



MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Mayor Jim O'Brien

Council Members

Andy Williams

Tony Davit

Mandy David

Molly Rose

Tom Stroup

Agenda

Agenda

May 9, 2023

6:00 PM

JOIN ZOOM MEETING (COPY/PASTE INTO BROWSER):

[HTTPS://US06WEB.ZOOM.US/J/85270455225?](https://us06web.zoom.us/j/85270455225?pwd=T21CB3NVUFJDSHBOK0N5AMPJUMJQQT09)

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MEETING ID: 852 7045 5225

PASSCODE: 449725

ONE TAP MOBILE: +1-305-224-1968 / 85270455225#

WINDERMERE TOWN HALL

520 MAIN STREET

WINDERMERE, FL 34786

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such 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 Town Council:

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 Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

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

AGENDA

- **THE MEETING IS CALLED TO ORDER BY THE MAYOR**
- **FLAG SALUTE**

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

2. SPECIAL PRESENTATION / PROCLAMATIONS / AWARDS

3. TIMED ITEMS & PUBLIC HEARING

4. NEW BUSINESS

a. Minutes

i. April 6, 2023: Oakdale & E 9th Avenue Permanent Traffic Diversion Public Workshop (Attachment - Staff Recommends Approval)

ii. April 11, 2023: Town Council Meeting (Attachment - Staff Recommends Approval)

iii. April 17, 2023: Rotary / Healthy West Orange Pavilion Public Workshop (Attachment - Staff Recommends Approval)

b. Consent Items

i. Z23-06: 4414 Down Point Lane - Kevin and Megan Butler / Sheila Cichra – Variance to allow the reconstruction of a previous unpermitted boat dock at 10 feet from the side property line extended. (Attachments - DRB Recommends Approval 6-0)

ii. Z23-07: 804 Oakdale Street – Lacey Adams – Variance to allow 39.6% gross floor area, new front porch with front setback of 23.6 feet, and 100% increase of gross floor area of existing nonconforming detached accessory garage with a height greater than 18 feet. (Attachments - DRB Recommends Approval of Only Front Porch Addition with Condition for Entire Property to be Brought into Compliance with Current Town On-Site Stormwater Retention Requirements - DRB Vote 6-0)

iii. Z23-08: 65 Pine Street – Nick and Susan Capone / Kevin Ball – Variance to allow a sport court in front of the principal structure. (Attachments- DRB Recommends Denial 5-1)

c. Ordinances for Approval / First Reading

i. First Reading Ordinance 2023-01 - Proposed LDC Change to 10% Limitation for Additions to Nonconforming Structures (Attachments - DRB Recommends Approval 6-0)

d. Financial

i. Rostan Solutions, LLC FEMA Reimbursement – Hurricane Ian (Attachments - Staff Recommends Approval)

ii. Lake Street and Lake Down Parks Dock Repairs – Hurricane Ian (Attachments - Staff Recommends Q Ice Builders)

5. MAYOR & COUNCIL LIAISON REPORTS

a. Mayor O'Brien

b. Council Member Williams

c. Council Member David (Attachment)

d. Council Member Davit

e. Council Member Rose

f. Council Member Stroup

6. STAFF REPORTS

- a. Town Manager Robert Smith**
- b. Town Attorney Heather Ramos**
- c. Police Chief Dave Ogden**
- d. Public Works Director Tonya Elliott-Moore**
- e. Clerk Dorothy Burkhalter**

7. ADJOURN

- REPORTS**
 - a. May Projects Meeting Notes (Attachment)**
- OTHER ITEMS**

TOWN OF WINDERMERE

Permanent Diverter for Oakdale ST & 9th Avenue Public Workshop

April 6, 2023

PRESENT:

Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Tony Davit, and Molly Rose were present. Town Manager Robert Smith, Town Clerk Dorothy Burkhalter, and John Fitzgibbon were also present.

1. THE WORKSHOP CALLED TO ORDER

Manager Smith began the workshop at 6:01pm.

