



Historic Preservation Board Regular Meeting

Agenda

May 8, 2024 @ 9:00 AM

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/meetings/ 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. Approve the minutes of April 10, 2024. 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. Request of Charles and Lucinda Helton to designate the property at 1601 Berkshire Avenue to the Winter Park Register of Historic Places. 10 minutes
- b. Request by the City of Winter Park to revoke the setback variances granted by the Historic Preservation Board on April 12, 2023 at 965 Lakeview Drive in response to the demolitions that occurred. Zoned: R-1A. 45 minutes

5. Action Items

- a. Request for Preliminary Review to designate the property at 1243 Westchester Avenue, built in 1925 contingent upon approval of additions to the existing home. 20 minutes

6. Non-Action Items**7. Staff Updates****8. Board Comments****9. Upcoming Agenda Items****10. Adjournment**



Historic Preservation Board

agenda item

item type

Consent Agenda

meeting date

May 8, 2024

prepared by**approved by****subject**

Approve the minutes of April 10, 2024.

motion | recommendation**background****strategic objectives****alternatives | other considerations****fiscal impact****attachments**

1. Draft Historic Preservation Board Regular Meeting Minutes



Historic Preservation Board Regular Meeting Minutes

April 10, 2024 at 9:00 AM

City Hall Commission Chambers
401 S. Park Avenue

Present

John Skolfield, Kelsey Wolfe, Aimee Spencer, Wade Miller, Lucy Boudet, N. Lee Rambeau, Drew Henner

Staff Present

Planning and Zoning Consultant Jeff Briggs, Planner I Corinna Lundgren, Administrative Coordinator Mary Bush

1. Call to Order

Chairman Miller called the meeting to order at 9:04 a.m.

2. Consent Agenda

- a. Approve the minutes of March 13, 2024.

Motion made by Aimee Spencer, seconded by Lucy Boudet to approve the March 13, 2024 meeting minutes.

The motion carried unanimously by a 6-0 vote. (John Skolfield was not present for the meeting minutes.)

3. Public Comments (for items not on the agenda): Three minutes allowed for each speaker

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

4. Public Hearings (Public participation and comment on these matters must be in person.)

- a. Request by Carolyn Miller for approval to reconstruct the existing one-story Ranch architectural style home at 1430 Glencoe Road into a one-story Spanish Colonial/Spanish Mission architectural style home of 3,700 square feet in size.

Mr. Briggs provided a summary of the item. He noted that the property is a

contributing property within the Virginia Heights East Historic District. He further noted that the applicant's conceptual plans had been reviewed by the Board as a discussion item at their December 13, 2023 regular meeting and was favorably received by the Board. He added that the architectural details of the plans were determined to meet Spanish Colonial styling, but the Board encouraged the applicant to go back and make a few revisions and then bring the plans back for formal approval. Mr. Briggs then presented photos of the existing home and the site plan. He indicated that staff had a concern about placing asphalt or concrete around a Live Oak tree located near the middle of the property. Staff recommended placing gravel instead to preserve the surface roots and keep the pervious nature of water around the tree.

Staff recommendation was for approval with the following condition:

- That the driveway section adjacent to the Live Oak tree along the north property line be gravel and not concrete/asphalt.

The applicant, Carolyn Miller of 1581 Forest Avenue, Winter Park, FL 32789 addressed the Board. Ms. Miller indicated that she had addressed the Board's feedback and recommendations from the meeting in December, and she had no issue with using gravel around the oak tree instead of asphalt or concrete.

The applicant's architect, Julie Lamar of Lamar Design at 1370 Gene Street, Winter Park, FL 32789 addressed the Board. Ms. Lamar went over the details of the proposed renovation. She noted that she and the applicant had been working together to thoughtfully develop a functional floor plan that would meet the applicant's future needs and would aesthetically pay homage to the Spanish Colonial style. She explained that she and the applicant had researched surveyor comments from previous historic asset surveys that been developed for the City in past years, which indicated that the Virginia Heights district was notable for its Spanish Colonial style. Because of this finding, they incorporated details into the proposed home like the tower element, the iron work over the small front window, the arched windows, the parapet wall, the barrel tile, the white stucco finish, and the blue-green window color. Ms. Lamar indicated that the proposed plan meets the requirements of the front and rear setbacks and meets all of the requirements for floor-area-ratio and impervious coverage. She noted that drainage, most specifically containing it, had been a concern, so retention had been proposed for the site. She then explained that the some of the chosen architectural details were from architectural graphic standards and a book on historic Spanish Colonial architecture.

Brief discussion ensued regarding the type of sheet metal and windows to be used, how the doors would meet building code requirements, the type of gate to be used for the detail over the small window, the type of window casing to be used, and the builders or contractors the applicant might work with. The Board recommended that

the applicant use copper when dealing with clay barrel tile, to back paint the brick mould before installing the windows, and to find someone that is familiar with and does fine craftsmanship with historic homes and in terms of the type of details the applicant proposed.

The Board heard public comment from the following residents:

Orman Kimbrough of 1451 Highland Road, Winter Park, FL 32789 addressed the Board. Mr. Kimbrough inquired about the allowed rear setback, a comment in the staff report regarding enlarging the garage, pool setbacks, impervious coverage requirements, and if the detached garage would be fully detached from the house.

Billy Collins of 1450 Glencoe, Winter Park, FL 32789 addressed the Board. Mr. Collins expressed that he was relieved that the house would be one story. He also inquired as to how much of the existing house would be preserved and if a variance was being requested for the setback adjacent to his home.

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

The Board shared their thoughts on the request. A brief discussion ensued regarding renovating the house versus tearing it down and restyling homes in historic districts. The Board noted that a tear down of a historic home is not something the Board would want to grant permission to do. During the discussion the Board overall, expressed favor for the project.

Motion made by Aimee Spencer, seconded by N. Lee. Rambeau for approval to reconstruct the existing one-story Ranch architectural style home at 1430 Glencoe Road into a one-story Spanish Colonial/Spanish Mission architectural style home of 3,700 square feet in size, with the following condition:

- **That the driveway section adjacent to the Live Oak tree along the north property line be gravel and not concrete/asphalt.**

The motion carried unanimously by a 7-0 vote.

5. Action Items

6. Non-Action Items

7. Staff Updates

Mr. Briggs noted that the owners of 151 Sterling Avenue had previously come before the Board twice for a tear down and rebuild of the existing home but have recently decided to sell the home instead of submitting another application.

He also noted that the historical gateway sign project for Park Avenue just went out for bid to sign companies for submissions in mid-May and will hopefully be awarded in June to move forward with the project.

8. Board Comments

9. Upcoming Agenda Items

10. Adjournment

The meeting adjourned at 9:50 a.m.

ATTEST:

/s/ Mary Bush, Recording Secretary



Historic Preservation Board

agenda item

item type

Public Hearings (Public participation and comment on these matters must be in person.)

meeting date

May 8, 2024

prepared by

Jeffrey Briggs

approved by**subject**

Request of Charles and Lucinda Helton to designate the property at 1601 Berkshire Avenue to the Winter Park Register of Historic Places.

motion | recommendation

Staff recommendation is for approval.

background

Charles and Lucinda Helton (property owners) have voluntarily agreed to designate their property and home at 1601 Berkshire Avenue to the Winter Park Register of Historic Places. This home is an example of the architectural style as was popular when this home was built in 1951.

This one-story, 3-bedroom, 2½ bath home with 2,267 square feet of living area plus a two-car garage was built in 1951. It has many distinct architectural features, including the turret component and window fenestration. The home is also symbolic of the scale and character of the Orwin Manor neighborhood as it has developed.

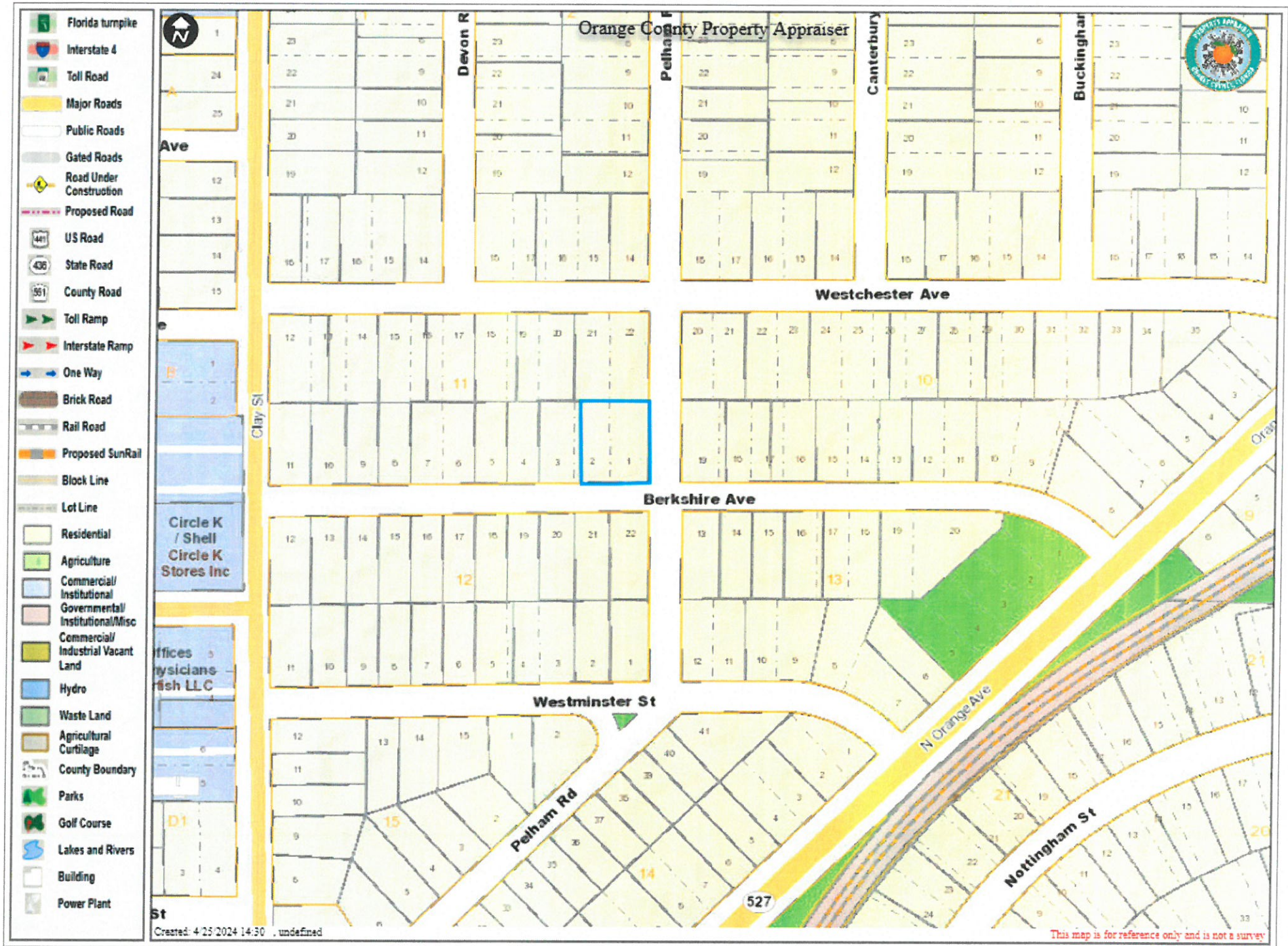
The Helton's purchased this home in 1978 and have lived there for the past 46 years. The motivation for designation is to preserve the home, which is on a large lot, so that a future owner does not demolish it and rebuild at some future time.

strategic objectives**alternatives | other considerations**

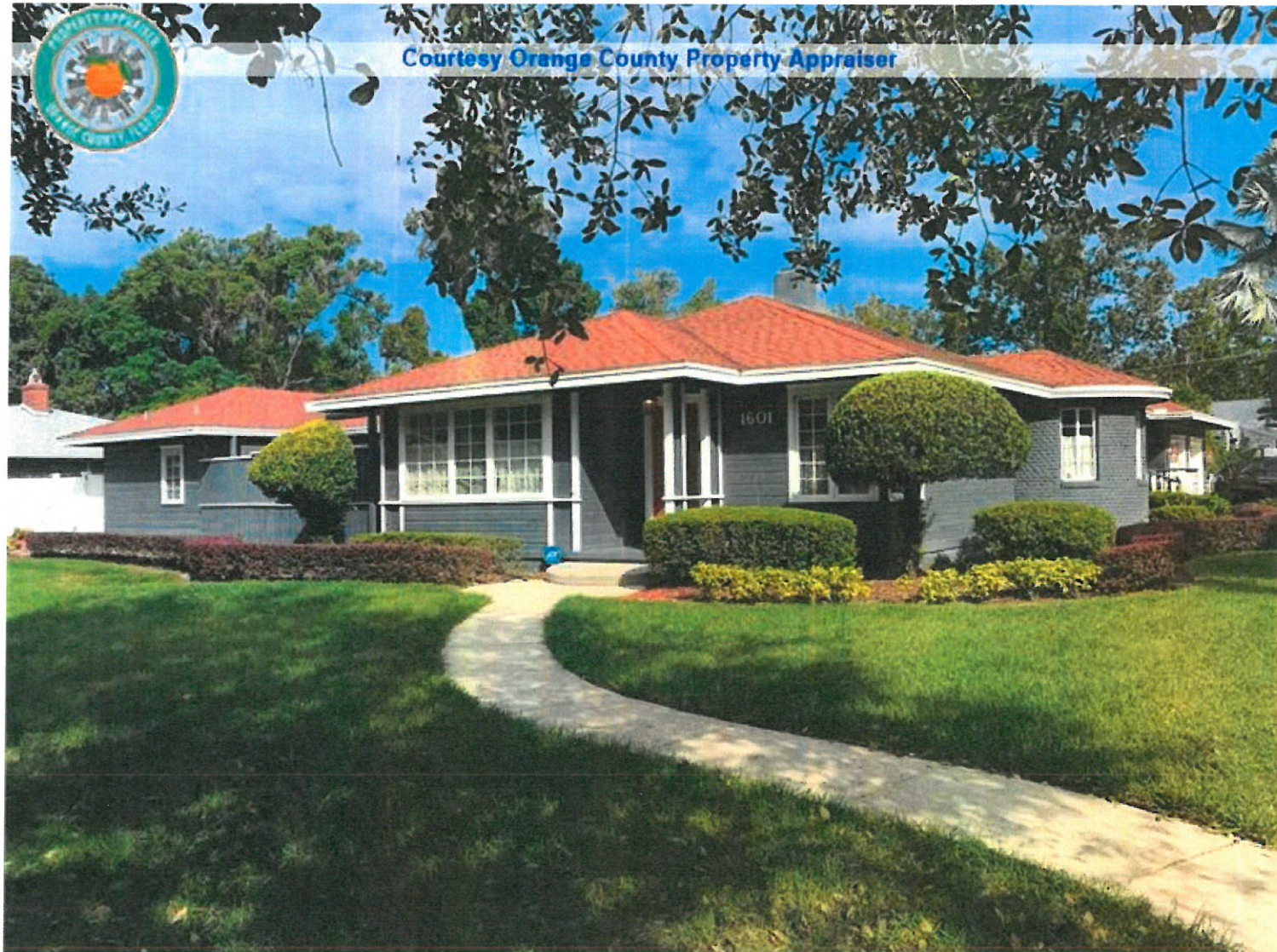
fiscal impact

attachments

1. Map and Pictures
2. Resolution_1601 Berkshire Avenue
3. Historic Designation Application



Parcel Photos - 1601 Berkshire Ave



1601 BERKSHIRE AVE, WINTER PARK, FL 32789 10/10/2022 10:26 AM



Courtesy Orange County Property Appraiser



1601 BERKSHIRE AVE, WINTER PARK, FL 32789 11/29/2018 3:23 PM



Courtesy Orange County Property Appraiser



292212643211010 01/18/2007

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, DESIGNATING THE PROPERTY LOCATED AT 1601 BERKSHIRE AVENUE, WINTER PARK, FLORIDA AS A HISTORIC RESOURCE ON THE WINTER PARK REGISTER OF HISTORIC PLACES.

