



Board of Adjustments Regular Meeting Minutes

August 19, 2025 at 5:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

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

Absent

Frank Pruitt

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

2. Approval of Minutes

- a. Minutes of July 15, 2025.

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

Motion made by Michael Clary, seconded by Jim Fitch, to approve the July 15, 2025
regular meeting minutes.

The motion carried by a 6-0 vote. (Frank Pruitt was 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 #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.

Mr. Lewis provided a summary of the request. He noted that the subject property is a corner lot with frontages along Place Vendome (front) and Chantilly Avenue (street-side). He indicated that there is an existing line of trees along the Chantilly Avenue property line. He also indicated that 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 by the applicant, relinquishing the legally nonconforming status and, thus, requiring the applicant to request variance approval to put the fence back. The applicant expressed that the reason for the request was to help her mother, who has Alzheimer's Disease, safely remain on the property. Mr. Lewis noted that 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, granting the applicant's proposed request 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 did 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.

Staff recommendation was for approval with the following condition:

- 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.

Discussion ensued regarding whether there was a fence on the west side of the property, whether anything in the code would preclude a 6-foot hedge along the front of the property, if comments had been received from any of the neighbors, and the type of enforcement the city has on conditions of approval.

The applicant's representative, David Brescia, addressed the Board. He noted the applicant had recently considered and agreed to bring the front fence an additional 10 feet back off the property line to make it a total of about 20 feet off of the road to address some of the sight line and road visibility concerns that had been brought up. He then went on to provide some background and the applicant's reason for the request. He emphasized the applicant's desire to create a safe place to live for her mother, who suffers from Alzheimer's Disease.

A brief discussion ensued about which floor the bedrooms would be on in the new house.

The Board heard public comment from the following residents:

In favor:

Robert DuChemin at 1440 Place Vendome, Winter Park, FL 32789.

Opposed:

Jason Johnson at 2431 Versailles Avenue, Winter Park, FL 32789; Mark Kaczmarek at 1443 Place Vendome, Winter Park, FL 32789; Mark Allen at 2317 Chantilly Avenue, Winter Park, FL 32789; Marie Ciaravino at 2341 Chantilly Avenue, Winter Park, FL 32789; Jason Frye at 2251 Chantilly Avenue, Winter Park, FL 32789; and Debbie McKinney at 1421 Bessmor Road, Winter Park, FL 32789.

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

Mr. Brescia addressed the Board and noted that it was the applicant's intent to maintain any fence or hedge that was allowed by the request, that there would be significant space at the corner of the property line with the proposed additional 10 feet in front setback, and that it has been very difficult to deter the applicant's mother from doing things that might risk her safety including climbing tall objects.

Another representative of the applicant, David Graham, addressed the Board. He noted that he and Mr. Brescia live 20 minutes from the property and would be able to assist with keeping up the esthetics of the house and property. He also noted that the applicant would be willing to remove the 6-foot front yard fence when it would be no longer needed.

The Board shared their thoughts on the request and, overall, did not approve of a 6-foot fence within the front yard.

Motion made by Aimee Hitchner, seconded by Jeanne Reynaud, 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, with the following condition:

- **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.**

The motion carried by a 6-0 vote. (Frank Pruitt was absent from the meeting.)

- 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.

Mr. Lewis provided a summary of the request. He indicated that the city's subdivision lot split regulations prohibit the lot from being split. He also indicated that based on the existing home, the property has a code required 84-foot front setback on a 136-foot lot. He then explained that over half of the required lot area is within the front yard area, so factoring in a 25-foot setback and over 20-foot street-side setbacks, the lot is basically not buildable under those conditions. Mr. Lewis noted that the average front setback of the area was determined to be 26 feet, and the applicant was seeking a 28-foot front setback for the property. He then reviewed the applicant's proposed site plan and indicated that it met the required 18-foot first floor side setbacks, the 25-foot first floor rear setbacks, floor area ratio, and impervious coverage. He also explained that because of the lot's unique circumstances, being the only significant outlier within the block structure, 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 regarding the variance requested.

Staff recommendation was for approval.

The Board inquired about whether the lot had been larger when the existing house was built and thereafter split and whether the lot had been part of a previous annexation into the city.

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

Motion made by Michael Clary, seconded by Christopher Morrison, 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.

The motion carried by a 6-0 vote. (Frank Pruitt was absent from the meeting.)

5. Non-Action Items

6. Staff Updates

7. Board Comments

8. Upcoming Agenda Items

9. Adjournment

The meeting adjourned at 6:17 p.m.

Minutes approved by the Board on September 16, 2025.

ATTEST:

/s/ Mary Bush, Board Secretary