



# Board of Adjustments Regular Meeting Minutes

**December 17, 2024 at 5:00 PM**

City Hall Commission Chambers  
401 S. Park Avenue

## **Present**

Michael Clary, Ann Higbie, Charles Steinberg, Robert Trompke

## **Absent**

Aimee Hitchner, Jeanne Reynaud, Frank Pruitt

## **Staff Present**

City Attorney Hillary Griffith, Senior Planner/Zoning Official John Harbilas, Planner II Nicholas Lewis, Administrative Coordinator Mary Bush

### **1. Call to Order**

Chairman Steinberg called the meeting to order at 5:01 p.m.

### **2. Consent Agenda**

- a. Approve the minutes of October 15, 2024.

Motion made by Michael Clary, seconded by Robert Trompke, to approve the October 15, 2024 meeting minutes.

The motion carried unanimously by a 4-0 vote. (Aimee Hitchner, Jeanne Renaud, and Frank Pruitt were absent from the meeting.)

### **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-2024-0013. Request of Dove Builders of Central Florida Inc. for variance approval from Section 58-65 subsection (f)(6), to allow a 31.1-foot front setback in lieu of the required 35-foot front setback in conjunction with the proposed single-story addition to the existing single-family home located at 1017 N. Phelps Avenue, zoned R-1A.

Mr. Lewis provided a summary of the item. He noted that four neighbor letters had been received in favor of the request and none in opposition of it. He then discussed the proposed addition and renovations to the existing home, noting that all of the setbacks except the front setback meet code. He also noted that when considering the block structure, the applicant's house is significantly further back than any other house along the block. Mr. Lewis then reviewed the variance approval criteria for the request. He indicated that the applicant's lot is the only interior lot within its block compared to the other parcels which are all corner lots. He also indicated that city code requires the front setback be either 20% of the lot depth or the setback of the existing structure, whichever is greater. He explained that the existing setback for the applicant's lot is 35-feet and exceeds the 20% number, so the required front setback to both floors is 35-feet. He then noted that because of the lot's unique circumstance being the only interior lot facing Phelps Avenue, as well as the fact that the city's code would not allow an addition beyond the existing structure despite the greater setback compared to the neighbors, staff did not believe that the request would allow for a special privilege to any other lands, structures, or buildings in the same zoning district.

Staff recommendation was for approval.

The applicant, Tom Cason of Dove Builders of Central Florida Inc. at 108 Lake Minnie Drive, Sanford, FL 32773 addressed the Board and indicated that he agreed with staff's presentation and recommendation.

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

The Board expressed that they were in approval of the request.

**Motion made by Ann Higbie, seconded by Michael Clary, for variance approval from Section 58-65 subsection (f)(6), to allow a 31.1-foot front setback in lieu of the required 35-foot front setback in conjunction with the proposed single-story addition to the existing single-family home located at 1017 N. Phelps Avenue, zoned R-1A, with a finding that the approved variances are 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 variances; the variances are the minimum variance that will make possible the reasonable use of the land, building, or structure; and the granting of the variances 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.**

**The motion carried unanimously by a 4-0 vote. (Aimee Hitchner, Jeanne Renaud, and Frank Pruitt were absent from the meeting.)**

- b. BOA-2024-0014. Request of Skolfield Homes LLC for variance approval from Section 58-65 subsection (f)(7), to allow a 9.5-foot second-story side setback in lieu of the required 13-foot second-story side setback in conjunction with the proposed open-air covered porch addition to the existing home located at 1486 Alabama Drive, zoned R-1AA.

Mr. Lewis provided a summary of the item. He noted that it was a lakefront lot and was one of the few in the city where the lakefront portion is in front of the lot. He noted that there is a two-story bamboo screening running down the side of the property along where the addition would be located. He added that the neighbor on that side of the addition had provided a neighbor letter recommending approval of the applicant's request and no neighbor letters were received in opposition of the request. He then reviewed the applicant's proposed elevations and the variance approval criteria for the request. Mr. Lewis noted that the structure has an extensive history due to its uniqueness and the same request had been approved by the Board twice in the past: the first time was in 2014 by the prior owners to allow for the open balcony area and the second-time in 2018 by the current owner to enclose it. He indicated that the applicant was currently proposing the same request approved in 2018 but for an open-air porch compared to an enclosed living space. He then explained that because of the lot's unique history and previous variance approvals, as well as the nonconforming nature of the existing structure and existing two-story bamboo screening, staff did not believe that any special privilege would be granted to other lands, structures, or buildings in the same zoning district.

Staff recommendation was for approval.

The applicant Taylor Nielson with Skolfield Homes LLC at 118 West Comstock Avenue, Winter Park, FL 32789 addressed the Board and noted that there is an integrated gutter system in the pergola and the two-story vegetative buffer will help with the drainage.

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

The Board expressed their approval of the request. A brief discussion ensued regarding requiring the existing bamboo screening to remain intact.

**Motion made by Robert Trompke, seconded by Ann Higbie, for variance approval from Section 58-65 subsection (f)(7), to allow a 9.5-foot second-story side setback in lieu of the required 13-foot second-story side setback in conjunction with the proposed open-air covered porch addition to the existing home located at 1486 Alabama Drive, zoned R-1AA, with a finding that the approved variances are 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 variances; the variances are the minimum variance that will make possible the reasonable use of the land, building, or structure; and the granting of the variances 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, with the following condition:**

- **that the existing vegetative bamboo buffer remain in place and if for some reason it is damaged or otherwise removed that it must be replaced.**

**The motion carried unanimously by a 4-0 vote. (Aimee Hitchner, Jeanne Renaud, and Frank Pruitt were absent from the meeting.)**

## **5. Non-Action Items**

## **6. Staff Updates**

Mr. Lewis informed the Board that the city's Planning Consultant, Jeff Briggs was retiring in a few weeks.

## **7. Board Comments**

## **8. Upcoming Agenda Items**

## **9. Adjournment**

The meeting adjourned at 5:29 p.m.

Minutes approved by the Board on January 21, 2025.

ATTEST:

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/s/ Mary Bush, Board Secretary