2. PRESENTATION

a. Permanent Diverter Options for Oakdale Street & E 9th Avenue

Manager Smith gave a review of past discussion and implementation of the temporary diverters. He then stated that three options will be provided for review. Manager Smith turned the floor over to Mr. Mike Woodward of Kimley-Horn. Mr. Woodward reviewed three options. Option One: adding signage. Option Two: adding a permanent diverter with a middle pass-through. Option Three: adding a permanent diverter with side pass-through (southeast). Additional comments were made by Mr. Fitzgibbon. He commented that, for safety concerns, the pass-through would be shifted to one side. Manager Smith then turned the floor over to the public. First to speak was Brandi Haines. Ms. Haines commented on landscaping, the height of landscaping, emergency access, water for landscaping, planting native species, no concrete, and additional cut-throughs. Manager Smith stated that communication regarding landscaping will take place with the Garden Club. He then stated that "No Parking/Standing" signs will be implemented. Ms. Betsy Whittington of 935 Main Street introduced herself. She commented on traffic issues and that she opposes the diverters. Mr. Bill Bardoe spoke in favor of the diverter, and accommodating pedestrian crossings, but not golf carts. Discussion followed regarding adding trees, construction vehicles, MOT, favorable side pass through design, concerns with four-wheel drive vehicles, and the project timeframe. Ms. Gloria Groome stated that she agrees with previous comments. She then commented on issues with accessing Chase Road and other roads, and that she supports what Ms. Whittington previously stated. Mr. David Sharpe commented on the need for substantial landscaping, a width of 6', access concern, that safety needs to be considered over inconvenience, split rail fencing, and turnaround concerns. Mr. Bill Martini stated that he was pleased to hear the positive comments. He then commented on only using signage and 5' golf cart widths. Manager Smith requested that workshop attendees rate which option they prefer. After a few minutes, Manager Smith stated that Option Three is favored. He then commented on the next steps for the diverters and chat box comments (attached). Discussion was made regarding a proposed plan by John Fitzgibbon, and the width at the cross point of road. Member Davit questioned if the traffic is a one-way pattern. Mr. Woodward stated it's a one at a time flow, not one-way. Member Davit questioned if the current diverter is one-way. Ms. Haines stated that currently it is not one-way traffic flow. Member Davit suggested that the width be reviewed. Mr. Woodward stated that seventeen feet is sufficient for a stop and go scenario for vehicles. Discussion followed regarding the spacing/width, code, and the Florida Green Book Standards. Member Rose questioned if there is a reason that a higher concrete wall is not being utilized, or a big planter across the road. Mr. Woodward stated it was to keep costs down, but that there were many options for a barrier. Mr. Fitzgibbon stated that a hedge row could be more helpful. Mayor O'Brien commented that caution is needed regarding the Green Book Standards, and where they apply / do not apply. He then commented on the shared sacrifice project. Member Stroup thanked everyone for their efforts with the project. Roberta Martin of 836 Oakdale Street stated that she is the most negatively impacted person in the area. She also stated that assistance with turnaround traffic is needed. Manager Smith commented that once direction apps are updated and signage is installed, it should help.

3. PUBLIC COMMENT/Q&A

Comments included above.

4. ADJOURN:

Adjourned at 7:12pm.

TOWN OF WINDERMERE

Permanent Diverter for Oakdale ST & 9th Avenue
Public Workshop

April 6, 2023

Dorothy Burkhalter, Town Clerk

Jim O'Brien, Mayor

DRAFT

00:51:00 Roberta Martin: I am worried about folks driving over the side pass through

00:52:10 Roberta Martin: Agree about the landscape

00:54:33 Bill and Nancy Bardoe: Bill Bardoe....there are designated golf bart cross

01:01:57 Nancy Nix: With the SE cut through for golf carts, bikes, etc., what is to keep drivers from driving up onto the curb by the Glances yard?

01:10:15 Roberta Martin: We want to be involved with landscape plans

01:13:19 Bill and Nancy Bardoe: so do we!

01:13:57 Bill and Nancy Bardoe: Please remember that the Oakdale residents were the impetus for this diverter.

01:13:58 ellenchase: drainage on the corner of Glance property

01:17:52 Bill and Nancy Bardoe: Well said

01:17:52 Nancy Nix: I saw a sketch by John Fitzgibbon showing a center pass through that looks great. Why is this not being considered?

