

Development Review Board

**Norma Sutton
Timothy Balding
Stephen Withers
Frank Chase
Jennifer Roper
Molly Rose
Peter Fleck**

Council Liaison: Jim O'Brien

Agenda

Agenda

**May 21, 2019
6:30 PM**

**WINDERMERE TOWN HALL
520 MAIN STREET.
WINDERMERE, FL 34786**

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceeding should contact the Office of the Town Clerk at least 48 hours beforehand at (407) 876-2563

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversations shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council.
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Town Council meeting by an officer and such other actions as may be appropriate. **PLEASE NOTE:** IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the testimony and evidence upon which the appeal is to be based.

AGENDA

- THE MEETING IS CALLED TO ORDER BY THE CHAIRMAN
 - 1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit):
 - 2. NEW BUSINESS
 - a. MINUTES
 - i. DRB Meeting Minutes April 16, 2019 (Attachment-Staff Recommends Approval)
 - b. GENERAL ITEMS FOR CONSIDERATION
 - i. Z19-006: Variance to allow a greater than 10% expansion to a non-conforming home for an addition up to 4,940 square feet (55.3% increase) and allow for a north side setback at 10.02 feet for Area b and 9.85 feet for Area C. (Attachments-Board Option)
 - 3. ADJOURN:
-

TOWN OF WINDERMERE

Development Review Board Meeting Minutes

April 16, 2019

Present were Acting Chair Stephen Withers, Board Members; Norma Sutton, Jennifer Roper, and Peter Fleck. Town Manager Robert Smith, Town Planner Brad Cornelius, and Town Clerk Dorothy Burkhalter were also present. Council Liaison Bill Martini was also present. Chair Frank Chase and Board Members Timothy Balding and Molly Rose were absent.

Acting Chair Withers called the meeting to order at 6:30pm. He then led everyone in the pledge of Allegiance.

1. OPEN FORUM/PUBLIC COMMENTS:

There were no public speakers.

2. OLD BUSINESS: NONE

3. NEW BUSINESS:

a. MINUTES:

i. DRB meeting minutes February 19, 2019

Member Roper made a motion to approve the DRB minutes of February 19, 2019 as presented. Member Fleck seconded the motion. All were in favor.

b. GENERAL ITEMS FOR CONSIDERATION:

i. Z-19-001: 31 Pine Street – Variance to allow an expansion of an existing non-conforming home by more than 10%, allow a reduced side setback of 8.2 feet, and allow a reduced setback from the normal high-water elevation of 15 feet

Acting Chair Withers turned the floor over to Mr. Brad Cornelius. Mr. Cornelius introduced the variance request of 31 Pine Street. He explained that there are three variance requests. One, is to allow an expansion of over 10% for an additional 1600 square feet. Second is for a second story on the south side with a reduced side yard setback of 8.2' not the required 15' side yard setback to align with the footprint of the existing home, and third, to reduce the rear setback to the normal high water elevation of the lake to 15' not the 50' required for a porch. Mr. Cornelius stated that thirty-six (36) notices were sent out. He stated as of April 8th no responses were received. Responses received after the 8th were provided to the Board. Mr. Cornelius further stated that 10 responses were received after the deadline, in which nine (9) were in support of the request and one (1) in opposition. He then stated that he has spoken by phone with the adjacent neighbor to the south who has reservations regarding the request. Mr. Cornelius completed his presentation. Discussion began. Member Roper questioned the reservations of the neighbor. Mr. Cornelius stated view to the lake and the hardship. Acting Chair Withers stated that the house is currently for sale. He then questioned who was making the application and why. Mr. Darrell Nunnelley, realtor for the property and authorized representative for the property owners, introduced himself. He then stated that he originally