WHEREAS, there are located within the City of Winter Park historic sites, areas, structures, buildings, improvements and appurtenances, both public and private, both on individual properties and in groupings, that serve as reminders of past eras, events, and persons important in local, state and national history; or that provide significant examples of past architectural styles and development patterns and that constitute unique and irreplaceable assets to the City; and

WHEREAS, the City Commission recognizes that the sites and properties of historical, cultural, archaeological, aesthetic and architectural merit contribute to the public health, welfare, economic well being and quality of life of the citizens of Winter Park; and

WHEREAS, there is the desire foster awareness and civic pride in the accomplishments of the past; and

WHEREAS, the Winter Park Historic Preservation Board has determined and recommended that the property at 1601 Berkshire Avenue with the existing home built in 1951 is an example of the architecture popular during that period.

NOW, THEREFORE, be it resolved by the City Commission of the City of Winter Park, Florida that:

SECTION 1. That the City Commission of the City of Winter Park hereby designates 1601 Berkshire Avenue as a historic resource on the Winter Park Register of Historic Places.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park on this _____ day of _____ 2024.

Sheila DeCiccio, Mayor

ATTEST:

City Clerk



City of Winter Park
Planning & Zoning Department
401 Park Avenue, South
Winter Park, Florida 32789
407-599-3440

City of Winter Park Historic Designation Application

1. 1601 Berkshire Av. Winter Park, FL 32789
Building address
Charles & Lucinda Helton 1601 Berkshire Av 407-628-2680
Owner's name(s) Address Telephone
Chelton@cfl.rr.com
E-mail Address

2. I, Charles & Lucinda Helton, as owner of the property described above, do hereby authorize the filing of this application for historic designation for that property.
Charles & Lucinda Helton 2-14-24
Owner's Signature Date

Historic Preservation Board Office Use

Criteria for Designation

- ☐ A. Association with events that have made a significant contribution to the broad patterns of history including the local pattern of development; or
☐ B. Association with the lives of a person or persons significant in our past; or that
☐ C. Embodies the distinctive characteristics of a type, period, or method of construction or that represents the work of a master, or that possesses high artistic values or that represents a significant and distinguishable entity whose components may lack individual distinction; or
☐ D. Has yielded or are likely to yield information important in prehistory or history.

Legal description

Year built

Historic name of building (if any)

Historic district name (if any)

Date received: _____

HPC Meeting: _____

Case File No.: _____

Florida Master Site File No.: OR-

☐ Local Historic Landmark

☐ Local Historic Resource



Historic Preservation Board

agenda item

item type

Public Hearings (Public participation and comment on these matters must be in person.)

meeting date

May 8, 2024

prepared by

Jeffrey Briggs

approved by

Allison McGillis, Director of Planning and Zoning

subject

Request by the City of Winter Park to revoke the setback variances granted by the Historic Preservation Board on April 12, 2023 at 965 Lakeview Drive in response to the demolitions that occurred. Zoned: R-1A.

motion | recommendation

TBD

background

Ryan and Zamantha Phillips (owners) received approval from the Historic Preservation Board (HPB) on April 12, 2023, for renovations and additions to their home at 965 Lakeview Drive, built in 1936, which is a contributing historic property within the College Quarter historic district. That approval also granted to the owners four variances which are outlined below.

That approval granted the ability to demolish the detached one-story garage and garage apartment structure to the rear of the existing house. Nothing in the applicant's submittal to the HPB outlined further demolitions other than ones assumed to be inclusive of the work proposed. It was made clear in the commentary by the HPB at their April 12, 2023 meeting, that demolition of the house was not part of the approval. As you are aware, the demolition that has occurred has exceeded any reasonable assessment of what had been approved by the HPB, as approximately 85% of the home has been removed.

Under Section 58-64 of the City Code, when over 50% of a home is removed, then any nonconforming setback is no longer considered to be grandfathered-in and the entire house can only be rebuilt to the setbacks in the current code. The actions of the contractor have resulted in the variances previously granted being null and void, because more than 50% of the previous home has been demolished and removed. It makes no difference as to the percentage remaining of a home, when the 50% removal has been exceeded. To that end, the City has advertised for public hearing the revocation of the four variances granted on April 12, 2023. In order to complete the home as originally approved, the Historic Preservation Board would need to approve an additional variance to this section (as detailed below) that

was not granted originally because in no scenario presented to HPB in April 2023, was over 50% of the main house to be demolished.

Sec. 58-64. - Nonconforming lots, nonconforming uses and nonconforming structures.

(2) If a nonconforming structure or portion thereof is demolished or destroyed through repair, remodeling, reconstruction or any other means to an extent of more than 50 percent of the assessed value of the improvements detailed on the most current records of the Orange County Property Appraiser, at the time of demolition or destruction, it shall not be reconstructed or restored except in conformity with the provisions of these zoning regulations.

Included in the backup materials for this public hearing item is the complete agenda package from the April 2023 Historic Preservation Board meeting that provided the review and approval along with the minutes from that meeting. The public notice for this meeting is provided as well as the email notification of the owner and contractor citing the violation and remedy proposed. The contractor has provided two emails from April 17, 2024, and April 22, 2024, along with the previous email train. The owner has provided an email from April 22, 2024, along with exhibits and a copy of the previous April 2023 submission. Mary Bush, recording secretary, reviewed the video file and that summary is provided.

Variances Requested: There are four variances that were approved on April 12, 2023, are:

1. To have a 10-foot rear setback to the new garage in lieu of the required 25-foot rear setback.
2. To have an 8.15-foot side setback to the main house addition (north side) to the adjacent neighbor on Lakeview Drive, in lieu of a 10.5-foot interior side setback.
3. To have a 14-foot street side setback for the additions to house along Antonette Avenue in lieu of the required 20-foot street side setback.
4. To waive the requirement for the retrofit for stormwater retention which will be disruptive to the property when there is no substantial increase in the amount of impervious surface.

Architectural Compatibility: Regardless of the action on this matter by the HPB, concerning the variances, the replacement house must conform to the exterior architectural styling of the previous house. The footprint would be smaller due to conformance with the current code setbacks. Any loss of living space would be a matter for resolution between the owners and contractor.

Summary: The actions to demolish 85% of this home exceeded the approval granted by the Historic Preservation Board. The purpose of the College Quarter historic district is preservation of the architectural history of that neighborhood and to preserve the neighborhood's scale and character. This is administered by a Historic "Preservation" Board, not a Historic "Replica" Board. The problem for the HPB is obvious. Saying that the contractor and owners will build it back to look just like it used to look, sends a message to every future homeowner and future contractor to just go ahead demolish whatever you want, without any approval by the city, permit or no permit, because all the City will make you do, is build back new what you had promised to preserve. The City won't even rescind variances that were granted. That is the difficult position that HPB faces. There may be ways to help make this situation better but the offers to-date by the owners and contractor are nothing more than to build back a replica of

the previous home with no penalty or remediation of any kind.

strategic objectives

alternatives | other considerations

fiscal impact

attachments

1. 965 Lakeview map
2. House Pictures
3. City Email Notice of Violation_April 17, 2024
4. Clayton Email 965 Lakeview_April 17, 2024
5. Clayton Email 965 Lakeview_April 22, 2024
6. Ryan Phillips Email 965 Lakeview_April 22, 2024
7. Ryan Phillips Exhibits to April 22, 2024 email
8. HPB Review Packet_April 2023
9. Clerk synopsis of April 2023 meeting video
10. PUBLIC NOTICE- MAY 8, 2024 HPB

Orange County Property Appraiser



- Florida Turnpike
- Interstate 4
- Toll Road
- Major Road
- Public Road
- Gated Road
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- One Way
- Brick Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional
- Governmental/Institutional/Misc
- Commercial/Industrial Vacant Land
- Hydro
- Waste Land
- Agricultural Curtilage
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Block Number
- Lot Number
- Parcel Number
- Parcel Address
- Parcel Dimension



Created: 3/27/2023 15:55

This map is for reference only and is not a survey

EXISTING HOME TODAY













Jeffrey Briggs

From: Jeffrey Briggs
Sent: Wednesday, April 17, 2024 2:16 PM
To: 'rphillips@xenixmedical.com'; 'Charlie Clayton'
Cc: Dan Langley; Allison McGillis; Randy Knight; Michelle del Valle; Gary Hiatt; John Harbilas
Subject: 965 Lakeview Drive

Ryan/Charlie:

It has come to our attention that your recent actions in the demolition of the home at 965 Lakeview Drive have violated the terms and conditions of the approval of the Historic Preservation Board granted on April 12, 2023.

The plans submitted to the Historic Preservation Board for action at that meeting clearly indicate that the request was only for renovation of the existing home and additions thereto. Similarly, the staff report prepared for your request and the commentary by your architect representing the application, clearly indicated that this was a renovation of the existing home and additions thereto. The only demolition discussed at that meeting and approved by the Historic Preservation Board was for the detached structure and not for any element of the existing principal structure. There was no request for demolition of any part of the existing home other than that needed for installation of the dormer on the second floor (the second floor that no longer exists).

The commentary during the Historic Preservation Board meeting from the video recording includes discussions on the proposed additions along the frontage of Antonette Avenue and the back of the home, indicating that the applicant would be continuing the building walls of the existing home to complete the additions. Those building walls no longer exist. Those existing building walls were the basis for the setback variance requests. Those existing walls that no longer exist. If any demolition of the existing home were contemplated or necessary there was ample opportunity to discuss this and request the same, however nothing was requested.

The applicant's architect, Bernie Johnson was given an opportunity to speak but only addressed the Board by asking what he could answer for them. During the discussion with the Board and Mr. Johnson (21:42), it was commented by Mr. Johnson that he wanted to give his client what they were asking for and so he started with the old house and added to that a porch and dormer and that was it. Further into this discussion (24:45) Mr. Johnson commented that the alternative is always somebody wanting to come in and tear the home down. The Board swiftly responded to Mr. Johnson's comment noting to him that his stated alternative did not exist and that the Historic Preservation Board does not allow demolition of contributing structures in Historic Districts and Mr. Johnson as a skilled architect should be well aware of that, to which Mr. Johnson nodded and expressed his agreement with the statement.

The action by the Historic Preservation Board was as outlined below:

Motion made by Aimee Spencer, seconded by Lucy Boudet for approval to demolish the existing del garage/accessory cottage and build first and second-floor additions and a new garage, subject to ce setback variances, to the existing “contributing” home at 965 Lakeview Drive, built in 1936 within College Quarter Historic District, zoned: R-1AA.

Motion carried unanimously with a 5-0 vote. (Wade Miller was not present for the meeting.)

When a property owner or contractor applies for a building permit subject to the granting of an approval by the Historic Preservation Board and in reliance upon setback variances granted for such project by the Board, the burden is on the applicant to conform to all such approvals granted by the Historic Preservation Board. It is not the obligation of the city staff to undertake a review to confirm whether an applicant is in conformance of such. The city staff is not required to catch “bait and switches” or “catch me if you can” scenarios when an applicant may include in the permit plans such building details that were not approved and which are contrary to any such Board approval. Having a permit does not void any commitments made to the Historic Preservation Board and one cannot circumvent their authority by “tricking” the city staff into issuing a permit otherwise.

The purpose of this notice is to make you aware that the City will be advertising and providing notice of a hearing to be held by the Historic Preservation Board on May 8, 2024 at 9:00 am in the Commission Chambers of City Hall, 401 S. Park Avenue, Winter Park, Florida for the purpose of considering the revocation of the Historic Preservation Board’s approvals granted to your property on April 12, 2023, including concerning the setback variances. In order not to allow further construction in violation of such terms and conditions of approval and because further approvals may be necessary to accommodate your changed development plans, a Stop Work Notice will be issued for your property.

 City of Winter Park 401 Park Ave. South Winter Park, FL. 32789 cityofwinterpark.org	Jeffrey Briggs Planning Director Emeritus jbriggs@cityofwinterpark.org 407.599.3440
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Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

Jeffrey Briggs

From: Charlie Clayton <cclaytonii@aol.com>
Sent: Wednesday, April 17, 2024 3:46 PM
To: 'rphillips@xenixmedical.com'; Jeffrey Briggs
Cc: Dan Langley; Allison McGillis; Randy Knight; Michelle del Valle; Gary Hiatt; John Harbilas; Ryan Catena; Dave Grace
Subject: [External] Re: 965 Lakeview Drive

[This email is from an external source. Before clicking any links, hover over them to check the actual address. Avoid opening attachments from unknown senders.]

Jeff

Thanks for follow up. I can only say I am doing what I can at this stage to remedy the situation.

So, I fully understand the concern.

The existing framing was not close to standards expected in a home expected to meet the insurance requirement to get coverage. The Home in it's existing state would not meet the Building code nor address a large tropical storm or hurricane event. Although my manager and Operation manager made the call to remove the second floor I take full responsibility for the action.

Our company is pushed internally to give the best home, structurally, quality and sustainability plays into this.

Our team believed it would make sense, to get the home built the best way possible if the intent is for the home to be brought back to the original scale and construction of the original home. This theory would not contravene the intent of the district.

The Home's windows and siding which were to be removed and replaced per the meeting for the submittal to the Historic Preservation Board. When they removed the siding evidenced no structural sheathing on exterior walls just felt paper. They decided to rebuild back with appropriate hurricane hold downs, straps etc.-Again back to the original heights and scale.

