



Board of Adjustments Regular Meeting Minutes

November 15, 2022 at 5:00 p.m.

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

Present

Present In-Person: Charles Steinberg, Robert Trompke, Michael Clary, Cathy Williams, Tom Sims, and Ann Higbie. Absent: Jason Johnson. Also Present: City Attorney J. Giffin Chumley. Staff: Assistant Director of Planning & Transportation Allison McGillis, Planner I Nicholas Lewis, Planning Technician Aaron Hull, and Recording Secretary Mary Bush.

(1) Call to Order

Vice-Chair Charles Steinberg called the meeting to order at 5:00 p.m.

(2) Consent Agenda

Approval of Minutes:

Motion made by Michael Clary, seconded by Tom Sims to approve the October 18, 2022 meeting minutes.

Motion carried unanimously with a 6-0 vote. (Jason Johnson was not present for the meeting.)

(3) Staff Updates

Mr. Lewis noted that there were no items scheduled yet for the December 13, 2022 regular Board meeting.

(4) Public Comments (for items not on Agenda)

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

(5) Non-Action Items

No non-action items.

(6) Action Items

No action items.

(7) Public Hearings

- BOA-2022-0019: Request of Streamline Permitting, Inc. for variance approval from Section 58-87(c)(2) and (c)(4) in order to increase the dock length from the maximum 30-feet to the proposed 45-feet and increase the square footage of the dock and boathouse from the maximum 600 square feet to 670 square feet at 1250 College Point, zoned R-1AAA. **THIS ITEM WAS WITHDRAWN BY THE APPLICANT.**

Mr. Lewis informed the Board that the item was fully withdrawn by the applicant.

- BOA-2022-0020: Request of Dominic Gundacker for variance approval from Section 58-66(f)(5) to allow a front setback of 25.2-feet in lieu of the required front setback of 33-feet, the average of the four adjacent neighbors, to renovate the garage of the existing home in order to fit a standard sized vehicle located at 1807 Pineview Circle, zoned R-1A.

Mr. Lewis provided the Board a brief summary of the request. He presented to the Board an area map and aerial view of the property. He noted that three neighbor letters were received in approval of the request and none were received in opposition to it. He then presented the existing elevations of the garage and indicated that it was a two car garage with a depth of 17.4-feet, which is inadequate to fit a standard vehicle. He added that the City's standard for a two car garage depth is 20-feet. Mr. Lewis went over the proposed site plans noting that all of the additions proposed by the applicants besides the garage extension adhere to code. He then went on to review the variance approval criteria as it related to the request. Mr. Lewis indicated that the existing garage currently sits at a front setback of 29.9-feet whereas the average of the neighboring properties is 33-feet of which the literal interpretation of the code would require. Mr. Lewis also expressed that due to the nonconforming nature of the existing garage, and the fact that the existing depth cannot sufficiently fit a standard-sized vehicle, staff did not believe that granting the request would confer any special privilege to any other lands, structures or buildings in the same zoning district. He added that per a new update to the City zoning code going into effect on January 1, 2023, the requirements for front setbacks will no longer be based on the average and therefore, granting the variance will not allow any of the neighboring properties to utilize the decreased setback to decrease their own.

Staff recommendation was for approval.

The Board briefly discussed the item and inquired about the following:

- what the setback would be under the new zoning code,
- and clarification regarding the neighbors in support of the application.

The applicants, Dominic and Susana Gundacker of 1807 Pineview Circle, Winter Park, FL 32789 addressed the Board. Mr. Gundacker expressed that creating the ability to fit a vehicle in the garage was the reason for the remodel.

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

Mr. Sims asked the applicants to clarify their stated hardship. Mr. Gundacker emphasized his wife's and his desire to fit a vehicle in their garage. Mrs. Gundacker added that doing so would make it safer for the family to unload their vehicles and enter and exit their home.

The Board briefly shared their thoughts on the request and were overall in favor of it.

Motion made by Michael Clary, seconded by Tom Sims, for variance approval from Section 58-66(f)(5) to allow a front setback of 25.2-feet in lieu of the required front setback of 33-feet, the average of the four adjacent neighbors, to renovate the garage of the existing home in order to fit a standard sized vehicle located at 1807 Pineview Circle, zoned R-1A.

Motion unanimously approved with a 6-0 vote. (Jason Johnson was not present for the meeting.)

(8) Board Comments

Mr. Clary inquired about the new setback code change. Mr. Lewis gave a brief explanation of how the new code will work.

(9) Upcoming Agenda Items

No discussion ensued on upcoming agenda items.

(10) Adjournment

Meeting adjourned at 5:18 p.m.

Minutes approved by the Board on December 13, 2022.

/s/ Recording Secretary Mary Bush