TOWN OF WINDERMERE

Development Review Board Meeting Minutes

April 16, 2019

made the application for the sellers. Acting Chair Withers stated that the home was built in 1966. He then questioned when the seawall was installed, when the pool was put in, and when the pool porch was built. Mr. Cornelius stated he was unsure. Acting Chair Withers commented on the seawall and past water testing in that area. He then questioned where the existing septic tank was located. Mr. Nunnelley stated he believed in the front of the house. He then stated that the septic company is scheduled for next week. Discussion was made regarding the existing septic system and a proposed Hyper septic system. Mr. Nunnelley then described Exhibit A (attached) which shows the existing and proposed changes, and pervious and impervious areas, the proposed porch and balcony, the seawall, stormwater retention, and the addition of two bathrooms. Member Roper commented that this house was originally built with Orange County's guidelines which the rear setback would have been 35'. She further commented that she feels that the lot shape/design is a hardship. Acting Chair Withers stated that this request is for a non-compliant house and an addition that is non-compliant. Member Sutton stated that the setbacks are not changing, only the side for the porch. She then stated that the 10% maximum increase for square footage is also in question. Discussion followed. Liaison Martini explained he had a similar issue regarding the encroachment of a second-floor balcony. He stated that he had to use a pillar and leave the bottom floor an open aired porch. Mr. Nunnelley stated that H, and I, would be brought out flat to match the house. Locations D, C and E will be open two layered air porches. Mr. Cornelius stated that the existing square footage of the home is 3,364. He stated that the addition including the porches would be 1,672.22 square feet, which is a little less than 50%. Member Fleck stated he would like to see some native aquatic plants placed back at the shoreline. He then stated that a high-performance septic system should be utilized as well. Member Fleck also stated that adding the aquatic plants and the new septic, it would aid in the water quality in that area. Some discussion followed. Member Sutton commented on the surrounding homes on Pine Street. Acting Chair Withers stated he has a lake impact issue. He then stated that he would not like to set a precedent. Member Roper stated that the shape of the lot is unique. Member Fleck made a motion to recommend approval for the variance request with the condition of adding a high-performance septic system, add adequate berms and swales, and add native aquatic plants along 80% of the shoreline. Member Roper seconded the motion for discussion. Member Roper stated that she wanted to be accurate on the 80% coverage. Member Fleck explained that he stated 80% due to the cove. Member Fleck stated that an access corridor will be needed. Member Roper stated that she would like to remove porch "F" from the recommendation. After some discussion was made, Member Fleck amended his motion to add recommending approval to include the denial of proposed porch "F". Member Roper was friendly to the amendment. Roll call vote was as follows: Sutton – yes, Withers – no, Roper – yes, and Fleck – yes. Motion carried 3-1.

Manager Smith stated that this item will be before the Town Council on May 14th. Discussion was regarding placement of variance items on the Town Council consent agendas.

4. ADJOURN:

Member Sutton made a motion to adjourn the meeting. Member Roper seconded the motion. All were in favor.

