Historic Preservation Board Regular Meeting

Agenda

May 10, 2023 @ 9:00 am

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/bpm 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) 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.

agenda	time

1. **Call to Order**
2. **Consent Agenda**
   a. Approval of the April 12, 2023 Meeting Minutes. — 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. Request by 1530 Berkshire LLC for approval to designate the home, built in 1926 to the Winter Park Register of Historic Places and undertake renovations to the rear accessory building. — 20 minutes
5. **Action Items**
6. **Non-Action Items**
7. **Staff Updates**
8. **Board Comments**
9. **Upcoming Agenda Items**
10. **Adjournment**

Historic Preservation Board agenda item

item type Consent Agenda	meeting date May 10, 2023
prepared by Mary Bush	approved by
board approval Completed	
strategic objective	

subject

Approval of the April 12, 2023 Meeting Minutes.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

April 12 HPB Draft Minutes.pdf

Historic Preservation Board
Regular Meeting Minutes

April 12, 2023, at 9:00 a.m.

City Hall | Commission Chambers
401 S. Park Ave. | Winter Park, Florida

Present

Present: John Skolfield, Aimee Spencer, Lucy Boudet, and Drew Henner. Preset Virtually: N. Lee Rambeau. Absent members: Wade Miller. Staff: Director of Planning and Zoning Jeffrey Briggs, and Recording Secretary Mary Bush.

(1) Call to Order

Mr. Skolfield called the meeting to order at 9:01 a.m.

(2) Consent Agenda

Motion made by Lucy Boudet, seconded by Aimee Spencer, to approve the March 8, 2023, meeting minutes.

Motion carried unanimously with a 4-0 vote. (N. Lee Rambeau was not present for approval of the minutes. Wade Miller was not present for the meeting.)

(3) Public Comments (for items not on the Agenda)

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

(4) Public Hearings

a. Request by Marty and Maura Sullivan of 901 Georgia Avenue for approval to build an 889 sq. ft. addition to their existing detached garage, subject to a rear setback variance, in order to provide for a guest/accessory living space to complement their existing individually designated historic home, built in 1917, zoned: R-1AA.

Mr. Briggs provided a brief summary of the item. He presented and reviewed with the Board an area map, photos of the existing property, and the applicant's proposed site plan and elevations. He noted that the detached garage along with the proposed addition per code could be five feet from the property line and that there was an existing privacy hedge between the applicant's property and the adjacent property on Cherokee Lane. He also noted that the applicant's proposed addition would barely be visible to the adjacent neighbor due to the addition lining up with the neighbor's existing garage and the privacy hedge in between. He added that there were no neighbor letters received in opposition of the request.

Staff recommended approval subject to the exterior design materials presented.

Mr. Skolfield inquired as to whether or not the applicant's main home's eave detail with regard to the simulated thatched roof was to be replicated on the addition. The applicant's architect, John Page, of 416 Fairfax Avenue, Winter Park, FL 32789 addressed the Board and responded, yes, that the addition would replicate the design detail of the main house.

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

Motion made by Aimee Spencer, seconded by Lucy Boudet for approval to build an 889 sq. ft. addition to their existing detached garage, subject to a rear setback variance, in order to provide for a

DRAFT

guest/accessory living space to complement their existing individually designated historic home, built in 1917, zoned: R-1AA.

Motion carried unanimously with a 5-0 vote. (Wade Miller was not present for the meeting.)

b. Request by Ryan and Zamantha Phillips for approval to demolish the existing detached garage/accessory cottage and build first and second-floor additions and a new garage, subject to certain setback variances, to the existing "contributing" home at 965 Lakeview Drive, built in 1936 within the College Quarter Historic District, zoned: R-1AA.

