



# Board of Adjustments Regular Meeting

## Agenda

**April 15, 2025 @ 5:00 PM**

City Hall Commission Chambers  
401 S. Park Avenue

### welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at [cityofwinterpark.org/meetings](http://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 February 18, 2025. 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. BOA #25-03. Request of Sarah Silveira for variance approval from Section 58-65(f)(6), to allow a 33-foot front setback in lieu of the required front setback of 59 feet in conjunction with the proposed single-family home located at 1790 Windsor Drive, zoned R-1A. 10 minutes
  - 5. Non-Action Items**
  - 6. Staff Updates**
  - 7. Board Comments**
  - 8. Upcoming Agenda Items**
  - 9. Adjournment**



# Board of Adjustments

# agenda item 2.a

**item type**

Consent Agenda

**meeting date**

April 15, 2025

**prepared by**

Mary Bush, Administrative Coordinator III

**approved by****subject**

Approve the minutes of February 18, 2025.

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

1. Draft Board of Adjustments Regular Meeting Minutes



# Board of Adjustments Regular Meeting Minutes

**February 18, 2025 at 5:00 PM**

City Hall Commission Chambers  
401 S. Park Avenue

## **Present**

Michael Clary, Ann Higbie, Charles Steinberg, Robert Trompke, Aimee Hitchner, Jeanne Reynaud, Frank Pruitt

## **Absent**

None

## **Staff Present**

City Attorney Hillary Griffith, Director of Planning & Zoning Allison McGillis, Planner II Nicholas Lewis, Planner I Corinna Lundgren, Administrative Coordinator Mary Bush

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

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

### **2. Consent Agenda**

- a. Approve the minutes of January 21, 2025.

Motion made by Aimee Hitchner, seconded by Robert Trompke, to approve the January 21, 2025 meeting minutes.

The motion carried unanimously by a 7-0 vote.

### **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-2024-0016. Request of Rachid El Manouni for variance approval from Section 58-71 subsection (n)(2), to allow a 6-foot-high fence within the front yard in lieu of the maximum height of 3-feet for fences within front yards in conjunction with the proposed fence located at 2150 Suffield Drive, zoned R-1A.

Mr. Lewis provided a summary of the item. He noted that the item had been discussed and tabled at the last Board meeting on January 21, 2025. He then reviewed the details of the original request and property layout, noting that at the January meeting the Board had requested that staff meet with the applicant at the property to address concerns brought up at the meeting. He indicated that staff had visited the property and confirmed that the small camphor trees and vegetation along the Mayflower Retirement Center's fence line had been removed by the applicant, as well as the large camphor tree in front of the raised deck. He then explained that because of the removal of the small trees and vegetation, there was enough room to maneuver and store the applicant's boat and boat trailer behind a 10-foot setback from the front property line. Mr. Lewis indicated that the applicant had agreed to relocate the existing carport structure to make the adjustment for the 10-foot setback. He then reviewed the variance approval criteria, indicating that although staff does not usually support requests to screen recreational vehicles, there are several conditions and circumstances with the applicant's property that evidence the prohibitive nature of the lot and other conditions and circumstances that evidence that the request will be minimally impactful on the adjacent neighbors. He added that because of the special conditions and circumstances, and the reality that the applicant would not otherwise be able to adequately screen the vehicle from the view of the neighbors and right of way, staff believed that granting the request would not result in any special privilege granted to other lands, structures, or buildings in the same zoning district.

Staff recommendation was for approval with the following conditions:

- that the portion of the proposed fence that is front facing in front of the raised patio area be screened by a vegetative buffer,
- and that the portion inclusive of the gate to screen the boat be setback so as to meet a 10-foot setback from the front property line.

Mr. Lewis noted that the applicant was not able to attend the meeting but had agreed to both stated conditions prior to the meeting.

Discussion then ensued about what exists behind the fence adjacent to the deck, whether the deck that the applicant built caused the need for the requested variances, if the applicant was allowed to place a 10-foot fence in front of the deck, why the city was in favor of the request, where the required vegetative buffer would be placed, and if any neighbors had responded with regard to the request.