The meeting adjourned at 7:18pm

TOWN OF WINDERMERE

**Development Review Board
Meeting Minutes**

April 16, 2019

Dorothy Burkhalter, Town Clerk

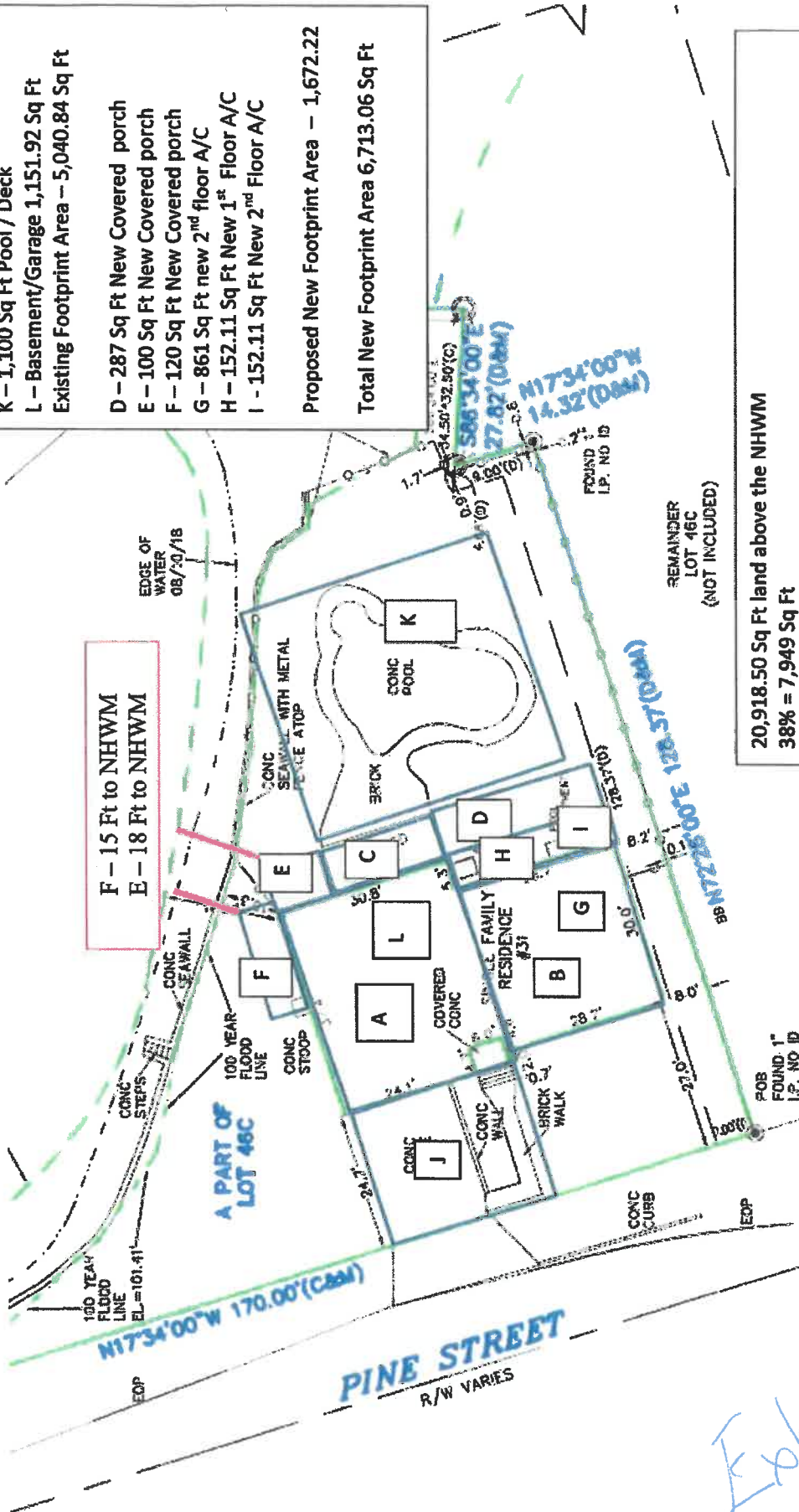
Frank Chase, Chair

DRAFT

31 Pine St Windermere
Impervious Surface Ratio

F - 15 Ft to NHWM
E - 18 Ft to NHWM

- A - 1,151.92 Sq Ft A/C
- B - 861 Sq Ft A/C
- C - 200 Sq Ft covered porch
- J - 576 Sq Ft Driveway/Walkway
- K - 1,100 Sq Ft Pool / Deck
- L - Basement/Garage 1,151.92 Sq Ft
- Existing Footprint Area - 5,040.84 Sq Ft
- D - 287 Sq Ft New Covered porch
- E - 100 Sq Ft New Covered porch
- F - 120 Sq Ft New Covered porch
- G - 861 Sq Ft new 2nd floor A/C
- H - 152.11 Sq Ft New 1st Floor A/C
- I - 152.11 Sq Ft New 2nd Floor A/C
- Proposed New Footprint Area - 1,672.22
- Total New Footprint Area 6,713.06 Sq Ft



20,918.50 Sq Ft land above the NHWM
38% = 7,949 Sq Ft
45% = 9,413 Sq Ft

Existing Footprint Area - 5,040.84 Sq Ft or under 24%
Proposed New Footprint Area - 1,672.22 Sq Ft or under 8%
Total New Footprint Area 6,713.06 Sq Ft or under 32%
(Subject to Professional verification)

Exhibit "A"

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor

JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board May 21, 2019

Town Council June 18, 2019

Case No.: Z19-006

Applicant: Robert and Leslie Hartog

Property Owner: Robert and Leslie Hartog

Representative: Dean and Lesha Miller

Requested Action: Variance to allow a greater than 10% expansion to a non-conforming home for an addition up to 4,940 square feet (55.3% increase) and allow for the north side setback at 10.02 feet for Area B and 9.85 feet for Area C.

Property Address: 235 Magnolia Street

Legal Description: PLAT OF WINDERMERE G/36 THE SOUTH 80 FEET OF BLOCK C

Future Land Use/Zoning: Residential/Residential

Existing Use: Residential (Single Family)

Surrounding Future Land Use/Zoning

North: Residential/Residential
South: E 3rd Avenue passive green space
East: Lake Butler
West: Residential/Residential

CASE SUMMARY:

Scott and Leslie Hartog, who are the owners of 235 Magnolia Street, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow a greater than 10% expansion to a non-conforming home for an addition up to 4,940 square feet (55.3% increase) and allow for the north side setback at 10.02 feet for Area B and 9.85 feet for Area C. See attached information.

The existing home on this property was constructed in 1969. The existing home on this property is non-conforming in that it does not meet the side (North) setback, The existing structure has a side (North) setback of 9.9 feet at the front corner of the building and 10.0 feet at the back corner of the building (10.75 feet required).

The applicant is requesting a variance to allow for an expansion of 55.3% of the existing non-conforming home. The proposed expansion increases the gross floor area of the existing home from 3,180.5 square feet to 4,940.1 square feet. The applicant is requesting a variance to allow for the addition areas B and C be less than the required 10.75-foot side setback. The side setback for proposed area B is 10.02 feet, and the proposed side setback for area C is 9.85 feet. The proposed areas B and C are in line with the existing footprint of the building. The difference in the side setback distances is a result of the shape of the lot. The proposed additions are compliant with all other setbacks, gross floor area limitations, and impervious area limitations.

Division 10.02.00 of the LDC empowers the Development Review Board to review and make recommendations for approval, approval with conditions or denial to the Town Council on these variance requests.

Division 10.02.00 of the LDC requires the Town Council to consider the recommendation of the Development Review Board and to take final action to either approve or deny the variance request.