01:23:03 Bill and Nancy Bardoe: five feet makes sense

01:24:14 john pilgrim: Option 3, 100%

01:24:14 milaniwalters: 3

01:24:15 kerrysharpe: Option 3

01:24:23 Brittany Grier: 3

01:24:24 Bill and Nancy Bardoe: 3

01:24:32 Liz Andert: 3

01:24:33 ellenchase: 3

01:24:34 billmartini: Option 3

01:24:34 Roberta Martin: 1

01:24:41 kerrysharpe: Anything but 1

01:24:46 Nancy Nix: 3 but please look at the sketch I mentioned.

01:25:20 Brandi: Not 1. 2 or 3 or John's original z opening

01:26:02 Gloria: Replying to "Not 1. 2 or 3 or Joh..."

Option 1

01:26:43 Brandi: Adding to say - a plan to help neighbors with turnarounds

01:26:50 Matt Grier: I vote 3. Matt Grier 635 Oakdale

01:27:16 Bill and Nancy Bardoe: Trees?

01:32:42 Bill and Nancy Bardoe: that's why we're Windermere

01:34:15 ellenchase: wider the roads faster the traffic goes both ways

01:35:21 Bill and Nancy Bardoe: the roads are narrow for a reason

01:35:42 Bill and Nancy Bardoe: or a tree

01:37:11 Bill and Nancy Bardoe: what about a berm?

01:43:01 Amy Diederich : Thank you Tom!!

01:47:44 Tom Stroup: Those are great points Roberta. Thank you Tom

01:47:49 Brittany Grier: Thank you all for all your work to find a solution for the majority of the residents!

01:48:17 milaniwalters: Thank you! We will be back to discuss 6th and Oakdale ;)

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Town Council Meeting Minutes

April 11, 2023

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Molly Rose. Town Manager Robert Smith (absent), Public Works Director Tonya Elliott-Moore, Attorney Heather Ramos, Chief Dave Ogden, Zoning/Town Planner Brad Cornelius, and Town Clerk Dorothy Burkhalter (via zoom) were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated that a quorum was present. He then led everyone in the Pledge of Allegiance.

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

Mayor O'Brien opened the floor for public comments. The first to speak was Ms. Nora Brophy of 426 Magnolia Street. Ms. Brophy commented on complaints the Parks and Recreation Committee has received regarding tennis pros on the tennis courts. She stated that they would like solution/enforcement suggestions from the Town Council. Discussion was made regarding enforcement, posting of non-emergency numbers, rules currently in effect, and public notice. Ms. Brandi Haines of 835 Oakdale Street introduced herself. She questioned the Bessie project split. Ms. Haines then commented on trash issues with Waste Pro using rear arm truck, and trash / containers not being completely emptied.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. Proclamation: "Municipal Clerk's Week; April 30th – May 6th, 2023

Mayor O'Brien read and proclaimed April 30th – May 6th, 2023, as Municipal Clerk's Week. He stated the proclamation will be presented to Clerk Burkhalter at the May meeting.

3. TIMED ITEMS AND PUBLIC HEARING

NONE

4. NEW BUSINESS:

a. Minutes

- i. Town Council Meeting Minutes: March 14, 2023**
- ii. Town Council Workshop "Lake Street Parks Discussion" Minutes – March 28, 2023**

Mayor O'Brien introduced this item. Member Davit made a motion to approve the Town Council minutes as presented. Member Williams seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 5-0.

b. CONSENT ITEMS:

NONE

e. ORDINANCES/RESOLUTIONS FOR APPROVAL/FIRST READING

i. Resolution #2023-03 – Rename Down Yonder Lane to Down Park Lane

Mayor O'Brien introduced Resolution 2023-03 for the record. Member Rose questioned who pays for the change. Mr. Brad Cornelius stated that the applicant is responsible. Member Rose made a motion to approve Resolution 2023-03. Member Davit seconded the motion. Member Stroup questioned why

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Town Council Meeting Minutes