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

The Board shared their thoughts on the matter and had differing opinions about the request. Concerns were expressed about setting a precedence and the hardship being self-imposed by the applicant.

**Motion made by Robert Trompke, seconded by Michael Clary, for variance approval from Section 58-71 subsection (n)(2), to allow a 6-foot-high fence within the front yard in lieu of the maximum height of 3-feet for fences within front yards in conjunction with the proposed fence located at 2150 Suffield Drive, zoned R-1A, with the following conditions:**

- **that the portion of the proposed fence that is front facing in front of the raised patio area be screened by a vegetative buffer,**
- **and that the portion inclusive of the gate to screen the boat be setback so as to meet a 10-foot setback from the front property line.**

**The motion carried by a 4-3 vote. (In Favor: Michael Clary, Charles Steinberg, Jeanne Reynaud, and Frank Pruitt. Opposed: Robert Trompke, Ann Higbie, and Aimee Hitchner.)**

- b. BOA-2025-0001. Request of Jennifer Killen and Christopher Frank for variance approval from Section 59-71 subsection (h)(4), to allow a 10-foot rear setback for a 700 square foot accessory building, in lieu of the required principal setback of 25 feet for accessory buildings over 400 square feet, located at 2009 Lake Drive, Zoned R-1A.

Ms. Lundgren provided a summary of the item. She noted that the applicants intended to use the proposed building as an ADA-compliant accessory building for their elderly mother. She also noted that staff had received three neighbor letters in approval of the request and none in opposition to it. She then indicated that the neighbor to the rear of the property did not respond to the hearing notice, but there is an existing 70-foot rear setback from the applicant's property line and a very large landscape buffer between the two properties. She then reviewed the variance approval criteria, noting that if the building pad for the accessory structure met the required rear and side setbacks of 18 and 25 feet respectively, the accessory building could not be built to adequately address the applicants' need for wheelchair accessibility for their mother. She also noted that 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 regarding the variance requested.

Staff recommendation was for approval with the following condition:

- That the overall height of the structure not exceed either 16 feet or the height of the existing structure to be in conformance with all other code requirements.

Discussion ensued about the required height limit of the accessory structure and

clarification of the minimum required side setback.

The applicants, Christopher Frank and Jennifer Killen of 2009 Lake Drive, Winter Park, FL 32789 addressed the Board. Ms. Killen noted that the intent of the accessory structure was for her mother, who is aging and needs to be cared for and uses a wheelchair and walker interchangeably.

A brief discussion ensued about whether there was an existing city code restriction on renting accessory structures.

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

Discussion then ensued regarding whether the accessory buildings found on other properties in the neighborhood had to have been approved with variances and if they adhere to the city's setback requirements.

**Motion made by Michael Clary, seconded by Robert Trompke, for a variance approval from Section 58-71 subsection (h)(4), to allow a 10-foot rear setback for a detached accessory dwelling unit in lieu of the required principal setback of 25 feet for accessory buildings over 400 square feet located at 2009 Lake Drive, zoned R-1A, with the following condition:**

- **That the overall height of the structure not exceed either 16 feet or the height of the existing structure to be in conformance with all other code requirements.**

**The motion carried unanimously by a 7-0 vote.**

- c. BOA-2025-0002. Request of Habitat for Humanity of Winter Park/Maitland, for variance approval from Section 58-65 subsection (f)(6), to allow a 16-foot front setback in lieu of the required front setback of 21-feet in conjunction with the proposed single-story home located at 860 W New England Avenue, zoned R-1A.