Additionally, the trusses were hand framed and at the time of construction they had no codes or needs to meet today's standards. Structurally the entire home also had no Headers over windows and doors.

We are keeping the first floor and working with the existing walls and bolstering and strapping them as we can.

Finally, the entire home is getting veneered with new siding that is special order to match the existing age old siding

We are getting windows that match the size and scale of the windows that were existing.

The roof plan will match the exact shape and scale of the existing roof. So other than this period time the home will match to exactness that which was permitted.

Yes, my team should have checked with myself and the City a move that should have been a little more conservative.

At the end of the day the home will be the same curb appeal and scale as planned and approved by The historic preservation board. The New Home will stand a better chance against the elements and again look exactly the same as the submittal.

We are sorry to the City. I cannot take back what my team did. I will make sure the home is everything it is suppose to be and meets the curb appeal intent of the approved submittals

I am headed the city with a smart card with the video.

Respectfully yours,

Charlie Clayton

Charles Clayton Construction Inc

CLR Construction and Development Group LLC

www.newgatecapitalpartners.com

John 1:4

On Wednesday, April 17, 2024 at 02:16:09 PM EDT, Jeffrey Briggs <jbriggs@cityofwinterpark.org> wrote:

Ryan/Charlie:

It has come to our attention that your recent actions in the demolition of the home at 965 Lakeview Drive have violated the terms and conditions of the approval of the Historic Preservation Board granted on April 12, 2023.

The plans submitted to the Historic Preservation Board for action at that meeting clearly indicate that the request was only for renovation of the existing home and additions thereto. Similarly, the staff report prepared for your request and the commentary by your architect representing the application, clearly indicated that this was a renovation of the existing home and additions thereto. The only demolition discussed at that meeting and approved by the Historic Preservation Board was for the detached structure and not for any element of the existing principal structure. There was no request for demolition of any part of the existing home other than that needed for installation of the dormer on the second floor (the second floor that no longer exists).

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The applicant's architect, Bernie Johnson was given an opportunity to speak but only addressed the Board by asking what he could answer for them. During the discussion with the Board and Mr. Johnson (21:42), it was commented by Mr. Johnson that he wanted to give his client what they were asking for and so he started with the old house and added to that a porch and dormer and that was it. Further into this discussion (24:45) Mr. Johnson commented that the alternative is always somebody wanting to come in and tear the home down. The Board swiftly responded to Mr. Johnson's comment noting to him that his stated alternative did not exist and that the Historic Preservation Board does not allow demolition of contributing structures in Historic Districts and Mr. Johnson as a skilled architect should be well aware of that, to which Mr. Johnson nodded and expressed his agreement with the statement.

The action by the Historic Preservation Board was as outlined below:

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Jeffrey Briggs
Planning Director Emeritus

City of Winter Park
401 Park Ave. South

jbriggs@cityofwinterpark.org

Winter Park, FL. 32789
cityofwinterpark.org

407.599.3440



Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

Jeffrey Briggs

From: Charlie Clayton <cclaytonii@aol.com>
Sent: Monday, April 22, 2024 3:35 PM
To: Jeffrey Briggs; Ryan Phillips
Cc: Dan Langley; Allison McGillis; Randy Knight; Michelle del Valle; Gary Hiatt; John Harbilas; Ryan Catena; Dave Grace; jzboril65@gmail.com; gtveit@gmail.com; ptveit@gmail.com; wmhosto@icloud.com; margie32789@aol.com; Zamantha phillips; John Skolfield
Subject: [External] Re: 965 Lakeview Drive

[This email is from an external source. Before clicking any links, hover over them to check the actual address. Avoid opening attachments from unknown senders.]

Jeff

Good afternoon,

I am sorry for the whole chain of events that lead to where we are now. My team in the field made a decision to remove the roof and the second-floor following company protocol and not following the rule of the City the Historic Preservation Board, an ill-advised move.

To clear the air the owners Ryan and Zamantha had nothing to do with any actions or suggestions of removal of second floor and roof structure. Any frustration or angst should be solely leveled at Myself and my team.

As previously stated at your office last Friday and to be very clear to all involved, I accept full responsibility for my Company not following the process of getting in front of the Historic Preservation Board. There is no good answer I can offer; all I have to offer is an apology and a guarantee that the HPB of Winter Park will get the home they expected from the onset.

My leaders in the field, and front office with the framing carpenters considered the structure as it stood and the deficiencies which were great in number weighted their untimely decision. We presently have 7- 8 remodel jobs and typically 6-8 underway at any given time. Because our team is in a continual state of repair and replace on all our remodel jobs, our company has been trained to fix and not cover up previous builder's deficiencies or code violations of the past. The team thought they were doing a good thing but, again not an excuse we should have processed the request for removal of second floor and roof structure with the Historic Preservation Board.

I can go through structural aspects of the existing structure and do have both photos and videos of the home prior to the removal of the second floor. I have these photos and video as a result of Asbestos and Lead paint as well that required abatement.

What I would like to ask is for the permission to walk the interested Historic Preservation Board members through the first floor which is equivalent framing and structure to what the second-floor framing looked like.

I am not excusing the premature take down. Jeff, you and I have known each other for at least 20 years, if this were my modus operandi with the City of Winter Park would it have not evidenced itself

previously. A lot of frustration of mine is toward my team, but I am not happy of the characterization of the "bait and switch" comment.

Our company has no intention of not delivering the home on paper that we submitted to the HPB of Winter Park. We have already spent extra money for a mill shop to create custom wood siding to match the original home and are following the original window and door grid math. According to the submittal, the exterior veneer was to be completely replaced on 965 Lakeview Drive- that would include windows, doors, soffits, eaves, siding, exterior window and door trims and roof. So, what the Charles Clayton Team mistake was to remove the skeleton shell that held all the materials that are new and to be applied to meet the submittal. What the neighborhood and citizen of Winter Park will see upon completion is the same exact home as the submittal only a sounder structurally home and a code compliant home. As you know insurance coverage is difficult at best for older homes.

Bottom line, I ask of forgiveness for the error on behalf of my team and myself. I understand my team's thought process on why, just not their process on when.

If I may ask the Historic Preservation Board, if they would like a tour of the existing site, I would be appreciative.

Respectfully yours,

Charlie Clayton

Charles Clayton Construction Inc

CLR Construction and Development Group LLC

www.newgatecapitalpartners.com

John 1:4

On Monday, April 22, 2024 at 12:24:59 PM EDT, Ryan Phillips <rphillips@xenixmedical.com> wrote:

Jeff,

Thank you for the phone call on Wednesday regarding your concerns addressed in your email below. It is unfortunate that you would perceive the renovation at 965 Lakeview as a "bait and switch" scenario; while my family may be new to the Winter Park area, I am confident that Charlie's history and reputation in the community would substantiate that this was not the intent.

I hope I can clarify some of the information stated in your email. I believe there are two separate issues:

1. **The removal of the second story of the front of the house.** I will default to Charlie's response below and the decisions made by his team in pursuit of renovating a safe and structurally sound home. This second story area is the proposed bedrooms for our 3-year-old and 5-year-old sons and 7-year-old daughter and while it is regrettable that did not go back to the HPB for review, I do wholeheartedly support their judgement and the need to renovate this to code, especially given our tropical storm prone location. Something anyone with children or grandchildren can appreciate. While it was not my decision, I do apologize that the appropriate steps were not taken and can assure you the intent has always been to create the house as approved by the HPB and supported by the neighborhood. Per Section 58-500 of the Winter Park code: Any person who carries out or causes to be carried out any work in violation of this article shall be required to restore the subject improvement, landscape feature or site either to its appearance prior to the violation or in accordance with a certificate of review approved by the HPB.

The second floor is intended to be reframed per the plans submitted and approved by the HPB.

2. **The request by the City of Winter Park to revoke the setback variances granted by the Historic Preservation Board.** Your submission to the building department resulting in a stop order to this project in pursuit of variance removal is based on materially incorrect information. I am responding and outlining in order of your email.

You state "The plans submitted to the Historic Preservation Board for action at that meeting clearly indicate that the request was only for renovation of the existing home and additions thereto. Similarly, the staff report prepared for your request and the commentary by your architect representing the application, clearly indicated that this was a renovation of the existing home and additions thereto. The only demolition discussed at that meeting and approved by the Historic Preservation Board was for the detached structure and not for any element of the existing principal structure. There was no request for demolition of any part of the existing home other than that needed for installation of the dormer on the second floor (the second floor that no longer exists)."

The packet submitted and reviewed by the HPB consisted of elevations and plans, including first and second floor roof lines that outline the proposed additions and renovations, as well as original structure pictures and surveys. It is evident from these plans that the original first and second floor roof lines on the rear of the house would change (See Exhibit B & HPB Review pack attached). The detailed construction steps of achieving the renovation/addition were not specifically discussed or questioned. Furthermore, the commentary during the Historic Preservation Board meeting from the video recording (<https://winterparkfl.portal.civicclerk.com/event/809/media>) includes discussions from the HPB surrounding the front elevation of the house (36:24) stating it was awkward and not original and that the proposed elevation was a "such an improvement" and the plans would be a "lovely addition to the neighborhood". It is obvious there would need to be demolition to the existing principal structure to necessitate this change and achievement of approved elevations (See Exhibit C attached), and therefore your opinion that "the only demolition discussed at that meeting and approved by the Historic Preservation Board was for the detached structure and *not for any element of the existing principal structure*" is not accurate. Additionally, you state "There was no request for demolition of any part of the existing home other than that needed for installation of the dormer on the second floor." We did not explicitly request for demolition to install the dormers (outside of formal submission of the proposed

plans which included these dormers on the elevations), nor were the dormers or specific steps to construct dormers discussed in the meeting. In fact, I do not hear the word "dormer" mentioned a single time in video review of the meeting or see it listed in any of the submission packet. Essentially, you are now selectively interpreting individual portions of the approved plans and elevations to determine which parts were actually approved and citing dialog that does not exist. Your definitive statements in your email regarding the main structure are selective and inaccurate. These review meetings do not allow the time nor did the HPB focus on or question the specific steps for additions/renovations needed to move the structure from original to proposed plans, however these plans were properly submitted, open for discussion during the meeting, and subsequently approved by the HPB. It is unreasonable that we are now facing personal interpretations of what construction steps were or were not approved vs the fact that the proposed plans and elevations are what in fact was approved. The only 'terms and conditions' mentioned during this meeting were around siding materials, window types, and window trim. I can understand if the final product was in contrast with the approved plans, but that is not the case here. I would encourage everyone copied to re-watch the HPB review on April 12th, 2023 with the link above starting at 12:04.

Next, you state "The commentary during the Historic Preservation Board meeting from the video recording includes discussions on the proposed additions along the frontage of Antonette Avenue and the back of the home, indicating that the applicant would be continuing the building walls of the existing home to complete the additions. Those building walls no longer exist. Those existing building walls were the basis for the setback variance requests. Those existing walls that no longer exist. If any demolition of the existing home were contemplated or necessary there was ample opportunity to discuss this and request the same, however nothing was requested."

Again, this is factually not accurate. The walls referenced for approval of setback variance are still very much in existence (See Exhibit A attached). According to your Agenda document (Attached), the proposed variances were:

To have an 8.15-foot interior side setback to the main house addition (north side) to the adjacent neighbor on Lakeview Drive, in lieu of a 10.5-foot interior side setback. This matches the 8.15 side setback of the existing front of the home.

To have a 14-foot street side setback for the additions to house along Antonette Avenue in lieu of the required 20-foot street side setback. Again, this matches the existing 14-foot street side of setback of the existing house.

You can clearly see in the picture attached (Exhibit A) that these walls are still very much exist and therefore the proposed revocation of setback variances is not based on accurate information. Per the permit notes for Permit: BLDR-2023-1056, the stop work order was issued on the basis that "Construction is not according to HPB-approved variance." This is not accurate. Please accept the attached documentation as evidence that this stop work order was issued based on incorrect information due to the setback variance walls of the original structure remaining.

I respect and appreciate your position within the city to preserve the historic district of College Quarter. I can assure you that my family loves the charm of the neighborhood and has always upheld the intent of maintaining this in the design and build of our house, per the plans approved by the HPB. As you can imagine, we have poured tremendous time and energy into this project and are eager to complete it in a timely manner so we can move in and officially become part of the community. However, I fear the type of approach you have taken could inevitably erode resident's support of the historic district designation and creates an environment that will deter future prospective buyers from desiring to purchase properties in the historic district. Your notice to neighborhood residents on the intent to revoke the issued variances also paints my family and Charlie Clayton Construction in a negative light to the community.

Additionally, this stop work order will cause us significant unnecessary delay in the project and untold financial impact, of which is predicated on inaccurate information. This will also push the project further towards rainy season, adding delays and complexity to the construction of the permitted basement area – increased moisture which could potentially cause issues with the integrity of the basement concrete.

I respectfully request, given the attached evidence of setback variance compliance, that the City of Winter Park building department remove the stop work order, having been issued based on inaccurate information as outlined.

Sincerely,

Ryan & Zamantha Phillips



Ryan Phillips

President

☎ 888.594.8633 ext. 701

📠 407.848.4484

📧 xenixmedical.com

📍 111 W. Jefferson Street, Suite 100, Orlando, FL 32801



From: Charlie Clayton <cclaytonii@aol.com>
Date: Wednesday, April 17, 2024 at 3:46 PM
To: Ryan Phillips <rphillips@xenixmedical.com>, Jeffrey Briggs <jbriggs@cityofwinterpark.org>
Cc: Dan Langley <dlangle@fishbacklaw.com>, Allison McGillis <amcgillis@cityofwinterpark.org>, Randy Knight <rknight@cityofwinterpark.org>, Michelle del Valle <mdelvalle@cityofwinterpark.org>, Gary Hiatt <ghiatt@cityofwinterpark.org>, John Harbilas <jharbilas@cityofwinterpark.org>, Ryan Catena <ryan@charlesclayton.com>, Dave Grace <dave@charlesclayton.com>
Subject: Re: 965 Lakeview Drive

Jeff

Thanks for follow up. I can only say I am doing what I can at this stage to remedy the situation.

So, I fully understand the concern.

The existing framing was not close to standards expected in a home expected to meet the insurance requirement to get coverage. The Home in it's existing state would not meet the Building code nor address a large tropical storm or hurricane event. Although my manager and Operation manager made the call to remove the second floor I take full responsibility for the action.

Our company is pushed internally to give the best home, structurally, quality and sustainability plays into this.

Our team believed it would make sense, to get the home built the best way possible if the intent is for the home to be brought back to the original scale and construction of the original home. This theory would not contravene the intent of the district.

The Home's windows and siding which were to be removed and replaced per the meeting for the submittal to the Historic Preservation Board. When they removed the siding evidenced no structural sheathing on exterior walls just felt paper. They decided to rebuild back with appropriate hurricane hold downs, straps etc.-Again back to the original heights and scale.