April 11, 2023

the name needed to be changed. Mr. Michael Scale of 10988 Down Yonder Lane introduced himself. He then stated that the owner feels the current name is somewhat outdated. Mr. Cornelius explained the notification process that will take place if approved. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

f. APPOINTMENTS

i. Town Council Liaison Assignments

Mayor O'Brien introduced this item. He then reviewed the proposed liaison assignments. After review and discussion was made, the following was agreed upon. Member David – Parks and Recreation and Food Truck/Farmers Market. Member Davit – Public Works, Metro Plan Alternate, Historic Preservation Board, and West Orange Chamber Alternate. Member Rose – Administration/Budget/Finance and Butler Chain of Lake Advisory Board. Member Stroup – Long Range Planning Committee, Windermere Tree Board, and Police Department Liaison. Member Williams – Development Review Board, Holiday Social Committee, School Advisory Alternate, and Elder Affairs Committee. Mayor O'Brien commented on the TSMO which will be reviewed and brought back.

g. CONTRACTS & AGREEMENTS

h. FINANCIAL

Mayor O'Brien questioned the Town Council if they were amenable to hear IPO #130 first as Mr. Woodward had not arrived yet. All agreed.

ii. Approval of IPO #130 Kimley Horn FDEM Grant Support Bessie Basin Project \$18,040

Mayor O'Brien introduced this item. Public Works Director Elliott-Moore explained that this was not a second project, but part of the original. She then turned the floor over to Mr. Hao Chau from Kimley-Horn. Mr. Chau commented that due to the size of the project, damage tables are needed (cost/benefit ratios). He then stated that FDEM determined that it is not feasible for funding. Mr. Chau explained how increasing the benefit was done by splitting the project. Discussion was made regarding environmental review, and the remaining process. Member Rose questioned if more flooding would occur if only half or two-thirds of the project was done. Mr. Chau stated that erosion and washouts will continue until the project is completed. He then stated that the upstream basins will remain the same and that the downstream will be able to convey water properly. Member Davit questioned the contract. Mr. Chau stated that it is "lump sum." Discussion followed regarding funding and costs. Ms. Brandi Haines of 835 Oakdale Street recapped the revised project as she understands it. She also questioned the potable water project. Mayor O'Brien commented that this project will not stop the potable water project. Mr. Chau commented on grading that will allow water to flow into the swales and the east side of Oakdale. Discussion followed regarding swales, culverts, correct grading of the roads, funding, and the bidding process. Mayor O'Brien stated that funding for this project is in place. Member Davit stated that the Council needs to review the funding streams for the phases. Member Rose made a motion to approve IPO #130. Member Davit seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye and Rose – aye. Motion carried 5-0.

i. Approval of IPO #116 Kimley Horn Pedestrian Bridge Project \$14,830

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Mike Woodward with Kimley-Horn. Mr. Woodward explained that additional funding is needed per the additional documentation requirements from FDOT. He explained that instead of using earthwork for the bridge,

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Town Council Meeting Minutes

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walls will be used which then put in place additional documentation and costs. Mayor O'Brien questioned the timeline for the project. Mr. Woodward commented that the Town has received \$750,000.00 for the project, however the project did not begin two years ago, and costs have increased considerably. He then stated that seeking additional funds from other sources could be done, but the Town Manager has stated that the Town does have the funds to cover the additional costs. Mr. Woodward commented that the design phase is almost complete, and that the next phase would be construction. He then stated that if there is a potential for additional outsource funding, construction would need to be held off. Member Davit questioned the change from the earthwork to an actual wall. Mr. Woodward explained that lateral space is needed and to reduce the footprint. Member Davit questioned if a cost analysis for the change from earth to wall had been done. Mr. Woodward stated no it had not been done. Member Rose questioned if the bridge and roadwork will be done at the same time. Mayor O'Brien explained the proposed projects. Mr. Woodward stated that this is for the entire project from 2nd Avenue to Windermere Elementary School. Member Stroup questioned the width of the path. Mr. Woodward stated the path would be ten feet wide, which is for safety. He then reviewed the proposed project. Discussion followed. Member Davit made a motion to approve IPO #116. Member David seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 5-0.

j. OTHER ITEMS FOR CONSIDERATION

NONE

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien thanked the Police Department and all who volunteered for the Easter event. He then commented on the financial disclosure form that legislation is seeking to change.