CASE ANALYSIS:

Section 10.02.02 of the LDC provides the specific standards by which the Development Review Board and Town Council are to review to consider the approval or denial of a variance application. In addition, this Section requires a positive finding, based on substantial competent evidence, for each of the standards. These standards are summarized as follows:

1. The need for the variance arises out of the physical surroundings, shape, topographical condition or other physical or environmental conditions that are unique to the subject property. Variances should be granted for conditions peculiar to the property and not the result of actions of the property owner;
2. There are practical or economic difficulties in carrying out the strict letter of the regulation;

3. The variance request is not based exclusively upon a desire to reduce the cost of developing the site;
4. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire or another hazard to the public;
5. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;
6. The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code; and
7. The variance will not encourage further requests for changes where such a land use would not be deemed appropriate.

It is also important to note that this Section also provides specific standards that are not to be considered in the review of a variance application. These standards are:

1. That the implementation of these regulations would impose an economic hardship on the cost of the building or redevelopment project;
2. That these regulations impose a hardship by decreasing the maximum density of a property in terms of the number of units, square footage of buildings, etc.; and
3. That other adjacent lands, structures or buildings not in conformance with these regulations provide a rationale for a lessening of their application in this specific case.

Section 10.02.02(c) of the LDC allows the imposition of conditions and restrictions as may be necessary to allow a positive finding to be made on any of the variance standards to minimize the negative effect of the variance. The conditions and restrictions should further the interest of the LDC.

The applicant submitted a site plan and other materials in support of the variance request. The following is a summary of the information provided by the applicant in support of their variance request:

1. Desire to renovate existing house to maintain consistency with neighborhood;
2. Existing house on a relative narrow lot for neighborhood;
3. Increase the livability, value of the property, enhance exterior aesthetics of home and lakefront lot.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property on April 30, 2019 (35 notices sent). As of May 13, 2019, 5 responses with returned; 5 approval and 0 disapproval. An update to any responses received after May 13, 2019, will be provided at the DRB meeting.

Scott and Leslie Hartog
3326 Just a Mere Ct.
Windermere, FL 34786
scott@hartog.net
(407)963-9029

April 26, 2019

Mr. Brad Cornelius, Vice-President
WadeTrim
8010 Woodland Center Blvd. Ste. 1200
Tampa, FL 33614

Dear Mr. Cornelius,

We are writing to seek a variance for a renovation at a single-family home that we recently purchased at 235 Magnolia St. in Windermere. We plan to reside in the home once the renovations are complete, and these renovations are necessary to update and improve the livability of the home, increase the value of the property, and enhance the exterior aesthetics of the home and lakefront lot, which is adjacent to a town public area.

It is our desire to renovate the existing home rather than rebuild. This allows us to achieve our desired home size and design, enhance the property in keeping with the surrounding neighborhood, and stay within our budget. However, it means that we must work with the existing location of the house, which was built before lot lines and setback regulations were in effect. Changes to the current location and footprint are also constrained because of the unusually narrow lot.

Variances are required because the current house is nonconforming with the north side setback of 9.9 and 10 feet, compared to the required setback of 10.75 feet. Any expansion without a variance is thus limited to a maximum of 10% of the existing gross floor area. As such, we are requesting the following two variances. Please refer to the pictures and marked up survey attached to this letter. The setbacks of the proposed changes are less than an inch different than the existing setbacks.

- 1) Allow the expansion of a non-conforming home by 55.3% (3,180 square feet to 4,940 square feet). Please see the attached "Under Roof Increase Calculation" page for more details on this calculation.
 - Area A — Move exterior wall south to increase home area under A/C
 - Dim: 6.0 x 29.3 feet (rectangular)
 - Area: 175.8 square feet
 - Area B — Extend roof to form covered patio on east side of home
 - Dim: 15.0 x 33.7 feet (rectangular)
 - Area: 505.5 square feet
 - Area C — Add area not under A/C for attached garage
 - Dim: 35.0 x 26.0 feet (rectangular)
 - Area: 910.0 square feet
 - Area D — Add roof over existing entry way
 - Dim: 18.1 x 12.0 feet (rectangular)
 - Area: 217.2 square feet

- 2) Allow an addition on the north side with a side setback at 10.02 feet for Area B and a side setback of 9.85 feet for Area C. The required side setback is 10.75 feet (12.5% of the lot width at the widest point of the home which the front entryway where Area D is proposed).
- The proposed setback for Area B is about 1/8" more than the setback of the current NE patio corner, and the proposed setback for Area C is about 5/8" less than the setback of the current NW corner of the house. Adhering to the required setback of 10.75 feet would require offsets of the roof lines, slab, and wall of 9 and 11 inches for the patio and garage respectively, which would be non-aesthetic.
 - This requested setback from the property line is consistent with the immediate neighbors who have a pool house within five feet of the property line.

