



Board of Adjustments Regular Meeting

Agenda

August 19, 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 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. Approval of Minutes

- a. Minutes of July 15, 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 #25-04. Request of Lance Earl with FG Schaub Custom Homes for variance approval from Section 58-71 subsection (n)(2), to allow a 6-foot-high fence within the front and street-side yards in lieu of the maximum height of 3 feet for fences within front and street-side yards in conjunction with the proposed fence located at 1442 Place Vendome zoned R-1A. 20 minutes
- b. BOA #25-07. Request of Jim Bartlett with Jim Bartlett Construction Inc. for variance approval from Section 58-65 subsection (f)(6), to allow a 28-foot front setback in lieu of the required 84-foot front setback in conjunction with the proposed home located at 2313 Loch Lomond Drive, zoned R-1A. 5 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

Approval of Minutes

meeting date

August 19, 2025

prepared by

Mary Bush, Administrative Coordinator III

approved by**subject**

Minutes of July 15, 2025.

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

1. Draft Board of Adjustments Regular Meeting Minutes



Board of Adjustments Regular Meeting Minutes

July 15, 2025 at 5:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Robert Trompke, Michael Clary, Aimee Hitchner, Jeanne Reynaud, Frank Pruitt, Jim Fitch, Christopher Morrison

Absent

None

Staff Present

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

1. Call to Order

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

2. Consent Agenda

- a. Approve the minutes of June 17, 2025.

Motion made by Christopher Morrison, seconded by Jim Fitch, to approve the June 17, 2025 regular 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 #25-06. Request of Michael and Katrina Hammer for variance approval from Section 58-71(n)(2), to allow a 6-foot-high fence within the street-side yard in lieu of the maximum height of 3 feet for fences within street-side yards in conjunction with the proposed fence located at 2034 Cove Trail, zoned R-1A.

Mr. Lewis provided a summary of the request. He provided a map of the area, a localized aerial map, and a map of received neighbor letters. He noted that the property is a double lot constructed in 1965. He also indicated that the property has 266.5 feet of frontage along Temple Trail with an existing block wall built around the same time as the house that runs along the northern third portion the Temple Trail side.

Mr. Lewis then presented a site plan with the proposed fence location and existing lot conditions noting the existing 3-foot-high chain-link fence, bamboo, and oak trees along the street frontage. He indicated that the applicant's reasons for the request were to increase privacy, security, and to meet pool safety requirements. Additionally, the property is located across from a city-owned parcel that is vacant as opposed to another private residence.

Mr. Lewis then went over the four criteria to permit a variance. He noted that the busy cut through the lot is located on, the existing wall along the northern portion of the street-side property line, the existing nonconforming chain link fence to be replaced, the existing vegetation, and the location of the lot across from the City parcel as special conditions and circumstances unique to the lot. He also indicated that because neither street-side fence option is achievable, the applicants are being deprived of the right to have a privacy fence that meets pool safety requirements and provides privacy and security. With these unique conditions and circumstances, he explained that granting the variance would not allow for a special privilege.

Staff recommendation was for approval.

The Board asked whether any objections from any neighbors were received. Mr. Lewis responded that there were none.

The applicants, Katrina and Michael Taylor, at 2034 Cove Trail, Winter Park, FL 32789 addressed the Board and provided some background to the request. They noted that the reason for the request was to add protection for their property and family with the increased privacy from the fencing.

The Board had several questions and comments for the applicants including whether the fence would be on the inside or outside the bamboo and if the bamboo would stay, whether the existing chain link fence is on the property line, and whether there is a green space buffer between the fence and sidewalk.

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

The Board shared their thoughts on the request and were overall in favor of it. A brief discussion ensued regarding requiring a buffer between the fence and the property line to soften the appearance of the fence. The Board expressed that they like the idea of a block wall with matching vegetation to the existing wall if a wall is possible.

Motion by Christopher Morrison, seconded by Michael Clary, for variance approval from Section 58-71 subsection (n)(2), to allow a 6-foot-high fence within the street-side yard in lieu of the maximum height of 3 feet for fences within street-side yards in conjunction with the proposed fence located at 2034 Cove Trail, zoned R-1A subject to the condition that:

- 1) Alternatively, a 6-foot-high masonry wall may be permitted along the street-side property line in lieu of the approved fence subject to being entirely located within the street-side property line and screened with vegetation at least equal in height of the wall.**

The motion carried unanimously by a 7-0 vote.

5. Non-Action Items

6. Staff Updates

Mr. Lewis noted the virtual Chair and Vice-Chair Training on July 30, 2025.

7. Board Comments

Chairman Trompke noted that Vice Chair Clary needed to formally accept his nomination as Vice Chair. Vice Chair Clary accepted the nomination.

8. Upcoming Agenda Items

9. Adjournment

The meeting adjourned at 5:34 p.m.

ATTEST:

/s/ Mary Bush, Recording 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

August 19, 2025

prepared by

Nicholas Lewis, Planner II

approved by

Allison McGillis, Director of Planning and Zoning

subject

BOA #25-04. Request of Lance Earl with FG Schaub Custom Homes for variance approval from Section 58-71 subsection (n)(2), to allow a 6-foot-high fence within the front and street-side yards in lieu of the maximum height of 3 feet for fences within front and street-side yards in conjunction with the proposed fence located at 1442 Place Vendome zoned R-1A.

motion | recommendation

Staff recommendation is for approval of the variance requested subject to the following condition(s):

- 1) That the portion of the proposed fence within the front yard be adjusted to meet the maximum height for fences within front yards of 3 feet.

background

The applicant, Lance Earl with FG Schaub Custom Homes, on behalf of the homeowner, is requesting variance approval to allow a 6-foot-high fence along the street-side property line and in the front yard 10 feet back from the front property line. 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 corner lot with frontages along Place Vendome and Chantilly Avenue (Chantilly). Because the Place Vendome frontage is shorter, it is the code-directed front yard. The Chantilly yard is therefore considered the street-side yard. The property sits at the main entrance of Glen Haven Memorial Cemetery, and the Chantilly yard is directly across from the cemetery property. There is also an existing line of trees along the Chantilly property line.

The applicant is currently building a new home on the property. Prior to the new structure, a fence was previously located 10 feet back from the front property line and roughly 5.5 feet into the street-side right-of-way. This fence was legally nonconforming and was removed when the previous home was demolished, relinquishing the legally nonconforming status. Thus, the homeowner must request variance approval to put the fence back to help her mother, who has Alzheimer's Disease, safely remain on the property.

Deprivation of Rights

The second requirement for granting a variance request 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 58-71(n)(2) allows fences within front yards up to a maximum of 3 feet in height. The provisions also allow street-side fences up to a maximum height of 3 feet unless setback at least 10 feet, which may then be allowed up to a maximum height of 6 feet, subject to a vegetation buffer.