7. STAFF REPORTS:

- a. **TOWN MANAGER ROBERT SMITH** – Manager Smith
- b. **TOWN ATTORNEY HEATHER RAMOS** – Attorney Ramos reported on potential Legislative changes. Mr. Cornelius also reported on the Affordable Housing Project Bill.
- c. **POLICE CHIEF DAVE OGDEN** – Chief Ogden reported on the past homicide case, Graduation, and DUI classes.
- d. **PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE** – Director Elliott-Moore no report.
- e. **TOWN CLERK DOROTHY BURKHALTER** – Clerk Burkhalter no report.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:27pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

TOWN OF WINDERMERE

Rotary/Healthy West Orange Pavilion Public Workshop

April 17, 2023

PRESENT:

Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Molly Rose were present. Town Manager Robert Smith, Town Clerk Dorothy Burkhalter, Public Works Director Tonya Elliott-Moore, and John Fitzgibbon were also present.

1. THE WORKSHOP CALLED TO ORDER

Manager Smith called the workshop to order at 6:03pm

2. PRESENTATION

Manager Smith commented that the purpose for this workshop was to receive comments from residents whether a structure is wanted, and if so, to what scale and size, and/or if the structure should be limited to bathrooms only. Mr. Fitzgibbon stated that, per the Town Council, a committee for the Pavilion was formed in 2017. Manager Smith gave a history of meetings/discussions that have led up to where the proposed project is today. He then stated that this project is not designed to add additional events, but rather to assist in enhancing the current events for the Town. Manager Smith explained that if the Town decides not to move forward with the project, the Town will need to reimburse approximately \$150,000.00. He further explained that there is currently 1 million dollars for the proposed pavilion. Manager Smith stated that the purpose of this meeting is to hear what the public's comments. He then stated that representatives from all parties involved were present for any questions/comments. Manager Smith then opened the floor to the public. First to speak was Mr. Roger Gatlin, Chair of the Long-Range Planning Committee. Mr. Gatlin introduced himself and commented on limitations on changes. He then questioned what would happen if changes were made. Manager Smith stated that the language in the grant needed to be reviewed for what changes are suggested. He further stated that Rotary and Healthy West Orange would need to approve the changes. Mr. Gatlin questioned the concession stand flexibility. Manager Smith commented that space can be reduced. Mr. Stephen Withers questioned what is included in the \$150,000.00 that has been paid out by Rotary. Manager Smith stated that he does not know the exact cost. Mr. Withers stated he has been involved in meetings from the beginning, and he didn't realize until the site meeting that the pavilion would be that big. Ms. Renee Cingolani stated that she and her neighbors do not like the size of the facility and are against the proposed pavilion. Mrs. Theresa Schretzman-Myers of 2713 Tryon Place introduced herself. She then stated that she opposes the pavilion. Mrs. Schretzman-Myers stated that greenspace, trees, and the tree canopy needed to be protected. She also stated that restrooms are needed. Mrs. Christine Huffman stated that she opposes the pavilion, and that the Town needs to give the money back. She stated that the pavilion will bring more events and people to town which impacts the residents. Mrs. Angela Withers stated that she agrees with previous comments; amend the current plan size and scale. Ms. Nancy Nix of 303 E 8th Avenue commented on all the projects the Town is working on and has done. She stated it is overwhelming; the pavilion dwarfs the Town Hall, that it needs to be smaller, and the Town possibly needs to pause the project. Ms. Sandra Gee and Ms. Sue Ellen Doty also agree with previous comments. They stated that bathrooms are needed, the stage needs to be smaller, and they don't agree with the proposed pavilion. Ms. CT Allen stated that the Wine and Dine event would not use the pavilion and it's not good for existing events. She then requested a line-item expense sheet for the \$150,000.00. Ms. Vicki Hearst stated that the money needs to be paid back and started over. She then stated that bathrooms need to be in a different location. Ms. Hearst stated that a holistic review needs to be done. She further commented that concrete used for walkways will be substantial. Ms. Hearst commented that the size, scale, and location need to be revisited. Mr. Doug Fay stated that he opposes the pavilion, and the bathrooms need to be relocated. Mr. John Spears and Mrs. Nancy Spears of 406 Forest Street introduced themselves. Mrs. Spears questioned if the bathrooms would remain unlocked due to safety concerns. Manager Smith explained that the bathrooms would work as the previous bathrooms, which were demolished along with the previous Community Room. Mrs. Spears stated that the bathrooms need to be relocated, and the money refunded. Ms. Nora Brophy of 426 Magnolia Street introduced herself. She then stated that as the Parks and Recreation Chair, they host three yearly events and green space is needed. Ms. Brophy commented on concerns about losing the shade trees. She then stated that bathrooms are needed. Ms. Debra Neill stated that the Town needed to build less and plant more, pay back the funds, and keep green space. She then stated that she would be in favor of bathrooms only. Ms. Annamae Clonts stated she is opposed to the pavilion and removal of the trees. She commented that there is no need for more events in Town. She then stated she is in favor of returning the money back. Mr. Bob McKinley questioned if no additional events are planned for the pavilion, why build it? Manager Smith stated that it would be used for Food Truck

