addition, and neighbor feedback regarding the request.

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

Motion made by Jason Johnson, seconded by Charles Steinberg, for variance approval from Section 58-65(f)(7), to allow a second-story side setback of 18.5-feet in lieu of the required second-story side setback of 36-feet, in conjunction with the proposed addition and overall renovations to the existing single-family home located at 715 Via Lugano, zoned R-1AA with a finding that the variance is justified by the criteria outlined in Section 58-92 of the Code of Ordinances of the City of Winter Park; the reasons set forth in the application justify the granting of the variance; the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; and the granting of the variance will be in harmony with the general purpose and intent of the zoning article of the Land Development Code and not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Motion unanimously approved with a 7-0 vote.

(5) Non-Action Items

No non-action items.

(6) Staff Updates

Mr. Lewis noted that the variance application process had been updated to include a checklist style document to assist with the approval process and staff's sufficiency review.

Chairman Johnson inquired on the Board's behalf why there were fewer applications coming before the Board than in prior years. Mr. Lewis explained that it could possibly be that the recent changes to the land development code are working, that more people want to build new homes that would meet the setbacks because property values are currently high, and because of the non-conforming addition allowances that have been maintained in the new code.

(7) Board Comments

No Board comments.

(8) Upcoming Agenda Items

No discussion ensued on upcoming agenda items.

(9) Adjournment

Meeting adjourned at 5:20 p.m.

Approved by the Board on October 17, 2023.

/s/ Recording Secretary Mary Bush