



**DEVELOPMENT REVIEW BOARD**

**Chair: Frank Chase**

**Peter Fleck**

**Jennifer Roper**

**Norma Sutton**

**Stephen Withers**

**Roger Heinz**

**Gregg Anderson**

**Council Liaison: Bill Martini**

***Agenda***

***Agenda***

**February 21, 2023**

**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 CHAIR**

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

### **2. NEW BUSINESS**

#### **a. Minutes**

- i. Development Review Board Meeting Minutes: January 17, 2023 (Attachment - Board Option)

#### **b. General Items for Consideration**

- i. Z23-04 – 12150 Lake Butler Boulevard – Sanjay and Kavita Pattani – Variance to allow a sport court in front of a principal residence

- ii. Z23-05 – 126 Down Court – Brian and Tracy Bowen – Variance to allow an expansion of more than 10% for a non-conforming home

### **3. ADJOURN**

## TOWN OF WINDERMERE

### Development Review Board Meeting Minutes

January 17, 2023

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

Acting Chair Stephen 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. NEW BUSINESS:

##### a. MINUTES:

##### i. November 15, 2022, Meeting Minutes

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

##### b. General Items for Consideration:

##### i. **Z23-01 – 510 Jennifer Lane – Variance to allow a Boat Dock with a Negative 50-foot setback from the projected adjacent property line**

Acting-Chair Withers turned the floor over to Mr. Brad Cornelius. Mr. Cornelius, Town Planner, introduced case number Z23-01. He explained that the applicants are seeking a variance to allow construction of a boat dock that extends across the Town's 15-foot undeveloped, platted right-of-way and to encroach across 713 E 6<sup>th</sup> Avenue's extended property line by 35 feet, for a total of a negative 50-foot setback. Mr. Cornelius explained that this is caused by the properties being perpendicular to each other. He then commented that should this be approved by the Town Council, he will request that a Right-of-Way Use Agreement be implemented by the owners and the Town of Windermere. Mr. Cornelius stated that the 16-foot side setbacks and height requirements will be met. He then stated that the Orange County EPD waiver has been approved, but that the owners of 713 E 6<sup>th</sup> Avenue have filed an appeal with the County requesting that the Orange County Board of County Commissioners rescind the EPD approval of the waiver, which will be considered on February 21, 2023. Mr. Cornelius stated that the Town has the authority to approve or deny variances based on the Town's Land Development Code. He stated that public notices were mailed out with 7 responses received in support, 3 in objection and 1 with no comment. Mr. Cornelius commented that there is a dispute regarding property rights with the applicant in which a response was submitted advising they had hired a professional land surveyor to document riparian lines. Member Heinz questioned if ownership of land was in question. Mr. Cornelius stated that ownership is not in question with the variance. Discussion was made regarding riparian rights, ownership, Consent Final Judgements on Lake Bessie and Lake Down, if approved an agreement in like with the owners, etc. Acting Chair Withers turned the floor over to the public. First to speak was the applicant's attorney Ms. Mary Doty Solik, 121 South Orange Avenue, Suite 1500, Orlando, Florida. Ms. Solik reviewed the Town's Land Development Code regarding Variance Criteria. She then requested the DRB recommend approval for the

## TOWN OF WINDERMERE

### Development Review Board Meeting Minutes

January 17, 2023

variance request based on the LDCs. Ms. Anna Long, Attorney with Dean Mead, 420 South Orange Avenue Suite 700 Orlando, Florida, representing owners Hill/Harry introduced herself. She then commented that they feel there is a need to dispute the riparian rights. Ms. Long stated that her clients have requested a continuance of this meeting as they are awaiting survey results. She also stated that there is a dispute of where the water begins and ends, which currently there is not an answer. Acting Chair Withers questioned when the property was built. Ms. Solik stated 2017. Acting Chair Withers commented on the current neighbor's location of the existing dock that sits in front of the applicant's house. Ms. Solik commented on the current conditions and the normal high-water mark. Mr. Nathan Hill of 713 E 6<sup>th</sup> Avenue introduced himself. He then commented high water mark uncertainty, navigation and safety issues that the dock will cause, and awaiting his survey results. Acting Chair Withers questioned Mr. Hill if he had to pass 501 Jennifer Lane to get to his dock. Mr. Hill stated yes but that 501 Jennifer Lane is a lakeview lot, not a lakefront lot. Acting Chair Withers stated that Mr. Hill's boat dock is in front of 501 Jennifer Lane. Mr. Hill stated that 501 Jennifer Lane is a lakeview lot not a lakefront lot. Some discussion followed. Manager Smith commented that Orange County Sheriff's office did handle the navigational study and stated that the waters would be navigable. Acting Chair Withers suggested that the neighbors talk this out with each other and come to a comprise. Ms. Elizabeth Pagane of 703 E 6<sup>th</sup> Avenue introduced herself. She then commented that the home is a lakeview home, not lakefront with like access. Ms. Pagane stated that it would be a "gift," as they would receive lakefront access without paying the taxes for it. She then commented on setting a precedent. Ms. Solik stated that an approval would not be a "gift" due to the code being followed. Mr. Wallace Palladino owner of 510 Jennifer Lane introduced himself. He then stated that when Mr. Hill's surveyors were out, he spoke with one of them. Mr. Palladino further stated that the surveyor also stated that the high-water lines were marked in the same location as Mr. Palladino's. Some discussion followed regarding the water line, and setbacks. Ms. Shelia Cichra with Streamline Permitting introduced herself. She then commented that State will not allow a boat dock to be built in a "less amount of water." Ms. Cichra explained that the dock is marked as close to lines as possible. Ms. Long questioned if the home to the south of the requestor could request a dock for their lakeview lot/home. She then stated that if lots with lakeview are intended to be allowed to build docks as a lakefront home, then the tax base needs to change from the lakeview home to lakefront. Ms. Long commented that they will await their surveyors report. Ms. Solik reviewed a survey that shows the normal high-water line. She then stated that the Town does not assess taxes, the Property Appraiser would need to reassess and make the determination. Ms. Solik stated that this is an equitable variance request for approval. Some discussion followed regarding the south lot of the Paladino's. Member Heinz made a motion to recommend approval of the variance request. Member Anderson seconded the motion. Roll call vote was as follows: Roper – nay, Anderson – aye, Withers – aye, and Heinz – aye. Motion carried 3-1. Manager Smith stated that the DRB is a recommending Board, and the final determination will be made by the Town Council at their February 14<sup>th</sup> meeting.

**ii. Z23-03 – 914 W 2<sup>nd</sup> Avenue – Variance to allow a gross floor area in excess of 38% for the installation of a roof over existing 2<sup>nd</sup> story balconies**

Acting Chair Withers turned the floor over to Mr. Cornelius. Mr. Cornelius introduced case Z23-03. He explained that the current home is built to 38% gross floor area as allowed by code. Mr. Cornelius explained that the owner would like to put roofs on the balconies which would increase the floor area ratio to 40% which is over the 38% allowed. He stated that notices were mailed out with 11 received in support and zero in opposition. Acting Chair Withers questioned the hardship. Mr. Logan Witt representative with Alair Homes introduced himself. Acting Chair Withers questioned the hardship which is required by State law. Mr. Witt explained that additional living space is needed, and the existing



## TOWN OF WINDERMERE

### Development Review Board Meeting Minutes

January 17, 2023

balconies will be converted to living space, which will be covered with a roof. Some discussion followed. Member Heinz commented as builder, why there is no hardship. He explained that, however, water issues are a big concern with open balconies and closing the space in and adding the roof is better. Member Heinz made a motion to recommend approval. Member Roper seconded the motion. Roll call was as follows: Heinz – aye, Withers – nay, Anderson – aye, and Roper – aye. Motion carried 3-1.

#### 4. ADJOURN:

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

The meeting adjourned at 7:37pm.

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Dorothy Burkhalter, Town Clerk

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Frank Chase, Chair

# 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 February 21, 2023

## Town Council March 28, 2023

**Case No.:** Z23-04

**Property Owners:** Sanjay and Kavita Pattani

**Requested Action:** Request to allow a sports court in front of the principal building.

**Property Address:** 12150 Lake Butler Blvd Windermere, FL 34786

**Legal Description:** REPLAT OF METCALF PARK Q/18 FROM E1/4 COR OF SEC 12-23-27 RUN N 22 DEG W 370 FT S 67 DEG W 438.91 FT FOR POB TH RUN N 67 DEG E 220 FT TO WLY R/W OF LAKE BUTLER BLVD S 22 DEG E 589.90 FT S 67 DEG W 25 FT S 291.01 FT S 22 DEG E 22 FT M/L TO WATER SWLY 115FT M/L TO A PT S 20 DEG E FROM POB TH N 20 DEG W 820 FT M/L TO POB

**Future Land Use/Zoning:** Residential/Residential

**Existing Use:** Residential (Single Family)

### Surrounding Future Land Use/Zoning

**North:** Residential/Residential  
**East:** Residential/Residential  
**South:** Residential/Residential / Lake Butler  
**West:** Residential/Residential

## **CASE SUMMARY:**

The applicant proposes to construct a sports court in the front yard of a principal structure. The proposed sports court's dimensions are 46 feet by 84 feet, totaling 3,864 square feet. The sports court is proposed to be set back approximately 40 feet off the west property line, 94 feet off the east property line (Lake Butler Boulevard), and 397 feet off the north property line (Park Avenue).

Section 7.02.09, Town Land Development Code, requires sports courts to be located in the side or rear yard of the principal structure. In addition, sports courts must:

1. Meet the required side setback for the property (94 feet provided to the east side property line and 40 feet provided to the west side property line for this sports court property);
2. Be no closer than 50 feet to the normal high-water elevation of the lake (over 300 feet provided for this sports court); and
3. All lighting cannot produce direct visible glare visible from any surrounding property (sports court proposed lighting will be directed down and shielded).

Because the proposed sports court meets the setbacks and lighting requirements, the variance is needed only for the location of the sports court in the front yard.

The subject property is approximately 3.9 acres with a maximum lot width of approximately 228 feet at the location of the sports court and a maximum lot length of approximately 828 feet at the location of the sports court. The home on the subject property was completed construction in April 2022. The pool deck of the home is located approximately 80 feet at its closest point from the lake's normal high-water elevation. There is also a protected wetland area along the rear and west side of the subject property.

The sports court is designed to be used for multiple activities including basketball, tennis, pickleball, and volleyball. The sports court is not proposed to be fenced other than the existing perimeter fencing around the property, and no landscape screening for the sports court is proposed.

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 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 other 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. Please see attached variance request received by the applicant.

**PUBLIC NOTICE:**

Public notices were mailed to property owners within 500 feet of the subject property. As of February 15, 2023, 5 responses were returned in support and one (1) in opposition.

December 15, 2022

DOROTHY BURKHALTER, TOWN CLERK  
TOWN OF WINDERMERE  
WINDERMERE, FL 34786  
(407) 876-2563

Sanjay Pattani  
12150 Lake Butler Boulevard  
Windermere, FL. 34786

Ms. Burkhalter and Town of Windermere,

This letter is to formally request a variance to the Windermere code provisions that prohibits the location of play courts/sport courts in a front yard. By reviewing our unique property dimensions, and our house location on the property, the only site we have available to build a sports court for our 4 sons to play is technically in our front yard. We have no side yard, and insufficient room in our backyard.

We have almost 3 acres of land that we may build a sports court. We do not foresee any lighting, noise, or other nuisances that would affect our neighbors within a 500 foot perimeter. We have discussed the matter with many neighbors, who have not expressed any concern.

Included please find a copy of my survey site plan, and I will be submitting all fees per the Town of Windermere variance request process.

We would like the town to please consider our variance proposal so we can complete my kids' dream home. We look forward to your review and approval of our sports court.

Respectfully,

Sanjay & Kavita Pattani

## Cornelius, Brad

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**From:** Sanjay Pattani <pattaninewhome@gmail.com>  
**Sent:** Sunday, January 29, 2023 11:59 PM  
**To:** Cornelius, Brad  
**Cc:** Warner, Amanda; Mastison, Sarah; Baird, Connor; Kavita Pattani  
**Subject:** Re: 12150 Lake Butler Variance Request for Additional Information  
**Attachments:** Sport Court Layout-Basketball Court Specs 005.pdf; Septic Location 12150 LBB.pdf; Sport Court Location.pdf

This message originated from outside of Wade Trim

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Brad and team,

Please find enclosed a copy several plans, depicting the locations of drain field, planned sports court placement, with larger diagram showing actual dimensions of the court itself. I hope they are legible enough this time around.

To answer some of the points brought up:

1. The original drain field and sports court on original sight plan were not followed by the original builder Mr. Bradford. He placed the drainfield much farther away from the house without notice. This will not allow for a sports court to be placed per original plans. However, when 2 large oaks fell from hurricane Ian, the area where the drain fields were originally suppose to be located (closer to the house) is now feasible to relocate the sports court.
2. The sports court will not be landscaped, but left open due to the need to run off court after balls. This just does not make sense and may provide the opposite desired effect of landscaping itself
3. The sports court will be lit from above and behind the Hoops that shine DOWN onto the court itself, without significant illumination off court.
4. The Sports court itself is concrete base, with acrylic top layer
5. The sports court will not be fenced, it is enclosed by my perimeter property fence lines
6. The builder does plan to bring in enough fill to level off the slope of the property
7. The builder is familiar with windermere town requirements, and is confident the current stormwater retention areas will remain intact. He will create additional retention area if needed (but not anticipated)

Happy to answer any additional questions. To note, the sports court builder has done projects in Windermere, and is quite familiar with the towns provisions, variances, and requirements. He has agreed to be transparent and open during the process. I have faith any and all of the questions will be amicably addressed and tabled.