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**Rotary/Healthy West Orange Pavilion
Public Workshop**

April 17, 2023

events, the Farmers Market, and award presentations. He then stated that the restrooms are beneficial as well as directing the sound from the building towards Main Street and away from residents. Mr. McKinley commented on his concerns of “build it and they will come.” He then commented that this pavilion would not be for residents, but the restrooms would be. Mr. McKinley stated he is opposed to the Pavilion and would like to see an itemized bill as well. Mr. Withers stated he would like to challenge the Town to replace the oak trees that have been removed behind the Town Hall. Mr. Paul Gerding stated that the Food Truck event needs to be moved to The Pines (OUC Camp Down). Manager Smith stated that as an “impromptu poll” as to #1 who would be in favor of scratching the project and paying back the \$150,000.00, #2 amend the plan that is acceptable to everyone, and #3 bathrooms only. #1 was 32 people, #2 was 7, and bathroom only (not done). Discussion followed regarding voting, order of voting, and revoting. Manager Smith reviewed each item. After much discussion was made, Public Works Director Elliott-Moore asked the following: #1 Pay back funds and leave site as is (25 in favor), #2 Continue with grant but revise scope and size (8 in favor), and #3 Town funds restrooms with location to be determined (17 in favor). Mr. Mohamed (?) commented on the negative impacts current events have on the Town, and that adding more would only cause more problems. He then stated that he is against this project and has left comments in the chat box (attached). Mrs. Spears stated that there should be a #4 poll option: Proceed as is. Manager Smith asked who would be in favor to proceed as is; there were 3 people. Member Rose questioned if the bathrooms are required by code. Manager Smith stated no. Mrs. Sutton stated that they appreciate all the comments. Mr. Johnathan Preston stated he is against the pavilion. Mr. Valentin Mellstrov commented that the Town needs to be “mindful of where the grant is coming from.” Manager Smith thanked everyone for their participation. He then stated that there will be a Town Council workshop on April 25th.

3. PUBLIC INPUT
Comments included above.

4. ADJOURN:
Adjourned at 7:59pm.

Dorothy Burkhalter, Town Clerk

Jim O'Brien, Mayor

00:35:26 Tonya Elliott Moore tmoore@town.windermere.fl.us: Received.

00:36:26 nancy: Nancy Spears. 406 Forest Street. 407-579-7555.

00:42:38 Tom & Sharon Craven: I don't have any problem with the facility except for the design. That needs to be in the style of the Town Hall. And the sound needs to be controlled especially the su

00:43:00 Tom & Sharon Craven: subwoofers.

00:44:47 nancy: I do not know if my microphone will support my verbal comment so I am sharing via Chat. Even though the Town may not be planning to use this for events, that could happen in future. This facility as planned does not fit the scale, style, or needs of the town and would result in the loss of old tree canopy, and less of the feel, beauty, peace of our neighborhood community. We do not feel that we want or need this facility. My family supports refund of funds.

00:53:03 CT Allen: we all need to see a line item expense for the 150K and understand where the dollars were spent and for what.

00:53:23 Kim: Reacted to "we all need to see a..." with ♥

00:55:01 Jangi Borhi: Reacted to "we all need to see a..." with ♥

00:58:03 nancy: Nancy and John Spears agree with and support Theresa's comments 100%.