Mr. Briggs provided a brief summary of the item. He presented and reviewed with the Board an area map, photos of the existing property, and the applicant's proposed site plan and elevations. He noted that staff had received a letter in support of the request from the affected neighbor adjacent to the applicant's property. He then briefly discussed the details of the expansion of the existing home with the additions, which would continue down the same 14 foot setback along Antonette Avenue as the existing home. He added that the additions would connect to a new two-car garage that would be setback 10 feet from an existing small alley adjacent to the property. He explained that if the garage was detached five feet away from the house, then the 10 foot setback would comply with code. He further explained that the applicant created a walkway that connects the garage to the back door of the main house for safety and security and to avoid having to walk out into the elements or just having an open roof area. He then indicated that the applicant would also be building an addition to the back of the home that would be consistent with the existing setback of 8.15 feet.

Staff recommended approval subject to the exterior design materials presented.

Mr. Skolfield inquired about the applicant's intention for siding material. The applicant's architect, Bernie Johnson of 1421 Caring Court, Maitland, FL 32751 addressed the Board and responded that the existing home had wood lap siding and the applicant was intending to use the same. Mr. Skolfield noted that he was not comfortable with the use of Hardie board siding for the applicant's request and would like the house restored. Brief discussion ensued regarding restoring the house.

Ms. Spencer inquired about all of the windows on the home being casement windows and not double hung windows and if the applicant intended to keep the casement windows. Mr. Johnson replied that all of the windows were casement windows and the applicant did intend to keep them as casement windows. Ms. Spencer reiterated the requirement for wood siding and not Hardie board or any other kind of siding. She also spoke on stormwater concerns, which Mr. Briggs explained that there would be almost no increase in the amount of impervious surface. She then inquired about how the applicant would mitigate the amount of rain runoff from the roof. The applicant's potential builder, Charlie Clayton of 940 Old England Avenue, Winter Park, FL 32789 addressed the Board and responded that light swales and French drains would be installed to redirect the water.

Ms. Boudet expressed that she was very fond of the project and felt it would be a lovely addition to the community.

Mr. Henner expressed that the applicant had made great improvements to make a livable home and he felt it was well done.

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

Motion made by Aimee Spencer, seconded by Lucy Boudet for approval to demolish the existing detached garage/accessory cottage and build first and second-floor additions and a new garage, subject to certain setback variances, to the existing "contributing" home at 965 Lakeview Drive, built in 1936 within the College Quarter Historic District, zoned: R-1AA.

Motion carried unanimously with a 5-0 vote. (Wade Miller was not present for the meeting.)

(5) Action Items

No action items were discussed.

(6) Non-Action Items

No non-action items were discussed.

(7) Staff Updates

Mr. Briggs briefly discussed with the Board issues staff has found with regard to differences of what the applicants present to staff in their proposed schematics versus the intricacies of the actual existing homes and the applicants' full intentions for what they want to do with the homes.

Mr. Briggs then introduced Corinna Lundgren who replaced the HPB recording secretary, Aaron Hull. He noted that Ms. Lundgren has an undergraduate degree in architecture and is currently completing her master's degree in planning. He also noted that Mr. Hull acquired a position with the planning and design firm Kimley-Horn and will be moving to Colorado.

(8) Board Comments

No Board comments were made.

(9) Upcoming Agenda Items

No discussion occurred regarding agenda items for the upcoming Historic Preservation Board meeting scheduled for May 10, 2023.

(10) Adjournment

Mr. Skolfield adjourned the meeting at 10:00 a.m.

/s/ Recording Secretary Mary Bush

Historic Preservation Board agenda item

item type Public Hearings (Public participation and comment on these matters must be in-person.)	meeting date May 10, 2023
prepared by Jeffrey Briggs	approved by
board approval Completed	
strategic objective	

subject

Request by 1530 Berkshire LLC for approval to designate the home, built in 1926 to the Winter Park Register of Historic Places and undertake renovations to the rear accessory building.

motion / recommendation

Staff recommendation is for approval.

background

The 1530 Berkshire LLC (Ryan Moody) as owner of the home at 1530 Berkshire Avenue has voluntarily agreed to the designation of this property to the Winter Park Register of Historic Places. This home built in 1926 is an example of the Mission Mediterranean architectural style popular at that time.