The previous swimming pool was located within the front yard, which required a fence at least 4 feet in height. Because the pool is now located in the rear yard, besides the fact that a fence existed prior, staff believes the applicant can adequately meet the required 3-foot height requirement in the front yard. Allowances in the code, such as vegetation buffers, can address the homeowner's desire to maintain a safe front yard area for her mother while also maintaining the standard look and feel of a front yard.

However, staff believes that there is justification for the street-side yard request. The Chantilly right-of-way is roughly 20 feet deep, and the previous fence was on average 5.5 feet into the right-of-way. To achieve a 6-foot-high fence along the Chantilly side, the applicant would need to place the new fence roughly 15 feet back from the previous fence, putting it roughly 30 feet from Chantilly Avenue. This is double the previous fence setback. Because the new structure has a 20-foot setback, placing the fence 10 feet back also cuts the street-side yard in half, effectively rendering a large portion of the yard inaccessible and unusable. Additionally, there is the existing line of trees within the right-of-way along the Chantilly side, the neighbor's existing 6-foot-high hedge along the northern (rear) property line blocking the fence from view, no sidewalk along that portion of Chantilly, and the fact that the fence directly faces the cemetery, which will not have private residences directly across from the proposed street-side fence.

Actions of the Applicant

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

The previous fence was demolished by the applicant in order to start construction on the new home. However, the fact that a fence was there previously is not enough justification to grant the variance requested. However, the special conditions and circumstances that run with the street-side yard, including the existing trees, neighbor's hedge, lack of sidewalk, and proximity

to the cemetery, are not conditions and circumstances that resulted from any action taken by 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 the actions of the applicant led to the previous fence's removal, and the fact that there are options to effectively achieve the applicant's desired result, could confer a special privilege regarding the portion of the fence within the front yard area. However, there are several conditions and circumstances unique to the street-side yard over and above the fence's prior existence that are not the fault of the applicant. Therefore, staff does not believe that the request along the street-side property line would allow for a special privilege to any other lands, structures, or buildings in the same zoning district.

Summary

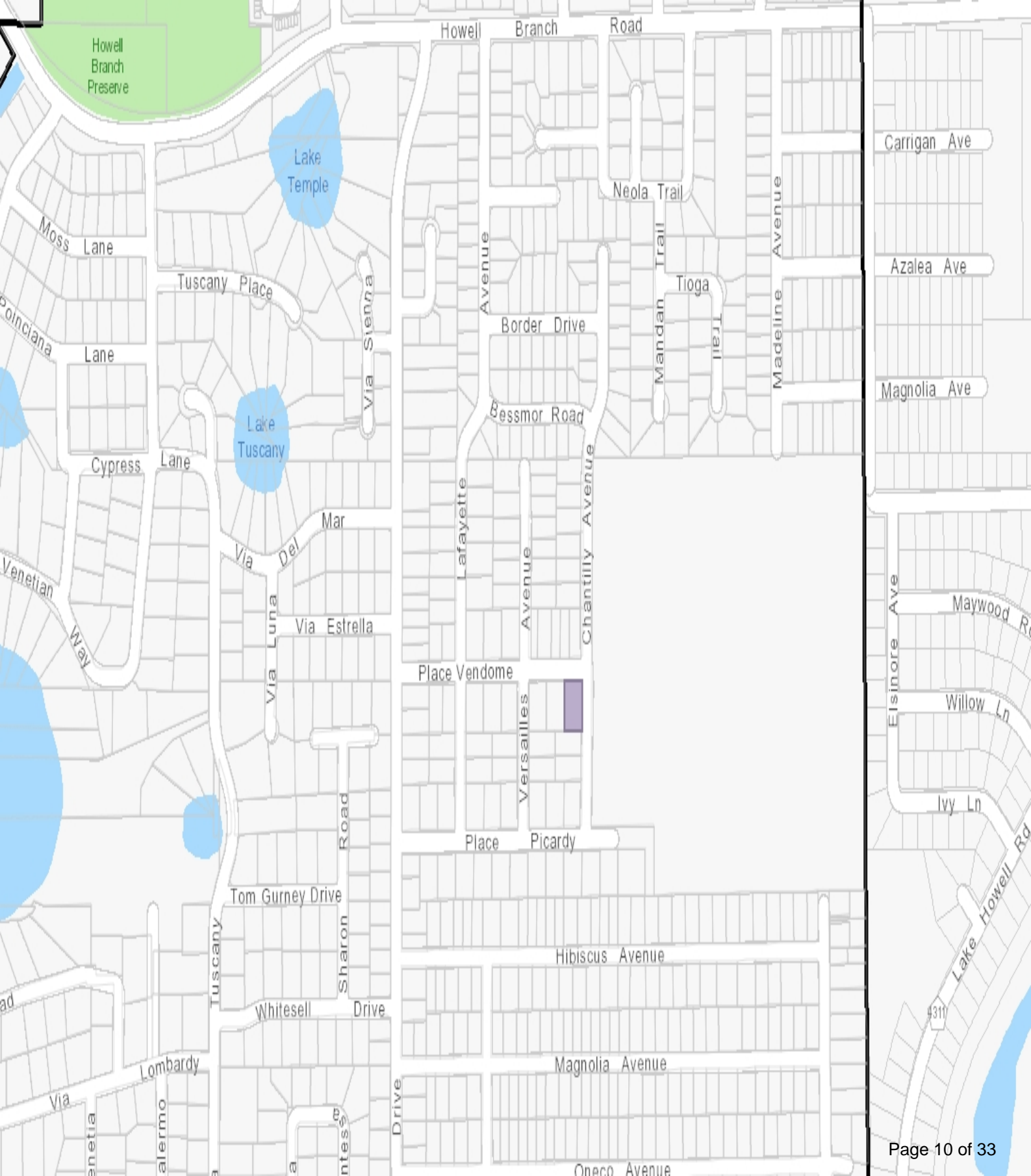
Staff believes that the applicant meets the four criteria required to grant the variance requested regarding the street-side yard portion of the request, but not the front yard portion of the request. Therefore, staff's recommendation is for approval, subject to the condition that the portion of the fence within the front yard be adjusted to meet code requirements.

alternatives | other considerations

fiscal impact

attachments

1. 1442 Place Vendome - Area Map
2. 1442 Place Vendome - Aerial Map
3. 1442 Place Vendome - Survey
4. 1442 Place Vendome - Site Plan
5. 1442 Place Vendome - Old Fence Pictures
6. 1442 Place Vendome - Applicant Submittal
7. 1442 Place Vendome - Applicant Narrative
8. 1442 Place Vendome - Applicant Photo of Old Fence