Mr. Lewis provided a summary of the item. He noted that the applicant's lot was one of the smallest within the city and then made comparisons of the applicant's required 21-foot front setback to the much smaller existing front setbacks of the surrounding properties. He indicated that the average front setback for the rest of the block is 15-feet. He went on to express that the disparity in the applicant's required front setback to those of the surrounding properties significantly restricts the viability of building a single-story structure on the applicant's lot. Mr. Lewis then indicated that because of the lot's unique circumstance being the only significant outlier among other similarly-sized parcels within the block structure, its significant size constraints, and the intent of

the city's front setback provision to ensure compatibility, 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's representative, Hal George at 468 Virginia Drive, Winter Park, FL 32789 addressed the Board. He noted that the applicant, Habitat for Humanity, had built several houses on lots of the same size as the subject lot but did not realize that the city code regarding setbacks had changed in the year the house was purchased.

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

**Motion made by Michael Clary, seconded by Robert Trompke, for variance approval from Section 58-65(f)(6), to allow a 16-foot front setback in lieu of the required 21-foot front setback in conjunction with the proposed single-story, single-family home located at 860 W New England Avenue, zoned R-1A.**

**The motion carried unanimously by a 7-0 vote.**

**5. Non-Action Items**

**6. Staff Updates**

**7. Board Comments**

**8. Upcoming Agenda Items**

**9. Adjournment**

The meeting adjourned at 5:50 p.m.

ATTEST:

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/s/ Mary Bush, Board Secretary



# Board of Adjustments

# agenda item 4.a

## item type

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

## meeting date

April 15, 2025

## prepared by

Nicholas Lewis, Planner II

## approved by

Allison McGillis, Director of Planning and Zoning

## subject

BOA #25-03. Request of Sarah Silveira for variance approval from Section 58-65(f)(6), to allow a 33-foot front setback in lieu of the required front setback of 59 feet in conjunction with the proposed single-family home located at 1790 Windsor Drive, zoned R-1A.

## motion | recommendation

Staff recommendation is for approval of the variance requested.

## background

The applicant and homeowner, Sarah Silveira, is requesting variance approval to allow a front setback of 33-feet in lieu of the required 59-foot front setback. The property is zoned R-1A.

## Variance Review Criteria:

### Special Conditions and Circumstances

In order for a variance to be granted, special conditions and circumstances must exist which are peculiar to the land, structure, or building involved and are not applicable to other land, structures or buildings in the same zoning district.

The subject property is a standard rectangular lot and has a required front setback of 59-feet based off the setback of the existing structure compared to the average front setback of the block, which is 36-feet and compared to the average of the houses on the same side of the street, which is 33-feet. The subject property is 141-feet deep, so the 59-foot setback requires roughly 40% of the lot to be within the front yard area. This is a significant amount of frontage compared to the rest of the structures on the south side of Windsor Drive, where the front yard area comprises roughly 25% of the lot areas of the neighboring parcels.

### Deprivation of Rights

The second requirement for granting a variance is that the literal interpretation of the

provisions of the zoning code would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district.

A literal interpretation of Section 58-65(f)(6) requires a front setback of 59-feet. Based on the code language, the front setback is determined by taking the greater of either 20% of the lot depth or the setback of the existing structure. Currently, the existing structure setback at 59-feet far exceeds the 20% number (28-feet). Therefore, based on the requirements of the code, the required setback is roughly 30-feet greater than the existing setback average of the rest of the block. The existing home has an attached carport with a 39-foot setback, but the front setback is measured to the front building wall, which is an additional 20-feet back.

The intent of the front setback provision is to ensure compatibility with the neighboring block structure. In this case, the subject property is by far the outlier based on circumstance and is penalized, whereas other properties along the block are permitted to have a significantly lesser setback. The applicant is requesting a front setback of 33-feet, which is the average of the structures on the same side of the street and is located behind both of the adjacent structures. The request brings the applicant's property into compatibility with the rest of the street.

### **Actions of the Applicant**

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

The existing house was built in 1958, and the required front setback was established prior to the applicant's purchase of the property in 2020. Therefore, the existing setback, and the fact that the structure is out of character with the rest of the block were not caused by any action of the applicant.

### **Special Privilege**

The last requirement necessary to grant a variance request is that the variance will not confer on the applicant any special privilege denied by the zoning ordinance to other lands, structures, or buildings in the same zoning district. No nonconforming use of the neighboring lands, structures, or buildings in other zoning districts shall be considered grounds for the issuance of a variance.