The property was purchased in January 2022 and the owners have done a significant interior remodeling of the home. The exterior of the home however, remains much the same. On the exterior, there are new windows and frames but those are the only visible changes along with new paint colors.

In the rear of the property is a detached 576 sq. ft. accessory structure that was once a one-car garage with some ancillary workshop/laundry space. It sits 3.7 feet from the side property line and 10.6 feet from the rear. The owner desires to convert this accessory building to added living space which requires a variance from the 7.5-foot side setback and 25-foot rear setback.

The planning staff is comfortable with these variances for two reasons. One reason is that the existing structure is already in place and is not being enlarged, so the neighbors will be looking at the same structure as they always have done, albeit in a more attractive finish. The second reason is that there is a deed restriction in place that prohibits use of the accessory building as a separate rental, so the accessory building cannot be viewed as

a separate living unit and the property cannot be marketed in the future as a duplex. The home can be rented legally to no more than three unrelated individuals. If the owner rents to two occupants that reside primarily in the house and one individual that resides primarily in the detached accessory building, that still meets Code. If the property becomes rented to a larger number of individuals, then typically the number of cars parked on-site and on-street, will alert neighbors and the Code Enforcement will get called, as happens from time to time.

Summary and Recommendation:
The structures retain much of the original exterior architectural image from when built in 1926. The variances requested should have no impact on the neighboring affected properties. As discussed often, the historic designation preserves both the architectural heritage of the Mission Mediterranean image and also the scale and character of development on this property. As such, staff recommendation is for approval.