Howell Branch Preserve

Lake Temple

Lake Tuscany

Carrigan Ave

Azalea Ave

Magnolia Ave

Howell Branch Road

Neola Trail

Tioga

Madeline Avenue

Avenue

Border Drive

Bessmor Road

Mandan Trail

Moss Lane

Tuscany Place

Via Sienna

Lane

Cypress Lane

Mar

Via Del

Via Estrella

Lafayette

Avenue

Chantilly Avenue

Elsinore Ave

Maywood Rd

Willow Ln

Ivy Ln

Place Vendome

Versailles

Place Picardy

Tom Gurney Drive

Sharon Road

Hibiscus Avenue

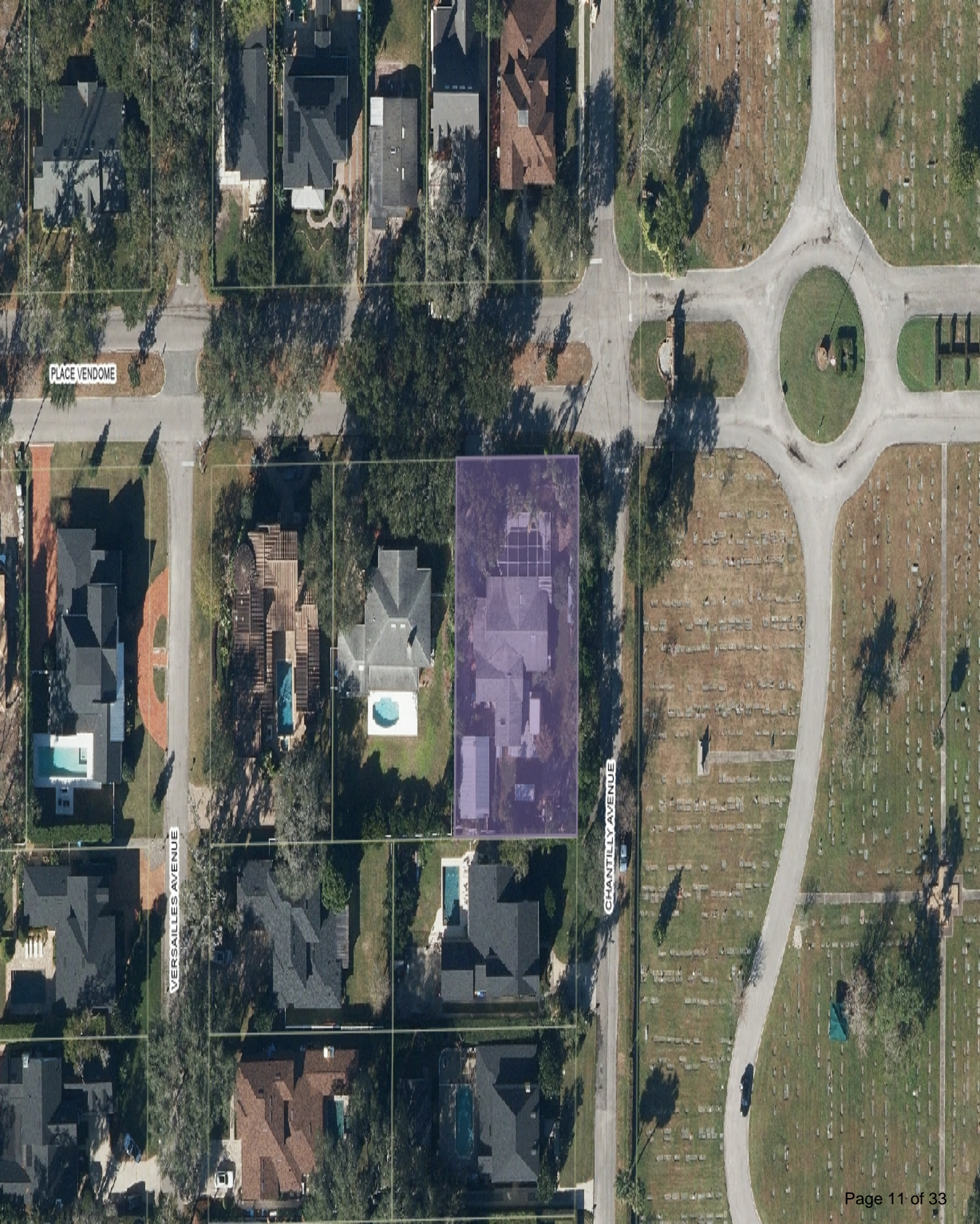
Whitesell Drive

Magnolia Avenue

Lombardy

4311

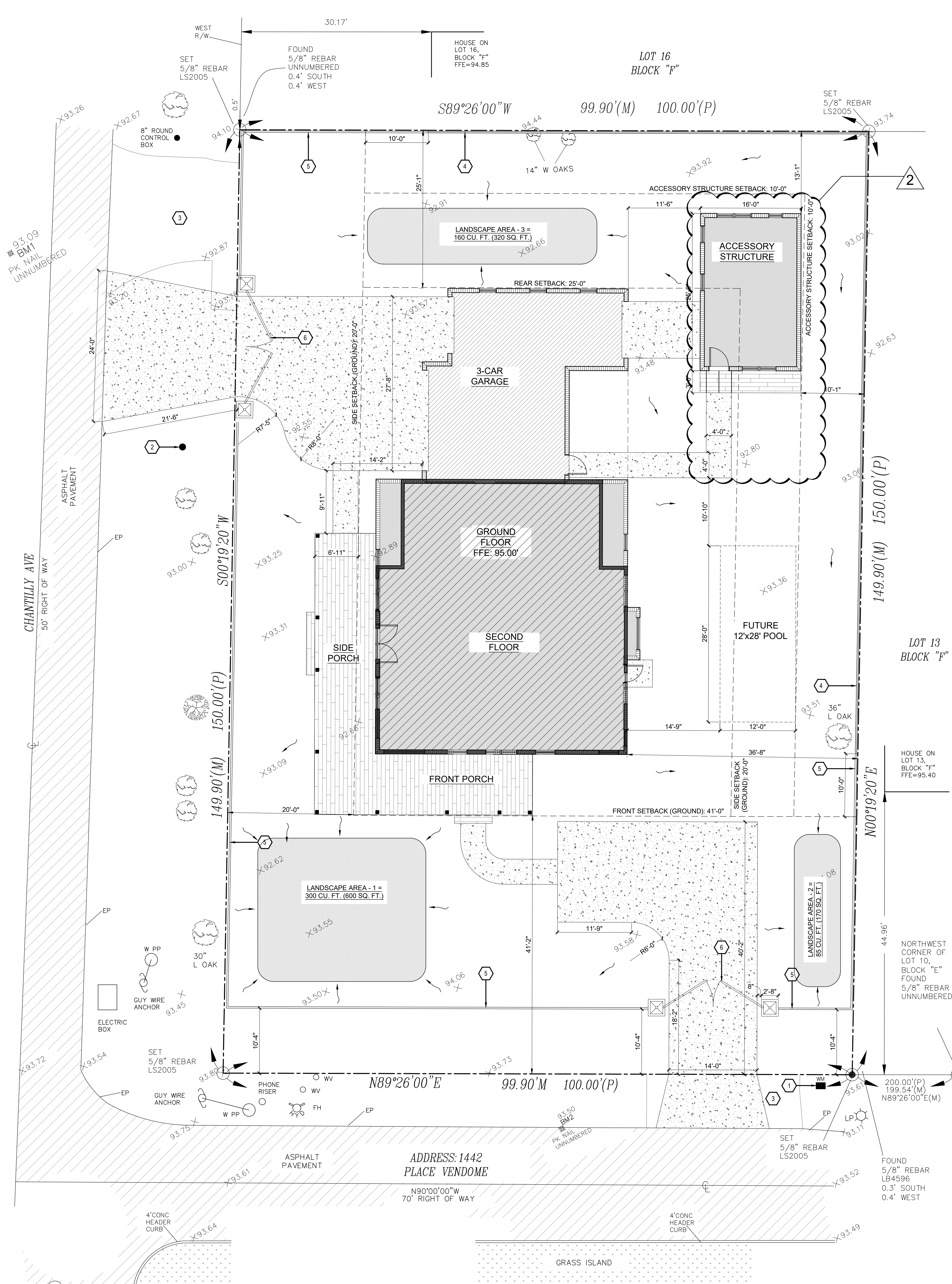
Lake Howell Rd



PLACE VENDOME

VERSAILLES AVENUE

CHANTILLY AVENUE



- SITE PLAN KEY NOTES:**
- EXISTING WATER METER LOCATION (UPGRADE TO 1").
 - EXISTING SEWER LATERAL/CLEAN-OUT.
 - REMOVE EXISTING CONCRETE APRON.
 - NEW 6" HIGH VINYL FENCE (GRAY SOLID HATCH) STARTING @ 10' BEHIND SETBACK LINES.
 - NEW 6" HIGH WHITE VINYL FENCE W/ 3'-4" VIBRUM HEDGE.
 - CONCRETE PEDESTAL & AUTOMATIC GATE (MAX. 4' HEIGHT).

- SYMBOLS LEGEND**
- X EXISTING SPOT ELEVATION
 - ⊕ PROPOSED SPOT ELEVATION
 - GROUND WATER FLOW DIRECTION
 - ◻ STORMWATER RETENTION AREA - SEE SITE RETENTION CALCULATIONS THIS SHEET

- GENERAL NOTES:**
- CONTRACTOR TO PROVIDE EROSION CONTROL DEVICES ON ALL DISTURBED AREAS PRIOR AND DURING CONSTRUCTION.
 - EXISTING SITE CONDITIONS ARE BASED ON THE SURVEY PROVIDED BY CAVONE, INC. - LAND SURVEYORS AND MAPPERS DATED 10/12/2018. DOMINICK F. CAVONE - FLORIDA SURVEYOR AND MAPPER NUMBER 2005. L.B. #5073.
 - ALL SECOND FLOOR WALLS TO BE 6" STUD WALLS W/ WINDOW SET BACK 2' FROM FACE OF EXTERIOR.
 - THIS ARCHITECTURAL SITE PLAN DOES NOT CONSTITUTE A SURVEY.