Additionally, the trusses were hand framed and at the time of construction they had no codes or needs to meet today's standards. Structurally the entire home also had no Headers over windows and doors.

We are keeping the first floor and working with the existing walls and bolstering and strapping them as we can.

Finally, the entire home is getting veneered with new siding that is special order to match the existing age old siding

We are getting windows that match the size and scale of the windows that were existing.

The roof plan will match the exact shape and scale of the existing roof. So other than this period time the home will match to exactness that which was permitted.

Yes, my team should have checked with myself and the City a move that should have been a little more conservative.

At the end of the day the home will be the same curb appeal and scale as planned and approved by The historic preservation board. The New Home will stand a better chance against the elements and again look exactly the same as the submittal.

We are sorry to the City. I cannot take back what my team did. I will make sure the home is everything it is suppose to be and meets the curb appeal intent of the approved submittals

I am headed the city with a smart card with the video.

Respectfully yours,

Charlie Clayton

Charles Clayton Construction Inc

CLR Construction and Development Group LLC

www.newgatecapitalpartners.com

John 1:4

On Wednesday, April 17, 2024 at 02:16:09 PM EDT, Jeffrey Briggs <jbriggs@cityofwinterpark.org> wrote:

Ryan/Charlie:

It has come to our attention that your recent actions in the demolition of the home at 965 Lakeview Drive have violated the terms and conditions of the approval of the Historic Preservation Board granted on April 12, 2023.

The plans submitted to the Historic Preservation Board for action at that meeting clearly indicate that the request was only for renovation of the existing home and additions thereto. Similarly, the staff report prepared for your request and the commentary by your architect representing the application, clearly indicated that this was a renovation of the existing home and additions thereto. The only demolition discussed at that meeting and approved by the Historic Preservation Board was for the detached structure and not for any element of the existing principal structure. There was no request for demolition of any part of the existing home other than that needed for installation of the dormer on the second floor (the second floor that no longer exists).

The commentary during the Historic Preservation Board meeting from the video recording includes discussions on the proposed additions along the frontage of Antonette Avenue and the back of the home, indicating that the applicant would be continuing the building walls of the existing home to complete the additions. Those building walls no longer exist. Those existing building walls were the basis for the setback variance requests. Those existing walls that no longer exist. If any demolition of the existing home were contemplated or necessary there was ample opportunity to discuss this and request the same, however nothing was requested.

The applicant's architect, Bernie Johnson was given an opportunity to speak but only addressed the Board by asking what he could answer for them. During the discussion with the Board and Mr. Johnson (21:42), it was commented by Mr. Johnson that he wanted to give his client what they were asking for and so he started with the old house and added to that a porch and dormer and that was it. Further into this discussion (24:45) Mr. Johnson commented that the alternative is always somebody wanting to come in and tear the home down. The Board swiftly responded to Mr. Johnson's comment noting to him that his stated alternative did not exist and that the Historic Preservation Board does not allow demolition of contributing structures in Historic Districts and Mr. Johnson as a skilled architect should be well aware of that, to which Mr. Johnson nodded and expressed his agreement with the statement.

The action by the Historic Preservation Board was as outlined below:

Motion made by Aimee Spencer, seconded by Lucy Boudet for approval to demolish the existing del garage/accessory cottage and build first and second-floor additions and a new garage, subject to ce setback variances, to the existing “contributing” home at 965 Lakeview Drive, built in 1936 within College Quarter Historic District, zoned: R-1AA.

Motion carried unanimously with a 5-0 vote. (Wade Miller was not present for the meeting.)

When a property owner or contractor applies for a building permit subject to the granting of an approval by the Historic Preservation Board and in reliance upon setback variances granted for such project by the Board, the burden is on the applicant to conform to all such approvals granted by the Historic Preservation Board. It is not the obligation of the city staff to undertake a review to confirm whether an applicant is in conformance of such. The city staff is not required to catch “bait and switches” or “catch me if you can” scenarios when an applicant may include in the permit plans such building details that were not approved and which are contrary to any such Board approval. Having a permit does not void any commitments made to the Historic Preservation Board and one cannot circumvent their authority by “tricking” the city staff into issuing a permit otherwise.

The purpose of this notice is to make you aware that the City will be advertising and providing notice of a hearing to be held by the Historic Preservation Board on May 8, 2024 at 9:00 am in the Commission Chambers of City Hall, 401 S. Park Avenue, Winter Park, Florida for the purpose of considering the revocation of the Historic Preservation Board’s approvals granted to your property on April 12, 2023, including concerning the setback variances. In order not to allow further construction in violation of such terms and conditions of approval and because further approvals may be necessary to accommodate your changed development plans, a Stop Work Notice will be issued for your property.

 City of Winter Park 401 Park Ave. South Winter Park, FL. 32789 cityofwinterpark.org	Jeffrey Briggs Planning Director Emeritus jbriggs@cityofwinterpark.org 407.599.3440
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Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

Jeffrey Briggs

From: Ryan Phillips <rphillips@xenixmedical.com>
Sent: Monday, April 22, 2024 12:25 PM
To: Jeffrey Briggs
Cc: Dan Langley; Allison McGillis; Randy Knight; Michelle del Valle; Gary Hiatt; John Harbilas; Ryan Catena; Dave Grace; jzboril65@gmail.com; gtveit@gmail.com; ptveit@gmail.com; wmhosto@icloud.com; margie32789@aol.com; Charlie Clayton; Zamantha phillips
Subject: [External] Re: 965 Lakeview Drive
Attachments: HPB Review Packet.pdf; 965 Lakeview Exhibits.pdf

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Jeff,

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Sincerely,
Ryan & Zamantha Phillips



Ryan Phillips
President

☎ [888.594.8633](tel:888.594.8633) ext. 701

📱 [407.848.4484](tel:407.848.4484)

💻 xenixmedical.com

📍 111 W. Jefferson Street, Suite 100, Orlando, FL 32801



From: Charlie Clayton <cclaytonii@aol.com>

Date: Wednesday, April 17, 2024 at 3:46 PM

To: Ryan Phillips <rphillips@xenixmedical.com>, Jeffrey Briggs <jbriggs@cityofwinterpark.org>

Cc: Dan Langley <dlangle@fishbacklaw.com>, Allison McGillis <amcgillis@cityofwinterpark.org>, Randy Knight <rknight@cityofwinterpark.org>, Michelle del Valle <mdelvalle@cityofwinterpark.org>, Gary Hiatt <ghiatt@cityofwinterpark.org>, John Harbilas <jharbilas@cityofwinterpark.org>, Ryan Catena <ryan@charlesclayton.com>, Dave Grace <dave@charlesclayton.com>

Subject: Re: 965 Lakeview Drive

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The plans submitted to the Historic Preservation Board for action at that meeting clearly indicate that the request was only for renovation of the existing home and additions thereto. Similarly, the staff report prepared for your request and the commentary by your architect representing the application, clearly indicated that this was a renovation of the existing home and additions thereto. The only demolition discussed at that meeting and approved by the Historic Preservation Board was for the detached structure and not for any element of the existing principal structure. There was no request for demolition of any part of the existing home other than that needed for installation of the dormer on the second floor (the second floor that no longer exists).

The commentary during the Historic Preservation Board meeting from the video recording includes discussions on the proposed additions along the frontage of Antonette Avenue and the back of the home, indicating that the applicant would be continuing the building walls of the existing home to complete the additions. Those building walls no longer exist. Those existing building walls were the basis for the setback variance requests. Those existing walls that no longer exist. If any demolition of the existing home were contemplated or necessary there was ample opportunity to discuss this and request the same, however nothing was requested.

The applicant's architect, Bernie Johnson was given an opportunity to speak but only addressed the Board by asking what he could answer for them. During the discussion with the Board and Mr. Johnson (21:42), it was commented by Mr. Johnson that he wanted to give his client what they were asking for and so he started with the old house and added to that a porch and dormer and that was it. Further into this discussion (24:45) Mr. Johnson commented that the alternative is always somebody wanting to come in and tear the home down. The Board swiftly responded to Mr. Johnson's comment noting to him that his stated alternative did not exist and that the Historic Preservation Board does not allow demolition of contributing structures in Historic Districts and Mr. Johnson as a skilled architect should be well aware of that, to which Mr. Johnson nodded and expressed his agreement with the statement.

The action by the Historic Preservation Board was as outlined below:

Motion made by Aimee Spencer, seconded by Lucy Boudet for approval to demolish the existing de garage/accessory cottage and build first and second-floor additions and a new garage, subject to ce setback variances, to the existing “contributing” home at 965 Lakeview Drive, built in 1936 within College Quarter Historic District, zoned: R-1AA.

Motion carried unanimously with a 5-0 vote. (Wade Miller was not present for the meeting.)

When a property owner or contractor applies for a building permit subject to the granting of an approval by the Historic Preservation Board and in reliance upon setback variances granted for such project by the Board, the burden is on the applicant to conform to all such approvals granted by the Historic Preservation Board. It is not the obligation of the city staff to undertake a review to confirm whether an applicant is in conformance of such. The city staff is not required to catch “bait and switches” or ‘catch me if you can’ scenarios when an applicant may include in the permit plans such building details that were not approved and which are contrary to any such Board approval. Having a permit does not void any commitments made to the Historic Preservation Board and one cannot circumvent their authority by ‘tricking’ the city staff into issuing a permit otherwise.

The purpose of this notice is to make you aware that the City will be advertising and providing notice of a hearing to be held by the Historic Preservation Board on May 8, 2024 at 9:00 am in the Commission Chambers of City Hall, 401 S. Park Avenue, Winter Park, Florida for the purpose of considering the revocation of the Historic Preservation Board’s approvals granted to your property on April 12, 2023, including concerning the setback variances. In order not to allow further construction in violation of such terms and conditions of approval and because further approvals may be necessary to accommodate your changed development plans, a Stop Work Notice will be issued for your property.

	Jeffrey Briggs Planning Director Emeritus
City of Winter Park 401 Park Ave. South	jbriggs@cityofwinterpark.org
Winter Park, FL. 32789 cityofwinterpark.org	407.599.3440



Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.

Exhibit A

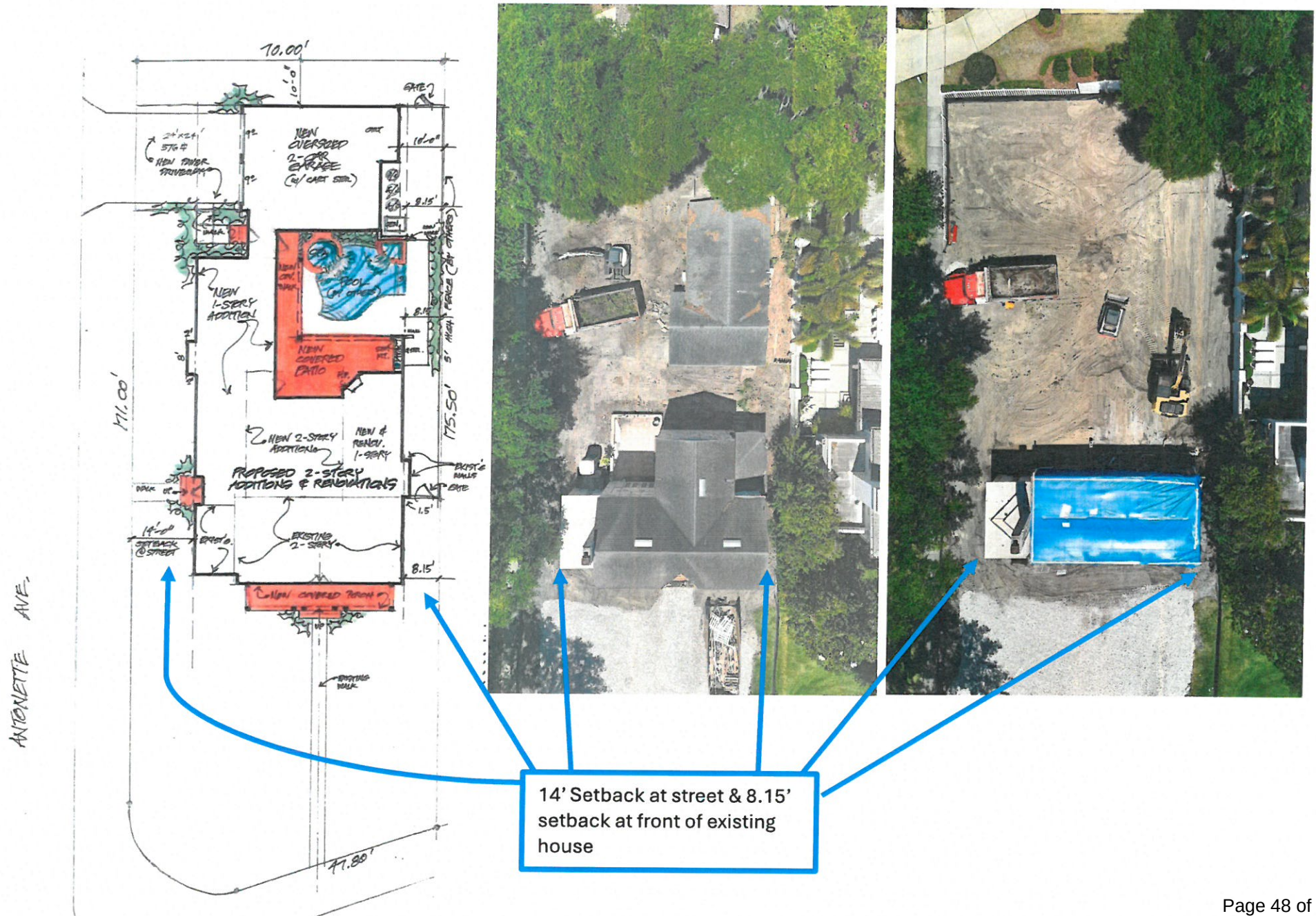
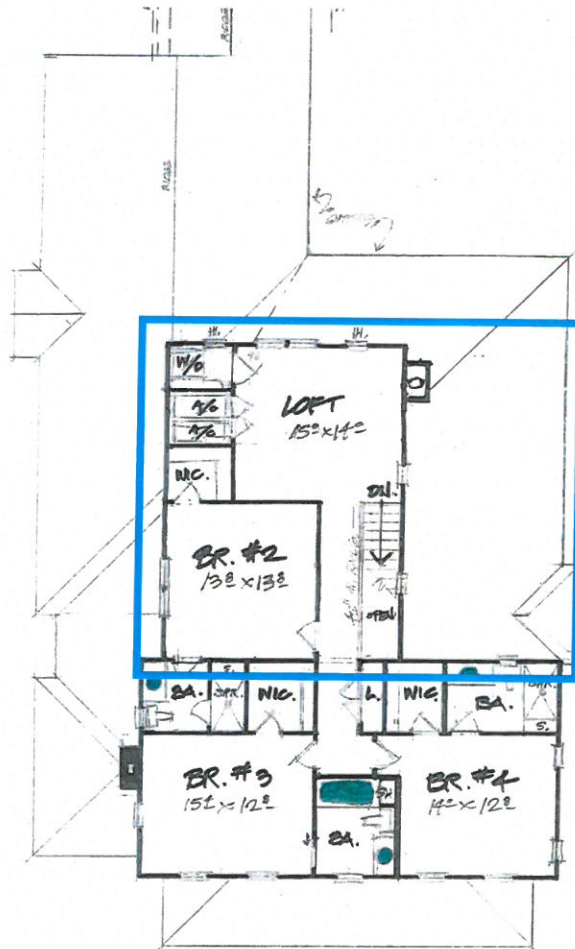
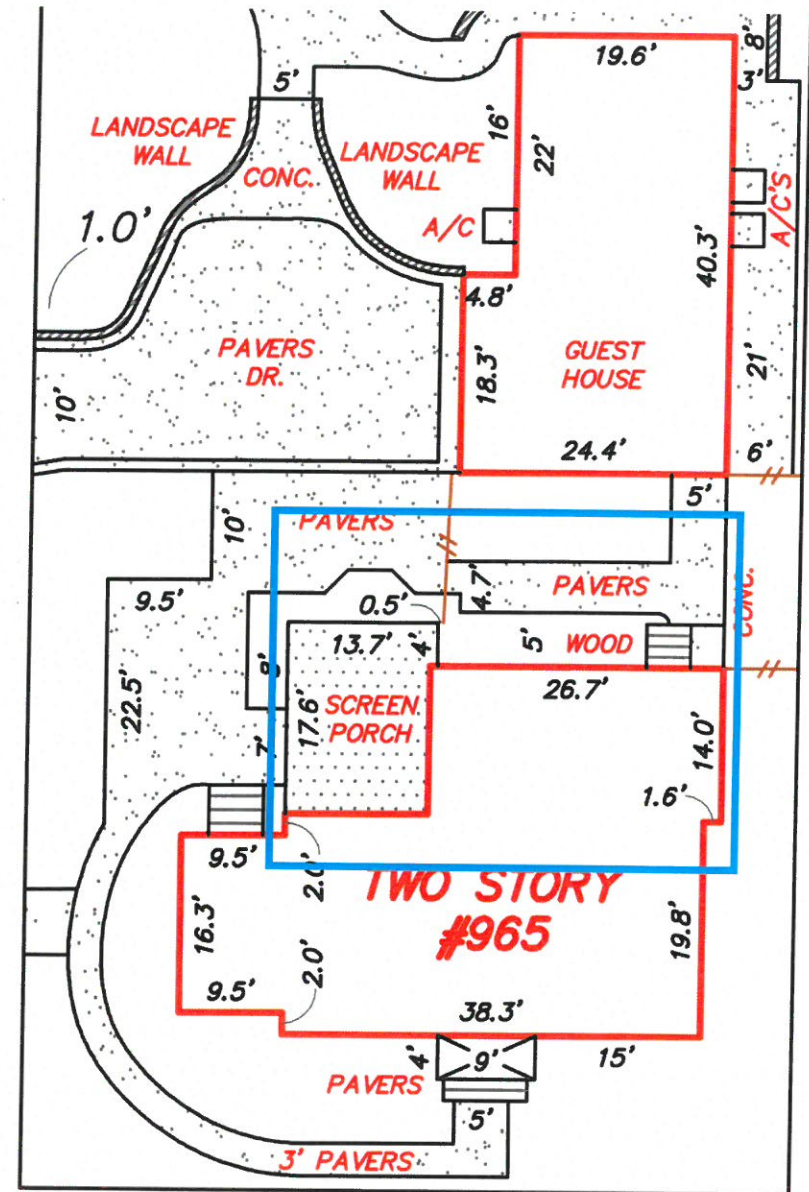