00:59:11 Theresa Schretzmann-Myers: Theresa Schretzmann-Myers, 2713 Tryon Place, Windermere, FL 34786. 407-579-4621. I oppose the Pavilion. The most valuable and last remaining open green-space, historic Long Leaf Pine and Oak Tree Canopy in the NW green quadrant of Town Square Park must be kept and preserved for the use of Town Residents, Parks and Recreation Committee, Tree Board, Windermere Wine & Dine. All we need are public restrooms. We can start from the beginning and go back to Healthy West Orange for another grant. There are more pressing needs such as restoration of Town Hall and its roof, Town Hall back porch which is rotting and restrooms only. The Town Square Green Space is used by most of the committees in the Town. Taking it and the Tree Canopy would be a great loss for the Town residents and committees. A stage can always be erected for concert activities. If bathrooms are erected, is should not be at the expense of the remaining historic Tree Canopy. We should take some of the grant money to replace the lost Oak canopy and

00:59:38 Jangi Borhi: I also agree with Theresa's comments.

01:00:56 Kim: Kimberly and David Head support Theresa's comment and do NOT want a bandshell of any size. We are fine with the payback,

01:01:57 john pilgrim: John and Jen Pilgrim, 1226 Oakdale street oppose the planned pavilion

01:03:27 Jangi Borhi: Reacted to "Kimberly and David H..." with ♥

01:03:43 CHRISTINE HUFFMAN: From a perspective of a person that makes her living doing events, a temporary stage and cover can be erected for any event and should be built into that event's budget. A one size fits all stage is never the answer. It will destroy our green space and trees and is not needed for any successful event.

01:04:03 Jangi Borhi: Reacted to "From a perspective o..." with ♥

01:04:14 Susan Carter: Reacted to "From a perspective o..." with ♥

01:04:31 Kim: Reacted to "From a perspective o..." with ♥

01:08:52 Veronika Kollros: Reacted to "From a perspective o..." with ♥

01:09:04 CHRISTINE HUFFMAN: Reacted to "From a perspective o..." with ♥

01:09:06 CHRISTINE HUFFMAN: Removed a ♥ reaction from "From a perspective o..."

01:09:15 CHRISTINE HUFFMAN: Reacted to "Kimberly and David H..." with ♥
01:09:28 Veronika Kollros: We agree with the previous stated comments and oppose the building of an additional structure to support potentially more and larger events. We are directly impacted by events held in Town Square and are very concerned about the noise disturbances, unsustainable, dangerous parking situation and overall negative impact to our family's quality of life those events create.

Veronika & Stefan Kollros
606 Forest St
407-242-2341

01:13:14 Susan Carter: Reacted to "we all need to see a..." with ♥
01:13:53 Judi Walker: We oppose the pavillion. We support the construction of town restrooms. Robert Stevens & Judi Walker 615 Butler St.
01:14:54 Terry Osborne: Bill and I agree with Theresa'a comments. The town does not need the pavilion; rather, we should bring portable staging when needed. We do need public restrooms somewhere on the town square.
01:15:50 Valentin Mellstrom: Valentin Mellstrom here, we live on main. I would agree with building bathrooms. Stages, when needed, can be easily put up for events. I honestly have not heard anyone in town being in favor in this and also a lot of people feeling like they where not asked and concidered prior. Also second the fact that rarely are grants and gifts truly free and there is usually a loss of local control when areas becomes an advertismment space. That would be the trade I don't see being worth it for our town. Windermere is absolutely beautiful as it is. Let's fight to preserve it.
01:17:24 Zach Strickland: Our vote is for a smaller stage and restrooms. The stage is currently too large and takes away from the green space. If the stage cannot be scaled down, then we vote against it completely. Thank you. The Stricklands, 208 E 2nd Ave.
01:18:28 Dennis: Dennis & Leslie Brabec, 520 Ridgewood Drive: We believe that we only need the restrooms and agree that a temporary stage could be provided as necessary for specific events. The "concessions" function could be provided with some food trucks. A suggestion would also be that we make sure that one of the individual bathrooms be large enough to accommodate a disabled adult that requires an adjustable table and caregiver to assist them.
01:18:52 CHRISTINE HUFFMAN: Reacted to "Valentin Mellstrom h..." with ♥
01:20:20 Valentin Mellstrom: Reacted to "Valentin Mellstrom h..." with ♥
01:20:21 Valentin Mellstrom: Removed a ♥ reaction from "Valentin Mellstrom h..."
01:22:01 JIm Schuppert Windermere: The pavilion would be a nice addition to the Town and I support it. James Schuppert 2959 Marquesas Court
01:23:13 CHRISTINE HUFFMAN: Let the businesses have public restrooms on their side of the street where they are watched, cleaned, used by people visiting those businesses.
01:24:02 Craig Hodges: Reacted to "Valentin Mellstrom h..." with ♥
01:26:40 Stephanie's iPhone: We would vote against the pavilion and echo the vast majority of comments voiced here. We would support restrooms, however, the concerns about location and whether they are open vs locked should be considered also. Stephanie and Scott Weisz, 711 West 2nd
01:26:48 CHRISTINE HUFFMAN: Anyone hosting an event should always

