

THE TOWN OF
Windermere



DEVELOPMENT REVIEW BOARD

Chair: Frank Chase

Peter Fleck

Jennifer Roper

Norma Sutton

Stephen Withers

Roger Heinz

Gregg Anderson

Council Liaison: Bill Martini

Agenda

Agenda

April 19, 2022

6:30 PM

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 proceedings should contact the Office of the 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 Development Review Board:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversation 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 Development Review Board 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 Development Review Board 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

AGENDA

- **THE MEETING IS CALLED TO ORDER BY THE CHAIRMAN**

1. OPEN FORUM / PUBLIC COMMENT (3-Minute Limit)

2. NEW BUSINESS

a. Minutes

i. Development Review Board Meeting Minutes February 15, 2022 (Attachment - Board Option)

c. General Items for Consideration

i. Z21-10: 11 Main Street - Ashley Walker - Variance to allow a reduced setback from the Normal High-Water Line for a swimming pool (Tabled per applicant. See attachment)

ii. 50-Foot Waterfront Setback Requirement Discussion (Attachment - Board Options)

1. Should the Town consider reducing the required pool 50-foot waterfront setback requirement?

2. If the DRB does endorse reducing the required setback, then does the DRB have a recommended alternative?

3. ADJOURN

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Present were Chair Frank Chase, Board Members; Norma Sutton, Roger Heinz, Stephen Withers, Gregg Anderson, Jennifer Roper and Peter Fleck. Town Manager Robert Smith, Town Planner Brad Cornelius, Town Council Liaison Bill Martini, and Town Clerk Dorothy Burkhalter were also present.

Chair Chase called the meeting to order at 6:31pm. He then led everyone in the Pledge of Allegiance.

Chair Chase welcomed Mr. Gregg Anderson to the DRB as this is his first meeting.

1. OPEN FORUM/PUBLIC COMMENTS:

There were no public speakers.

2. NEW BUSINESS:

a. MINUTES:

i. **February 15, 2022 Meeting Minutes**

Member Sutton made a motion to approve the minutes. Member Withers seconded the motion. All were in favor.

Member Fleck and Member Heinz read their Form 8B for the record.

b. General Items for Consideration:

i. **Z21-10: 11 Main Street – Ashley Walker – Variance to allow a reduced setback from the Normal High-Water Line for a swimming pool**

This item was tabled per the applicant.

ii. **50-Foot Waterfront Setback Requirement Discussion**

1. **Should the Town consider reducing the required pool 50-foot Waterfront setback requirement?**
2. **If the DRB does endorse reducing the required setback, then does the DRB have a recommended alternative?**

Chair Chase turned the floor over to Mr. Brad Cornelius. Mr. Cornelius introduced this item. He explained that due to recent pool variances and the 50-foot setback, the Town Council request that the DRB review the Code to see if there is any interest in changing the setback. Mr. Cornelius gave a report regarding the research into other municipalities setbacks, Outstanding Florida Water bodies, past variances, zoning district and setbacks; Orange County zoning RCE rear 50', Orange County small area on Lake Down zoning A has a rear set back of 30', Clermont on Outstanding Florida Water Body 25', and Winter Park 50' unless on canal or stream with approval 20', Agencies contacted, Town's lake consultant keep 50', potential mitigation avenues; on-site retention and seawalls, changing to an administration act if approved and legal advice of adding hold harmless if changed. Discussion from the Board members began. Comments were made regarding difference between salt and chlorine pools, concerns with existing fertilizers/chemicals

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entering lakes from yards, seawalls/retention, protecting the lakes, and concerns of changing the setback and future variances to those setbacks. Member Withers made a motion to recommend no changes be made to the current 50' setback requirements. Member Fleck seconded the motion. All were in favor.

Discussion was made regarding well abandonments. Chair Chase turned the floor over to Ms. Ashley Walker of 11 Main Street who asked to speak. She then commented on her existing seawall and 100-year flood plan retention. Ms. Walker questioned if she would need to present this information to the DRB. Manager Smith stated that this item has been tabled and noticed as tabled and shouldn't be discussed. Mr. Cornelius stated that this item will come back before the DRB. Member Roper thanked Mr. Cornelius on his presentation. She then stated that with the chain of lakes and the designation, the setback did not need to change. Member Sutton stated she would like to know the difference between salt and chlorine.

4. ADJOURN:

Member Anderson made a motion to adjourn. Member Heinz seconded the motion. All were in favor.

The meeting adjourned at 7:19pm.



Dorothy Burkhalter, Town Clerk



Frank Chase, Chair