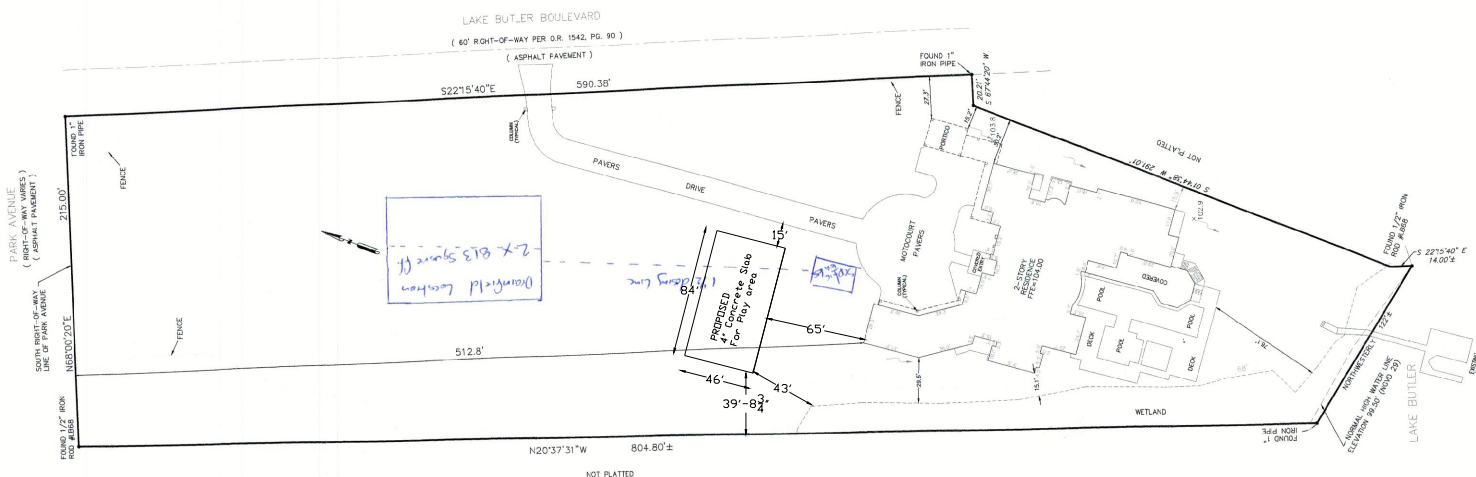
Respectfully,  
Sanjay

***Sanjay & Kavita Pattani***  
***443-762-6108***

On Thu, Jan 5, 2023 at 2:48 AM Cornelius, Brad <[bcornelius@wadetrim.com](mailto:bcornelius@wadetrim.com)> wrote:  
Sanjay,

Happy New Year!

That part of Section 12, Township 23 South, Range 27 East, Orange County, Florida, described as follows: Begin at a 1 inch iron pipe with no number at the Southwest corner of Park Avenue and Lake Butler Boulevard; thence South 22 degrees 15 minutes 40 seconds East along the West right of way line of Lake Butler Boulevard as described in Official Records Book 1542, Page 90, Public Records of Orange County, Florida, for a distance of 590.38 feet to a 1 inch iron pipe with no number; thence leaving said West right of way line run South 67 degrees 44 minutes 20 seconds West for a distance of 20.21 feet to a 1 inch iron pipe with no number; thence South 01 degree 44 minutes 38 seconds West for a distance of 291.01 feet to a 1/2 inch iron rod with cap #LB68; thence run South 22 degrees 15 minutes 40 seconds East for a distance of 14 feet, more or less, to the waters of Lake Butler; thence run Northwesterly along said waters for a distance of 122 feet, more or less, to a point on the Western boundary of lands described in Official Records Book 3239, Page 556, said point being North 20 degrees 37 minutes 31 seconds West and 3.6 feet from a 1 inch iron pipe with no number; thence run North 20 degrees 37 minutes 31 seconds West along the Western boundary for a distance of 804.80 feet, more or less, to a 1/2 inch iron rod with cap #LB68, said point being on the South right of way line of the aforementioned Park Avenue; thence run North 68 degrees 00 minutes 20 seconds East along said right of way line for a distance of 215.00 feet to the Point of Beginning.



#### SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE W LAKE BUTLER BOULEVARD, S22°15'40"E, PER DEED.
2. THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORD AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR OR SHOWN ON THIS SURVEY THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE SUBJECT PROPERTY.
3. THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL, STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.
4. THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES LISTED HEREON AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.
5. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER AND/OR ELECTRONIC SIGNATURE AS SET FORTH IN F.A.C. 5J-17.602(3).
6. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR UNOBSERVED, ABOVE GROUND IMPROVEMENTS WERE LOCATED, UNDERGROUND IMPROVEMENTS, SUCH AS FUEL TANKS, FOUNDATIONS AND UTILITIES, WERE NOT LOCATED.
7. ADJACENT PARCEL INFORMATION WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.

#### CERTIFICATION TO:

FBC Mortgage LLC  
Sanjay J. Pattani and Kavita M. Pattani  
Frank M. Eidsen PA

I hereby certify that this Boundary Survey was prepared in accordance with the standards of practice for the profession of surveying and mapping as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. The fieldwork was completed on 5/13/22.

Date of Map: 5/19/22

*Steven E. Blankenship*  
STEVEN E. BLANKENSHIP P.S.M. #5361  
STATE OF FLORIDA

STEVEN E. BLANKENSHIP  
2022.05.20  
06:50:21-04:00

ATLANTIC SURVEYING  
2000 W. UNIVERSITY BLVD.  
SUITE 100  
FORT LAUDERDALE, FL 33311  
(407) 556-4437 FAX (407) 556-4437  
C.S. 000000

DATE: 5/19/22  
SCALE: 1" = 40'  
CITY: FT. LDRD  
SHEET: 1 OF 1  
JOB NO.: 100000

BOUNDARY SURVEY  
12150 LAKE BUTLER BLVD.

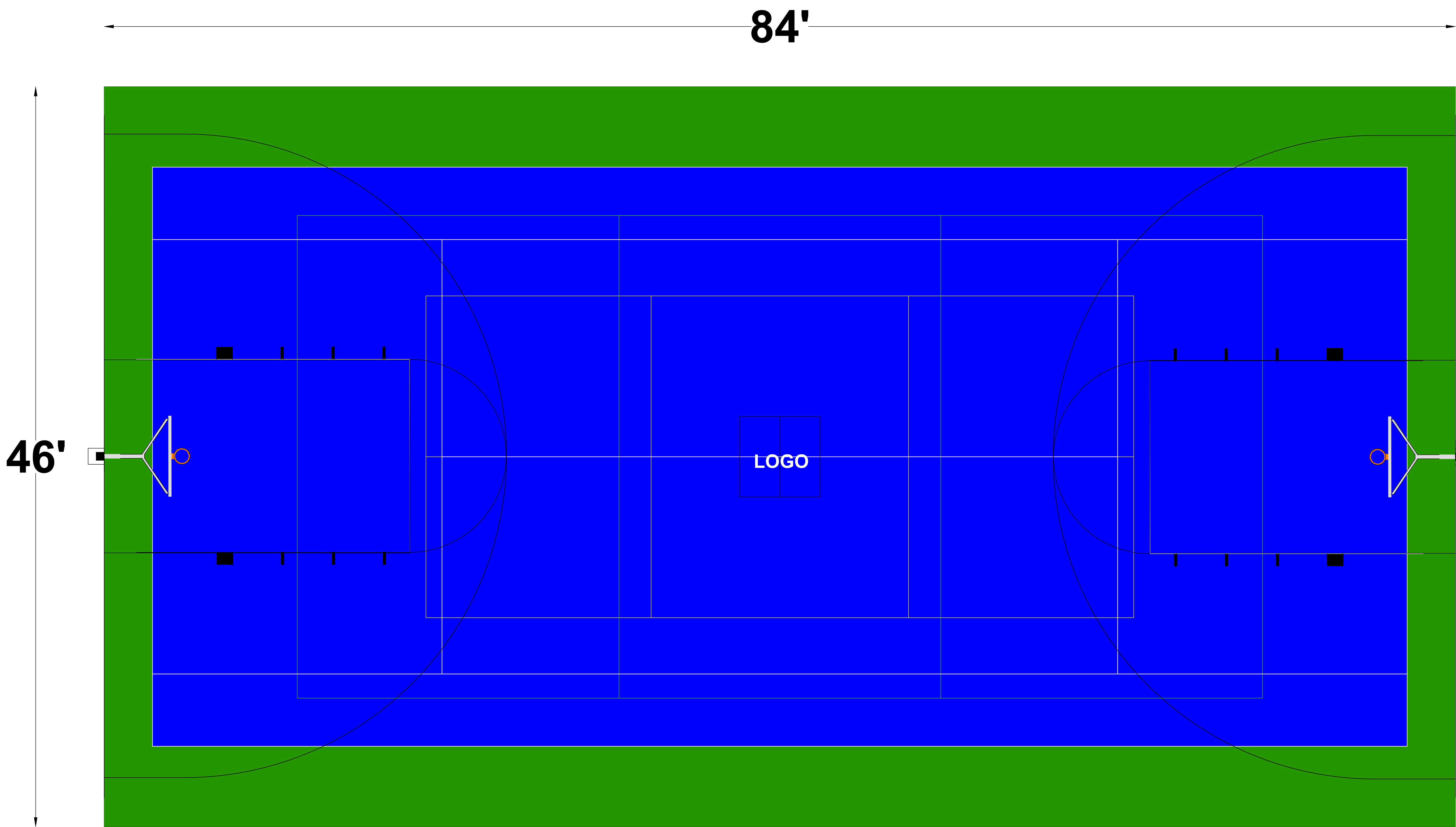
Revisions

FINAL SURVEY

Date

SHEET





# Sport Court Layout

Scale: N/A

Acrylic Surface  
Main Color - Forest Green  
Tennis Surface - Blue  
Black for High school Basketball lines  
White for Tennis Lines  
Yellow for Pickleball Lines  
Forest Green for Volleyball

DRWG. NO. 6967	PROJECT Jay Paltani Windermere FL
DATE 12/02/22	Any reproduction of these prints is prohibited by Federal Copyright Law. No reproduction or use will be made without the express written permission of the copyright law.
DRAWN BY TA	888.891.5891 / info@sportcourtfi.com 1965 W Fairbanks Av, Winter Park FL 32789
CHECKED BY AH	SCCF hereby reserves its common law copyright & other property rights in these plans, ideas & designs. These ideas, designs & plans are not to be reproduced, changed or copied in any form or manner whatsoever nor are they to be assigned to any third party, without first obtaining the express written permission from SCCF. See dimensions.
CONVERTED	
A/S I	

# 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

December 21, 2022

TOMPKINS CHARLES D  
12037 LAKE BUTLER BLVD  
WINDERMERE, FL 34786

## RE: Public Notice of Variance Public Hearing for 12150 Lake Butler Blvd. Z23-04

Sanjay and Kavita Pattani, the owners of 12150 Lake Butler Blvd. in the Town of Windermere, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The Town's requires sports courts to be located behind the front of the principal building. The applicants are requesting to allow a sports court in front of the principal building.

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 using the enclosed stamped envelope to Wade Trim, Inc. by **January 6, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, January 17, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, February 14, 2023, at 6:00 p.m.** You may attend the meetings in person at Town Hall, located at 520 Main Street. All meetings are open to the public and you are welcome to participate. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373

*Wade*

RECOMMEND - 22-04 (12150 Lake Butler Blvd.)

APPROVAL: ☒ DISAPPROVAL: ☐

COMMENTS: *Sanjay and Kavita are wonderful neighbors, and we look forward to seeing their children enjoying their new sports court.*

SIGNATURE: *Kathy Tophino* DATE: *12/26/2022*

TOMPKINS CHARLES D

# 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

December 21, 2022

HOGAN GERALD J ESTATE  
11948 PARK AVE  
WINDERMERE, FL 34786

## RE: Public Notice of Variance Public Hearing for 12150 Lake Butler Blvd. Z23-04

Sanjay and Kavita Pattani, the owners of 12150 Lake Butler Blvd. in the Town of Windermere, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The Town's requires sports courts to be located behind the front of the principal building. The applicants are requesting to allow a sports court in front of the principal building.

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Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

### RECOMMEND - Z23-04 (12150 Lake Butler Blvd.)

APPROVAL: ✓ DISAPPROVAL:       

COMMENTS: ENJOY, 4000/NEW

SIGNATURE: Victoria Hogan

DATE: 12/27/2022

HOGAN GERALD J ESTATE

# 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

December 21, 2022

SPECTOR GABRIELLE F  
12200 PARK AVE  
WINDERMERE, FL 34786

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This matter will be presented to the Development Review Board on **Tuesday, January 17, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, February 14, 2023, at 6:00 p.m.** You may attend the meetings in person at Town Hall, located at 520 Main Street. All meetings are open to the public and you are welcome to participate. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

### RECOMMEND – Z23-04 (12150 Lake Butler Blvd.)

APPROVAL: \_\_\_\_\_ DISAPPROVAL ☒

COMMENTS: Lights and Noise  
a major concern

SIGNATURE: [Signature] DATE: Jan 2023

SPECTOR GABRIELLE F

# 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

December 21, 2022

FILART ROLAND  
2948 SUNBITTERN CT  
WINDERMERE, FL 34786

## RE: Public Notice of Variance Public Hearing for 12150 Lake Butler Blvd. Z23-04

Sanjay and Kavita Pattani, the owners of 12150 Lake Butler Blvd. in the Town of Windermere, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The Town's requires sports courts to be located behind the front of the principal building. The applicants are requesting to allow a sports court in front of the principal building.