The plans are in compliance with requirements for a 50-foot setback from the Normal High Water Elevation and the 25-ft setback from the front property line. Public areas and streets are unaffected. It is not anticipated that there will be a need for additional variances.

If approved, these enhancements would require relocating and installing a new septic system on the west (street) side of the home. Note on the survey that the existing 50-year old septic system is currently located in the back yard, on the lake side of the home. Additionally, new berms and swales would be likely be required to provide adequate water retention on the property. Both of these modifications would be beneficial to preserving the water quality of Lake Down.

The proposed modifications change the non-permeable ratio from 20.0% to 23.9%. Please see the attached "Non-permeable Ratio Calculation" page for more details on this calculation.

We hope that you agree that this variance request is reasonable and necessary and that the planned renovations will improve the value of our property and the surrounding neighborhood.

Respectfully,

Scott and Leslie Hartog

Area A



Area B



Area C



Area D



Adjacent lot to the north from NE corner

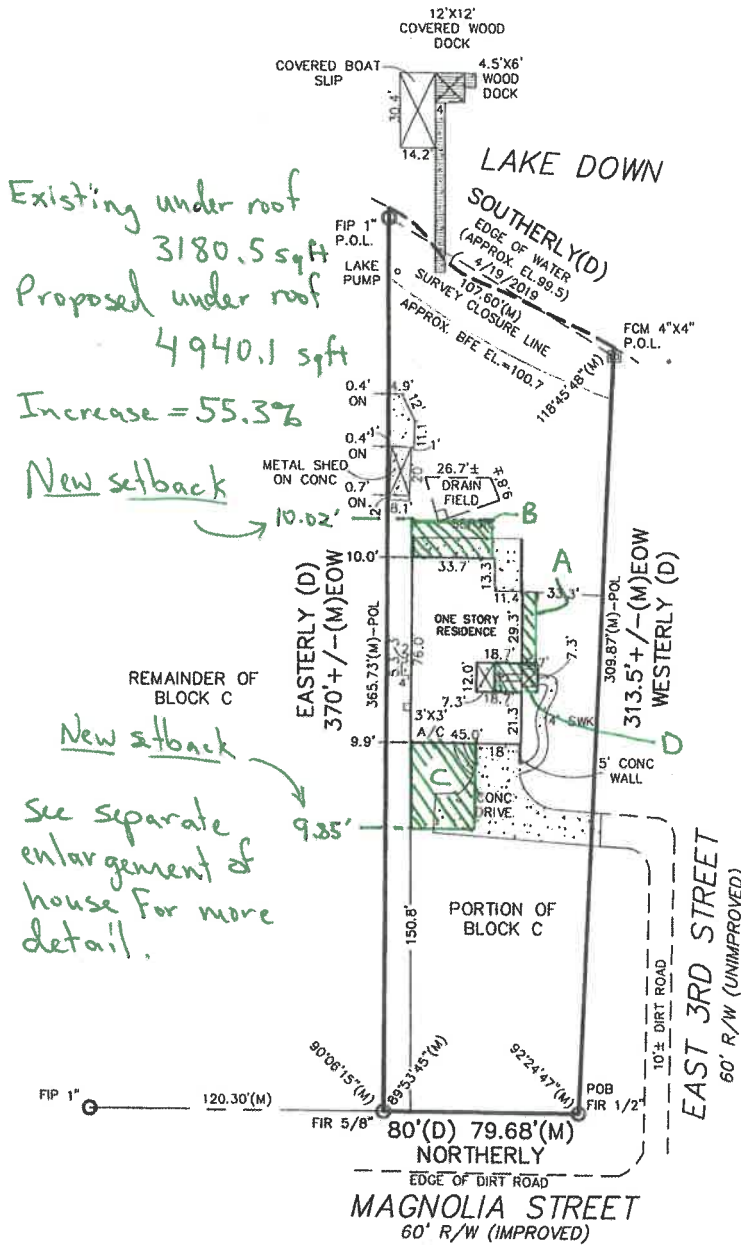


Property line towards Lake Down



PERRY SURVEYING

370 Waymont Court • Lake Mary, FL 32746 • VOICE: 407.688.9727 • FAX: 407.688.7691 • frontdesk@perrysurveying.com



Existing under roof
3180.5 sqft
Proposed under roof
4940.1 sqft
Increase = 55.3%

New setback
10.02'

New setback
9.35'

See separate enlargement of house for more detail.