Because of the lot's unique circumstances being the only significant outlier within the block structure, and the intent of the front setback provision to ensure compatibility, staff does not believe that the request would allow for a special privilege to any other lands, structures, or buildings in the same zoning district.

### **Summary**

Staff believes that the applicant meets the four criteria required to grant the variance requested.

### **alternatives | other considerations**

## **fiscal impact**

### **attachments**

1. 1790 Windsor Drive - Area Map
2. 1790 Windsor Drive - Aerial Map
3. 1790 Windsor Drive - Survey
4. 1790 Windsor Drive - Site Plan
5. 1790 Windsor Drive - Applicant Submittal



Oakhurst Avenue

Woodland Avenue

Dale Avenue

Lakemont Elementary

Yorkshire Drive

Windsor Drive

Lakehurst Avenue

Lasbury Avenue

Walker Avenue

Bryan Avenue

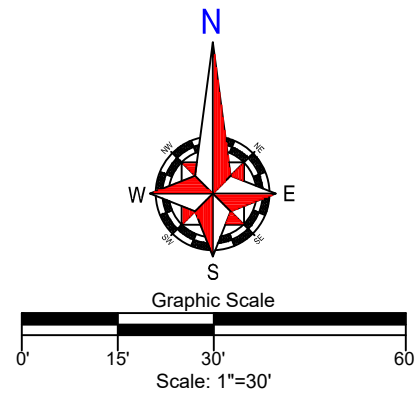
Taylor Avenue

Road



WINDSOR DRIVE





Note: Assumed Bearings.



## Boundary & Topographic Survey

### Legal Description:

LOT 7, BLOCK A, V.H. MUSSELWHITES SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK S, PAGE 41, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND THE NORTH HALF OF THE VACATED ALLEY LYING SOUTH.

ALSO KNOWN AS: V.H. MUSSELWHITES SUBDIVISION S/41 LOT 7 BLK A & THROUGH PORTION OF LAKEVIEW/OSCEOLA DB 3/167 DESCRIBED AS: BEGINNING AT SOUTHEAST CORNER LOT 7, THROUGH RUN SOUTHERLY ALONG EXTENSION OF EAST LINE OF LOT 7 TO A PORTION MIDWAY BETWEEN NORTH LINE OF ORANGE GROVE SUB G/115 AND SOUTH LINE V.H. MUSSELWHITES SUBDIVISION S/41, THROUGH WESTERLY 75 FEET M/L ALONG MIDLINE TO PORTION OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 7, THROUGH NORTHERLY ALONG EXTENSION OF THE WEST LINE TO SOUTHWEST CORNER LOT 7, THROUGH EASTERLY TO POINT OF BEGINNING SEE 5921/1966.

FLOOD DISCLAIMER:  
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN ORANGE COUNTY, COMMUNITY NUMBER 120188, DATED 2009-09-25.

CERTIFIED TO:  
SARAH SILVEIRA

#### -Site Benchmark Information-

- #1  
Set Nail & Disk "LB # 7623"  
Elevation: 95.37
- #2  
Set Nail & Disk "LB # 7623"  
Elevation: 95.42

#### -Benchmark Information-

- Orange County Datum Elevation: 83.36'
- Parcel ID: LG49012  
Elevation: 92.96'  
(Elevations are based upon NAVD 88 Datum)

Field Date: 03/17/25  
Date Completed: 03/19/25  
Drawn By: PK  
File Number: IS-140223

