

TOWN OF WINDERMERE

Development Review Board Meeting Minutes

May 17, 2022

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

Chair Chase 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. NEW BUSINESS:

a. MINUTES:

i. April 19, 2022 Meeting Minutes

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

Mr. Cornelius gave a report from the past Town Council meeting regarding the lakefront 50' setback for pools discussion. He stated that the Town Council has directed staff to research the code from Winter Park with standards and mitigation to allow a reduction in setbacks for pools only.

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. Z22-07: 1069 W 2nd Avenue – Jane and Mark Shafer – Variance to allow for an alteration to an existing pool deck that results in a setback of 45 feet from the Normal High-Water Line.

Chair Chase turned the floor over to Mr. Cornelius. Mr. Cornelius stated that the variance request is for alterations to an existing pool and deck at the 45' setback instead of the 50' setback required by code. He also stated that stairs are being added to the improvements, which is causing a grade difference for safety. Mr. Cornelius stated that 5' was requested but 2' maybe only needed. He further stated that notices were mailed out; six were returned in favor. Responses were not received from the adjacent neighbors. Mr. Mark Shafer, owner of 1069 W 2nd Avenue, introduced himself. Member Withers questioned the straight-line edge of water mark setback and the 100-year flood plan mark. Mr. Cornelius stated that the setback is determine by the Normal High-Water mark. Member Withers questioned if the stairs could be removed from the northwest corner. Mr. Shafer stated that the stairs are for safety. Member Withers stated that he does not see a hardship. Discussion followed regarding hardships, stairs/steps, and decking.

TOWN OF WINDERMERE

**Development Review Board
Meeting Minutes**

May 17, 2022

Member Roper commented on the “no hardship.” Member Fleck stated that this is a minimal impact. If landscaping is put in its place, then there would be chemicals going into the lake. Mr. Ron McLaughlin, owner of Paradise Waterfalls, introduced himself. He explained that the existing pool is damaged and needs repair. Mr. McLaughlin also explained that the steps are a safety issue. After some discussion was made, Member Fleck made a motion to recommend approval as presented. Member Sutton seconded the motion. Member Withers amended the motion to include the encroachment of 2’ not 5’. Member Fleck was friendly to the amendment. All were in favor of the motions. Chair Chase stated that this is a recommending Board and this item will go before the Town Council for final approval/denial on June 14th.

Mr. Cornelius gave an update on 31 Pine Street, 8 Chase Road, an upcoming Tree Board meeting regarding the 500-Block project, and the property swap at Main Street and 8th Avenue.

4. ADJOURN:

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

The meeting adjourned at 7:03pm.



Dorothy Burkhalter, Town Clerk



Frank Chase, Chair