alternatives / other considerations

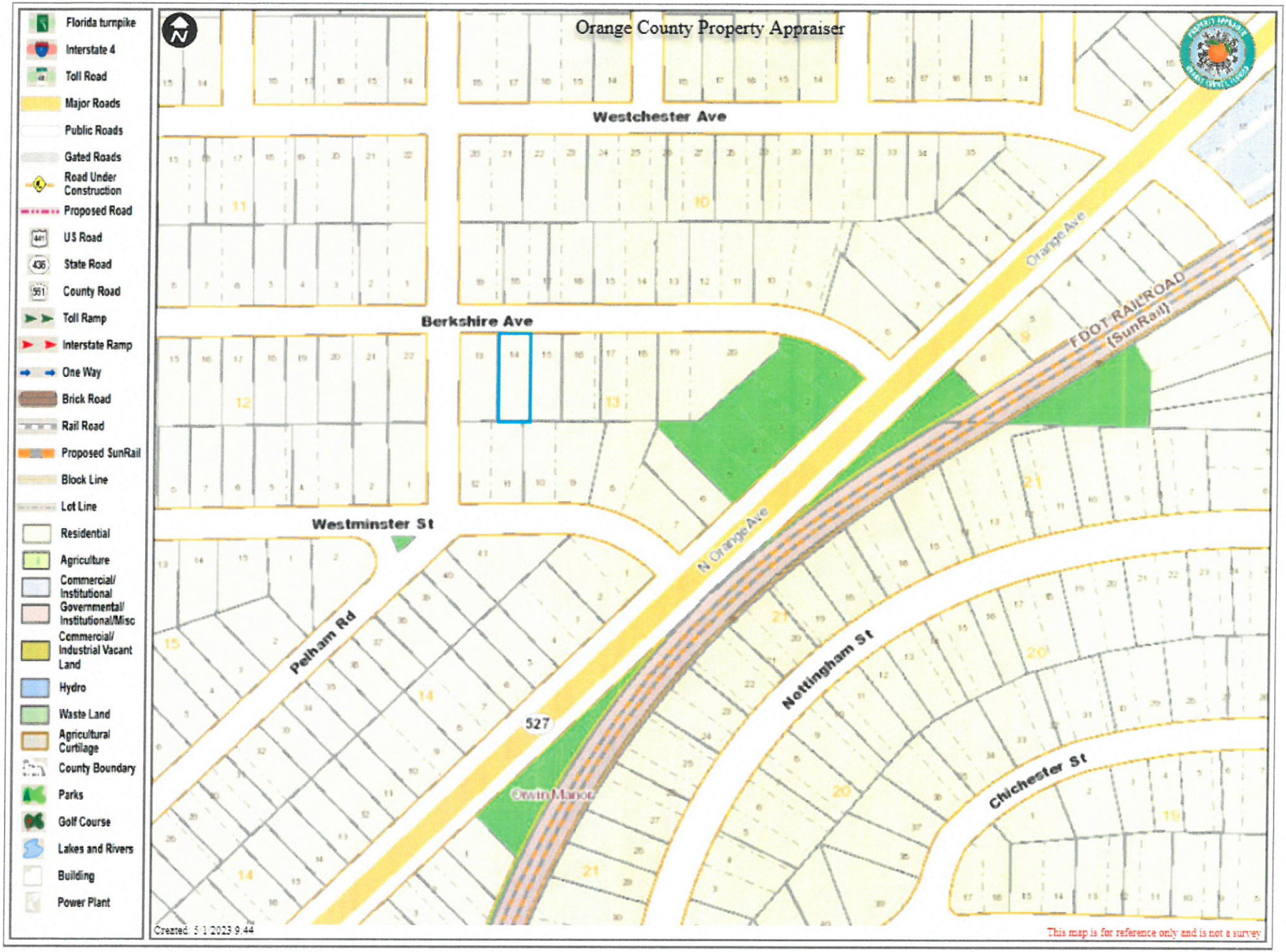
fiscal impact

ATTACHMENTS:
Location Map.pdf

ATTACHMENTS:
Site Pictures.pdf

ATTACHMENTS:
Survey.pdf

ATTACHMENTS:
Deed Restriction for Guest House.pdf


Orange County Property Appraiser
Florida turnpike
Interstate 4
Toll Road
Major Roads
Public Roads
Gated Roads
Road Under Construction
Proposed Road
US Road
State Road
County Road
Toll Ramp
Interstate Ramp
One Way
Brick Road
Rail Road
Proposed SunRail
Block Line
Lot Line
Residential
Agriculture
Commercial/ Institutional
Governmental/ Institutional/Misc
Commercial/ Industrial Vacant Land
Hydro
Waste Land
Agricultural Curtilage
County Boundary
Parks
Golf Course
Lakes and Rivers
Building
Power Plant
Westchester Ave
Berkshire Ave
Westminster St
Orange Ave
N Orange Ave
FDOT RAILROAD (SunRail)
Pelham Rd
527
Nottingham St
Chichester St
Orwin Manor
Created: 5/1/2023 9:44
This map is for reference only and is not a survey

1530 Berkshire in 2019

1530 BERKSHIRE AVE, WINTER PARK, FL 32789 2/10/2023 10:20 AM

Rear Accessory Building

BOUNDARY SURVEY

LEGAL DESCRIPTION:

LOT 14, BLOCK 13, ORWIN MANOR WESTMINSTER SECTION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK J, PAGE 118, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