| -Legend- |                                       |
|----------|---------------------------------------|
| C        | - Calculated                          |
| CL       | - Centerline                          |
| CM       | - Concrete Monument                   |
| Conc.    | - Concrete                            |
| D        | - Description                         |
| DE       | - Drainage Easement                   |
| Easmt.   | - Easement                            |
| F.E.M.A. | - Federal Emergency Management Agency |
| FFE      | - Finished Floor Elevation            |
| FP       | - Found                               |
| IP       | - Iron Pipe                           |
| L        | - Length (Arc)                        |
| M        | - Measured                            |
| N&D      | - Nail & Disk                         |
| N.R.     | - Non-Radial                          |
| ORB      | - Official Records Book               |
| P        | - Plat                                |
| P.B.     | - Plat Book                           |
| -        | - Wood Fence                          |
| PC       | - Point of Curvature                  |
| Pg.      | - Page                                |
| PI       | - Point of Intersection               |
| P.O.B.   | - Point of Beginning                  |
| P.O.L.   | - Point on Line                       |
| PP       | - Power Pole                          |
| PRM      | - Permanent Reference Monument        |
| PT       | - Point of Tangency                   |
| R        | - Radial                              |
| R&C      | - Rebar & Cap                         |
| Rec.     | - Recovered                           |
| Rfd.     | - Roofed                              |
| Set      | - Set "12" Rebar & Cap "LB 7623"      |
| Typ.     | - Typical                             |
| UE       | - Utility Easement                    |
| WM       | - Water Meter                         |
| Δ        | - Delta (Central Angle)               |
| -O-      | - Chain Link Fence                    |

-Notes-  
>Survey is Based upon the Legal Description Supplied by Client.  
>Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.  
>Subject to any Easements and/or Restrictions of Record.  
>Building Ties are NOT to be used to reconstruct Property Lines.  
>Fence Ownership is NOT determined.  
>Uses of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be construed to give ANY Rights or Benefits to Anyone Other than those Certified.  
>Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.  
>Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.  
>Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown. Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 53-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.  
Patrick K. Ireland, P.S. 136637, L.B. 7623  
This Survey is intended ONLY for the use of Said Certified Parties. This Survey NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.  
**Ireland & Associates Surveying, Inc.**  
800 Currency Circle Suite 1020  
Lake Mary, Florida 32746  
www.irelandsurveying.com  
Office-407.678.3366 Fax-407.320.8165

JOHN D. YOUNGSMAN  
ARCHITECT AR 4601

421 South 94th Street, Suite 103  
Portland, Oregon 97216  
PH: 407-441-0200  
jyoungsm@portlandia.com

JOHN D. YOUNGSMAN ARCHITECT  
THIS OR ANY OTHER DOCUMENT SHALL NOT  
BE CONSIDERED VALID UNLESS SIGNED AND  
DATED BY THE ARCHITECT OR  
BY JOHN YOUNGSMAN, ARCHITECT

FLOOR AREA RATIOS:

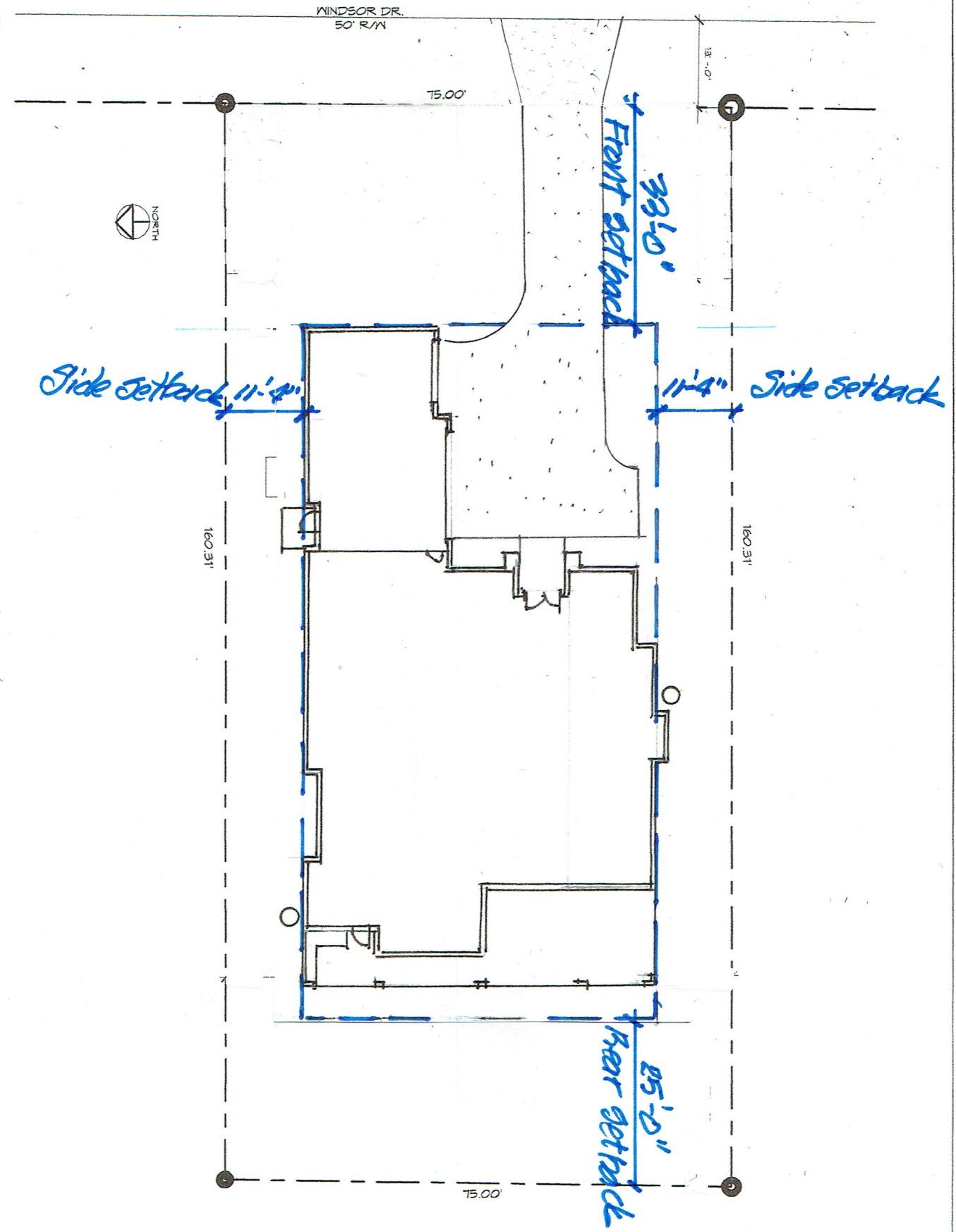
|                            |           |
|----------------------------|-----------|
| TOTAL LOT AREA:            | 11,918 SF |
| BUILDING FLOOR AREA:       | 2,423 SF  |
| 2 CAR GARAGE:              | 780 SF    |
| PATIO AND SWIMMER KITCHEN: | 903 SF    |
| TOTAL:                     | 4,206 SF  |
| MAX ALLOWED:               | (43%)     |
| PROVIDED:                  | (35%)     |

PERVIOUS/IMPERVIOUS RATIOS:

|                          |                             |
|--------------------------|-----------------------------|
| DRIVEWAYS & SIDEWALK     | 413 SF                      |
| PAVING                   | 4,354 SF                    |
| IMPERVIOUS SURFACE RATIO | 5,247 SF / 11,918 SF = 0.44 |
| TOTAL IMPERVIOUS RATIO:  | 50% MAX ALLOWED             |

FRONT YARD LANDSCAPE COVERAGE:

|                    |          |
|--------------------|----------|
| TOTAL FRONT YARD:  | 1,875 SF |
| PROVIDED COVERAGE: | 1,882 SF |
| MINIMUM COVERAGE:  | 50%      |
| PROVIDED COVERAGE: | 86.6%    |



1 SITE PLAN  
A100 SCALE: 1" = 10'-0"  
REF. SHEET: A105

SIDEWALK SHALL USE 3,000 PSI CLASS 1  
CONCRETE AND THICKNESS SHALL BE 4" THICK  
SIDEWALK SHALL EXTEND ACROSS THE  
DRIVEWAY. SIDEWALK WITHIN THE DRIVEWAY  
SHALL BE 6" THICK.