SITE RETENTION CALCULATIONS

ADU ROOF AREA:	651 SQ. FT.
CONCRETE DRIVEWAYS:	1,681 SQ. FT.
CONCRETE WALKWAYS:	307 SQ. FT.
MAIN HOUSE ROOF AREA:	3,904 SQ. FT.
TOTAL AREA OF WATER RUNOFF:	6,543 SQ. FT.
CALCULATING AT 1" RAINFALL DEPTH (.17") PER CITY OF WINTER PARK REQUIREMENTS.	
AREA x DEPTH = RAINFALL RETENTION AREA REQUIRED (CUBIC FEET)	
6,543 x .083 = 543 CU.FT. REQUIRED	
LANDSCAPE AREA 1 (6" DEEP):	300 CU.FT. (600 SQ.FT.)
LANDSCAPE AREA 2 (6" DEEP):	85 CU.FT. (170 SQ.FT.)
LANDSCAPE AREA 3 (6" DEEP):	160 CU.FT. (320 SQ.FT.)
TOTAL RETENTION AREA PROVIDED:	545 CU.FT.

SITE INFORMATION

SITE DEVELOPMENT		IMPERVIOUS LOT COVERAGE	
ZONING DISTRICT	R-1A	HOUSE FOOTPRINT (HOUSE / GARAGES):	2,584 SQ. FT.
LOT AREA	14,978 SQ. FT.	FRONT & SIDE PORCHES:	770 SQ. FT.
HOUSE SETBACKS		ACCESSORY DWELLING UNIT:	400 SQ. FT.
TWO-STORY HOUSE		CONCRETE DRIVEWAYS:	1,681 SQ. FT.
HEIGHT: (MAX ROOF HEIGHT)	29'-4" (ABOVE GRADE)	CONCRETE WALKWAYS:	307 SQ. FT.
		TOTAL IMPERVIOUS AREA SHOWN :	5,742 SQ. FT. (38.3%)
		TOTAL IMPERVIOUS AREA PERMITTED - 50% OF LOT AREA = 5,851 SQ.FT.	
FRONT SETBACK		FLOOR AREA RATIO (F.A.R.)	
FRONT SETBACK	41'-2"	FIRST FLOOR AREA	1,755 SQ. FT.
RIGHT SIDE SETBACK	36'-8"	SECOND FLOOR AREA	1,654 SQ. FT.
LEFT SIDE SETBACK	20'-0"	GARAGES	623 SQ. FT.
REAR SETBACK	25'-1"	TOTAL AREA	4,678 SQ. FT.
		TOTAL F.A.R.	0.40

SINGLE FAMILY RESIDENCE
1442 PLACE VENDOME
WINTER PARK, FL 32789

Richard Stubbs, AIA
License No.: AR94800

NOTE: THIS STRUCTURE HAS BEEN DESIGNED TO MEET OR EXCEED THE WIND LOAD REQUIREMENTS OF THE 2023 FBC - RESIDENTIAL 8th EDITION SECTION R301 AND INCLUDING ASCE 7-22.