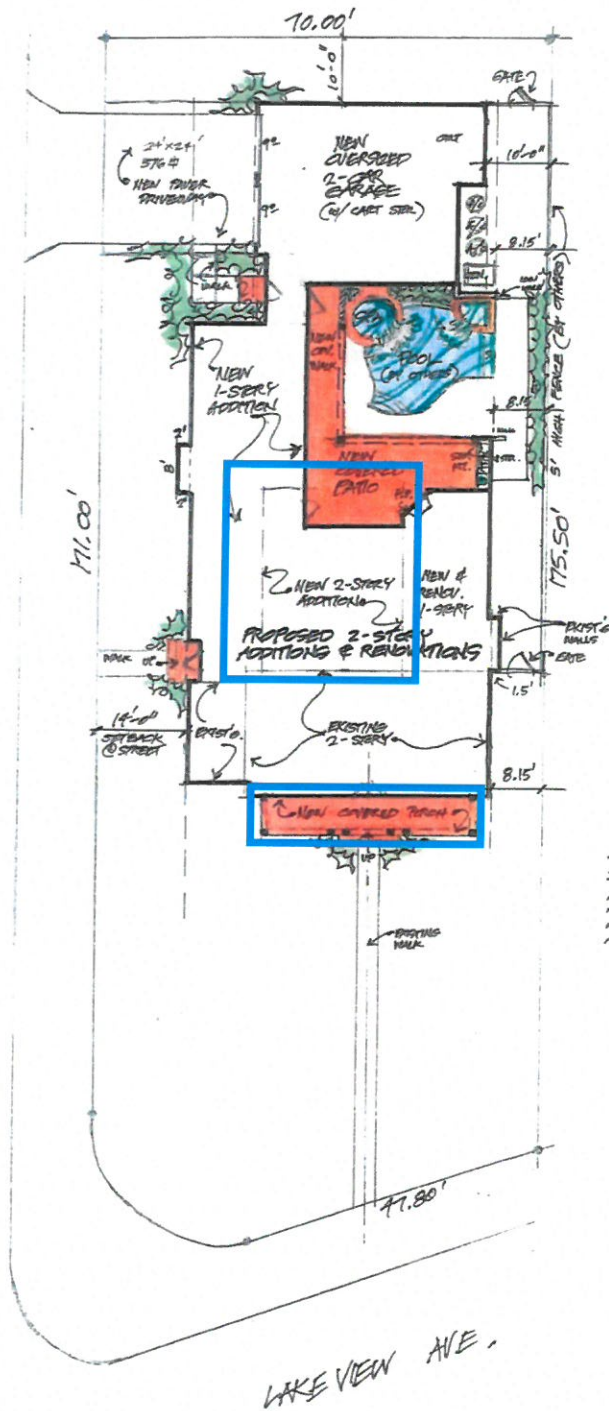
Exhibit B

SECOND FLOOR PLAN
CHARLES CLAYTON CONSTRUCTION,
JOHNSON ESTATE DESIGNS, INC.

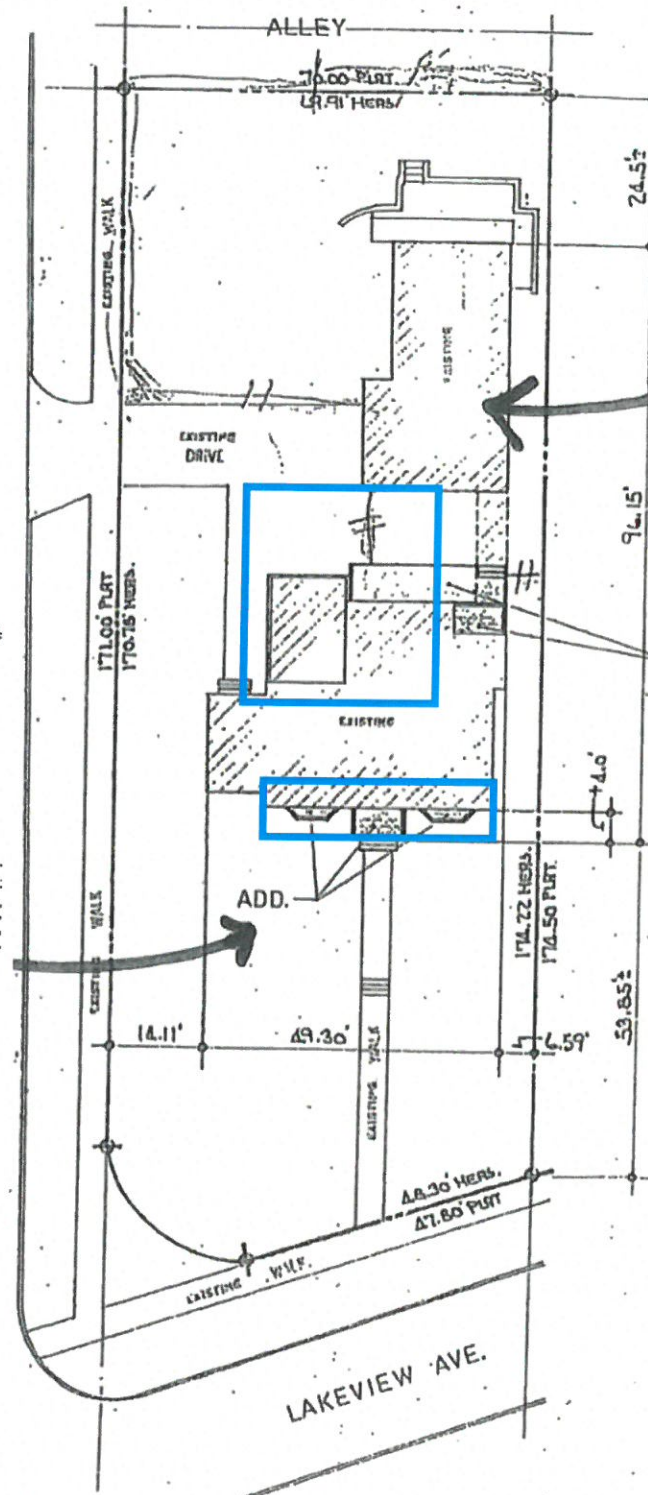
PHILLIPS RESIDENCE
SOME: 1/4" = 1'-0"



ANTONETTE AVE.



LAKEVIEW AVE.



NORTH

AD
F

MI

965 LAKEVIEW AVE.
LOCAL DISTRICT #1
LOT 14, BLOCK 'A',
COLLEGE PLACE REI
P.B.'H', PG. 46,
SEE SURVEY.
OMAHA COUNTY, NE

Exhibit C



FRONT ELEVATION
CHARLES CLAYTON CONSTRUCTION
JOHNSON RESIDENTIAL DESIGN, INC.

PHILIPS RESID.
SCALE: 1/4" = 1'-0"



Historic Preservation Board agenda item

item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date April 12, 2023
prepared by Jeffrey Briggs	approved by
board approval Completed	
strategic objective	

subject

Request by Ryan and Zamantha Phillips for approval to demolish the existing detached garage/accessory cottage and build first and second-floor additions and a new garage, subject to certain setback variances, to the existing “contributing” home at 965 Lakeview Drive, built in 1936 within the College Quarter Historic District, zoned: R-1AA.

motion / recommendation

Staff recommendation is for approval.

background

Ryan and Zamantha Phillips (owners) are requesting approval for additions to the home at 965 Lakeview Drive, built in 1936. This home is a contributing property within the College Quarter historic district.

To the rear of the existing house along Antonette Avenue is a detached one-story garage and garage apartment structure. That is intended to be demolished to make room for the expansion of the existing home onto that land, including a new two car garage (but without any ancillary garage apartment space). The existing home is to be expanded to the rear along the same 14 foot street side setback along Antonette Avenue, as the existing home. There is a new interior courtyard pool area and covered patio. That addition then leads to and is connected to the new two car garage at the rear of the property at a 10 foot rear setback comparable to the existing structure to be demolished.

In addition, there is a small one-story addition to the home behind the existing house along the interior side adjacent to the neighbor on Lakeview Drive proposed at the same 8.15 foot side setback as the existing home.

This property is 12,753 square feet in size. The resultant home will be a total of 4,967 sq. ft. and the FAR allows up to 5,000 sq. ft. of building. The impervious coverage will be 5.819 sq. ft. (45.6%), is within the maximum allowable of 50% for this two-story home.

Variances Requested:

There are four variances that are requested:

1. To have a 10-foot rear setback to the new garage in lieu of the required 25-foot rear setback. This is because the new garage is attached to the home. If it were detached, then a 10-foot setback would apply. To the adjacent neighbor there is no difference as it is the same garage either way.
2. To have an 8.15-foot interior side setback to the main house addition (north side) to the adjacent neighbor on Lakeview Drive, in lieu of a 10.5-foot interior side setback. This matches the 8.15 side setback of the existing front of the home.
3. To have a 14-foot street side setback for the additions to house along Antonette Avenue in lieu of the required 20-foot street side setback. Again, this matches the existing 14-foot street side of setback of the existing house.
4. To waive the requirement for the retrofit for stormwater retention which will be disruptive to the property when there is no substantial increase in the amount of impervious surface.

Architectural Compatibility:

One primary matter for the Historic Preservation Board is architectural compatibility of the new construction with the existing home. The existing two-story home has wood siding and window fenestration from the 1930 era along with shutters. The new addition is intended to have compatible wood siding and is also matching the existing window fenestration for the new windows on the additions plus shutters.