SCALE: 1"=60'

NORMAL HIGH WATER LINE
ELEVATION=99.5 DATED: 11/1/92
PER ORANGE COUNTY LAKE INDEX
DATED: 6/2009

- Ⓐ Dim - 6.0 x 29.3 Ft
Area - 175.8 sqft
Under AC
- Ⓑ Dim - 15.0 x 33.7 Ft
Area - 505.5 sqft
Covered porch
- Ⓒ Dim - 35.0 x 26.0 Ft
Area - 910.0 sqft
Gange
- Ⓓ Dim - 18.1 x 12.0 Ft
Area - 217.2 sqft
Covered entry way

PAGE 2 OF 2
(NOT VALID WITHOUT PAGE 1)

Property Address:
235 Magnolia Street
Windermere, FL 34786

Survey number: PS 10826

LEGEND

---○---○---	W/F	Wire Fence	U	Description of Drive	P/B	Plot Book
---○---○---	W/F	Wood Fence	D/E	Drainage Easement	P/E	Flood Easement
---○---○---	Q/U	Overhead Utilities	D/U/E	Drainage & Utility Easement	P.O.B	Point of Beginning
⊠ P.P.	P.P.	Power Pole	D/W	Driveway	P.O.C	Point of Commencement
⊠ W/M	W/M	Water Meter	E/S/M	Easement	P.C.C	Point of Composed Curve
⊠ E/R	E/R	Electrical Receptacle	E/D/P	Edge of Pavement	P/C	Point of Curvature
⊠ A/P	A/P	Asphalt	E.O.W	Edge of Water	P.I	Point of Intersection
⊠ B/P	B/P	Brick Pavers	E/C/W	Easement	P.R.C	Point of Reverse Curvature
⊠ C/S	C/S	Concrete	E/C/R	Easement	P.T	Point of Tangency
⊠ D/S	D/S	Driveway	F	Field	P.O.I	Point on Line
⊠ E/S	E/S	Electric Service	F/D	Field	P/L	Property Line
⊠ F/S	F/S	Fence	F/D	Field	R	Record
⊠ G/S	G/S	Gravel	F/N/D	Found Nail & Disc	R/W	Right of Way
⊠ H/S	H/S	Hill	F.C.M	Found Concrete Monument	S.I.R	Set Iron Rod & Cap
⊠ I/S	I/S	Iron	F.I.P	Found Iron Pipe	S/WK	Sidewalk
⊠ J/S	J/S	Iron	F.F.R	Found Iron Rod	T.O.B	Top of Bank
⊠ K/S	K/S	Iron	L	LENGTH	TYP	Typical
⊠ L/S	L/S	Iron	L.B	Lottery Business	U/E	Utility Easement
⊠ M/S	M/S	Iron	M	FIELD MEASURED	W/F	Wood Fence
⊠ N/S	N/S	Iron	M.H	Manhole	W.C.	Witness Corner
⊠ O/S	O/S	Iron	O.R.B	Official Records Book		
⊠ P/S	P/S	Iron	O.P.R	On Property / no		
⊠ Q/S	Q/S	Iron	P	Pipe		
⊠ R/S	R/S	Iron	P.C	Pipe		
⊠ S/S	S/S	Iron	P.C.P	Permanent Control Point		
⊠ T/S	T/S	Iron	P.C.P	Permanent Control Point		
⊠ U/S	U/S	Iron	P.F.M	Permanent Reference Measurement		
⊠ V/S	V/S	Iron	P	Point		

GENERAL NOTES

1. Legal description provided by client.
2. There may be additional easements and/or restrictions which reported or unreported not shown hereon that may affect this property.
3. Do not violate encroachments located.
4. This is a BOUNDARY SURVEY unless otherwise noted.
5. This survey or the copies thereof are not valid without the signature and the original raised seal of a Florida licensed surveyor and registrar.
6. This survey is not to be used for any other purpose without the written consent of Perry Surveying, Inc.
7. Locate all reference markers and monuments provided by client.
8. Locate all reference markers and monuments provided by client.
9. APPROXIMATE and are based upon visual location only.
10. Fence locations along property line may be exaggerated for clarity.
11. This survey is prepared in accordance with the Standards of Practice established by the Florida Board of Professional and Surveyors, Section 463.01 of the Florida Administrative Code, Section 463.02 of the Florida Statutes.

Jeffrey S. Hammond
I hereby certify that this survey is a true and correct representation of a survey prepared under my direction.

Under Roof Increase Calculation

Original House Under Roof

Main rect	3420	(from survey dimensions)
SE corner	-151.62	(from survey dimensions)
Entry	-224.4	(from survey dimensions)
Covered Entr	<u>87.6</u>	(from survey dimensions)
	3131.6	3131.58

Original Under Roof

Front turret	<u>48.9</u>	(from survey dimensions)
	48.9	48.9

Proposed New Under Roof

Area A	175.8	
Area B	505.5	
Area C	910.0	
Area D	<u>168.3</u>	(excludes existing front entry turret under roof)
	1759.6	1759.6

Original Under Roof	3180.5
Proposed Under Roof	4940.1
Proposed Increase:	55.3%

Non-permeable Ratio Calculation

Lot	Main rect	24773.8	(from survey dimensions, dividing lot into rectangle and trapezoid)
	South Tri	1836.7	
	Back Tri	<u>2573.4</u>	
		29183.9	