ULTIMATE WIND SPEED (V _W):	139 MPH
NOMINAL WIND SPEED (V _{WIND}):	108 MPH
WIND IMPORTANCE FACTOR:	1
BUILDING CATEGORY/RISK CATEGORY:	II
WIND EXPOSURE:	C
INTERNAL PRESSURE COEFFICIENT:	0.18
COMPONENTS & CLADDING:	
WIND SPEED PER 10 SF (U.N.O.):	+29.4 / - 39.4

Revisions

No.	Description	Date
1	Build. Dept. Comments	2/24/25
2	ADU & Elev. Revisions	4/6/25

ARCHITECTURAL SITE PLAN

Date: 1/6/25

AS1.0
Project #: 2024.37













PLAN SNAPSHOT REPORT BOA-2025-0004 FOR CITY OF WINTER PARK

Plan Type: Board of Adjustments	Project:	App Date: 03/28/2025
Work Class: Board of Adjustments/Variance Application	District: Winter Park	Exp Date: NOT AVAILABLE
Status: Fees Paid	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Lewis, Nick	Approval Expire Date:

Description: My client is looking to have a variance granted to have a 6' tall fence on the property line along Chantilly and Place vendome

Parcel: 302132282006140	Main	Address: 1442 Place Vendome Winter Park, FL 32789-1352	Main	Zone:
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Owner KAREN J BRESCIA 1442 PLACE VENDOME WINTER PARK, FL 32789-1352 Home: (407) 688-0029 Business: 00 Mobile: (208) 587-2570	Applicant LANCE J EARL SUITE 1300 910 Belle Ave Suite 1050 Winter Springs, FL 32708 Home: (407) 688-0029 Business: (407) 688-0029 Mobile: (321) 689-3840	Alternate Contact LANCE J EARL SUITE 1300 910 Belle Ave Suite 1050 Winter Springs, FL 32708 Home: (407) 688-0029 Business: (407) 688-0029 Mobile: (321) 689-3840
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Plan Custom Fields

Is the property on waterfront?	Section	Subsection
No		
Zoning	Is this property on historic registry or district?	Describe variance
	No	We'd like to have a variance granting a 5 or 6' tall fence along the corner property lines of Chantilly and Place Vendome. The mother has dementia and we are trying to maintain her safety when she is on property
How long have you owned the property?	How long have you occupied the property?	Special Condition
since 1987	until the home was demolished in 2024.	To whom it may concern: 23 Jan 2025 My name is Karen Brescia, formally Karen Flynn. My mother, Martha Jasper and I purchased the property at 1442 Place Vendome in Winter Park, Florida 32789 in 1987. My parents lived there until 2023 when my step dad had an accident that put him in the hospital, quickly followed by both he and my mom moving to an assisted living facility in Altamonte. When I arrived at the house, it did not take long to realize my mom's dementia had progressed and the house needed a great amount of repair. I made the decision to put them both in a facility so that with help, my step dad could still care for my mother. With my family's

PLAN SNAPSHOT REPORT (BOA-2025-0004)

blessing the decision was made to demolish the existing house and prepare the land for a new home on the property. When the house was purchased, Place Vendome was not yet incorporated into Winter Park. My family has continued to live and maintain the property that originally had a 6-foot fence surrounding it. The fence had been maintained and replaced many times over the years. We were grandfathered in for many years and the only reason the fence came down was to allow the demolition process in the Fall of 2024. Unfortunately for us, the new Winter Park rules require a 3 ft. fence on the front of corner lots. This is a major problem now due to my mother's advanced Alzheimer's. It took us over one year to empty the property, demolish the existing structures and prepare the property for the new construction. Now we are petitioning to allow the 6 ft fence surrounding our property to be replaced. Some of the issues associated with my mom's Alzheimer's condition:

1. The property line facing Chantilly Lane is across the street from the Glen Haven Memorial Cemetery. When there is a funeral or a group of visitors on the military side of the cemetery people park on both sides of Chantilly Lane. This was not an issue when there was a fence continuing to provide privacy while the service or visiting continued.
2. My mother's dement

Rights/Priv

Before the existing home was demolished, there was 6' fencing along both property lines.

Hardship

To whom it may concern:
 23 Jan 2025
 My name is Karen Brescia, formally Karen Flynn. My mother, Martha Jasper and I purchased the property at 1442 Place Vendome in Winter Park, Florida 32789 in 1987. My parents lived there until 2023 when my step dad had an accident that put him in the hospital, quickly followed by both he and my mom moving to an assisted living facility in Altamonte. When I arrived at the house, it did not take long to realize my mom's dementia had progressed and the house needed a great amount of repair. I made the decision to put them both in a facility so that with help, my step dad could still care for my mother. With my family's blessing the decision was made to demolish the existing house and prepare the land for a new home on the property. When the house was purchased, Place Vendome was not yet incorporated into Winter Park. My family has continued to live and maintain the property that originally had a 6-foot fence surrounding it. The fence had been maintained and replaced many times over the years. We were grandfathered in for many years and the only reason the fence came down was to allow the demolition process in the Fall of 2024. Unfortunately for us, the new Winter Park rules require a 3 ft. fence on the front of corner lots. This is a major problem now due to my mother's advanced Alzheimer's. It took us over one year to empty the property, demolish the existing structures and prepare the property for the new construction. Now we are petitioning to

PLAN SNAPSHOT REPORT (BOA-2025-0004)

<p>allow the 6 ft fence surrounding our property to be replaced. Some of the issues associated with my mom's Alzheimer's condition:</p> <ol style="list-style-type: none"> 1. The property line facing Chantilly Lane is across the street from the Glen Haven Memorial Cemetery. When there is a funeral or a group of visitors on the military side of the cemetery people park on both sides of Chantilly Lane. This was not an issue when there was a fence continuing to provide privacy while the service or visiting continued. 2. My mother's demen 	<p>Limited Variance</p>	<p>My mother is 5'6". The fence needs to be a 6 ft fence please; to discourage her from leaving the property. It would be helpful if she cannot see over the fence when she is approaching it. "Out of sight out of mind", is a true statement, for my mother's Alzheimer's.</p>
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Attachment File Name	Added On	Added By	Attachment Group	Notes
1442 Place Vendome with original 6 ft fence in 1987.pdf	03/28/2025 14:37	Earl, Lance		Signed Checklist
Agent authorization form.pdf	03/28/2025 14:37	Earl, Lance		Signed Checklist
Fence request justification_1442 Place Vendome.pdf	03/28/2025 14:37	Earl, Lance		Signed Checklist
FONTAINEBLEAU_LOT_14_&_15_BLOCK_F_BOUNDARY_TOPO_4-15-2024.pdf	03/28/2025 14:37	Earl, Lance		Survey
LOT_14_&_15_BLOCK_F_1442_PLACE_VENDOME_PLOT_PLAN_REVISED.pdf	03/28/2025 14:37	Earl, Lance		Site Plan
Variance app signed.pdf	03/28/2025 14:37	Earl, Lance		Signed Checklist
Signature_LANCE_EARL_3/28/2025.jpg	03/28/2025 14:37	Earl, Lance		Uploaded via CSS
2024.37_AS1.0 - Site Plan (7-14-25).pdf	07/14/2025 16:18	Lewis, Nick		Updated Site Plan