Summary and Recommendation:

The general policy is that a historic designation (whether contributing in a district or individually designated) is supposed to be a win-win. A benefit for the City in gaining preservation and a benefit for the owner in consideration of variances when it is deemed not to be incompatible with the neighboring affected properties. That is the situation with this request and thus staff recommendation is for approval.

alternatives / other considerations**fiscal impact**

ATTACHMENTS:

[965 Lakeview map.pdf](#)

ATTACHMENTS:

[Existing House Pictures.pdf](#)

ATTACHMENTS:

[Proposed Plan and Site Plan.pdf](#)

ATTACHMENTS:

[Site plan, floor plan and elevation.pdf](#)

ATTACHMENTS:

[Application and setback table.pdf](#)

ATTACHMENTS:

[Finishes Plan and Neighboring Homes with Garages.pdf](#)

EXISTING HOME TODAY

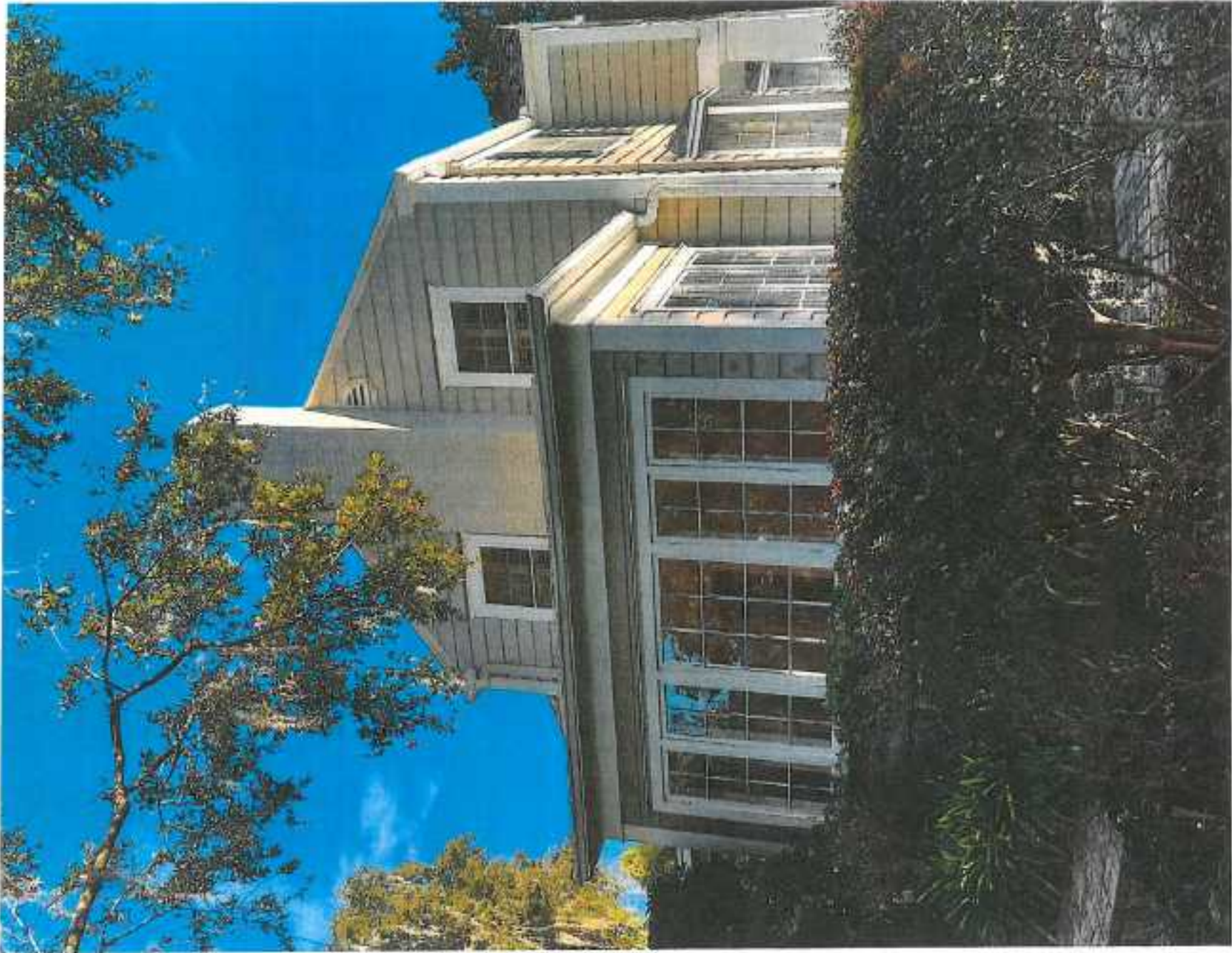




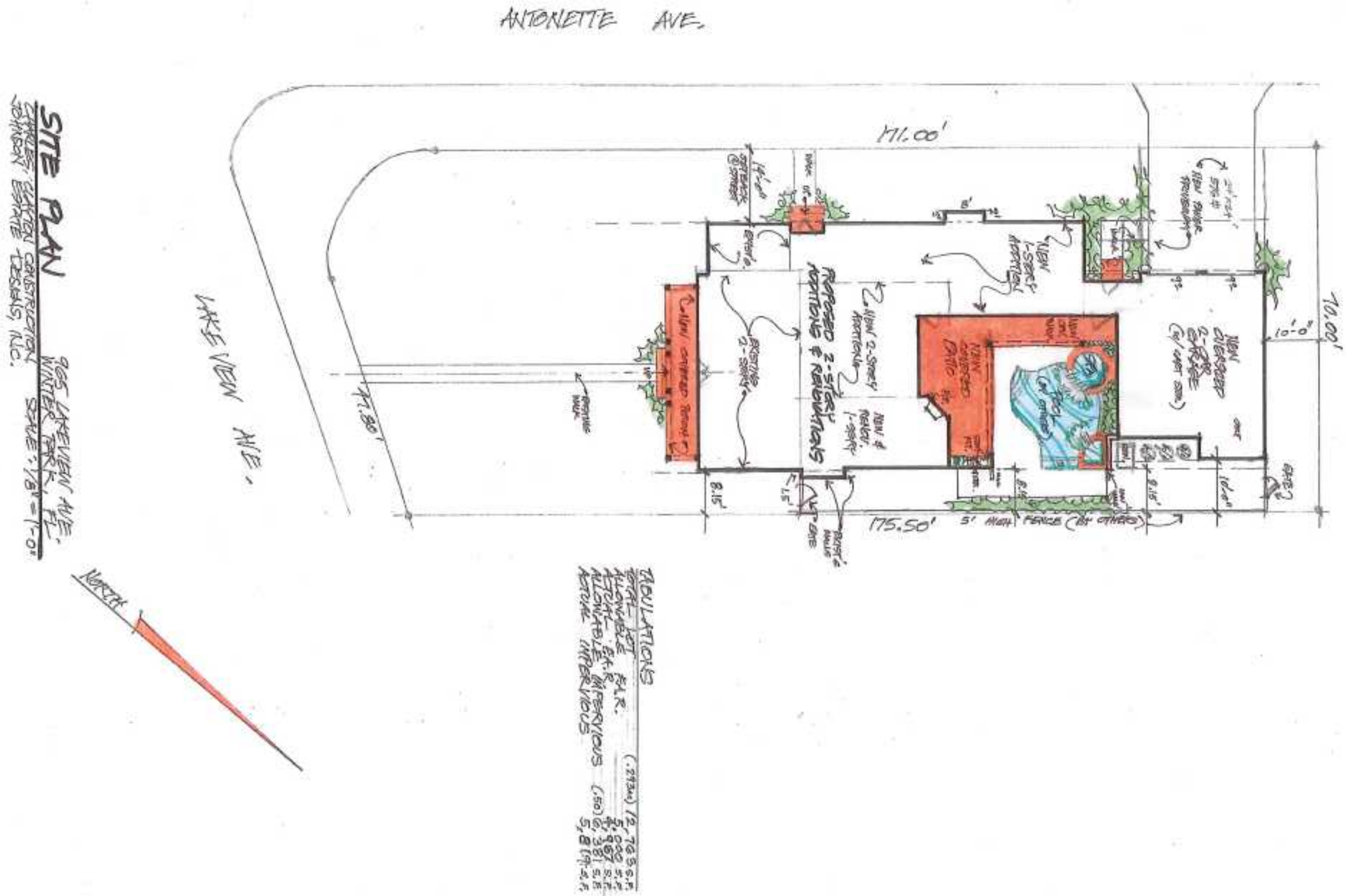








PROPOSED PLAN





FRONT ELEVATION
CHARLES CLAYTON CONSTRUCTION
JOHNSON ESTATE DESIGNS, INC.

PHILLIPS RESID.
SCALE: 1/4" = 1'-0"



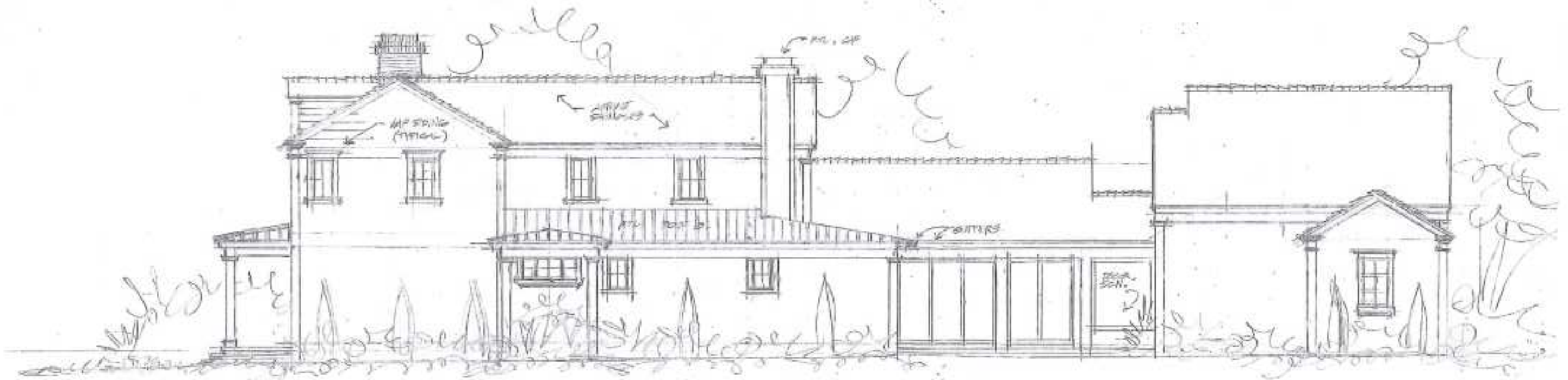
LEFT SIDE ELEVATION
CHARLES CLAYTON CONSTRUCTION
JOHNSON ESTATE DESIGNS, INC.

PHILLIPS RESIDENCE
SCALE: 1/4" = 1'-0"