Original House			
	Main rect	3420	(from survey dimensions)
	SE corner	-151.62	(from survey dimensions)
	Entry	-224.4	(from survey dimensions)
	Covered Entr	<u>87.6</u>	(from survey dimensions)
		3131.6	3131.58

Original Other			
	Front turret	48.9	(from survey dimensions)
	Entry walk	34.2	(from survey dimensions)
	Back Patio	516.9	(current patio at 8.1 feet measured from survey)
	Front path	52.6	(from survey traced in CAD program)
	Side path	190.5	(from survey traced in CAD program)
	Driveway	1482.1	(from survey traced in CAD program)
	Shed	178.2	(from survey dimensions)
	Shed Patio	<u>193.2</u>	(from survey dimensions)
		2696.7	2696.7

Proposed			
	Area A	175.8	
	Area B	232.5	(excludes existing patio area)
	Area C	600.3	(excludes existing front path and intersecting part of drive)
	Area D	<u>134.1</u>	(excludes existing entry walk and turret)
		1142.7	1142.7

Original Non-permeable Ratio	20.0%
Proposed Non-permeable Ratio	23.9%

AGENT AUTHORIZATION FORM


I/WE, (PRINT PROPERTY OWNER NAME) ROBERT J. and LESLIE HARTOG, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 235 MAGNOLIA ST., WINDERMERE, FL 34786, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), DEAN and LESHIA MILLER, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, VARIANCE REQUESTS, AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION.

Date: 4/26/19


Signature of Property Owner

ROBERT S. HARTOG
Print Name Property Owner

Date: 4/26/19


Signature of Property Owner

LESLIE H. HARTOG
Print Name Property Owner

STATE OF FLORIDA :
COUNTY OF ORANGE :

I certify that the foregoing instrument was acknowledged before me this 26 day of APRIL, 2019 by ROBERT/LESLIE HARTOG He/she is personally known to me or ~~has produced~~ as identification and ~~did/did not~~ take an oath.

Witness my hand and official seal in the county and state stated above on the 26 day of APRIL, in the year 2019.




Signature of Notary Public
Notary Public for the State of Florida

My Commission Expires: 8/10/2019

Legal Description(s) or Parcel Identification Number(s) are required:
PARCEL ID #: <u>17-23-28-9337-03-005</u>
LEGAL DESCRIPTION: <u>PLAT OF WINDERMERE G/36 THE S 80 FT OF BLK C</u>

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 30, 2019

MCGRATH LESLIE H JR
PO BOX 640
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 235 Magnolia Street

Dean and Leesha Miller, on behalf of Scott and Leslie Hartog, who are the owners of 235 Magnolia Street, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow a greater than 10% expansion to a non-conforming home and to allow for additions on the northside with a side setback of 10.02 feet (Area B) and 9.85 feet (Area C). The required side setback is 10.75 feet. All other setback, floor area, and impervious area limitations are compliant with the code.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **May 17, 2019**.

This matter will be presented to the Development Review Board on **Tuesday, May 21, 2019 at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, June 11, 2019 at 6:00 p.m.** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

Received

Wade Trim

RECOMMEND – Z19-006 (235 Magnolia Street)

APPROVAL: yes DISAPPROVAL _____

COMMENTS: None

SIGNATURE: Leslie H. Jr. McGrath DATE: 5-6-2019

MCGRATH LESLIE H JR

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

MAY 16 9 2019

Wade Trim

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 30, 2019

ERICKSON RUSSELL W
PO BOX 1440
WINDERMERE, FL 34786

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Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-006 (235 Magnolia Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE:  DATE: 5/6/19

ERICKSON RUSSELL W

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
MAY 13 2019
Wade Trim

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 30, 2019

VAN DURAND STUART KENNIS LIFE ESTATE
PO BOX 797
WINDERMERE, FL 34786

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Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND – Z19-006 (235 Magnolia Street)

APPROVAL: DISAPPROVAL

COMMENTS: *This seems a trivial matter. I live two blocks away from this property. Whatever improvements are made will have zero effect on me and my property.*

SIGNATURE: *[Handwritten Signature]* DATE: *5/7/19*

VAN DURAND STUART KENNIS LIFE ESTATE

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
MAY 13 2019
Wade Trim

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 30, 2019

WALTER MICHAEL S
305 MAGNOLIA ST
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
888-499-9624
tow@wadetrim.com
Encl.

RECOMMEND - Z19-006 (235 Magnolia Street)

APPROVAL: DISAPPROVAL:

COMMENTS: we have no issues with their requests.