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00061698	Residential Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-00061698		\$200.00	\$200.00
Grand Total for Plan		\$200.00	\$200.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Board of Adjustments Review v.1	Approved	03/28/2025	03/31/2025	07/14/2025	No	Yes

Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Review	Building & Permitting Services	Lewis, Nick	Approved	03/28/2025	03/31/2025	07/14/2025

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1			
Board of Adjustments Review v.1	Receive Submittal	03/28/2025 0:00	07/14/2025 16:18
Issue Invoice v.1	Generic Action		
Final Decision v.1			
Board of Adjustments Decision v.1	Generic Action		

To whom it may concern:

23 Jan 2025

My name is Karen Brescia, formally Karen Flynn. My mother, Martha Jasper and I purchased the property at 1442 Place Vendome in Winter Park, Florida 32789 in 1987. My parents lived there until 2023 when my step dad had an accident that put him in the hospital, quickly followed by both he and my mom moving to an assisted living facility in Altamonte.

When I arrived at the house, it did not take long to realize my mom's dementia had progressed and the house needed a great amount of repair. I made the decision to put them both in a facility so that with help, my step dad could still care for my mother. With my family's blessing the decision was made to demolish the existing house and prepare the land for a new home on the property.

When the house was purchased, Place Vendome was not yet incorporated into Winter Park. My family has continued to live and maintain the property that originally had a 6-foot fence surrounding it. The fence had been maintained and replaced many times over the years. We were grandfathered in for many years and the only reason the fence came down was to allow the demolition process in the Fall of 2024. Unfortunately for us, the new Winter Park rules require a 3 ft. fence on the front of corner lots. This is a major problem now due to my mother's advanced Alzheimer's. It took us over one year to empty the property, demolish the existing structures and prepare the property for the new construction. Now we are petitioning to allow the 6 ft fence surrounding our property to be replaced.

Some of the issues associated with my mom's Alzheimer's condition:

1. The property line facing Chantilly Lane is across the street from the Glen Haven Memorial Cemetery. When there is a funeral or a group of visitors on the military side of the cemetery people park on both sides of Chantilly Lane. This was not an issue when there was a fence continuing to provide privacy while the service or visiting continued.
2. My mother's dementia due to her diagnosed Alzheimer's, had already progressed to the point that she could not sleep if she saw cars parked outside the fence, as she thought those cars were on her property. Therefore, the fence needed to be closed and locked before she could sleep.
3. My mother had also had a streetlight placed on her property that turned on every evening to shed light on the front of the house and property facing Place Vendome. This also helped calm my mother's fears when she was alone in the house both before and after her dementia.
4. Finally, and most important to me, is that with my mother's Alzheimer's, I fear that she could leave the property and get lost. This unfortunately has happened to me on a few occasions while they are living with me in Mountain Home, Idaho waiting for me to retire and move back with them. I am a nurse and a teacher of 12 years certifying Nursing Assistants and intend to care for her in the home.

Caring for my parents has been and continues to be both the saddest and happiest thing I have ever done. When I placed them in the Grand Villa of Altamonte Springs for a year in order to complete my last year of teaching. I promised them that we would rebuild a new house on the property because at first, I was trying to fix problems in the house that in the end could not be fixed.

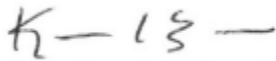
When it became too much for them to live in a 500 sq ft room at the facility in Altamonte Springs and my mother's dementia continued to get worse, I moved them back to Idaho until the Winter Park home is completed and I can move them back.

The fence is a vital part of the property that is needed now more than ever, to meet my mother's needs. The home is being built with their care in mind, meeting my stepdad's need's as well now that he uses a walker full time.

Finally, this has been my family home for many years. My husband and I lived there when we were married and waiting for his military commission. My oldest son was born at the Winter Park hospital, and currently lives and works in Orlando. My younger son is a pilot who just moved back to Orlando. I grew up in Orlando and graduated from Winter Park High School. I plan to retire there and keep the home in my family for future generations.

If there is a need for any proof of my mother's Alzheimer's, her Neurologist and Psychologist are in Maitland. Her Elder lawyer also lives around the corner from Place Vendome.

Thank you for your time,

A handwritten signature in black ink, appearing to read "K-13-".

Karen Brescia, RN





Board of Adjustments

agenda item 4.b

item type

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

meeting date

August 19, 2025

prepared by

Nicholas Lewis, Planner II

approved by

Allison McGillis, Director of Planning and Zoning

subject

BOA #25-07. Request of Jim Bartlett with Jim Bartlett Construction Inc. for variance approval from Section 58-65 subsection (f)(6), to allow a 28-foot front setback in lieu of the required 84-foot front setback in conjunction with the proposed home located at 2313 Loch Lomond Drive, zoned R-1A.

motion | recommendation

Staff recommendation is for approval of the variance requested.

background

The applicant, Jim Bartlett with Jim Bartlett Construction Inc., is requesting variance approval to allow a front setback of 28 feet in lieu of the required 84-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 84 feet based on the setback of the existing structure. The subject property is 138 feet deep, so the 84-foot setback requires that roughly 61% of the lot lie within the front yard area. This frontage is a significant amount of lot area, not including the required rear and side setbacks.

The lot is one of the six lots that face the Ward Park baseball fields along Loch Lomond Drive. The other five houses have an average front setback of 26 feet, and the two structures on the same side of Nairn Drive have an average front setback of 35 feet. The existing structure on the subject property is clearly the outlier on the street at 84 feet.

Deprivation of Rights

The second requirement for granting a variance request 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 84 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 84 feet far exceeds the 20% number (28 feet). Therefore, based on the requirements of the code, the required setback is 56 feet greater than the 20% requirement.

The intent of the front setback provision is to ensure compatibility with the neighboring block structure. In this case, the subject property is 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 28 feet, which is slightly greater than the average of the structures facing Ward Park. 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 actions of the applicant.