Property Description:  
V H MUSELLMITHES SUB S/41 LOT 1 BLK A 1 TH FT OF  
LAKEVIEW/OSCEOLA DB J/16/1 DEC 05; BEG AT SE COR LOT 1, TH RUN  
S/41 ALONG EXTENSION OF EAST LINE OF LOT 1 TO A PT MIDWAY  
BETWEEN N LINE OF ORANGE GROVE SUB S/15 AND S LINE V H  
MUSELLMITHES SUB S/41, TH NLY 75 FT N/4 ALONG MIDLINE TO PT OF  
INTERSECTION WITH THE S/41 EXTENSION OF THE WEST LINE OF LOT 1, TH  
NLY ALONG EXTENSION OF THE WEST LINE TO SW COR LOT 1, TH ELY TO  
POB SEE P12/1/86

PROJECT: NEW RESIDENCE PLANS  
1790 WINDSOR DR

SHEET 1 OF 1  
SITE PLAN

| No. | Description | Date |
|-----|-------------|------|
|     |             |      |
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PROJECT USER: CM File  
SCALE: AS SHOWN  
DATE: 6/25/2021 2:07:18 PM  
DRAWN BY: Author  
CHECKED BY: Checker  
DATE:  

A100

THIS DOCUMENT HAS BEEN ELECTRONICALLY  
SIGNATURED AND SEALED BY ARCHITECT  
JOHN D. YOUNGSMAN ARCHITECT AR 4601  
ON DATE: 6/25/2021 2:07:18 PM  
A DIGITAL SIGNATURE  
PRINTED COPY OF THIS DOCUMENT ARE NOT  
CONSIDERED VALID UNLESS SIGNED AND  
DATED BY THE ARCHITECT OR BY JOHN D.



# PLAN SNAPSHOT REPORT BOA-2025-0003 FOR CITY OF WINTER PARK

|  |                                 |                                 |
|--|---------------------------------|---------------------------------|
| <b>Plan Type:</b> Board of Adjustments                       | <b>Project:</b>                 | <b>App Date:</b> 03/13/2025     |
| <b>Work Class:</b> Board of Adjustments/Variance Application | <b>District:</b> Winter Park    | <b>Exp Date:</b> NOT AVAILABLE  |
| <b>Status:</b> Submitted - Online                            | <b>Square Feet:</b> 0.00        | <b>Completed:</b> NOT COMPLETED |
| <b>Valuation:</b> \$0.00                                     | <b>Assigned To:</b> Lewis, Nick | <b>Approval Expire Date:</b>    |

**Description:** I am requesting front setback variance for a new construction house on a lot with an existing house that will be torn down. I am requesting the new construction house be placed consistent with most of the other homes on my street.

|                                |      |   |      |              |
|--------------------------------|------|---|------|--------------|
| <b>Parcel:</b> 302205586801070 | Main | <b>Address:</b> 1790 Windsor Dr<br>Winter Park, FL 32789-2769 | Main | <b>Zone:</b> |
|--------------------------------|------|---|------|--------------|

|  |  |
|--|--|
| <b>Applicant</b><br>Sarah Silveira<br>1790 WINDSOR DR<br>WINTER PARK, FL 32789<br>Home: (407) 617-5217<br>Mobile: (407) 617-5217 | <b>Owner</b><br>Sarah Silveira<br>1790 WINDSOR DR<br>WINTER PARK, FL 32789<br>Home: (407) 617-5217<br>Mobile: (407) 617-5217 |
|--|--|

**Plan Custom Fields**

| Is the property on waterfront?        | No               | Section  | No               | Subsection  |
|---------------------------------------|------------------|--|------------------|---|
| Zoning                                |                  | Is this property on historic registry or district? |                  | Describe variance<br>I am requesting a variance to the current front setback requirement. My current house that will be replaced with a new construction house is out of character with the rest of the street as it is placed much further back on my property than the rest of the homes on my street. My current setback is 59' where the rest of the block has a 36' average and my neighboring houses on the south side of the street is 33'. The location of the current house is depriving me of utilizing my land as compared to the other structures on my street. Due to impending aging, it was my dream to build a one story home that I can age in place with. Unfortunately my desired one story structure comes with a larger footprint, which is not achievable taking the required front setback into account. |
| How long have you owned the property? | 4 years 3 months | How long have you occupied the property?           | 4 years 3 months | Special Condition<br>My street contains a mix of older and new construction homes that all have a front setback   |