SIGNATURE: [Signature] DATE: 5/7/19

WALTER MICHAEL S

RECOMMEND - Z19-006 (235 Magnolia Street)

APPROVAL: APPROVAL DISAPPROVAL RECEIVED

COMMENTS: MAY 13 2019

Wade Trim

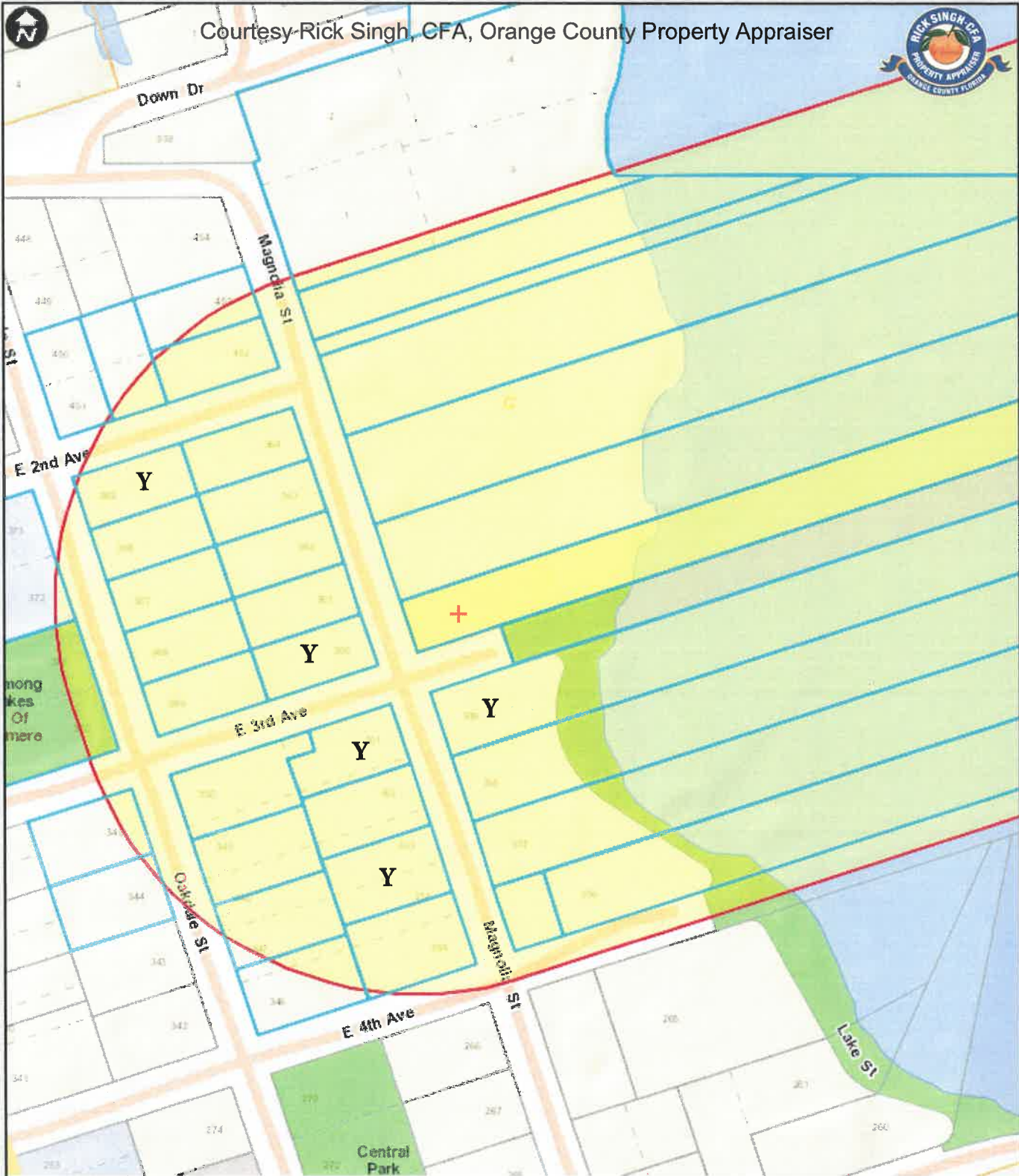
SIGNATURE: 

DANIELSON RICHARD R LIFE ESTATE

DATE: 5/8/19

OCA Web Map		
	Major Roads	
	Florida Turnpike	
	Interstate 4	
	Toll Road	
	Public Roads	
	Gated Roads	
	Road Under Construction	
	Block Line	
	Lot Line	
	Residential	
	Agriculture	
	Commercial/Institutional	
	Governmental/Institutional/Misc	
	Commercial/Industrial/Vacant Land	
	Agricultural Curtilage	
	Hydro	
	Waste Land	
	County Boundary	
	Parks	
	Golf Course	
	Lakes and Rivers	
	Building	
	Hospital	

Courtesy-Rick Singh, CFA, Orange County Property Appraiser



Created: 5/13/2019 13:23

This map is for reference only and is not a survey