The existing house was built in 1948, and the required front setback was established prior to the applicant's purchase of the property in January 2025. 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 regarding the variance requested.

alternatives | other considerations

fiscal impact

attachments

1. 2313 Loch Lomond Dr - Area Map
2. 2313 Loch Lomond Dr - Aerial Map
3. 2313 Loch Lomond Dr - Survey
4. 2313 Loch Lomond Dr - Site Plan
5. 2313 Loch Lomond Dr - Applicant Submittal





Winter Park

HAWICK LANE

LOCH LOMOND DRIVE

NAIRN DRIVE

STRATHV LANE

BOUNDARY SURVEY

LEGAL DESCRIPTION:

LOT 15 AND 16, BLOCK 13, ALOMA SECTION 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK O, PAGE 51, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

FLOOD INFORMATION:

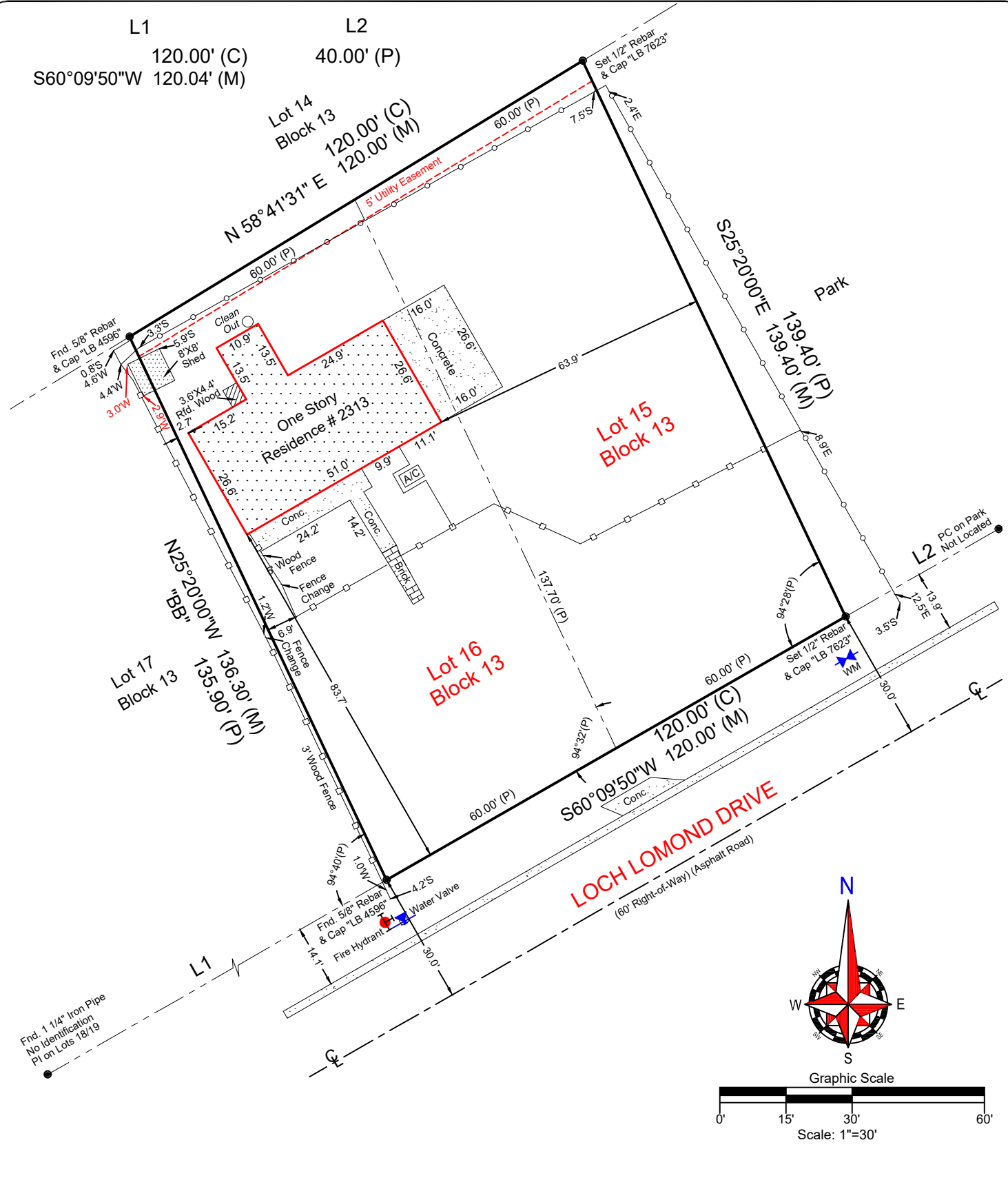
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF WINTER PARK, COMMUNITY NUMBER 120188, DATED 9-25-2009.

CERTIFIED TO:

ARCHICRAFT, LLC; LEADING EDGE TITLE OF CENTRAL FLORIDA, LTD; FIRST AMERICAN TITLE INSURANCE COMPANY



2313 LOCH LOMOND DRIVE, WINTER PARK, FLORIDA 32792



Field Date: 1/8/2025 Date Completed: 01/10/25

Drawn By: V.T. File Number: S-138375

Legend	
C	- Calculated
CC	- Centerline
CB	- Concrete Block
CM	- Concrete Monument
Conc.	- Concrete
D	- Description
DE	- Drainage Easement
Esmt.	- Easement
F.E.M.A.	- Federal Emergency Management Agency
FFE	- Finished Floor Elevation
Fnd.	- 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	- Radius
Rad.	- Radial
R&C	- Rebar & Cap
Rec.	- Recovered
Rfd.	- Roofed
Set	- Set 1/2" Rebar & Cap "LB 7623"
Typ.	- Typical
UE	- Utility Easement
WM	- Water Meter
Δ	- Delta (Central Angle)
○	- 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.
- >Bearing basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
- >Building Ties are NOT to be used to reconstruct Property Lines.
- >Fence Ownership is NOT determined.
- >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
- >Use 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.