Enclosed is additional information regarding this request.

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[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z23-04 (12150 Lake Butler Blvd.)**

**APPROVAL:** ✓ **DISAPPROVAL** \_\_\_\_\_

**COMMENTS:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURE:**  **DATE:** 1/4/23

**FILART ROLAND**

Filart, Cecilia *CF* 1/4/23



# 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

December 21, 2022

MILLS HAROLD F  
11900 LAKE BUTLER BLVD  
WINDERMERE, FL 34786

## RE: Public Notice of Variance Public Hearing for 12150 Lake Butler Blvd. Z23-04

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Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z23-04 (12150 Lake Butler Blvd.)**

**APPROVAL:** X **DISAPPROVAL** \_\_\_\_\_

**COMMENTS:** \_\_\_\_\_

**SIGNATURE:** [Signature] **DATE:** 12.28.22

**MILLS HAROLD F**

## Cornelius, Brad

---

**From:** Christa Dinallo <christad.realtor@gmail.com>  
**Sent:** Monday, February 13, 2023 12:53 PM  
**To:** Cornelius, Brad  
**Subject:** 12150 Lake Butler Blvd: Response to Variance Request Z230=-04  
**Attachments:** DRB\_12150\_LakeButlerBlvd\_Variance\_Response\_Z23-04\_Final\_02132023.pdf; DRB\_12150\_LakeButlerBlvd\_Highlights\_EvidencedBasedData\_Z23-04\_Final\_02132023.pdf

This message originated from outside of Wade Trim

---

Hi Brad,

Attached are 2 documents.

- My response (*DRB\_12150\_LakeButlerBlvd\_Variance\_Response\_Z23-04\_Final\_02132023*) and
- PowerPoint Presentation (*DRB\_12150\_LakeButlerBlvd\_Highlights\_EvidencedBasedData\_Z23-04\_Final\_02132023*).

I was told to save as a pdf, which highlights documented issues and lawsuits with Pickleball.

As I state in my response, I am not attempting to block the build; however, I am highlighting evidenced-based data to substantiate my request for formal abatement measures to block the sound and light, and to request Dark Sky Lighting, if lighting is approved.

Ms. Dorothy said to submit my docs to the Board. Silly question, are you on the Board, or should I be submitting to someone else as well?

Let me know if you have any questions.

Thank you,  
Christa

--

**Christa Dinallo, GKC, PSA, ACE, e\_PRO, AHWD, CIPS**

**Million Dollar Club**

**REALTOR, Suzi Karr Realty**

**561-702-2112 Direct**

[ChristaD.Realtor@gmail.com](mailto:ChristaD.Realtor@gmail.com)

527 Main Street, Windermere, FL 34786

[www.SuziKarrRealty.com](http://www.SuziKarrRealty.com)

**RE: Public Notice of Variance Public Hearing for 12150 Lake Butler Blvd. Z23-04**

**Original Recommendation 01/05/2023: DISAPPROVAL at this time based on an unreadable site plan and the additional information requested as noted below.**

**Current Recommendation 02/09/2023: Requesting Conditional Approval based on the information which follows. This may or may not be a factor, once additional site plan details are provided.**

**Comments:**

DRB members, while I appreciate the applicants' desire for sport courts for their children and the time Mr. Cornelius has dedicated to obtaining a readable site plan and clarification of a few of the prior questions raised, I am here tonight to highlight facts, as they directly relate to neighboring concerns, so that the Applicant, DRB and Town Council may consider them in the approval process. In addition to this response, I created a brief PowerPoint Presentation which cites public articles, nuisances, formal complaints and lawsuits resulting from Pickleball. With that said, my intent is not to attempt to block the variance request, rather to request consideration of formal abatement measures due to evidenced-based data, highlighted in the PowerPoint document, pertaining to sport courts in residential areas. The two main concerns are noise and lighting, with the former highly focused on Pickleball. A simple internet search of 'Pickleball and Lawsuits and Noise,' will reveal, it is the cause of Noise Nuisance Lawsuits both locally and across the country.

I live in the community across the street from the applicant. We are a close community. Someone is always available in time of need, yet we have our privacy at all other times. My neighbors truly are the best I have had ever. Though I don't know the applicants, I feel confident they will be a new addition to our current best neighbor ever community!

While it's unfortunate their initial planning did not include future development of the sports court in the backyard, hence, the need for a variance, I request additional information and consideration, to ensure proper measures are in place, since the sports court will have a negative impact on nearby neighbors, our quality of life, the market value of our homes, and our environment, *if abatement treatments are not incorporated.*

Why formal abatement treatments?

While a multisport court is a brilliant idea when space is limited, we all know that any type of sport court will produce undesirable Impact Noise\* and Airborne Noise\*\* and can wreak havoc on neighbors. Additional noise results from those participating in or cheering the sport, and from loud music which often accompanies.

**Definitions:**

**\*Impact Noise:** *Soundwaves caused by a physical impact of a ball with the ground. In the case of basketball, this is known as the Thump, High-pitch Ringing that follows, and the Vibration from the backboard.*

**\*\*Airborne Noise:** *Soundwaves that travel through the air.*

When looking at the Court Diagram provided by the applicant, the legend on the bottom right of the Court Diagram, shows different colored lines denoting the boundaries and play lines for four different sports with the addition of stadium lighting.



**Identified Sports:**

- Tennis
- Basketball
- Pickleball
- Volleyball

The basis of the court is a Tennis court, constructed of Concrete and an Acrylic coating, which from my limited internet search, is the loudest of other court materials, such as Asphalt, Concrete, EPDM, Acrylic, and Polyurethane.

Regarding basketball, the ball bounce on a concrete court is good and solid for play; however, it produces more noise compared to other outdoor basketball court surfaces noted. Asphalt is the most preferred sport surface; it is soft, and experts recommend using it for orthopedic benefits that improve the performance of the players, affordability and high durability. [[What Are the Types of Outdoor Basketball Court Surfaces? - Hooption](#)]

Basketballs have an inextensible yet flexible membrane containing compressed air and are inflated to a point of overpressure by several psi, which provides their stiffness and resilience. A basketball bounced on a stiff surface, such as a thick concrete slab, emits a loud characteristic “Thump”, followed by a High-pitched Ringing and Vibrations from the backboard. **THUMP...HIGH-PITCHED RINGING...VIBRATIONS.** The Impact and Airborne Sounds are only lessened if the ball is bounced on a more resilient or softer surface and formal abatement treatments are in place. The same applies to Volleyball since it, too, is considered to be a firm ball. The sport court has 4 *identified* sports that are considered loud and require formal sound mitigation measures. I trust the experts, DRB, and applicant to consider the best court material for the both players and the neighbors, in an effort to reduce Impact and Airborne Noise.

The sport that has recently become popular in record speed, and has caused more problems with regard to noise nuisance and law suits, is Pickleball. Anyone who has been to a tennis game or tournament, watched a game on TV, or at the Windermere Rec Center, is aware that tennis is a loud sport when the ball contacts the court. The resulting noise varies within the environment, depending on the sound barriers, the type of racket and the speed at which the ball travels, and the level of the players.

Keeping that in mind, a single tennis court houses *four Pickleball courts*. This equates to *16 players*, who are also yelling as they play. Top that off with spectators cheering and loud music, and you have a lot of noise that increases in pitch and decibels, as the excitement and competition increases. Sixteen players,...that’s a lot of hard paddles hitting hard plastic balls that have 40 holes, similar to a *Whiffle ball*,...**Hard, Loud, & Fast**. These Pickleballs are the chief offenders when it comes to pickleball noise!

Pickleball produces quick ‘impulse sounds,’ *hundreds* of times during each game, different from other sports. The incessant high pitch **POP\*POP\*POP** and irregular noise patterns are the declared nuisance. High-pitched sounds are more irritating to humans than low, even if both are of equivalent decibels. That’s why alarm clocks, home security alarms and storm warnings, for instance, alarm at a loud, high tone, as opposed to a low tone. In these circumstances we need to be irritated by these alerts and respond quicker, but it’s not something you want as a constant in your life, causing anxiety and stress, and altering the quality of life of those in ear distance, including that of all the birds that nest around us. It would also be disturbing and could even interfere with our livelihood, for those of us who work from home, as the Windermere Noise Ordinance would allow playing 7 am – 10 pm. That’s a lot of noise and

late-night lighting.

Unlike other neighbors, most of the rooms in my residence will be affected from both Impact Noise and Airborne Noise, since they face the front yard of the applicant. With their open Park Avenue front yard, void of sound barrier applications, such as vegetative layers, walls, sound will travel and resonate louder and further. The closer the vegetative layers to the sound source, the better the sound reduction.

With regard to stadium lighting, of course we prefer no lighting. However, if the DRB and Town Council support lighting, then we ask it be conditional with Dark Sky Lighting, which in accordance with Dark Sky Cities, states:

- Only on when needed
- Only light the court; No casting light
- Be no brighter than necessary
- Minimize blue light emissions
- Eliminate upward-directed light

As you can see, the main concerns all evolve around sound travel and lighting; hence, my requests.

### **Conditional Requests to the Applicant, DRB & Town Council:**

Consider Pickleball's historical data as a noise nuisance sport, as well as the prevalent local and US-wide lawsuits with regard to the following requests:

1. Best Sound-travel mitigating Court Material
2. Consider both court material and in-ground hoops (as opposed to portable, with additional mass to the backboard to mitigate sound travel
3. Apply Dark Sky Lighting to reduce casting and comply with Dark Sky Lighting, if the DRB and Town Council support court lighting. Highlights contained within PowerPoint Presentation.
4. Implement Formal Abatement Treatments for Soundproofing & Light casting mitigation
  - Per evidenced-based data: 8' to 10' Tree Line or Brick/Stone Live Wall

Reality is, no one wants to live next to or near a sport court, whether it be residential or community owned, yet, many, would love to have a sport court on their property. I would be lying if I said I welcome the build. However, it is of my opinion, if the applicant builds their multi-sport court incorporating formal abatement treatments, then we scored a goal for the same team!

Lastly, as time permits, since Pickleball has ramped up in popularity so quickly, it has "become a lightning rod for controversy within some residential communities. (E.B. Solomont, The Wall Street Journal, 2022)." Local codes do not address the documented issues specific to this sport which often escalate into massive formal complaints, nuisances, and lawsuits, as sited in the PowerPoint Presentation, and since many lots in Windermere could easily accommodate a sport courts, I ask your consideration in updating local codes to accommodate Pickleball anticipated complaints.

Thank you for your time.

Warmest regards,

Signature: *Christa Dinallo*  
Dinallo Christa Life Estate

Date: 02/09/2023

### Resources:

- ANSI (American National Standards Institute) for sound regs if not defined by local ordinances]
- [www.soundproofingguide.com](http://www.soundproofingguide.com)
- [www.cdc.gov](http://www.cdc.gov)
- [www.soundproofcentral.com](http://www.soundproofcentral.com)
- [www.acousticalnoise.com](http://www.acousticalnoise.com)
- [www.soundproofcow.com](http://www.soundproofcow.com)
- [www.acousticalsurfaces.com](http://www.acousticalsurfaces.com)
- <https://Library.municode.com> > Code of Ordinances
- [recreation-board-8-22-2019-pacific-grove-pickleball-noise-assessment-20190807.pdf](#)
- [‘It’s Been Awkward.’ Pickleball Is Pitting Neighbor Against Neighbor in Noise-Conscious Communities. - WSJ](#)