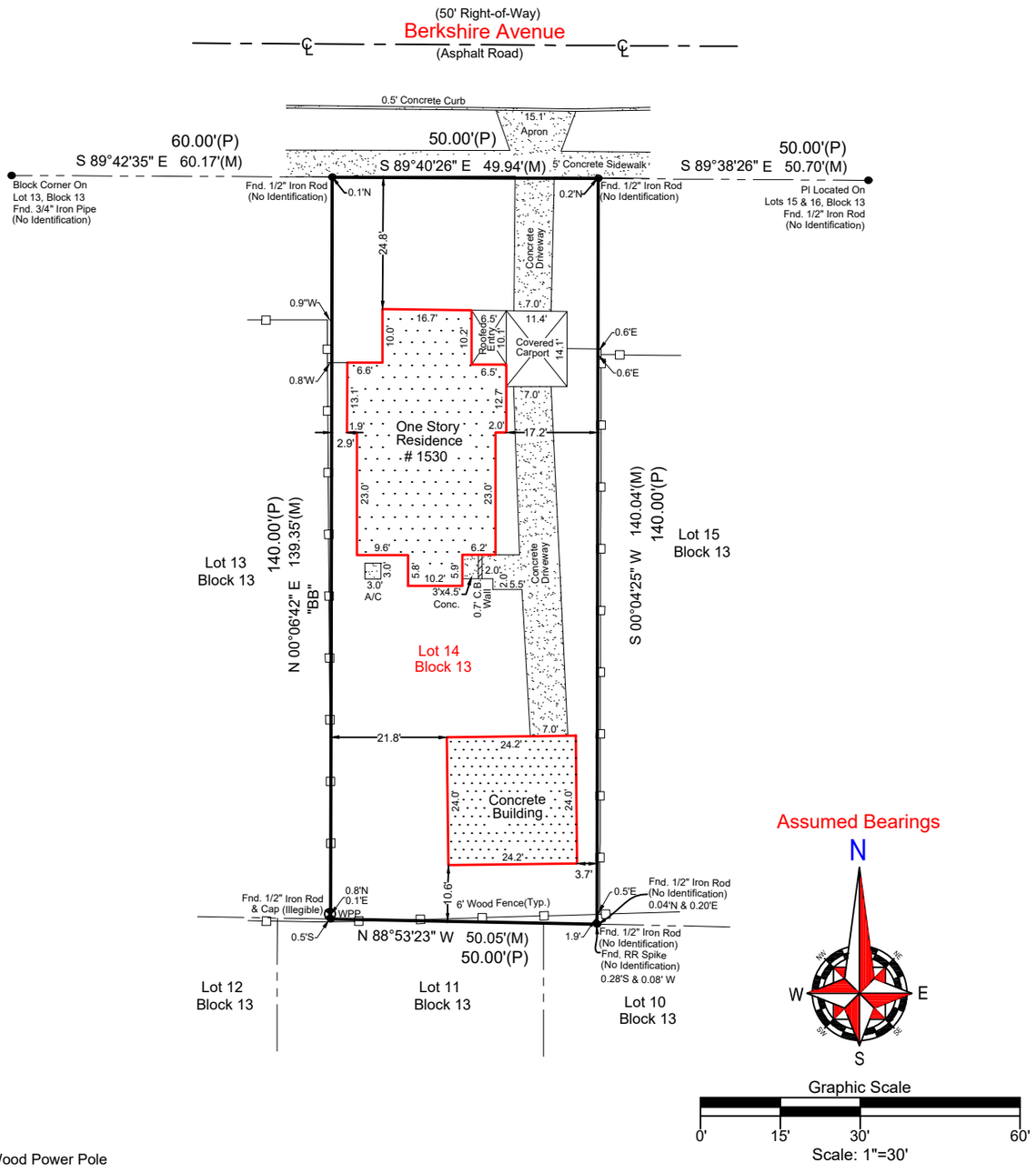
FLOOD INFORMATION:

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:

1530 BERKSHIRE AVE LLC; TRADITIONS TITLE AND ESCROW, LLC; OLD REPUBLIC TITLE

1530 BERKSHIRE AVENUE, WINTER PARK, FLORIDA 32789



WPP = Wood Power Pole

Field Date: 3/14/2023	Date Completed: 03/15/23
Drawn By: G.S.	File Number: IS-115912

-Legend-

C	- Calculated	PC	- Point of Curvature
℄	- Centerline	Pg.	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement		
F.E.M.A.	- Federal Emergency Management Agency	PT	- Point of Tangency
		R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rfd.	- Roofed
M	- Measured	Set Rebar	- Set ½" Rebar & Cap "LB 7623"
N&D	- Nail & Disk		
N.R.	- Non-Radial	Typ.	- Typical
ORB	- Official Records Book	UE	- Utility Easement
P	- Plat	WM	- Water Meter
P.B.	- Plat Book	Δ	- Delta (Central Angle)
—□—	- Wood Fence	—○—	- 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 IRELAND CERTIFICATE NO. 6637 STATE OF FLORIDA