-POINTS OF INTEREST-

NONE VISIBLE

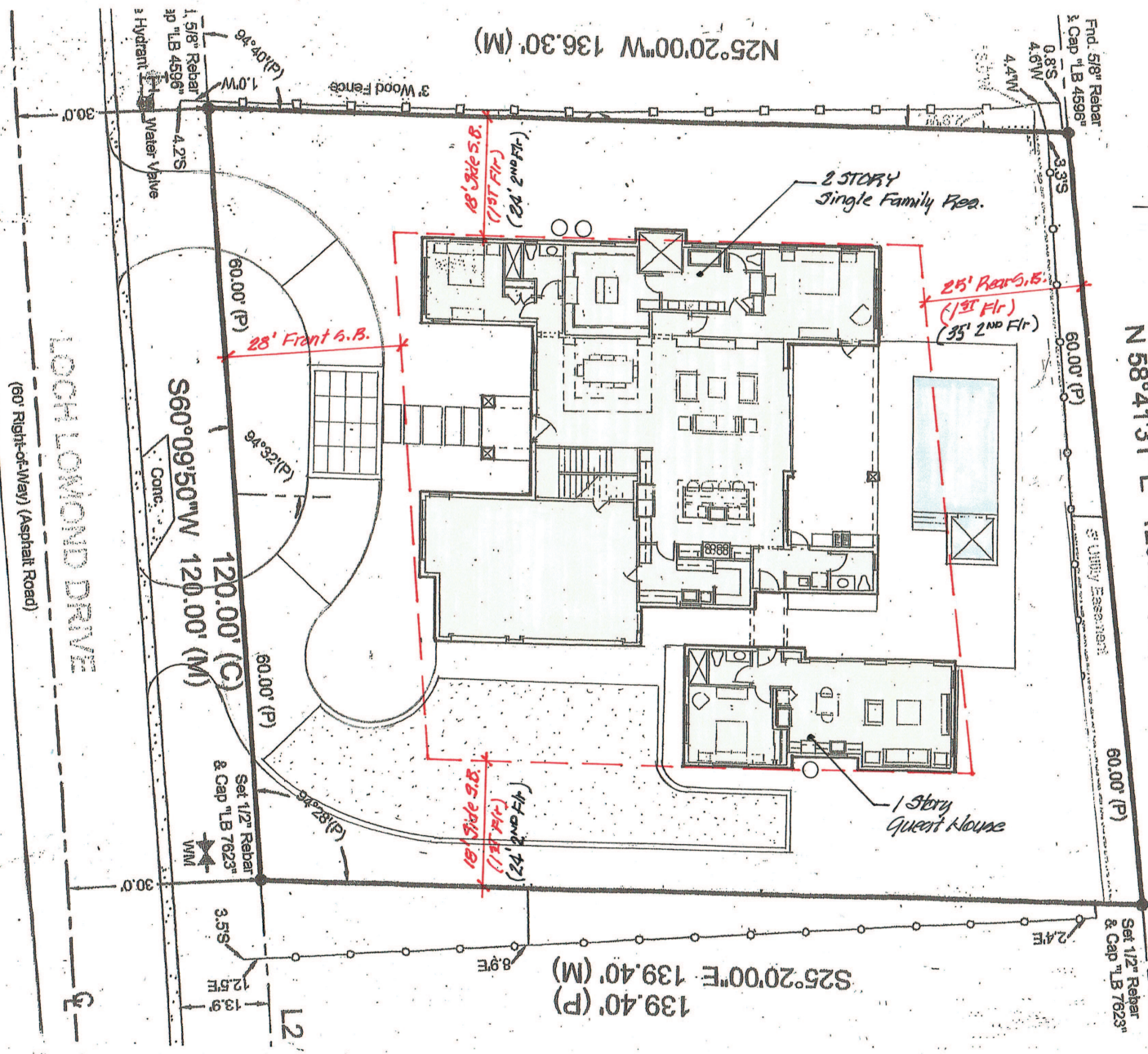
I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

PATRICK K. IRELAND
 PROFESSIONAL LAND SURVEYOR & MAPPING
 NO. 6637
 STATE OF FLORIDA

Patrick K. Ireland
PATRICK IRELAND 6637 LB: 7623

This survey is intended ONLY for the use of said certified parties. This survey is NOT valid without signature and embossed with Surveyors 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



2313 LOCH LOMOND DRIVE

Lot Area: ± 16,542 sf
 Max Base FAR: 35% = 5,790sf
 Bonus FAR: 3% = 496sf

N 58° 41' 31" E
 120.00' (C)
 120.00' (M)

Proposed Front S.B.	28'
1st Flr Side S.B.	18'
2nd Flr Side S.B.	24'
1st Flr Rear S.B.	25'
2nd Flr Rear S.B.	35'

Scale: 1/16" = 1'-0"



PLAN SNAPSHOT REPORT BOA-2025-0007 FOR CITY OF WINTER PARK

Plan Type: Board of Adjustments	Project:	App Date: 07/16/2025
Work Class: Board of Adjustments/Variance Application	District: Winter Park	Exp Date: NOT AVAILABLE
Status: Submitted - Online	Square Feet: 0.00	Completed: NOT COMPLETED
Valuation: \$0.00	Assigned To: Lewis, Nick	Approval Expire Date:
Description: Setback Variance		

Parcel: 302209012013150	Main	Address: 2313 Loch Lomond Dr Winter Park, FL 32792	Main	Zone:
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Owner James Bartlett Home: (407) 402-4700 Mobile: (407) 402-4700	Applicant JAMES R BARTLETT 3335 Danny Boy CIR Orlando, FL 32808 Business: (407) 402-4700 Mobile: (407) 402-4700
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Plan Custom Fields

Is the property on waterfront?	No	Section	Subsection
Zoning		Is this property on historic registry or district?	Describe variance
		No	Change front setback to 28 feet
How long have you owned the property?	6 months	How long have you occupied the property?	Special Condition
		0	There is an existing small home on the property built in 1948 that has a current front setback of over 80 feet
Rights/Priv	The ability to build a new home	Hardship	Limited Variance
		A home can not be built on this property an maintain a 80 foot setback	yes, to the extent that it will allow me to build a new home similar to homes recently built on this street.

Attachment File Name	Added On	Added By	Attachment Group	Notes
Checklist Requirements 2313 Loch Lomond Dr..pdf	07/16/2025 16:26	Bartlett, Jim		Signed Checklist
Site Plan 2313 Loch Lomond Dr..pdf	07/16/2025 16:26	Bartlett, Jim		Site Plan
Survey 2313 Loch Lomond Dr..pdf	07/16/2025 16:26	Bartlett, Jim		Survey
Signature_JAMES_BARTLETT_7/16/2025.jpg	07/16/2025 16:26	Bartlett, Jim		Uploaded via CSS

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00061794	Residential Variance Application Fee	\$200.00	\$200.00
Total for Invoice INV-00061794		\$200.00	\$200.00
Grand Total for Plan		\$200.00	\$200.00

Submittal Name	Status	Received Date	Due Date	Complete Date	Resubmit	Completed
Board of Adjustments Review v.1	Approved	07/16/2025	07/18/2025	07/16/2025	No	Yes
Item Review Name	Department	Assigned User	Status	Assigned Date	Due Date	Completed Date
Zoning Review	Building & Permitting Services	Lewis, Nick	Approved	07/16/2025	07/18/2025	07/16/2025

Workflow Step / Action Name	Action Type	Start Date	End Date
Review v.1		07/16/2025 16:53	07/16/2025 16:53
Board of Adjustments Review v.1	Receive Submittal	07/16/2025 0:00	07/16/2025 16:52

PLAN SNAPSHOT REPORT (BOA-2025-0007)

Issue Invoice v.1	Generic Action	07/16/2025 16:53
Final Decision v.1		
Board of Adjustments Decision v.1	Generic Action	