

TOWN OF WINDERMERE

Development Review Board Meeting Minutes

February 21, 2023

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

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. January 17, 2023, Meeting Minutes

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

b. General Items for Consideration:

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

Chair Chase turned the floor over to Mr. Brad Cornelius. Mr. Cornelius reviewed the request to place a multi-use sport court with lighting in the front yard. He then explained that the Code requires sports courts to be located in the side or rear yards, must meet the side setback requirement, and lighting meet shielding requirements. Mr. Cornelius stated that all setbacks have been met. He then stated that notices were sent out with four received in favor and two received in objection. Member Anderson questioned if the sports court could be placed in the back yard. Mr. Cornelius explained the court would be much smaller and closer to the neighbor. Member Anderson questioned if one of the objections was from that neighbor. Mr. Cornelius stated no. Member Heinz stated that an email from the owner was received that stated that the sports court was not built by the original builder as noted on the plans and the drain field was placed much further from the house than proposed on plans which won't allow the sports court to be built as placed as stated on the original plans. Member Heinz also questioned why this wasn't addressed sports court are required in the rear yard. Mr. Cornelius stated that the owner will need to answer that question. Member Roper questioned if the lot is being considered a corner lot. Mr. Cornelius explained that even being a corner lot, the sport court would meet the setbacks but not the required location. Mrs. Kavita Pattani owner of 12150 Lake Butler Blvd introduced herself. She then explained that in speaking with the previous builder, they were informed the Lake Butler Blvd was their front yard which is actually a side yard. Mrs. Pattani stated that the goal of the court is to get her family out of the house and active. Some discussion followed. Chair Chase opened the floor to the public. Ms. Christa Dinallo of 2956 Sunbittern Court introduced herself. She then commented on her response. Ms. Dinallo explained that the sounds and lighting are her concern. Chair Chase commented on the number of cars that travel down Park Avenue

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which cause noise. Ms. Dinallo stated pickle ball is loud. Member Heinz stated that there needs to be landscaping/hedge around the court/Lake Butler Blvd. and Park Avenue. The owners contractor (inaudible) commented on lighting and shielding. Some discussion followed regarding lighting, trees, hedge, landscaping, conservation area, odd shape of lot, and court colors. Member Fleck made a motion to recommend approval of the variance request as the site is unique/corner lot. Member Roper seconded the motion. Member Heinz recommending adding to the motion that a minimum of a six-foot hedge must be kept. Discussion regarding line of sight and landscape code was made. Member Heinz stated he would like to amend the motion to include a six-foot hedge other than the vision triangle at Lake Butler Blvd and Park Avenue. Member Fleck was amenable to the amended motion. Member Roper friendly to the amendment and second. All were in favor. Chair Chase advised the applicant that this Board is a recommending Board, and the Town Council will make the final decision at their next meeting March 14th.


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

Chair Chase turned the floor over to Mr. Cornelius. Mr. Cornelius introduced variance request Z23-05. He explained that this request is for an existing non-conforming home. Mr. Cornelius stated that an addition to the home is being proposed. He commented on the following: enclosing the existing carport, meeting all setbacks, addition of a second story to home, being within the 38%, reducing pervious area, and meeting all setbacks. Mr. Cornelius stated that the existing rear porch is non-conforming, therefore causing the request. He stated that notices were sent out with three in objection and eight in support received. Member Heinz questioned when the pool was built. Mr. Cornelius explained that he did not know but the non-conforming part is the porch. Some discussion followed regarding: seawall, flat lot, adding previous surface, existing screen porch, and objections. Member Heinz made a motion to recommend approval. Member Anderson seconded the motion. All were in favor. Chair Chase advised the applicant that this Board is a recommending Board, and the Town Council will make the final decision at their next meeting March 14th.

4. **ADJOURN:**

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

The meeting adjourned at 7:17pm.



Dorothy Burkhalter, Town Clerk



Frank Chase, Chair