



Board of Adjustments Regular Meeting Minutes

May 21, 2024 at 5:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Michael Clary, Robert Trompke, Cathy Williams

Absent

Ann Higbie, Charles Steinberg, Jason Johnson, Tom Sims

Staff Present

Planner Nicholas Lewis, Administrative Coordinator Mary Bush

1. Call to Order

Robert Trompke called the meeting to order at 5:00 p.m.

Due to there being no quorum of the Board present, the Board members decided to conduct the meeting as a work session.

2. Consent Agenda

- a. Approve the minutes of March 25, 2024.

Due to no quorum of the Board present, approval of the meeting minutes was tabled to the next Board of Adjustments meeting scheduled for June 18, 2024.

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. BOA-2024-0003. Request of Leslie Golden for variance approval from Section 58-171 subsections (a)(7) and (a)(8), to waive the ten-foot front setback requirement for artificial turf and the requirement prohibiting artificial turf installation within public or private rights-of-way for the property located at 1812 Gipson Green Lane, zoned R-1AA; and appeal of the decision of the

City's Public Works Department regarding public right-of-way utilization per Section 90-194(c).

The applicant, Leslie Golden of 1812 Gipson Green Lane, Winter Park, FL 32789 addressed the Board and provided a summary of the item. Ms. Golden noted that she purchased the home in 2015 and then presented photos of what the grass in her front lawn looked like when she bought the house and what it currently looks like. She also noted that the front lawn and at least six small trees had been dying out for unknown reasons, and she had not been able to get the lawn and trees to grow back. She added that she has had the lawn and trees assessed and treated and nothing has worked to get either to grow. She explained that her and her husband did not know there was a City ordinance regarding artificial turf when they had decided to replace the lawn with artificial turf. She further explained that they were made aware of the ordinance when they received a notice from the City regarding their in-progress installation of the artificial turf that they had purchased. Ms. Golden indicated that the only parts of the ordinance that were in dispute were sections seven and eight regarding where artificial turf installations are permitted. She also noted that there is a utility easement that is located within the area where artificial turf is not allowed but where she would like to place turf. She added that she was still trying to discern if the easement belongs to the City of Winter Park or the City of Maitland. She then discussed how artificial turf is treated differently than other impervious materials within the rights-of-way and easements. She also discussed the reasons why she felt the City should consider approving the requested variances and the financial impact that would occur on her if the variances were not approved.

The Board inquired about what sidewalk portion Ms. Golden had already removed, what portion of the lawn had been re-sodded, and if anyone had been able to determine what caused the lawn and trees to die. A brief discussion then ensued regarding the type of sod that is on the property and how the City interprets ordinances when they are applied to properties that have more than one way they can be designed.

The Board recommended that the applicant determine if there is any unique hardship to her property that would support her request and to bring up the easement and right-of-way issue that she had expressed at the next Board meeting. A brief discussion ensued regarding access to the utility easement in the right-of-way and the types of grass that could be used in place of artificial turf.

5. Non-Action Items

6. Staff Updates

7. Board Comments

8. Upcoming Agenda Items

9. Adjournment

The meeting adjourned at 5:29 p.m.

Minutes approved by the Board on July 16, 2024.

ATTEST:

/s/ Mary Bush, Board Secretary