



Board of Adjustments Minutes

November 16, 2021 at 5:00 p.m.

Hybrid Meeting

Present

In-person: Robert Trompke (Chair), Michael Clary (Vice-Chair), Jason Johnson, Charles Steinberg,
Recording Clerks: Sofia Chatzidaki, Bahiyyah Muhammad, Virtual attendants: Tom Sims,

City Staff

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

Absent

Ann Higbie, Cathy Sawruk

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 Michael Clary (Vice-Chair) to approve the October 19, 2021 minutes. Jason Johnson seconded the motion. The minutes were approved by a vote of 5-0.

Staff Updates

No public comments or questions.

Citizen Comments

No public comments or questions.

Action Items

No action items brought forward.

Public Hearings

1. Request of David Montalto, on behalf of Mike Lahr to allow the construction of masonry wall along the rear and side setbacks up to 9'-6" in height in lieu of the maximum required 6'

Located at 200 E Rockwood Way

Zoned: R-1AA

Robert Trompke (Chair) read the description of the first case.

Renata Minoga, described and explained the first case with the presentation of the staff report informing that this was an existing retaining/perimeter wall build without a permit over the maximum 8' high.

The board asked questions in order to clarify the request and to clarify the conditions of the lot.

Renata Minoga responded and clarified the variance in detail to Board Members.

Robert Trompke (Chair) invited the applicant to state their name and address.

Mr. Mike Lahr, owner of the property and builder as well, introduced himself and explained his variance. As per Mr. Mike Lahr, there are a lot of houses in this drainage pattern in City of Winter Park. It's not only a hardship

because it's his personal property it's also a hardship because it's the neighbors. Mr. Lahr also explained that as far as the height of the fence goes, when application was submitted the 9-foot 6" height was proposed as worst case scenario, the constructed wall it's actually 8-foot 6. He stated that the 8-foot 6 wall is built already and everything is completed. Mr. Mike said that technically they are 6 inches away from what the City allows.

Board Members had questions about the wall and the construction done without permitting and Mr. Mike Lahr responded in detail.

Mr. George Wiggins (Former Director of Building and Permitting Department) added that we put in every plan that walls requires separate permit. The wall was done without a permit and the permit was requested. Building Department told the contractor that they have to get a variance.

Board Members added their comments for this variance.

Citizen Comments

Mrs. Marina Nice, introduces herself and lives in 150 E Rockwood Way, Winter Park, 32789 and she is the most directly impacted by the intersection in both walls. She spoke and supported that this wall as it is: is giving them extra privacy and they are happy to have the grading done so that the water does not come back to their backyard and into their pool or just further over. They are very appreciated of the wall and wouldn't support Mr. Lahr's request and ask for a variance.

No additional citizen comments were heard.

Findings

The board reiterated the irregularity of building the wall without permit and reviewed the actual finished wall height at 8' 6".

Michael Clay (Vice-Chair), asked Renata if the City is in favor of this case staying as it is.

Renata Minoga stated that with all the neighbors support the City of Winter Park does not oppose.

Board Members had a discussion and this case was approved by 4 Board Members and 1 member did not approve it.

This case was approved by 4 Board members (Robert Trompke (Chair), Michael Clary (Vice-Chair), Jason Johnson, Charles Steinberg) and one opposed (Tom Sims).

Action

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

The request was approved by a vote of 4-1.

The first case ended at 5:38pm

- 2. Request of Bruce Ryneerson, on behalf of Idelisa Torres to allow the construction of a screen enclosure with the area of 886 square feet in lieu of the maximum allowed area of 757 square feet (8% of the lot area).**

Located at 1737 Magnolia Ave

Zoned: R-1A

Robert Tromke (Chair) read the description of the second case.

Renata Minoga, described and explained the second case with the presentation of the staff report informing that this was a returning case of a screen enclosure that was built without a permit and was no conforming to code.

The board asked questions in order to clarify the request and to clarify the conditions of the house and possible alternate solutions that would made the screen enclosure compliant.

Citizen Comments

Mrs. Kim Rynearson and Mr. Bruce Rynearson, representing the contractor and the owner, introduces themselves and have their business located at 5025 Mortier Ave. Orlando FL 32812. They explained the issues the existing house pose to relocate the side wall of the structure explaining that there is no alternative point of attachment for the structure.

Findings

After deliberation the Board concurred on the lack of hardship and the existence of alternate solutions available to make the structure compliant.

This case was Denied by 5 Board members (Robert Trompke (Chair), Michael Clary (Vice-Chair), Jason Johnson, Charles Steinberg) and one opposed (Tom Sims).

Action

Based on these findings, Tom Sims made a motion, seconded by Michael Clary to approve the item as noted. The request was denied by a vote of 0-5.

Staff requested that this case shall not be allowed to return to the board since it was a twice returning case.

This case ended at 6:15 pm

Request of Yann LeLourec to allow extension of the existing 5'-6" high perimeter wall at 6.17' side street setback in lieu of the required setback of 15' and allow the construction of an addition connecting the house to the existing detached garage at 18'-11" rear setback instead of the required 25' rear setback for a garage connected to the home.

Located at 1270 Via Lugano

Zoned: R-1AA

Robert Trompke (Chair) read the description of the Third case.

Renata Minoga, described and explained the third case with the presentation of the staff report informing that this request was based on a very unique narrow corner lot due to an exceeding large right of way.

The board asked questions in order to clarify the request and the conditions of the **house, existing garage, existing non-conforming perimeter wall and the design proposal made by the applicant.**

Renata explained that the proposal is for extensive renovations to the home and the only two items outlined required variances. All other propositions were code compliant.

Citizen Comments

Mr. Yann LeLourec, introduces himself and is resident at **1270 Via Lugano**. He explained about the proposed renovations on the house and the issues the existing house pose with the detached garage and requested to be allowed similar setback as neighbors.

Findings

After deliberation the Board concurred that there is hardship caused by the extra-wide right of way on the corner lot and no other lot on the same street is so affected by the right of way.

The board discussed about how to soften the sidewall with vegetation.

Action

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

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

A second motion was proposed by Michael Clary, and second by Charles Steinberg to amend the original to include the requirement of a minimum 2' 6" hedge to be installed in the front of at least 50% the side street wall.

The second motion was approved by a vote of 5-0.

The meeting adjourned at 6:35 pm.

Renata Minoga, Staff Liaison

November 16, 2021
Date of Board Approval