



Board of Adjustments Minutes

December 14, 2021, at 5:00 p.m.

Hybrid Meeting

Present

In-person: Robert Trompke (Chair), Michael Clary (Vice-Chair) Ann Higbie, Cathy Sawruk, Jason Johnson, Charles Steinberg,

Recording Clerk: Bahiyyah Muhammad

City Staff

Renata Minoga (Building & Permitting Manager) and Board of Adjustments City Liaison,
George Wiggins (Former Director of Building and Permitting Department)

Absent

Tom Sims Jr.

Call to Order

Robert Trompke (Chair), called the meeting to order at 5:00 pm. Robert Trompke (Chair) explained the rules of procedure for variance cases and opened the floor for any disclosures, public comments, or questions.

Consent Agenda

Motion made by Jason Johnson to approve the November 19, 2021 minutes with adjustment on the actions. Michael Clary (Vice-Chair) seconded the motion. The minutes were approved by a vote of 5-0.

Staff Updates

Renata Minoga introduced Mr. Gary Hiatt the new Building Official. Mr. Hiatt explained the transition of zoning to the Planning and Transportation department including the Board of Adjustments. Bronce Stephenson, Planning and Transportation Director presented his team and the new procedures. George Wiggins commented on the changes.

Citizen Comments

No public comments or questions.

Action Items

No action items were brought forward.

Public Hearings

1. Request of Ryan Gaston of a variance to allow the construction of a 5' high masonry wall at street-side setback line in lieu of the required setback of 10'.

Located at 2614 PARKLAND DR

Zoned: R-1AA

Citizen Comments

Renata Minoga explained the variance request. Mr. Ryan Gaston introduced himself, a resident of 2614 PARKLAND DR, he explained the hardship of having the easement of the shared access in the rear of the homes and being located at the corner of a busy road of Winter Park road.

Charles Steinberg requested additional clarifications about the request. Mr. Gaston explained the hardship of safety regarding Winter Park road. Jason Johnson asked about the hardship and the existing approved areas of green space.

Findings

Charles Steinberg explained that no hardship could be found based on the choices made by the homeowner regarding the pool. Board Members had a discussion and this case was not approved by 5 Board members (Robert Trompke (Chair), Michael Clary (Vice-Chair), Jason Johnson, Charles Steinberg, Cathy Sawruk, and Ann Higbie.

Action

Based on these findings, Mr. Jason Johnson made a motion, seconded by Cathy Sawruk to approve the item as noted.

The request was denied by a vote of 0-5.

The first case ended at 5:35 pm

2. Request of Matthew and Melissa Downs to allow the construction of a garage extension at 33' front setback in lieu of the required 35'.

Located at 680 ARJAY WAY

Zoned: R-1AA

Citizen Comments

Renata Minoga explained the variance request. Mr. Mathew Downs introduced himself as resident at 680 ARJAY WAY. He explained the hardship of not being able to park in the garage.

Charles Steinberg asked for clarification that the request is to be able to park inside the garage as all the other neighbors.

Findings

Jason Johnson described that the request is not asking for anything not already enjoyed by the neighbors therefore a hardship exists. After deliberation, the Board concurred on the existence of hardship.

All 5 Board members present concur on the hardship presented.

Action

Based on these findings, Michael Clary made a motion, seconded by Cathy Sawruk amending the proposed variance to grant a 32' front setback instead of the required 35'.

The request was approved by a vote of 5-0.

This case ended at 6:15 pm

3. Request of Cynde Norris on behalf of Janet and Larry Barnes to allow the construction of existing conditioned space above the garage into guest quarters living area with the addition of bathroom at 5' side setback in lieu of the required setback of 12'.

Located at 2708 PHILLIPS PARK CT

Zoned: R-1AA

Citizen Comments

Renata Minoga explained the variance request. Mrs. Cindy Norris located at 127 W FAIRBANKS AVE Unit: 101 Winter Park, explained the need for the new bathroom and the lack of available additional FAR requiring the repurposing of existing space. Renata Minoga explained that the applicant will have to sign a deed restriction for the guest house during the permitting process. Mr. George Wiggins provided information on the existing mitigation factor of code provision that allows 10' setbacks to non-residential areas.

Findings

After deliberation, the Board concurred that the hardship presented was the FAR issue and the fact that there is no impacted neighbors and visible exterior changes to the building mitigated the impact granting the variance.

Action

Based on these findings, Michael Clary made a motion, seconded by Charles Steinberg to approve the item as noted.

The request was approved by a vote of 5-0.

The meeting adjourned at 6:33 pm.

Bahiyyah Muhammad-Layton

Bahiyyah Muhammad-Layton, Recording Clerk

January 18, 2022

Date of Board Approval