Patrick K. Ireland PSM 6637 FOR THE FIRM LB 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

DOC # 20230109035
02/27/2023 08:10 AM Page 1 of 2
Rec Fee: $18.50
Deed Doc Tax: $0.00
Mortgage Doc Tax: $0.00
Intangible Tax: $0.00
Phil Diamond, Comptroller
Orange County, FL
Ret To: ERECORDING PARTNERS NETWORK

THIS INSTRUMENT PREPARED BY:
Ryan Moody
322 E Central Blvd #1105
Orlando, FL 32801

GUEST HOUSE/GARAGE APARTMENT USE RESTRICTION DECLARATION

THIS USE RESTRICTION DECLARATION made this 3 day of June, 2022, by 1530 Berkshire Ave LLC, a _____ corporation, whose address is 322 E. Central Blvd #1105 Orlando, FL 32801, ("Owner"), in favor of the CITY OF WINTER PARK, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 401 Park Avenue South, Winter Park, Florida 32789.

RECITALS

WHEREAS, Owner is the owner of property located at 1530 Berkshire Ave Winter Park, FL 32789, more particularly described as set forth in Exhibit "A" attached hereto, which property (herein- after referred to as the "Property") is located within the corporate limits of the City of Winter Park; and

WHEREAS, Owner has applied for a building permit for the construction or substantial improvement of a guest house or garage apartment on the Property with 1,000 square feet of floor area or less; and

WHEREAS, Section 58-71(i) of the Code of Ordinances of the City of Winter Park prohibits the rental, leasing or hiring for occupancy, whether for direct or indirect compensation, of guest houses and garage apartment and permits said guest houses and garage apartments only when they provide accommodation for guests, servants or members of a family occupying the main building on the same property and so long as said guest houses and garage apartments are not equipped with a kitchen area or cooking facilities and/or separate utility meters; and

WHEREAS, Section 58-71(i) of the Code of Ordinances of the City of Winter Park further requires the recording of a restriction upon the use of the Property setting forth the limitations established by the City of Winter Park prior to the issuance of any building permits pertaining to guests houses and garage apartments.

NOW, THEREFORE, in consideration of the mutual benefits contained herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, Owner hereby declares the following:

1. The Property as described in Exhibit "A" attached hereto is subject to the restrictions identified in Section 58-71(i) of the Code of Ordinances of the City of Winter Park, as said section may from time to time be amended.

2. Owner hereby further declares and warrants that Owner has fee simple title and full right and interest in and to the Property and represents that no other parties other than those signing this document have any legal or equitable right, title or interest to the Property.

3. Owner hereby declares that any guest house or garage apartment located on the Property shall be used only for providing accommodation for guests, servants or members of the family occupying the main building on the

Property and shall not be rented, leased or hired for occupancy, whether for direct or indirect compensation, and shall not be equipped with a kitchen area or cooking facilities and/or separate utility meters and that this restriction shall run with the Property and shall bind the Owner and his successors and assigns.

IN WITNESS WHEREOF, Owner has hereunto executed this document as of the day and year first written above.

Signed, Sealed and Delivered
in the Presence of:

Print Name Ryan Moody
1530 Berkshire Ave LLC

Print Name

322 E. Central Blvd #1105, a
corporation
Orlando, FL 32801
(Address)

BY
Print Name
As Its

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 3rd day of June, 2022 by Ryan Moody as Owner of 1530 Berkshire Ave LLC, a corporation, on behalf of the corporation. He/She is personally known to me or has produced Drivers License M300-723-69-0970 as identification.

My Commission Expires: July 22, 2023

NOTARY PUBLIC
Print Name Kathryn Mcnally

KATHRYN MCNALLY
Notary Public - State of Florida
Commission # HH 046383
My Comm. Expires Jul 22, 2023

APPROVED BY THE CITY OF WINTER PARK

BY
Print Name Jeff Briggs
As Its Planning Director

Date: 6/29/2022

Z\forms\forms\deed restriction – guest house