# Town of Windermere

## Development Review Board

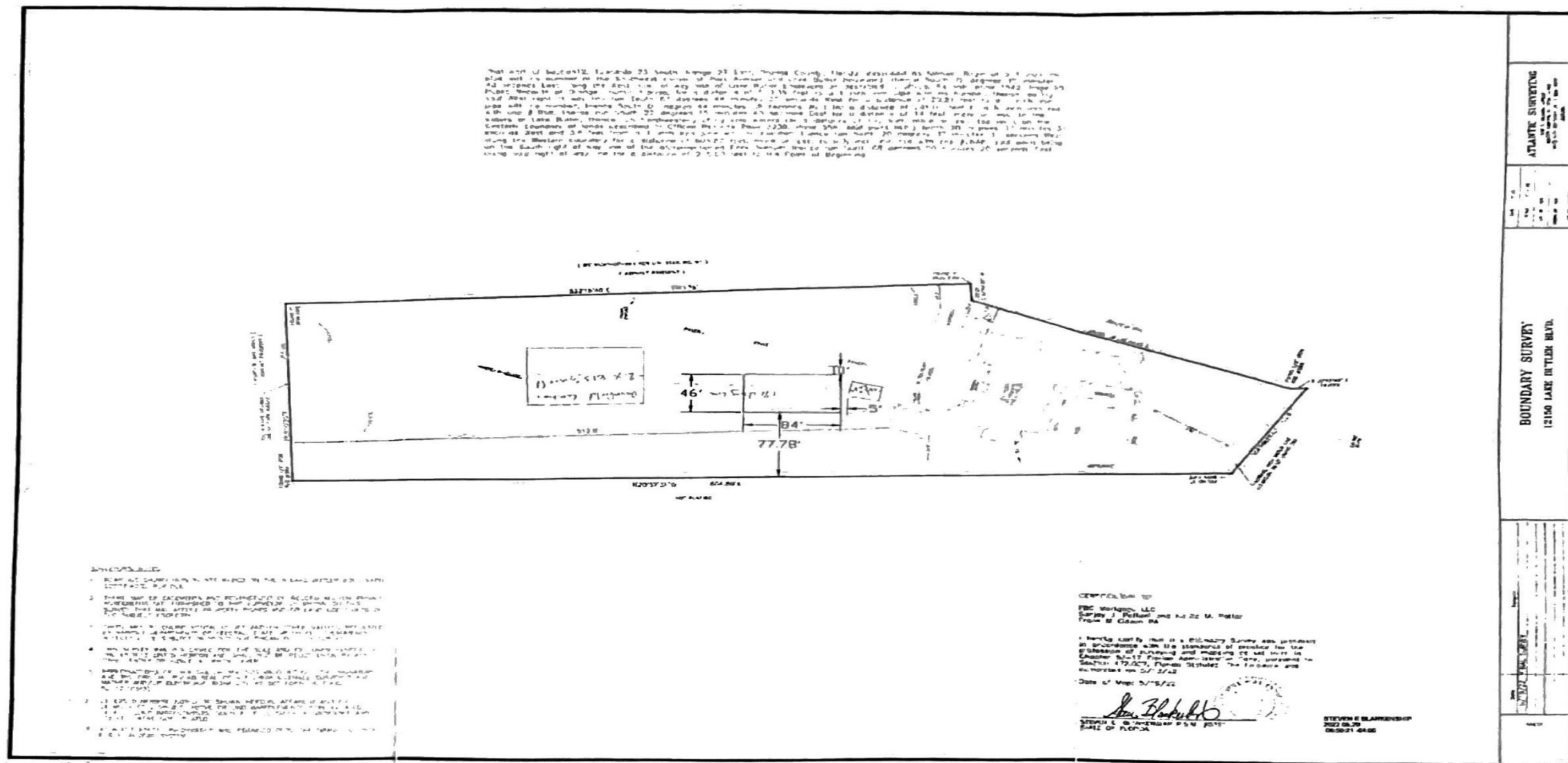


RE: Public Notice of Variance Public Hearing for 12150 Lake Butler  
Blvd  
Z23-04

# Recommendations

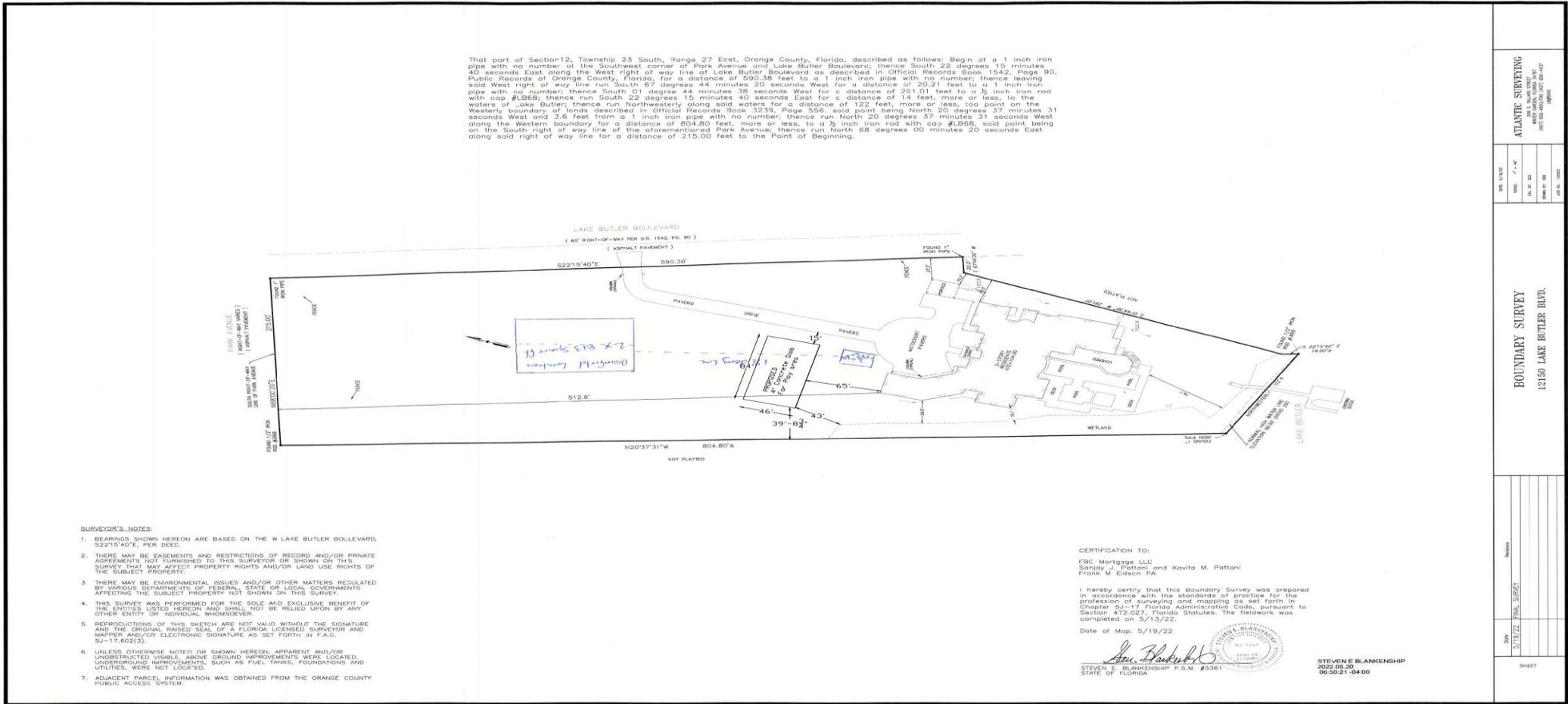
- **Original Recommendation 01/05/2023: DISAPPROVAL at this time based on an unreadable site plan and additional information requested in my response.**
- **Current Recommendation 01/30/2023: Requesting Conditional Approval based on highlights that follow and details in Request Response.**
- **This may or may not be a factor, once additional site plan details are provided.**

# Sports – Original Site Plan Not Readable



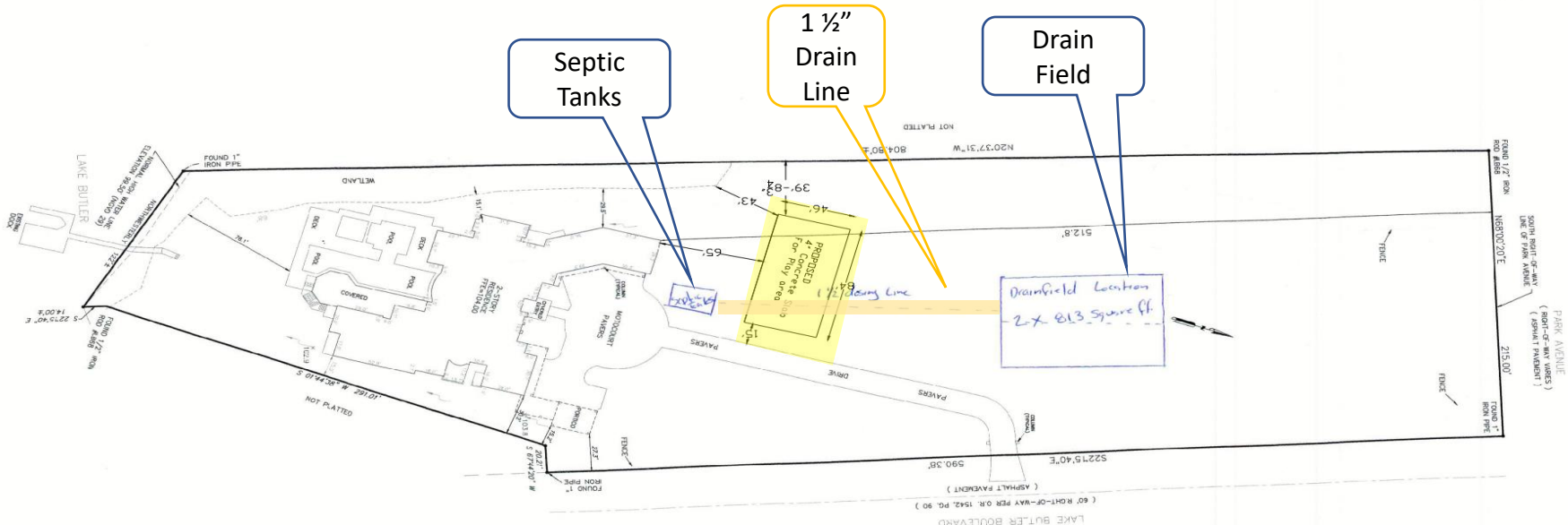


# Sports – Site Plan Update



1. BEARINGS SHOWN HEREON ARE BASED ON THE W LAKE BUTLER BOULEVARD.
2. THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORD AND/OR PRIVATE AGREEMENTS THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE SUBJECT PROPERTY.
3. THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL, STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.
4. THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF OTHER ENTITY OR INDIVIDUAL WHOSOEVER.
5. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE MAPPER AND/OR ELECTRONIC SIGNATURE AS SET FORTH IN F.A.C. 5J-17.602(3).
6. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR UNRECORDED IMPROVEMENTS, SUCH AS FUEL TANKS, FOUNDATIONS AND UTILITIES, WERE NOT LOCATED.
7. ADJACENT PARCEL INFORMATION WAS OBTAINED FROM THE ORANGE COUNTY PUBLIC ACCESS SYSTEM.

# SURVEYOR'S NOTES:



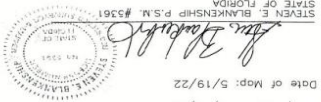
That part of Section 12, Township 23 South, Range 27 East, Orange County, Florida, described as follows: Begin at a 1 inch iron pipe with no number at the Southwest corner of Park Avenue and Lake Butler Boulevard; thence South 22 degrees 15 minutes 40 seconds East along the West right of way line of Lake Butler Boulevard as described in Official Records Book 1542, Page 90, Public Records of Orange County, Florida, for a distance of 590.38 feet to a 1 inch iron pipe with no number; thence leaving said West right of way line South 67 degrees 44 minutes 20 seconds West for a distance of 20.21 feet to a 1 inch iron pipe with no number; thence South 01 degrees 44 minutes 38 seconds West for a distance of 291.01 feet to a 1/2 inch iron rod with cap #1B55; thence run South 22 degrees 15 minutes 40 seconds East for a distance of 14 feet, more or less, to the waters of Lake Butler; thence run Northwesterly along said waters for a distance of 122 feet, more or less, to point on the Western boundary of land described in Official Records Book 3259, Page 556, said point being North 20 degrees 37 minutes 31 seconds West for a distance of 804.80 feet, more or less, to a 1/2 inch iron rod with cap #1B55; said point being on the South right of way line of the aforementioned Park Avenue; thence run North 88 degrees 00 minutes 20 seconds East along said right of way line for a distance of 215.00 feet to the Point of Beginning.

## CERTIFICATION TO:

FBC Mortgage LLC  
Sonjay J. Potlani and Kavita M. Potlani  
Frank M. Edgson PA

I hereby certify that this Boundary Survey was prepared in accordance with the standards of practice for the profession of surveying and mapping as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. The fieldwork was completed on 5/13/22.