# PLAN SNAPSHOT REPORT (BOA-2025-0003)

significantly less than my property. There is consistent, conforming aesthetic within our block because of their location that if my new house were to be built in line with them could positively contribute. Specifically, the houses across the street are uniformly consistent in their front setbacks and the setbacks on my side of the street are otherwise consistent as well with an average of 33'.

### Rights/Priv

I will be deprived of similar utilization of my property as my neighbors have and having a one story house plus a 3 car garage due to having a larger setback that the other homes on my street.

### Hardship

I purchased this specific property in 2020 with the intent to build a single story house with a 3 car garage as I was facing the fact that I was entering the later phases of my life and needed to age into a house that I could easily take care of. I worked with the architect over several months to design a functional house with little wasted space that I could age in place. I desired a 3 car garage as I will soon have 2 more drivers in the house. I also had it designed to be a courtyard entrance with the doors facing the east to avoid afternoon sun as I enjoying working on projects in my garage. I had a house designed prior to the code changes but was unable to build at the time.

**Limited Variance** Yes, to be determined by the average setback of the other surveyed neighboring homes.

| Attachment File Name                    | Added On         | Added By        | Attachment Group | Notes            |
|---|------------------|-----------------|------------------|------------------|
| SILVEIRA - 1790 WINDSOR DR-siteplan.pdf | 03/13/2025 15:43 | Silveira, Sarah |                  | Site Plan        |
| survey (2).pdf                          | 03/13/2025 15:43 | Silveira, Sarah |                  | Survey           |
| WP Checklist.pdf                        | 03/13/2025 15:43 | Silveira, Sarah |                  | Signed Checklist |
| Signature_Sarah_Silveira_3/13/2025.jpg  | 03/13/2025 15:44 | Silveira, Sarah |                  | Uploaded via CSS |
| s3TG7W_165373_survey_r1.pdf             | 03/20/2025 12:11 | Lewis, Nick     |                  | Block Survey     |

| Invoice No.                           | Fee                                  | Fee Amount      | Amount Paid     |
|---------------------------------------|--------------------------------------|-----------------|-----------------|
| INV-00058408                          | Residential Variance Application Fee | \$200.00        | \$200.00        |
| <b>Total for Invoice INV-00058408</b> |                                      | <b>\$200.00</b> | <b>\$200.00</b> |
| <b>Grand Total for Plan</b>           |                                      | <b>\$200.00</b> | <b>\$200.00</b> |

| Submittal Name                  | Status   | Received Date | Due Date   | Complete Date | Resubmit | Completed |
|---------------------------------|----------|---------------|------------|---------------|----------|-----------|
| Board of Adjustments Review v.1 | Approved | 03/13/2025    | 03/17/2025 | 03/20/2025    | No       | Yes       |

| Item Review Name | Department                     | Assigned User | Status   | Assigned Date | Due Date   | Completed Date |
|------------------|--------------------------------|---------------|----------|---------------|------------|----------------|
| Zoning Review    | Building & Permitting Services | Lewis, Nick   | Approved | 03/13/2025    | 03/17/2025 | 03/18/2025     |

| Workflow Step / Action Name       | Action Type       | Start Date       | End Date         |
|-----------------------------------|-------------------|------------------|------------------|
| <b>Review v.1</b>                 |                   | 03/20/2025 14:02 | 03/20/2025 14:02 |
| Board of Adjustments Review v.1   | Receive Submittal | 03/13/2025 0:00  | 03/20/2025 14:02 |
| Issue Invoice v.1                 | Generic Action    |                  | 03/20/2025 14:02 |
| <b>Final Decision v.1</b>         |                   |                  |                  |
| Board of Adjustments Decision v.1 | Generic Action    |                  |                  |