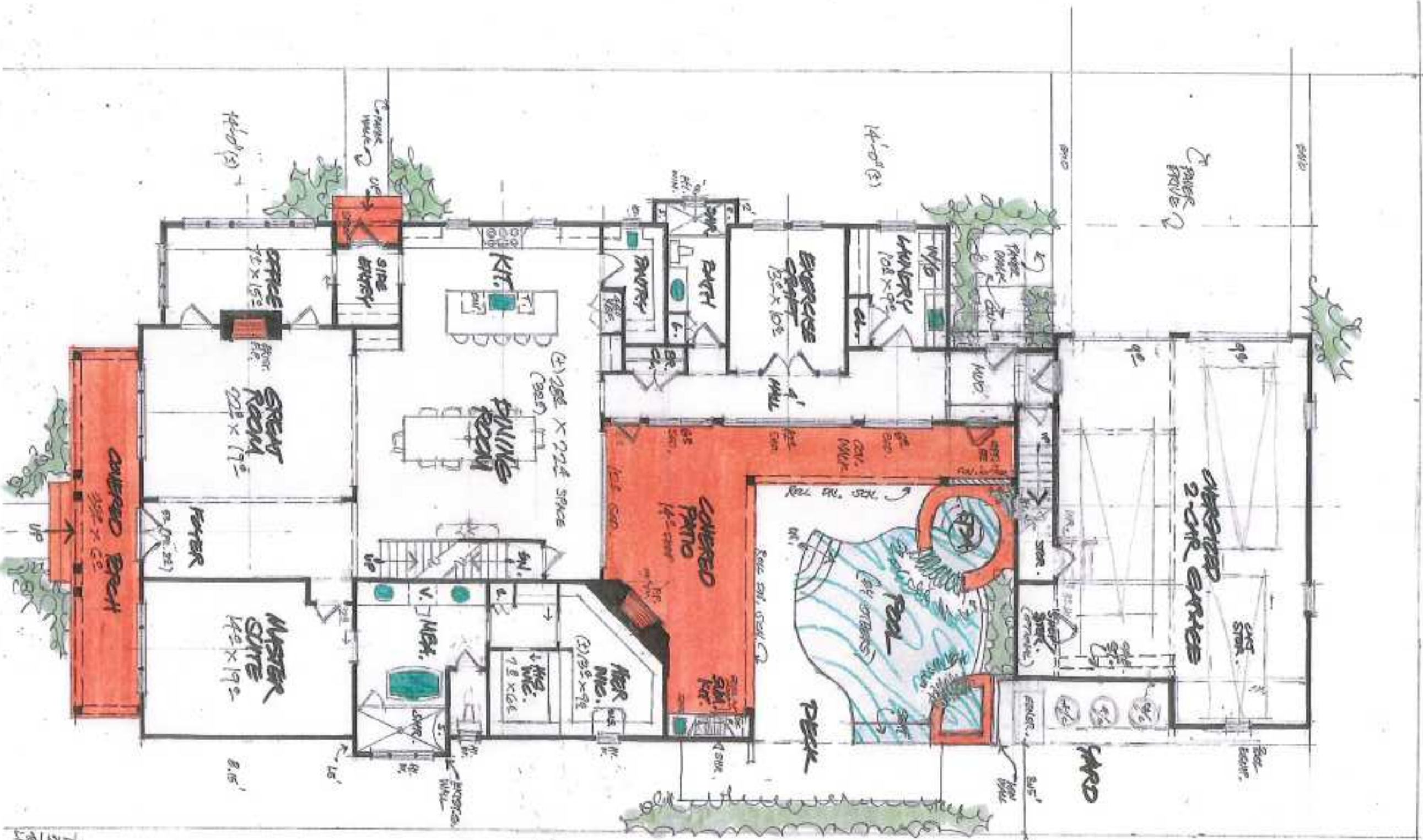
REAR ELEVATION

SCALE: $\frac{1}{4}" = 1'-0"$

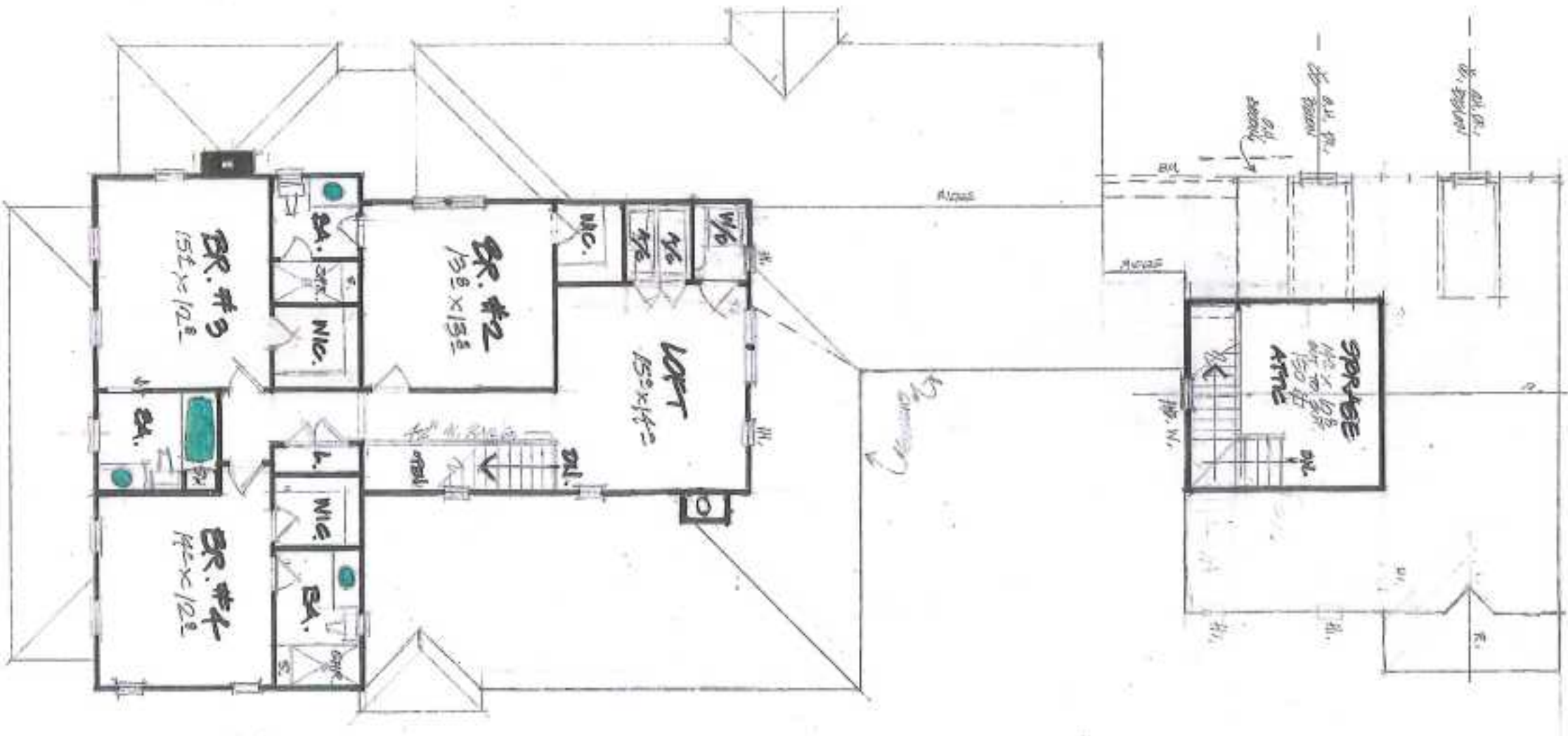


RIGHT SIDE ELEVATION

SCALE: $\frac{1}{4}" = 1'-0"$



Lot	2,058 sq. ft.
Garage	1,301 sq. ft.
Deck	4,019 sq. ft.



SECOND FLOOR PLAN
 CHANGES CURRENT CONSTRUCTION,
 COMPANION BATHS, TUBS, NIC.

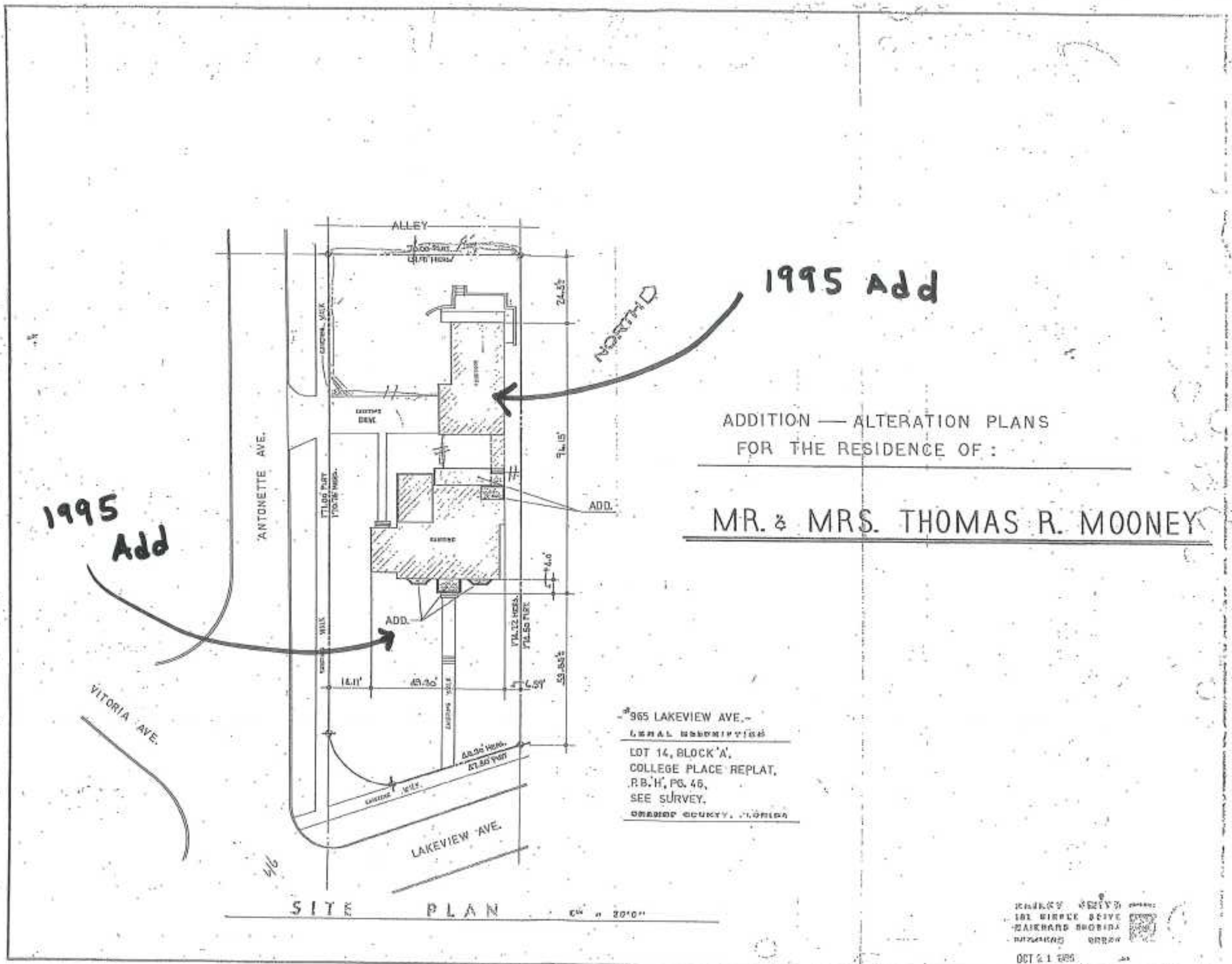
PAVING RESIDENCE
 3000 S. 14th St. - 01

SITEPLANS

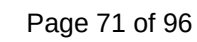
1995 GUEST HOME REMODEL

2022 SITE PLAN

2023 PROPOSED SITEPLAN



46



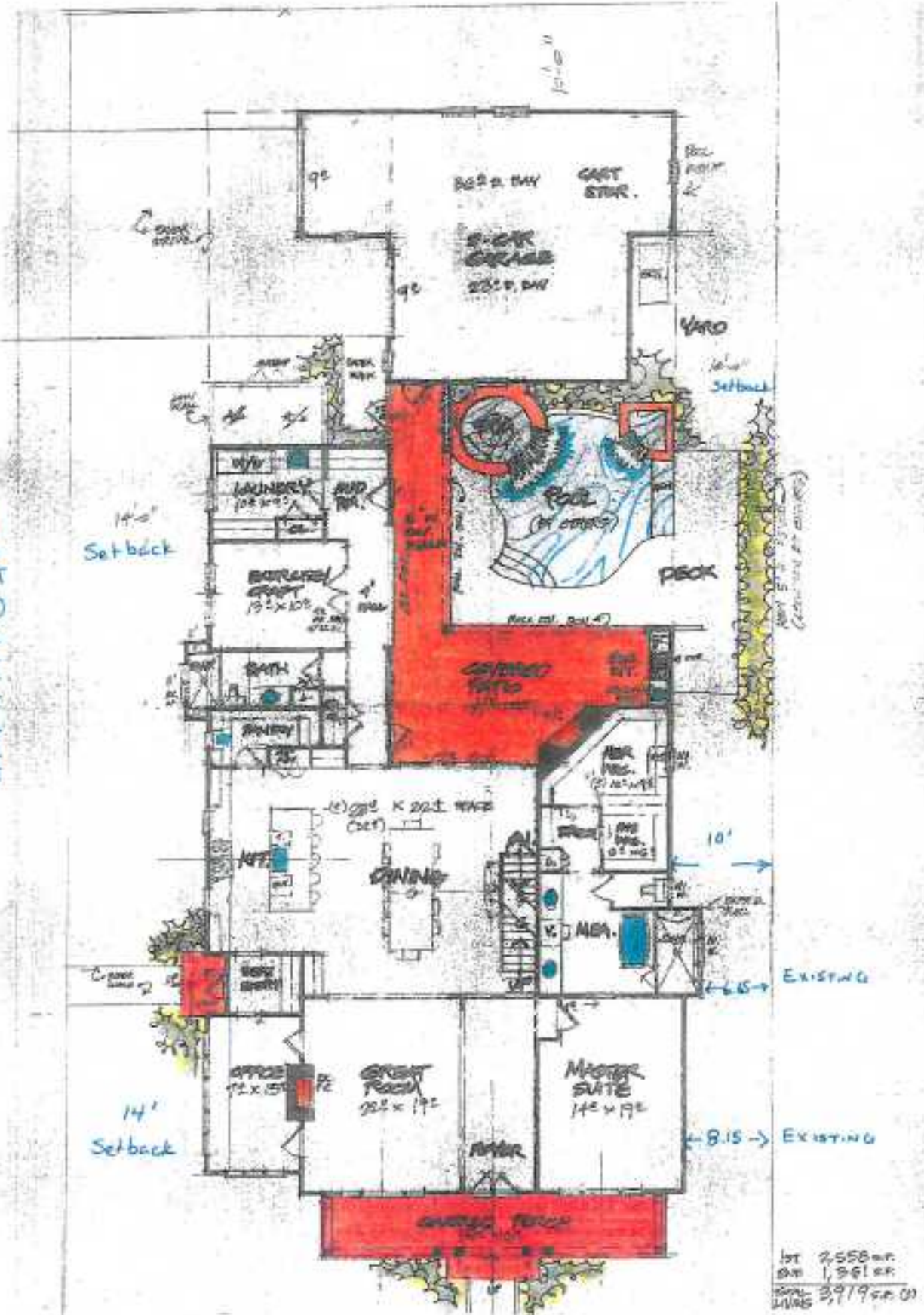


NOTE ALBY

Boundary Survey



ANTONETTE



lot 2,558 sq. ft.
 1,561 sq. ft.
 2,919 sq. ft. (1)

FIRST FLOOR PLAN
 ARCHITECT: ANTONETTE
 SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN

CHARLES CLARK CONSTRUCTION,
CORPORATE OFFICE DESIGN, LLC

PHILIP'S RESIDENCE

2000 / 12-1-0



City of Winter Park
Planning & Transportation Department
Historic Preservation Board
401 South Park Avenue
Winter Park, Florida 32789
407-599-3440

Certificate of Review Application

1. 965 Lakeview Dr, Winter Park FL 32789
Building address
Ryan and Zamantha Phillips 965 Lakeview Dr, Winter Park FL
Owner's name(s) Address Telephone

2. Please indicate the work you propose to undertake:

☐ Minor alteration ☒ New construction ☒ Addition ☐ Demolition ☐ Rehabilitation

☒ Variance request (additional information required) ☐ Other:

3. Proposed project narrative: (attach additional page if necessary)

The Phillip's Residence,

4. The following supplementary information shall be provided as applicable to describe the proposal:

☒ Site plan ☒ Floor plan(s) ☒ Elevations(s) ☒ Photo(s) ☐ Survey

☐ Material and product information ☐ Setback/Coverage worksheet

5. I, Ryan Phillips, as owner of the property described above, do hereby authorize the filing of this application on my behalf.

[Signature]
Owner's Signature

2-8-2023

Date

Historic Preservation Commission Office Use

Date received: _____ HPC Meeting: _____ Case File No. _____

Historic name of building (if any): _____

Historic district name (if any): _____

Parcel Identification Number: _____

Year built: _____

☐ historic landmark ☐ historic building/structure

☐ district contributing element ☐ district non-contributing element

**Historic Preservation Board
Certificate of Review
Supplemental Application for Variance Request**

1. Describe variance request:

Variance Request to place garage 10' from rear yard. Garage larger than Code. The side yard to the North Line has an 8.15' side yard setback existing. Would request on north side yard to match at 8.15', South side it is a 14' existing side setback would like to match at 14' vs. 15'.

2. What are the special conditions and circumstances peculiar to the land, building(s), and structure(s), involved especially as they are established by the historic character of the afore mentioned?

The neighborhood "College Place" replat is plentiful with accessory buildings in rear yards. The Home North and South side yards have existing setbacks that Owners would like to keep. Due to substantial improvement rule the Home would need to be demolished or brought into conformity with setbacks of Code.

3. Describe the requirements, from the Land Development Code upon which this request is based.

Accessory building setback - 25' Code setback vs. 10' request and Side See Aerial of Neighbor's side yard Set back rule of 10' on Northside yard to 8.15' and South side yard of 14' existing to 14' versus 15' Code. (also Note Garage Backs into 10' alley adding perceived depth)

4. Describe how the requested variance may be appropriate to achieve the design/review standards for historic preservation.
- The setbacks are existing on North and South side yards from Original Construction. The Alley Behind the home is 10'. The 10' setback request from 25' for large garage creates perception 20' rear yard.
5. Complete the setback and coverage calculations on the appropriate form and include with this application.

Attached

File this form with your completed Certificate of Review application.



SETBACK / COVERAGE WORKSHEET

For Single Family Zoning Districts (R-1A, R-1AA & R-1AAA)¹

Address:

965 Lakerview Dr.

Lot width²:

70'-0"

Submitted by:

Charles Clayton Construction

Lot area³:

12,783 SQ. FT.