Date of Map: 5/19/22



STEVEN E. BLANKENSHIP  
2022.05.20  
06:50:21-04:00

## BOUNDARY SURVEY 12150 LAKE BUTLER BLVD.

ATLANTIC SURVEYING  
308 E. PALM STREET  
SUITE 200  
FORT LAUDERDALE, FL 33301  
(954) 556-0000  
1806050

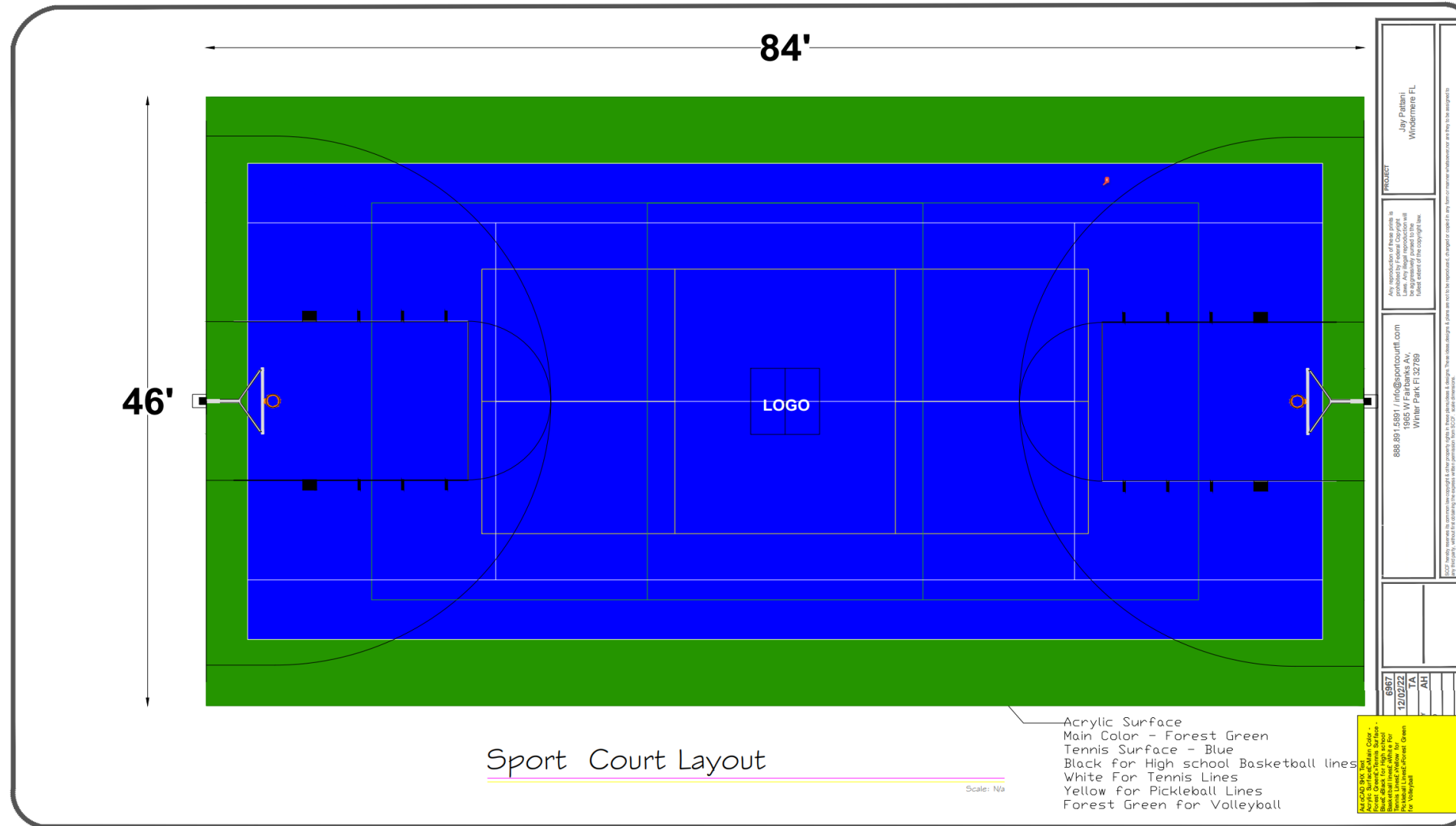
DATE: 5/19/22  
SCALE: 1" = 40'  
SHEET: 308  
JOB NO.: 120503

REVISIONS  
5/19/22 FINAL SURVEY

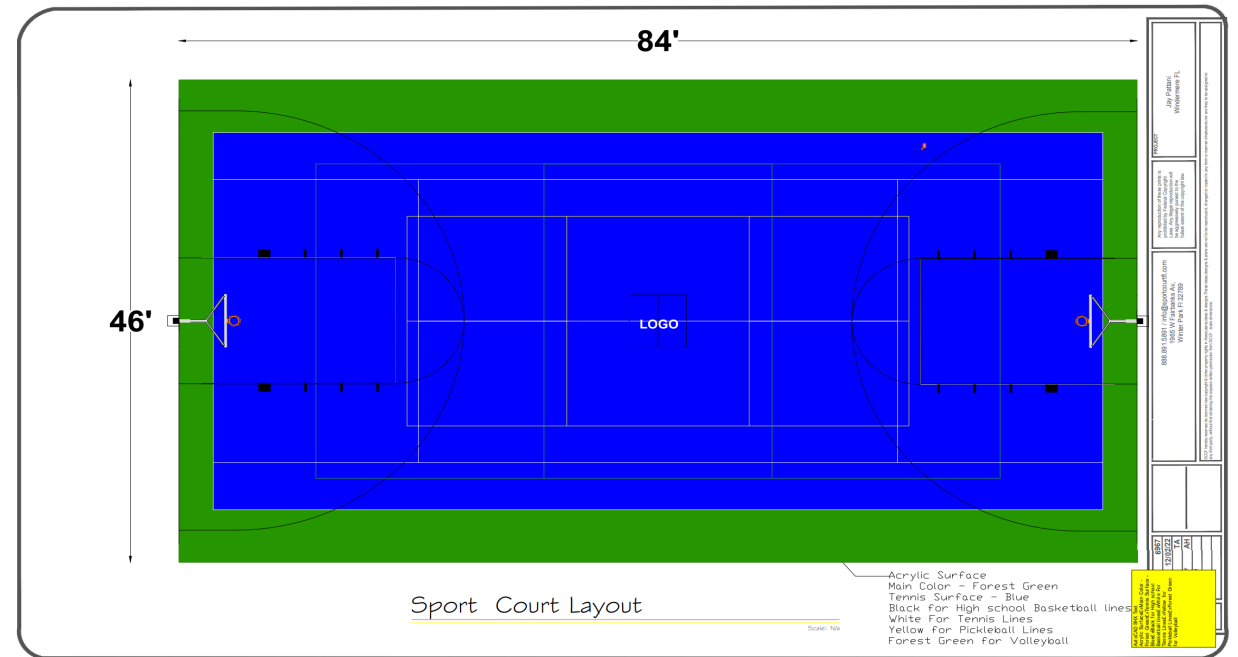
SHEET



# Court Diagram



# Court Diagram



Acrylic Surface  
Main Color - Forest Green  
Tennis Surface - Blue  
Black for High school Basketball lines  
White for Tennis Lines  
Yellow for Pickleball Lines  
Forest Green for Volleyball

AutoCAD SHX Text  
Acrylic Surface»Main Color - Forest Green»Tennis Surface - Blue»Black for High school Basketball lines»White for Tennis Lines»Yellow for Pickleball Lines»Forest Green for Volleyball

# Sports

- Sports Involved per Site Plan – Noise Nuisance
  - Tennis
  - Basketball – *In-ground Hoops with added mass produce less sound than portable hoops*
  - Pickleball – *Noise Nuisance & Lawsuits Prevalent Locally & Across the Country*
  - Volleyball

# Concerns

- Location of Multi-sport Court
- Stadium / Court Lighting
- Formal Abatement Treatments for Sound & Light Barriers

# Concerns: Location

- Current Site Plan shows over Septic Drain Line
- Request final location of court
  - Distance from Park Avenue is factor in determining noise and light impact on neighbors

# Concerns: Stadium / Court Lights

## *Formal Abatement Treatments*

- Type of Lighting, Height of Lighting Fixtures & Effect on Casting
- Request Dark Sky Lighting, in accordance with Dark Sky Lighting Cities
  - Only on when needed
  - Only light the court
  - Be no brighter than necessary
  - Minimize blue light emissions
  - Eliminate upward-directed light
- Request tree wall to block spilling of bright lights & sound

# Example: Tennis Court Lights

- Residential court lighting projects a level of
  - 60-75 average foot candles to maximum 75-100 average foot-candles[Outdoor Lighting Basics - International Dark-Sky Association \(darksky.org\)](https://darksky.org/outdoor-lighting-basics)
- PSMH fixtures require upward tilt to throw light on court
  - Results:
    - Little directional control of light
    - Light casting outward, spilling on other areas
  - (PSMH: Pulse Start Light Bulbs)
- Appeal to the experts for adequate court lighting without impinging on neighbor privacy

# Concerns: Sound

## *Formal Abatement Treatments*

- Impact Noise
  - Soundwaves caused by a physical impact of a ball with the ground.
  - Basketball, this is known as the Thump, High-pitch Ringing that follows, and the Vibration from the backboard.
  - Pickleball: \*POP\*POP\*POP
- Airborne Noise
  - Soundwaves that travel through the air.



# Concerns: Formal Abatement Treatments

- Types of Walls: 8 ft – 10 ft
  - Tree Wall to block spilling of bright lights & sound
  - Brick & Stone walls block sounds best due to solid structure
    - Living Wall of edible plants/herbs or ornamentals



# Private Nuisance

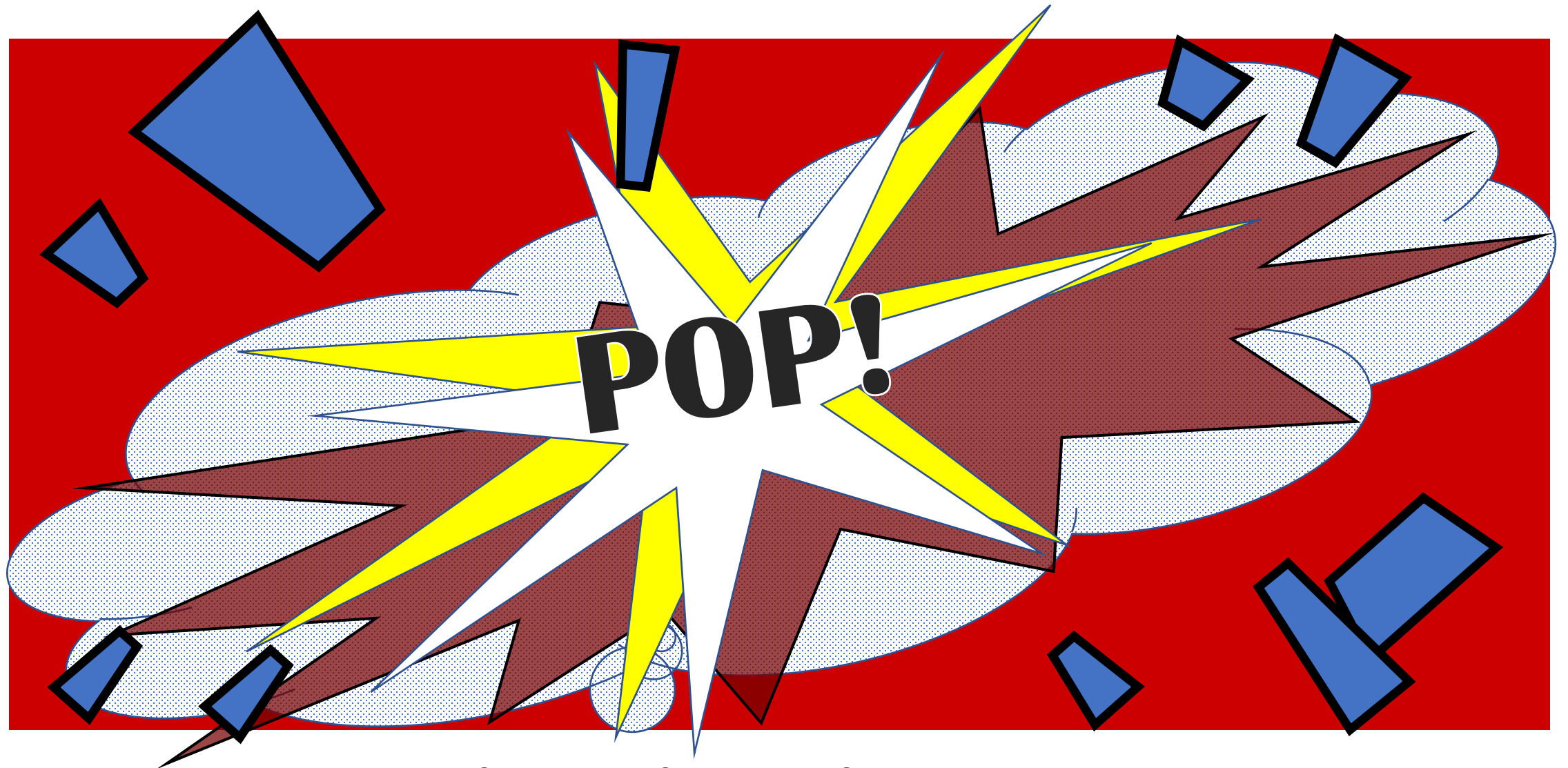
- Occurs when there is a substantial, unreasonable interference with another's use or enjoyment of property. Property owners cannot use their property in a manner that interferes with another's right to use their property.
- The interference must be offensive, inconvenient, or annoying to an average person in the community.

[Private Nuisance: Your Right to Peace and Quiet - Bryan W Crews - Bryan W Crews \(bryancrews.com\)](http://bryancrews.com)

- **Rest...Play...Work...Sleep**

# Background: Pickleball

- Hard Racket & Hard Whiffle-like Ball with 40 holes
- Undeniably Louder than Tennis
- **Hard...Loud...Fast**
- Incessant high-pitched **\*Pop\*Pop\*Pop**



**\*POP \*POP \*POP**



# Nuisance – Pickleball

- “This type of sound, sound that has this highly-impulsive characteristic, has a much greater annoyance than other sounds of the same level.” (Acoustic Engineer - Lance Willis)

[Pickleball plan pits Kirkwood residents against neighboring country club | FOX 2 \(fox2now.com\)](#)

- The noise problem pickleball causes is due to the fact that humans are more annoyed by higher pitch sounds in general. A beeping sound is more annoying than a rumble sound, even if those two sounds are of the same level.

[The sound of pickleball – a detailed explanation, and what you need to consider before building courts – Crazy Pickleball Lady](#)

# Nuisance - Pickleball

- “More balls, more chatter, points are longer so there are more ball strikes per point and per hour and per minute of play.”  
(Joel Dinoffer, 30,000+ hours of world tennis instruction)  
[Sound – Pickleball vs Tennis - YouTube](#)
- “That higher noise impact can mean the difference between violating rules and regulations, as evidenced by numerous places where tennis has been deemed permissible without sound mitigation but pickleball has not. It can also have negative consequences for nearby residents.”  
(Tom Spendiarian, principal architect at Spendiarian & Willis)  
[Pickleball noise is pitting neighbor against neighbor - Los Angeles Times \(latimes.com\)](#)

# Nuisance - Pickleball

- “Sounds that are impulsive and tonal nature, such as the pickleball impacts are often more readily perceptible in the background noise environment, leading to a greater level of annoyance.
- To account for this increased perception many jurisdictions apply a 5 dB penalty to sounds that are tonal or impulsive, as called out in the ASTM International E1686.
- The more current American National Standards Institute (ANSI) S12.9, Part 4 also calls for a 5 dB adjustment to the sound exposure level of regularly impulsive sounds.”

[Technical Memorandum \(cityofpacificgrove.org\)](http://cityofpacificgrove.org)

# Nuisance – Pickleball

## *Florida*

- “Most annoying sound ever.”

[Pickleball Noise Is Driving Neighbors to Build New Walls – YouTube](#) (Inside Edition)

- Punta Gorda community fighting the noise levels, claiming a health risk including anxiety, heart disease, high blood pressure, panic attacks, insomnia (William Thornton, of Thornton Acoustics and Vibrations).

[‘Pickleball noise creates a human health risk,’ study says \(sachub.net\)](#)

- Punta Gorda: Tax Payers are paying \$4000 for an acoustic study

[Acoustic study will measure the sounds of pickleball play in a Punta Gorda park – YouTube](#)



# Nuisance – Pickleball *Florida*

- Vera Lago, Vero Beach: [Loudest pickleball noise ever, Vero Beach, Florida 1/17/23 too close to existing homes, no peace! – YouTube](#)
- South Florida: “Linda Waldman, the owner of a unit near the courts, states: “It’s a very noisy game, unfortunately . . . there is a ‘pong’ not also from the racket, but also when it hits the ground. Ponging and screaming.”
- “Complain about the noise as a type of “Chinese water torture.”  
[Associations Take Heed: Pickleball Creates a Real Racket at South Florida Community — Florida HOA Lawyer Blog — April 22, 2019](#)

# Nuisance - Pickleball

- “The owners of the surrounding homes will be routinely battered with the noise emanating from the pickleball courts. This will no doubt result in substantial frustration to those residents, may have a negative impact on their property value, and will, almost certainly, result in a nuisance lawsuit for the association.”
  - (TLG Attorney, Corey L. Todd, Esq.)

[Pickleball Installation — HOA Lawyer Blog — November 18, 2020 \(tinnellylaw.com\)](#)

# Nuisance – Pickleball

- “It has also become a lightning rod for controversy within some residential communities, where exuberant shouting, competition for court time and the telltale sound of players whacking wiffle-like balls with paddles has pit neighbors against each other, leading to name-calling and yelling, even lawsuits.”
- “To be effective, a sound barrier around the court would have to be 16 to 20 feet high, he said.”

[‘It’s Been Awkward.’ Pickleball Is Pitting Neighbor Against Neighbor in Noise-Conscious Communities - Mansion Global](#)

# Nuisance - Pickleball

- Park City: Two courts,...”One on Venus Court is a concrete patio that the homeowner wants to convert into a pickleball court, and the project on Equestrian Court is part of a sports court that is also lined for other sports like basketball and volleyball.”
- Main concern by neighbors: “How much noise pickleball produces. The game is played on a hard surface with hard balls and hard paddles, and some neighbors worried that the courts would be too close to surrounding properties to not be a nuisance.”

[No vote on residential pickleball until city adopts new land management code \(kpcw.org\)](http://kpcw.org)

# Nuisance – Pickleball Lawsuits

- Ridgewood, New Jersey: Complaints from residents became so excessive that the mayor padlocked the local pickleball courts as the only means to mitigate the noise issues.

[How Do You Stop Pickleball Noise? \(10 Ways Explained\) - The Racket Life](#)

- Philadelphia: “Pickleball has become a neighborhood nuisance.” Residents are planning on “suing the city for breaking it’s own noise ordinance.”

[Noise from pickleball court has nearby community fed up – YouTube](#)

# Nuisance - Pickleball Lawsuits

- Mayor of Mission Woods, Kansas, filed a lawsuit against the Mission Hills Country Club for the noise levels coming from pickleball courts
  - [Lawsuit: Mission Woods mayor, wife say noise from converted pickleball courts a 'repetitive nuisance' \(kctv5.com\)](https://www.kctv5.com/story/news/local/2023/05/10/mission-woods-mayor-lawsuit-pickleball-noise/7000000001/)
- Pickleball-related legal disputes are also occurring with HOAs.
- Irvine, California: “Represented members in more than 10 residential communities with claims against associations that allowed new or converted pickleball courts.” In most cases the noise was found to exceed noise provisions in HOA codes. (Attorney Nicholas Caplin)



# Nuisance - Pickleball Lawsuits

- “The issue has become so heated in some communities that there have actually been lawsuits over pickleball noise!”

[Pickleball Noise Problems, Possible Solutions and Quiet Pickleball Paddles \(pickleballportal.com\)](https://pickleballportal.com/pickleball-noise-problems-possible-solutions-and-quiet-pickleball-paddles)

- “The City of Surrey is moving pickleball play to a new location in Crescent Park, after receiving numerous complaints from angry residents.”

[Pickleball noise prompts complaints in South Surrey | CTV News](https://www.ctvnews.ca/south-surrey/pickleball-noise-prompts-complaints-in-south-surrey-1.4848484)

# Background – Basketball & Volleyball

- Inextensible yet flexible membrane containing compressed air
- Inflated overpressure by several psi, providing stiffness and resilienc
- Bounced on a stiff surface (concrete slab), emits a loud characteristic **“Thump”**, followed by a **High-pitched Ringing** and **Vibrations** from the backboard.
- **THUMP...HIGH-PITCHED RINGING...REVERBERATING VIBRATIONS**
- Impact & Airborne Sounds are lessened on a more resilient or softer surface.



# Conditional Requests

- Approve Site Plan Conditional:
  1. Best Sound-travel mitigating Court Material
  2. In-ground Hoops with Increased Mass vs. Portable Hoops
  3. Dark Sky Lighting to reduce casting and comply with Dark Sky Lighting
  4. Formal Abatement Treatments to reduce Impact Noise and Airborne Noise
    1. 8' to 10' Tree Line
    2. 8' to 10' Brick/Stone Live Wall
  5. As time allows, consider updating local codes to accommodate Pickleball anticipated complaints per evidence-based data



# 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 February 21, 2023

## Town Council March 28, 2023

**Case No.:** Z23-05

**Property Owners:** Brian and Tracy Bowen

**Requested Action:** Request to allow the expansion of the floor area of a nonconforming home more than the allowed 10%.

**Property Address:** 126 Down Court Windermere, FL 34786

**Legal Description:** DAVIS SHORES FIRST REPLAT W/102 LOT 3

**Future Land Use/Zoning:** Residential/Residential

**Existing Use:** Residential (Single Family)

### Surrounding Future Land Use/Zoning

**North:** Residential/Residential  
**East:** Residential/Residential  
**South:** Residential/Residential  
**West:** Residential/Residential/Canal

### CASE SUMMARY:

The applicant proposes to expand a nonconforming structure more than 10% the allowable. The existing rear covered porch encroaches the 50-foot setback from the normal high-water Elevation (NHWE) line by approximately 9 feet. This is the point of nonconformity since all structures are required to setback from the NHWE line by a minimum of 50 feet. The applicant is proposing to covert the existing covered carport into

a garage and add a second story. The current gross floor area is 2,424 square feet, which would allow an addition of 242 square feet based on the 10% limitation. The proposed addition of 1,751 square feet to a new gross floor area total of 4,175 square feet is a 72% increase in gross floor area. The proposed addition is compliant with the current setbacks, maximum total gross floor area, total impervious area, height, and is more than 50 feet from the NHWE.

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 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 other 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 applicants in support of their variance request:

1. The applicant states the addition and alterations meet all other zoning requirements.
2. The applicant states the additions and alterations will result in a lower impervious surface ratio.

**PUBLIC NOTICE:**

Public notices were mailed to property owners within 500 feet of the subject property. As of February 15, 2023, four (4) responses were returned in support and three (3) in opposition.

January 16, 2023

Dorothea Burkhalter, Town Clerk  
Town of Windermere  
Windermere, FL 34786

Re: Variance 126 Down Court  
Windermere, FL 34786

Dear Dorothea Burkhalter,

Brian and Tracy Bowen, located at 126 Down Court, Windermere are applying for a variance. Their existing property is non-conforming as the existing screened back porch is less than 50 feet from the normal high-water elevation. The new addition is more than 10% of the existing floor area. The new addition meets all the required setbacks and ratios per the town requirements. The existing FAR is 10.2% and the proposed is 20.9%. The existing ISR is 34% and the proposed is 31.3% (which is lower than the existing ISR due to relocating the driveway). The existing square footage under roof is 1,675 sf, the proposed square footage under roof is 3,426.

Sincerely,

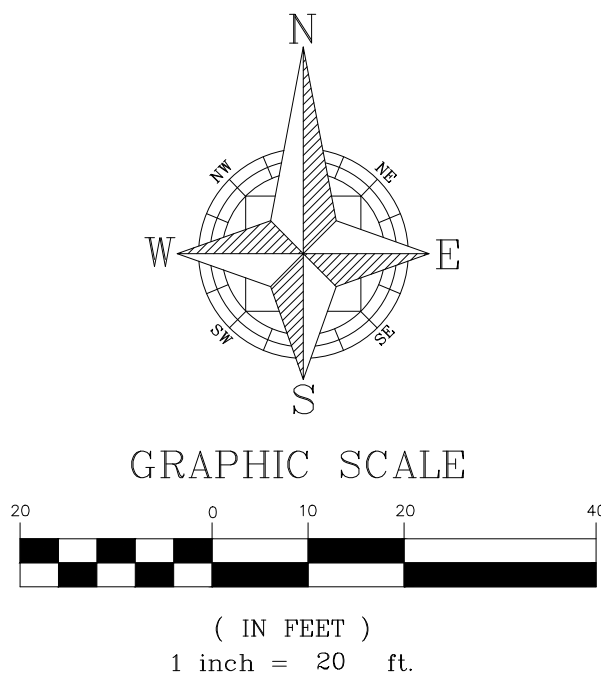
A handwritten signature in blue ink, appearing to read "Dean Miller", is written over a faint, circular official stamp.

Dean Miller  
Dean Allen Co., Inc.  
PO Box 75  
Windermere, FL 34786





## DAVIS SHORES FIRST REPLAT W/102 LOT 3

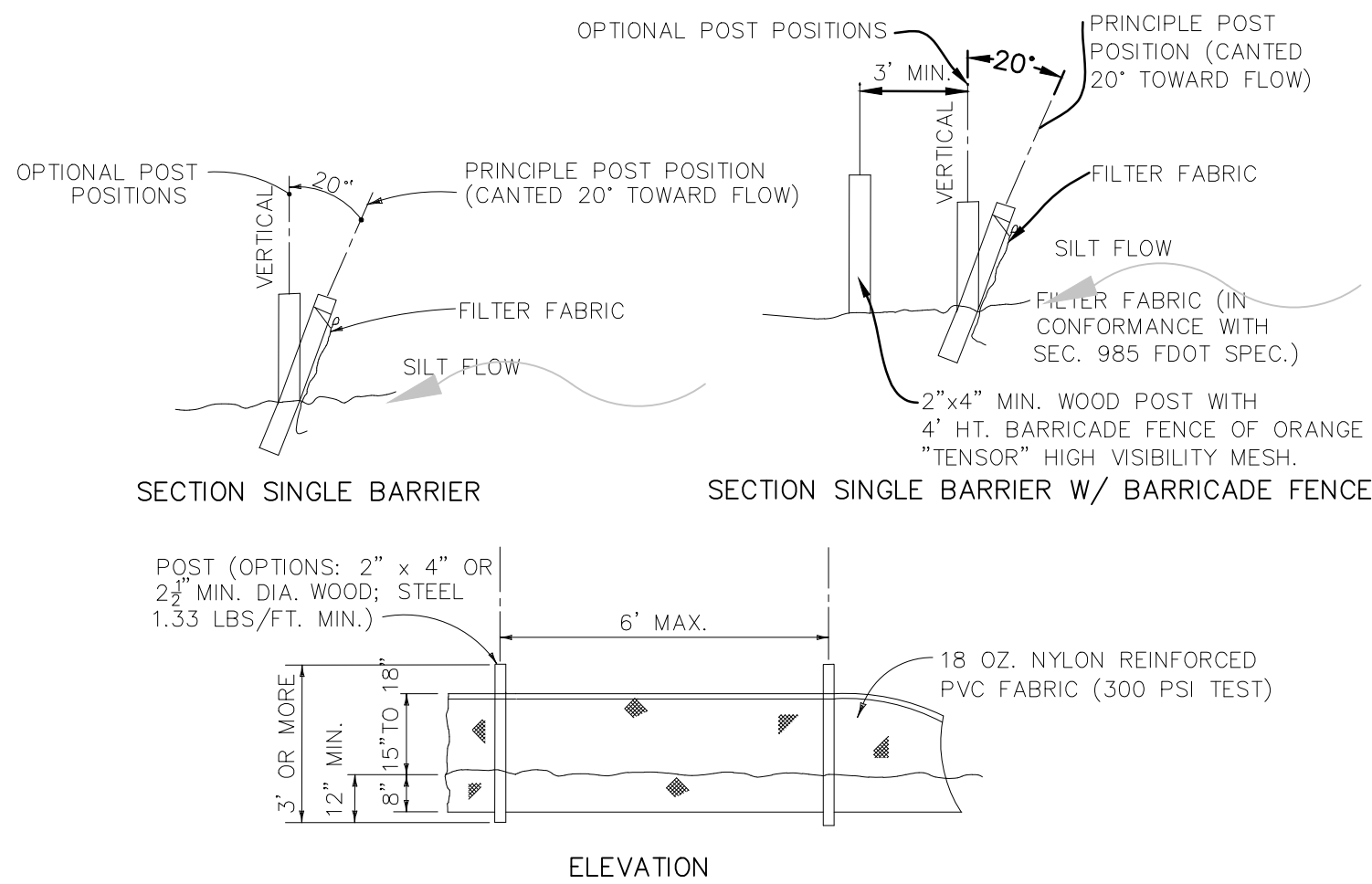


**126 DOWN COURT  
SITE PLAN  
WINDERMERE, FLORIDA 34786**

NO ADDITIONAL IMPERVIOUS AREA IS PROPOSED.