	Maximum % Allowed ⁴	Existing Area ⁵	Maximum Allowed Area	Additional Proposed Area ⁶	New Total Area
IMPERVIOUS LOT COVERAGE	INCLUDE: building footprint, driveways, sidewalks, patios, swimming pools, A/C pads, artificial turf, etc.				
	50%		6,381		5,819
FLOOR AREA RATIO (F.A.R.)	INCLUDE: first and second floors, garages/carpets, attic areas with permanent access, stair areas on both floors, areas on second floors which are open to the first floor ⁷ , and accessory buildings. EXCLUDE: pool screen enclosure areas and certain open front, side and rear porches ⁸ .				
	Less than 12,000 sq. ft. or less: 40%				
	lots over 12,000 sq. ft.: 35% or 3,000 sq.ft., whichever is greater		5,000		4,987
Attic Area(s)⁹	3% FAR ⁹		150	150	5,017
FRONT YARD LANDSCAPE COVERAGE	INCLUDE: Count all landscaped green areas. EXCLUDE: hard surfaces and all driveway surfaces (pervious & impervious).				
FRONT LOT AREA	30%	4,200	2,100	186	4,041

NOTES:

1. Windward & Water/Wedge may use these standards, except for types A, B, & C in Windward.
2. Lot width is measured at the front building line across the lot. The building line is located at the required front setback for vacant lots or the front building wall, closest to the street for existing homes.
3. Submerged lands or land located across the street shall not be included.
4. Percentages based on the lot area.
5. Vaulted and cathedral ceiling areas count twice if the height from the floor to the ceiling is 12.5 feet or greater.
6. The area of open front porches and awnings may be excluded from the gross floor area subject to a maximum excluded area of 400 square feet. The area within open or screened rear and/or side porches, terraces, porte cocheres or other covered areas may be excluded from the gross floor area up to 600 square feet in total for all areas.
7. Attics are defined as the space enclosed within the roof structure of a building accessed by a pull-down ladder. Spaces or rooms on the lower floor as living areas, which are more than five (5) feet in height, are not included in the definition of attic, and therefore count towards FAR. Attic areas are not to be habitable areas but shall serve only as storage areas or for mechanical equipment. Attics shall not contain plumbing fixtures or finished room areas. Attics shall have natural lighting and air-circulation fans.
8. Any living area directly within the roof slope (if not accessed by a pull-down ladder, that is over five (5) feet in height, is permitted up to an additional three percent (3%) of the maximum floor area ratio allowed for the lot. These areas include bonus rooms, air-conditioned storage areas, etc. In addition, dormers or windows above the second story may only meet the public right-of-way. Homes with a mansard, gambrel, or flat roof types may not utilize this exemption. This area shall also comply with the Building Code.
9. These columns only apply to existing homes.

SETBACKS

	Minimum Allowable Dimensions		Existing		Proposed	
FRONT	25% of the lot depth or existing setback ¹ , whichever is greater ²					
SIDES ³			Left	Right	Left	Right
	1st Floor	30% of lot width ^{4,5}	14'	8.15'	14'	8.15'
	2nd Floor	40% of lot width ^{4,5}	23'-4"	8.15'	23'-4"	8.15'
REAR ^{3,6}	1st Floor	25 ft.			10'-0"	<u>GARAGE</u>
	2nd Floor	35 ft.				
	Lakefront	see note 7				
CORNER LOT (street-side yard)	Lot width of 70 ft. or less	15 ft.	14'-0"		14'-0"	
	Lot width over 70 ft.	20 ft.				
BUILDING HEIGHT ^{8,9,10}	Lots 12,500 sq. ft. or less	32 ft.				
	Lots over 12,500 sq. ft.	35 ft.	24'-8"		24'-8"	

Notes:

- The existing front setback shall be calculated using the front setback of the existing home or the most recently demolished home, that conformed with the then applicable front setback requirement when constructed.
- Lot depth is the average distance measured perpendicular to the front lot line and the rear lot line.
- Any building wall that exceeds 12 ft. in height measured from existing grade to top of the wall plate must meet the setbacks for the second floor.
- Lot width is measured at the building line across the front of the existing or proposed home.
- Side setbacks shall be equally divided on each side of the lot, unless otherwise specified in the code.
- Rear setbacks for properties abutting non-residential zones, R-2/R-4, or a permanent stormwater retention area over 25 ft. in width may be 10 ft. Lots that are 75 ft. deep or less may utilize a first floor rear setback of 10 ft. and a second floor rear setback of 20 ft. Lots which are 115 ft. deep or less may utilize a first floor setback of 10 ft. and a second floor setback of 25 ft.
- Requires Planning & Zoning Board approval. Lakefront setback is based on the average setback established by the adjacent residences or 50 ft., whichever is greater, measured from ordinary high water line.
- Building height is the vertical distance measured from the average elevation of the existing lot grade measured directly adjacent to the front of the building or proposed building.
- Roofs with a pitch of 2:12 or less shall be a maximum of 26 ft.
- Properties or lots exceeding 50,000 square feet in size with an least 300-ft. width at the building line may be permitted building heights up to 40 ft. if all side setbacks are increased to 35 ft.

FINISHES PLAN

Roof : 40 Year Dimensional Shingle

Siding Match existing width and profile

Windows to match existing Profiles through out same number of window panes per existing home

Internal courtyard may have garden windows instead at Lanai and pool area

Andersen Windows

Atlantic Shutters-Real shutters with hold backs

NEIGHBORING HOMES WITH GARAGES ACCESSORY BUILDINGS REAR YARD

Lakeview Dr

965 Lake View applicant
945 neighbor to north
937 neighbor to North

Legend

Elizabeth Hall



Google Earth

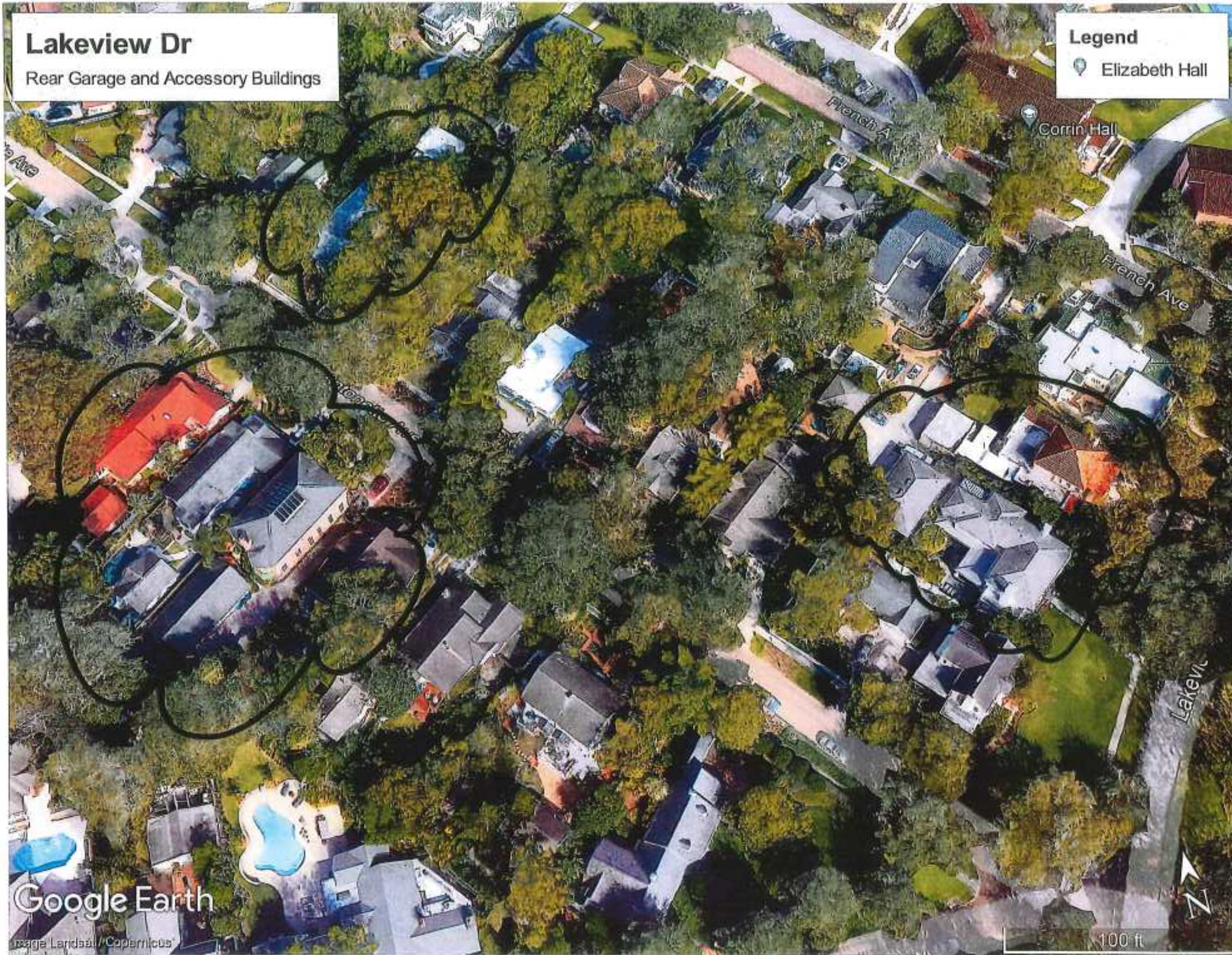
Image Landsat / Copernicus

Lakeview Dr

Rear Garage and Accessory Buildings

Legend

Elizabeth Hall







Jeffrey Briggs

From: Mary Bush
Sent: Tuesday, April 16, 2024 5:20 PM
To: Jeffrey Briggs
Subject: April 12, 2023 HPB Regular Meeting

Hi Jeff,

I have reviewed the video of the April 12, 2023 HPB regular meeting. Your presentation discusses the proposed additions along the frontage of Antonette Avenue and the back of the home, noting that the applicant would be continuing the building walls of the existing home to complete the additions.

The applicant's architect, Bernie Johnson was given an opportunity to speak but only addressed the Board by asking what he could answer for them. During the discussion with the Board and Mr. Johnson (21:42), it was commented by Mr. Johnson that he wanted to give his client what they were asking for and so he started with the old house and added to that a porch and dormer and that was it. Further into this discussion (24:45) Mr. Johnson commented that the alternative is always somebody wanting to come in and tear the home down. The Board swiftly responded to Mr. Johnson's comment noting to him that his stated alternative did not exist and that the Historic Preservation Board does not allow demolition of contributing structures in Historic Districts and Mr. Johnson as a skilled architect should be well aware of that, to which Mr. Johnson nodded and expressed his agreement with the statement.

I did not hear anything in the full discussion on this item that anything would be demoed except for what was stated in the item request description below that was listed on the agenda, staff report, and elsewhere as required:

Request by Ryan and Zamantha Phillips for approval to demolish the existing detached garage/accessory cottage and build first and second-floor additions and a new garage, subject to certain setback variances, to the existing "contributing" home at 965 Lakeview Drive, built in 1936 within the College Quarter Historic District, zoned: R-1AA.

Please let me know if you need anything else in this regard.

Thank you,



Under Florida law, email addresses and written correspondence with the city become public record and must be made available to the public and media upon request (unless otherwise exempt). If you do not want your email address to be public record, please contact our office by phone.



CITY OF WINTER PARK

401 Park Avenue, South

Winter Park, Florida 32789

NOTICE IS HEREBY GIVEN that the Winter Park Historic Preservation Board proposes to render a decision on the following requests described below on Wednesday, May 8, 2024 at 9:00 a.m. in the Commission Chambers of City Hall, at 401 Park Avenue, South, Winter Park, Florida.

HDA 24-02 Request by Charles and Lucinda Helton for a historic designation of the home at 1601 Berkshire Avenue, built in 1951. Zoned: R-1A.

COR 23-05 Request by the City of Winter Park to revoke the setback variances granted by the Historic Preservation Board on April 12, 2023 at 965 Lakeview Drive in response to the demolitions that occurred. Zoned: R-1A.

All interested parties are invited to attend and be heard. Additional information is available by contacting Jeffrey Briggs, via 407-599-3440 or jbriggs@cityofwinterpark.org or visiting the Planning Department located on the 2nd floor in City Hall at 401 Park Avenue South so that citizens may acquaint themselves with the issue and receive answers to any questions they may have prior to the meeting.

NOTE: If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need 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)

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Planning Department at 407-599-3440 at least 48 hours in advance of the meeting.

/s/: Rene Cranis, City Clerk

Publish: Sunday, April 21, 2024 Orlando Sentinel



Historic Preservation Board

agenda item

item type

Action Items

meeting date

May 8, 2024

prepared by

Jeffrey Briggs

approved by

Allison McGillis, Director of Planning and
Zoning

subject

Request for Preliminary Review to designate the property at 1243 Westchester Avenue, built in 1925 contingent upon approval of additions to the existing home.

motion | recommendation

Provide design direction.

background

The property at 1243 Westchester Avenue was purchased in June 2023 by Mr./Mrs. Wrighton.

They have experience in renovating and restoring historic homes. They are interested in designating this property and home as historic based upon approval of plans to undertake additions to this home. They have requested an opportunity to present to the Historic Preservation Board those conceptual ideas (before getting architectural plans drawn) in order to see if the Board feels that they are on the right track.

Attached is a conceptual sketch done by Mr. Wrighton and an image of an existing home that is their 'vision' in terms of replicating that look.

The existing house is very close to the eastern (right-hand side) property line. All the additions to add the second floor to the existing one-story home and adding the new two-story wing, would meet the code setbacks, floor area ratio, impervious coverage, etc. However, when one does such an extensive remodel and addition (over 50%) then the entire home is supposed to conform to the current setbacks, which the owners cannot accomplish without removing that eastern wing of the home. That would be the one variance, which is to leave that existing one-story wing intact. Another may be for the second story side setback in line with the first flora versus the wedding cake.

The owners understand the structural aspect of supporting a second story on top of a wall built in 1935 and structural issues. They also recognize that the details are critical, including articulation, garage door detail, window package and the wood siding versus hardie board.

strategic objectives

alternatives | other considerations

fiscal impact

attachments

1. Map and aerial
2. House pictures
3. 1423 Westchester Rendering
4. 1423 Westchester Inspiration House_

OCA Web Map

	Major Roads		Proposed Road		Residential		Commercial/Industrial/Vacant Land		Parks	6	Lot Number
	Public Roads		Brick Road		Agriculture		Agricultural Curtilage		Lakes and Rivers	06060	Parcel Number
	Gated Roads		Block Line		Commercial/Institutional		Hydro		Building	3106	Parcel Address
	Road Under Construction		Lot Line		Governmental/Institutional/Misc		Waste Land	E	Block Number	111.9	Parcel Dimension



Created: 3/18/2024 15:5, undefined

This map is for reference only and is not a survey

OCA Web Map

OCA Web Map			Major Roads		Proposed Road		Residential		Commercial/Industrial Vacant Land		Parks	6	Lot Number
	Florida turnpike		Public Roads		Brick Road		Agriculture		Agricultural Curtilage		Lakes and Rivers	06060	Parcel Number
	Interstate 4		Gated Roads		Block Line		Commercial/Institutional		Hydro		Building	3106	Parcel Address
	Toll Road		Road Under Construction		Lot Line		Governmental/Institutional/Misc		Waste Land	E	Block Number	111.9	Parcel Dimension



Created: 3/18/2024 13:5 Aerial 2023, undefined

This map is for reference only and is not a survey



1423 WESTCHESTER AVE, WINTER PARK, FL 32789 2/10/2023 9:37 AM