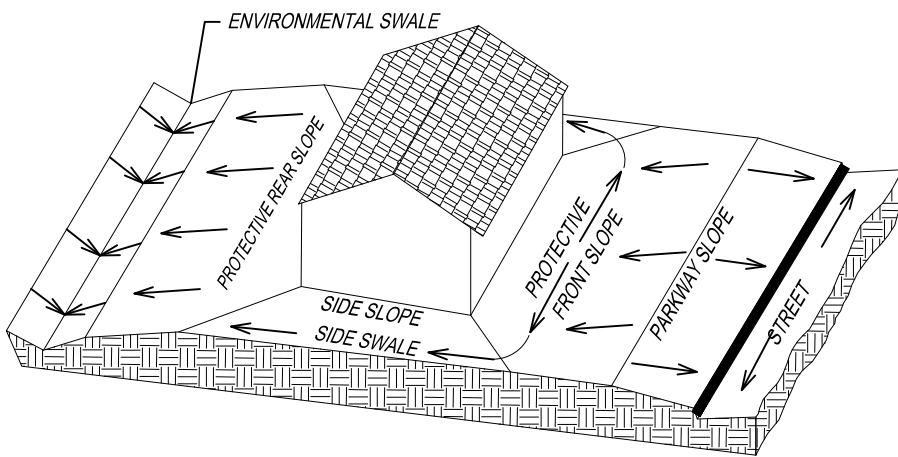
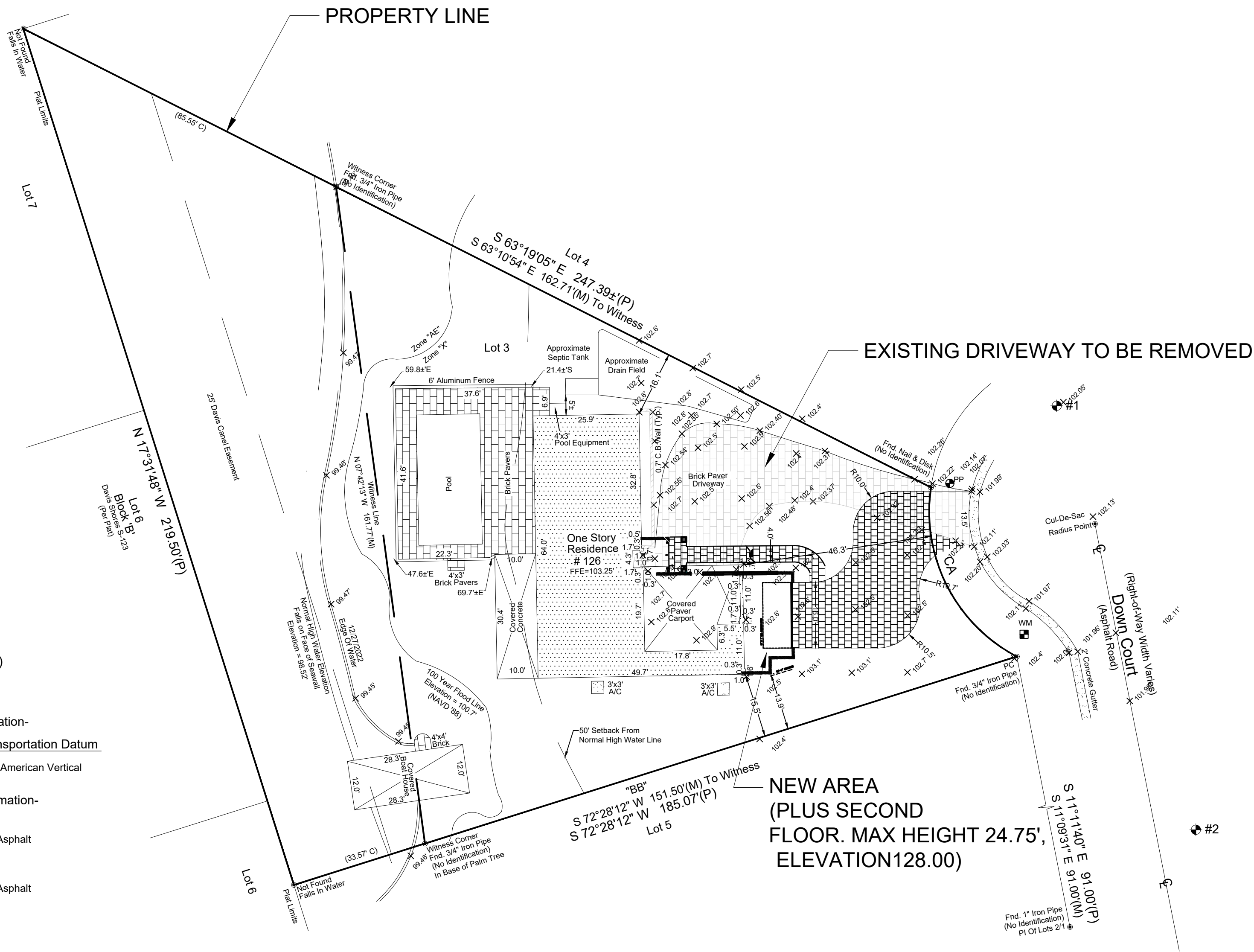
SILT FENCE SHALL BE INSTALLED AROUND THE LOT PER DETAIL. A DOUBLE ROW OF SILT FENCE SHALL BE INSTALLED ALONG THE REAR SIDE OF THE LOT AS REQUIRE FOR PROPOSED IMPROVEMENTS.

THE SILT FENCE SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.



NOTE: SILT FENCE TO BE PAID FOR UNDER THE CONTRACT UNIT PRICE FOR STAKED SILT FENCE (LF)  
FOR ADDITIONAL INFORMATION REFERENCE FDOT INDEX 102

STAKED TURBIDITY BARRIER  
N.T.S.



*Type "C" Lot Grading*

---

*Not To Scale*

NOTE: FREESTANDING EQUIPMENT OUTSIDE OF THE ENVELOPE OF THE HOME (I.E. AIR CONDITIONERS, GENERATORS, ETC.) SHALL HAVE VISUAL SCREENING CONSISTING OF LANDSCAPED MATERIALS WITH A HEIGHT OF AT LEAST 36" AT TIME OF PLANTING. SUCH SCREENING SHALL BLOCK FROM VIEW OF THE EQUIPMENT FROM ANY RIGHTS OF WAY AND ADJACENT PROPERTIES

[illegible]

**RCE CONSULTANTS, LLC**  
617 Arvern Drive  
Altamonte Springs, FL 32701  
Phone No. 407-452-8633  
**LARRY@RCECONSULTANTS.NET**

**CERTIFICATE OF  
AUTHORIZATION 29307**

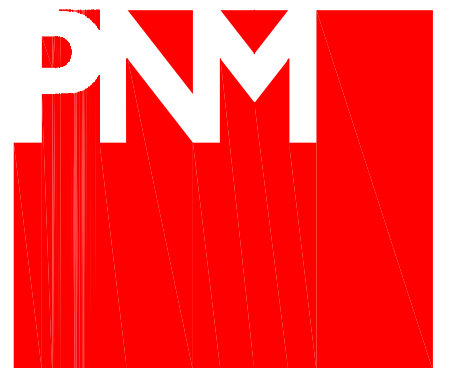
**Engineer of Record**

Laurence Poliner  
#56974

- This item has been electronically signed and sealed by Laurence Poliner, P.E., on the date delineated using a digital signature.
- Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copy.

PROJECT #: 09.2023	
DRAWN: LMP CHECKED: LMP	
JAN 2023	SHEET:  <b>C-1</b>
SCALE: <b>1"=20'</b>	
<b>SITE PLAN</b>	





ARCHITECTURE

**PAUL N  
MEDLEY**  
Architect  
AIA NCARB

101 Smokerise Blvd  
Longwood FL 32779  
PHONE NUMBER 407-701-6440  
WWW.PNM-ARCHITECTURE.COM

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SEAL AR # 96512

PROJECT  
126 DOWN CT  
WINDERMERE FL 34786

REVISION DATES  
1 PER VARRIANCE  
1-25-23

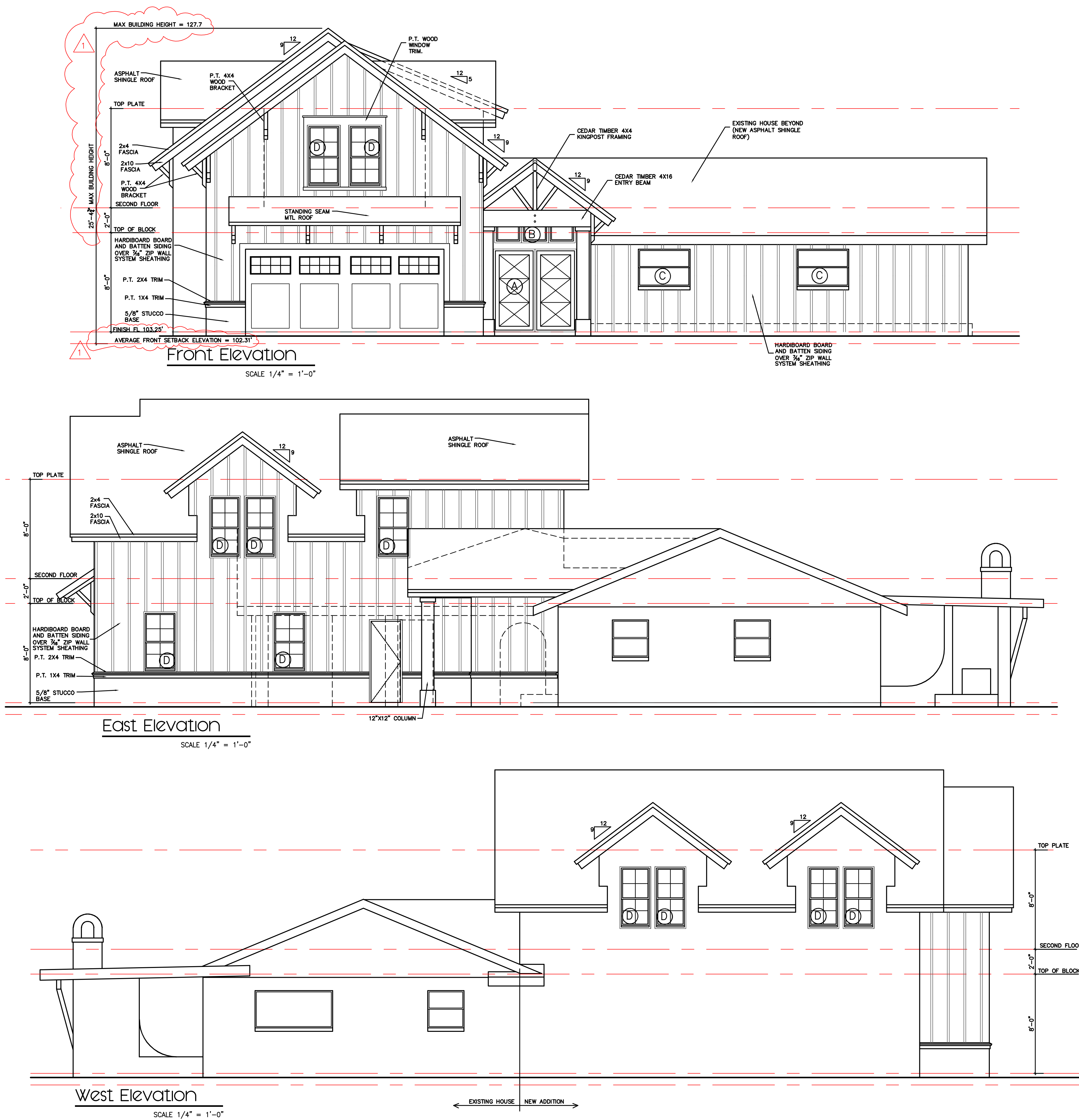
DATE  
9-2-22

SHEET TITLE  
ELEVATIONS

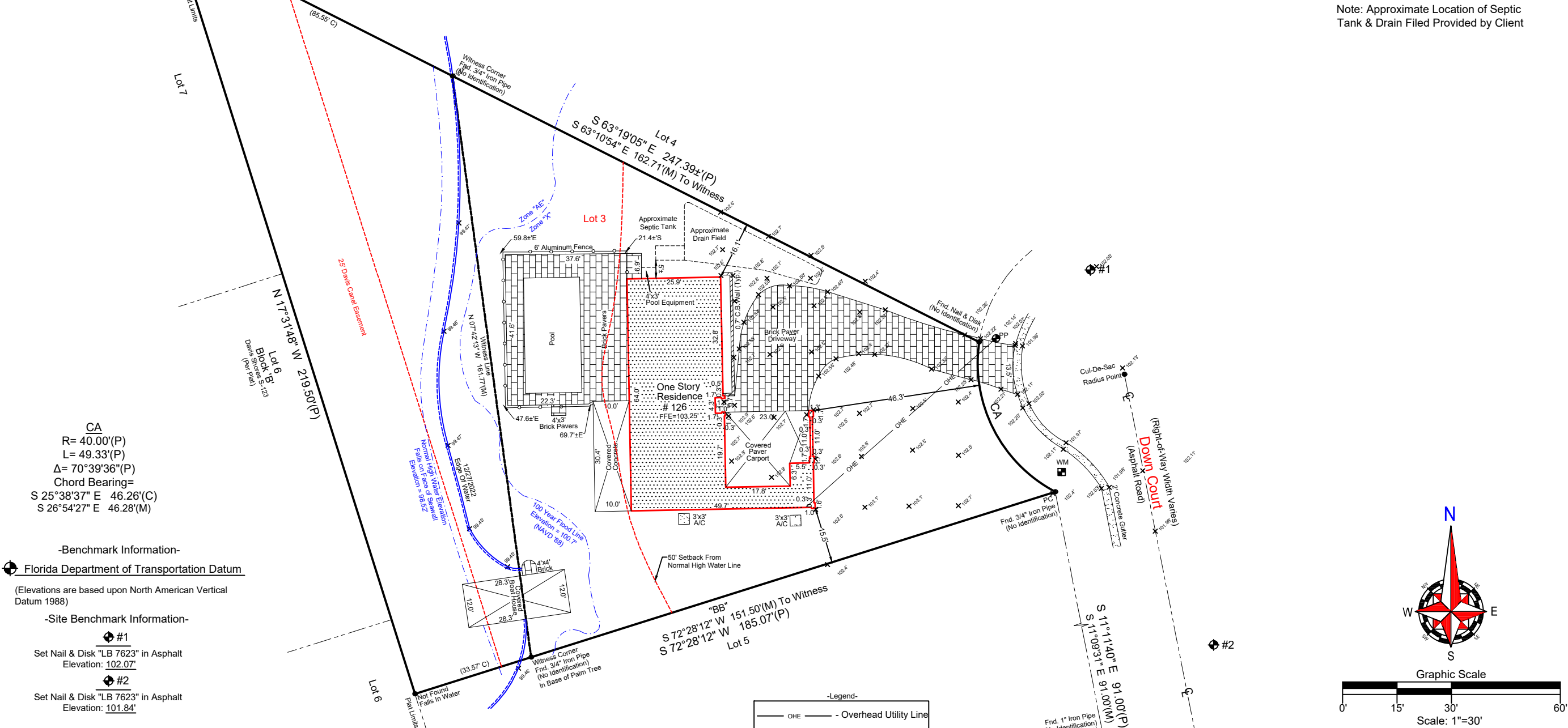
SHEET NUMBER

**A5**

PROJECT NO.  
020-21







## BOUNDARY & TOPOGRAPHIC SURVEY

### Legal Description:

LOT 3, DAVIS SHORES FIRST REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK W, PAGE 102, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

### Flood Information:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X, AE (WITH A BASE FLOOD ELEVATION OF 100.7). THIS PROPERTY WAS FOUND IN TOWN OF WINDERMERE, COMMUNITY NUMBER 120381, DATED 9/24/2021.

### CERTIFIED TO:

DEAN ALLEN CO.



Field Date: 12/27/2022 Date Completed: 01/03/23

Drawn By: S.T. File Number: IS-113313

-Legend-	
C	- Calculated
CL	- Centerline
CB	- Concrete Block
CM	- Concrete Monument
Conc.	- Concrete
D	- Description
DE	- Drainage Easement
Esmt.	- Easement
F.E.M.A.	- Federal Emergency Management Agency
FFE	- Finished Floor Elevation
Fnd.	- Found
IP	- Iron Pipe
L	- Length (Arc)
M	- Measured
N&D	- Nail & Disk
N.R.	- Non-Radial
ORB	- Official Records Book
P	- Plat
P.B.	- Plat Book
W	- Wood Fence
PC	- Point of Curvature
Pg.	- Page
PI	- Point of Intersection
P.O.B.	- Point of Beginning
P.O.L.	- Point on Line
PP	- Power Pole
PRM	- Permanent Reference Monument
PT	- Point of Tangency
R	- Radius
Rad.	- Radial
R&C	- Rebar & Cap
Rec.	- Recovered
Rfd.	- Roofed
Set	- Set 1/2" Rebar & Cap "LB 7623"
Typ.	- Typical
UE	- Utility Easement
WM	- Water Meter
Δ	- Delta (Central Angle)
-O-	- Chain Link Fence

-NOTES-  
>Survey is Based upon the Legal Description Supplied by Client.  
>Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.  
>Subject to any Easements and/or Restrictions of Record.  
>Bearing basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".  
>Building Ties are NOT to be used to reconstruct Property Lines.  
>Fence Ownership is NOT determined.  
>Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.  
>Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.  
>Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone other than those Certified.

-POINTS OF INTEREST-  
PAVER DRIVEWAY OVERLAPS NE PL

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to me as Noted and Conforms to the Standard of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland, PSM 6637, LB 7623  
This Survey is intended ONLY for the use of Said Certified Parties.  
This Survey NOT VALID UNLESS signed and Embossed with Surveyor's Seal.

Ireland & Associates Surveying, Inc.  
800 Currency Circle | Suite 1020  
Lake Mary, Florida 32746  
www.irelandsurveying.com  
Office-407.678.3366 Fax-407.320.8165

# AGENT AUTHORIZATION FORM

I/WE, (PRINT PROPERTY OWNER NAME) Brian Bowen and Tracy Bowen, AS THE OWNER(S) OF THE  
REAL PROPERTY DESCRIBED AS FOLLOWS, 126 Down Ct. Windermere, FL, DO  
HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), Dean Miller,  
TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED  
AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, Bowen addition, 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.

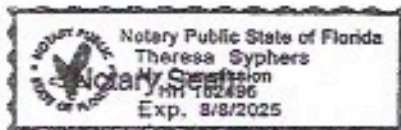
Date: 1/13/23  
Signature of Property Owner Tracy Bowen  
Signature of Property Owner Brian Bowen

Print Name Property Owner Tracy Bowen  
Print Name Property Owner Brian Bowen

STATE OF FLORIDA  
COUNTY OF ORANGE

I certify that the foregoing instrument was acknowledged before me this 13 day of JANUARY,  
2023 by BRIAN & TRACY BOWEN. He/she is personally known to me or has produced  
FDL 8500-076-01-360-0 as identification and did/did not take an oath.  
8500-801-70-655-0

Witness my hand and official seal in the county and state stated above on the 13 day of  
JANUARY, in the year 2023.



Signature of Notary Public  
Notary Public for the State of Florida

My Commission Expires: 8-8-28

Legal Description(s) or Parcel Identification Number(s) are required:

PARCEL ID #: 08-23-28-1952-00-030

LEGAL DESCRIPTION:

Davis Shores First Replat w/102 lot 3.

RECOMMEND – Z23-05 (126 Down Ct.)

APPROVAL: \_\_\_\_\_ DISAPPROVAL X

COMMENTS: This area and its fragile environments  
were not designed to tolerate the influx  
of more or larger houses.

SIGNATURE: Miriam B. Barnes DATE: 2-10-23

BARNES MIRIAM B



# 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

February 1, 2023

ANDERSON GREGG H / *Anderson SHAWN C*  
137 DOWN CT  
WINDERMERE, FL 34786

## RE: Public Notice of Variance Public Hearing for 126 Down Court Z23-05

Dean Miller, representative for Brian and Tracy Bowen owners of 126 Down Ct in the Town of Windermere, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The Town's code limits expansion of nonconforming structures to 10% of the existing floor area of the structure. The applicants are requesting to expand the floor area of their nonconforming home from 2,424 square feet to 4,211 square feet, which is an increase of 73.7%.

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 using the enclosed stamped envelope to Wade Trim, Inc. by **February 17, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, February 21, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, March 14, 2023, at 6:00 p.m.** You may attend the meetings in person at Town Hall, located at 520 Main Street. All meetings are open to the public and you are welcome to participate. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

### RECOMMEND – Z23-05 (126 Down Ct.)

APPROVAL: ✓ DISAPPROVAL           

COMMENTS: *The design looks nice and will improve the cul-de-sac.*

SIGNATURE: *Shawn Anderson* DATE: *2/9/23*

ANDERSON GREGG H  
*SHAWN C*

# 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

February 1, 2023

BAILEY ANDREW C  
36 OAKDALE ST  
WINDERMERE, FL 34786

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Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

### RECOMMEND – Z23-05 (126 Down Ct.)

APPROVAL: X DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE: [Signature] DATE: 2-10-2023

BAILEY ANDREW C

## RECOMMEND - Z23-05 (126 Down Ct.)

APPROVAL: \_\_\_\_\_ DISAPPROVAL XCOMMENTS: Understand that our laws only permit  
10% & the applicant is asking for 73%SIGNATURE: Karen J DATE: 7/6/23

KAREN J FAY LIVING TRUST

## RECOMMEND - Z23-05 (126 Down Ct.)

APPROVAL: \_\_\_\_\_ DISAPPROVAL XCOMMENTS: I'd like further information on this property,  
as all I am basing my opinion is the drastic increase  
of impervious area.... this proposal is complex.SIGNATURE: Dan Higgins DATE: 2.5.23

HIGGINS DANIEL J

dumb it  
down for  
general  
public?

RECOMMEND - Z23-05 (126 Down Ct.)

APPROVAL: X DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: Jerry A. Lake DATE: Feb 7<sup>th</sup>, 2023  
LAKE JERRY A LIFE ESTATE



RECOMMEND - Z23-05 (126 Down Ct.)

APPROVAL: ✓ DISAPPROVAL           

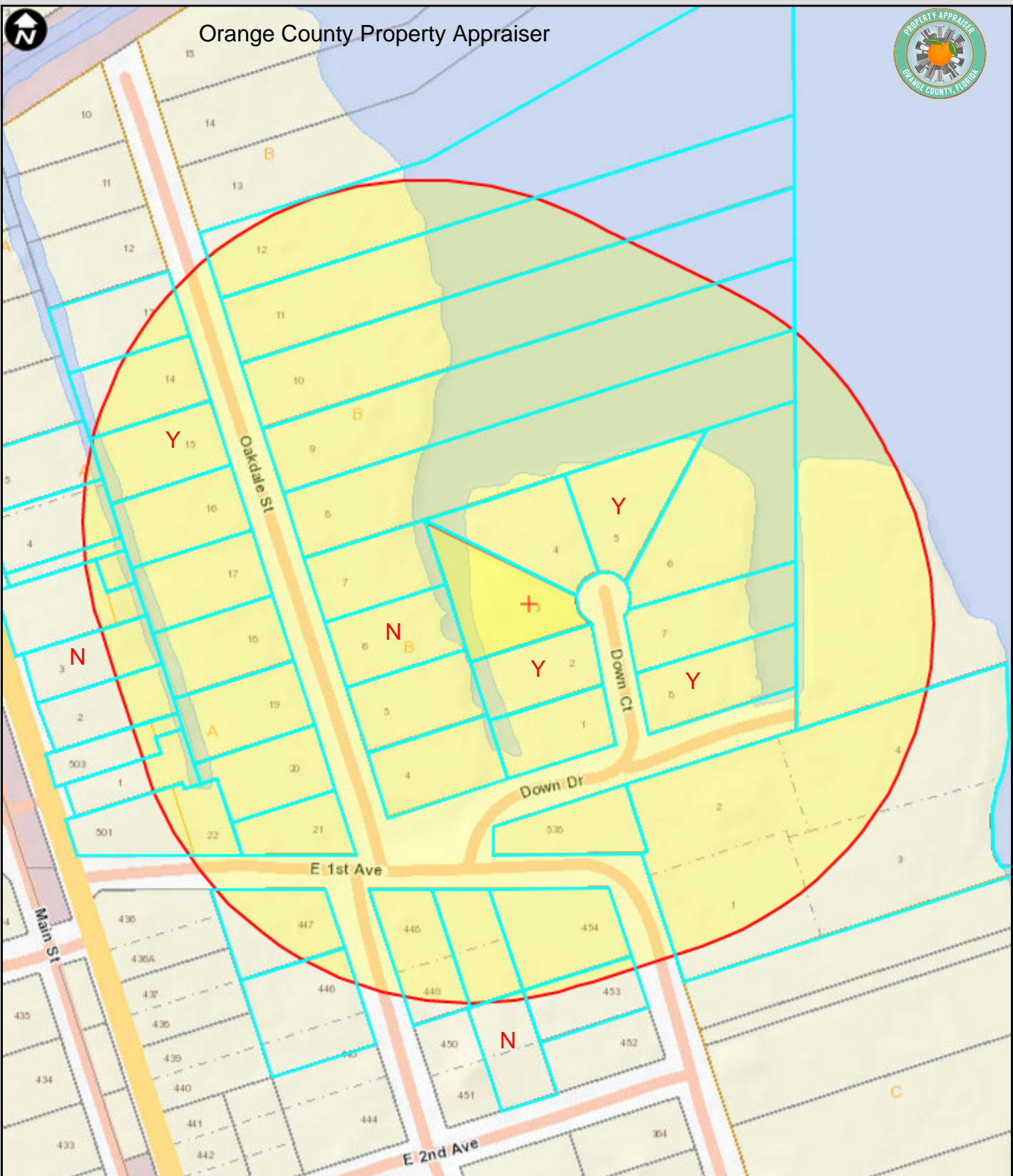
COMMENTS: THANKS, FOR LETTING US KNOW.

SIGNATURE:  DATE: 2-4-23

WILSON JEFFREY A

# OCPA Web Map

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



Created: 2/1/2023 10:0

This map is for reference only and is not a survey