provide their own restroom trailers or portalets and their own stage. An event moves in and it moves out leaving no footprint. It is not the job of our town to provide public restrooms. The library has restrooms, as does town hall, police dept, Dixie Cream, etc.

As residents, we want our trees and green space and peace/quiet. Please quit enhancing the town and taking grants that destroy the town for the residents and encourage more non-resident activity.

01:27:15 Veronika Kollros: Reacted to "Anyone hosting an ev..." with
♡

01:27:29 CT Allen: pet fest was a huge family event

01:27:36 Angela Withers: Regarding the restrooms, I think most of us like having the farmers market, and have supported keeping the basketball courts, but where are these people supposed to find a rest room? Do we really want port a potties permanently on site 😊

01:28:46 Craig Hodges: Reacted to "Kimberly and David H..." with ♡

01:30:33 Susan Carter: Susan Carter: 106 Palm St. As stated in my letter earlier today, I would like to see bathrooms, do not feel a need for a structure. While I am grateful for the efforts made to save as many trees as possible on the current design, I still feel it is too many trees being removed. My biggest concern is removing the tree canopy on the current site. Now is the time to start planting our future canopy to fill in where it is needed, not adding trees because we have removed so many. Additional sidewalks will add more concrete and reduce the ability to have a broader canopy if we plan our tree plantings for future size/growth and their roots. In short, it limits our ability to put the right tree in the right place.

01:31:10 CT Allen: the existing town events have stated they cannot utilize this pavilion

01:31:40 Veronika Kollros: If we want to enhance our town, it should be an enhancement for the benefit of the residents, more communal space that invites people to come out and enjoy time together. I'm wondering, how would we as residents benefit from the pavilion?

01:32:22 StephenWithers: We had an allee of giant oaks behind Town Hall. They got old and have been removed. We need to look at replacing those trees to create the shade that we once had. It will take years but that is the foresight that our founding planners had and they were right,

01:32:31 CHRISTINE HUFFMAN: Can't public restrooms be added in the back or side of an existing structure or on the business side of the town where they can be better monitored? Public restrooms on the backside of the police station may work and have built in monitoring.

01:33:56 BE: There are plenty of towns close by that have areas/pavilions for large events. Our small Town does not need to compete with Winter Garden or Ocoee. People move to this Town for how quaint it is. The more we build the more we pull in events and people from other areas. Bathrooms would be nice but I don't believe a stage area is needed.

01:35:01 Susan Carter: I agree, Stephen!!! I'd love to get those trees replanted.

01:37:17 Amanda: I oppose the pavilion. Since the grant doesn't allow for significant modifications, we need to give the money back and start over. We are loving the green space without the community building. Amanda Black, 414 Forest St

01:38:02 Angela Withers: A small stage that directs sound away from the neighbors would be a benefit - temporary stages do not have acoustics benefits - currently stages that are placed beside town hall allow the sound to blare all over town.

01:38:16 mary bisson: Mary Bissen 203 W 6th Ave. (& Forest) I'm against what is currently being considered. I do agree with the addition of restrooms near the town hall. Us surrounding neighbors are quite irritated with the massive increase of traffic, attendees parking on our yards, and trash left behind from said events. I'm not sure why the town is proud we have 2, 3, 5 thousand attendees when these people don't respect our neighborhood. We've encountered parents dropping off their kids to run wild during food trucks while they go out to a nice dinner elsewhere. These large scale events are getting out of hand for our small town.

01:38:53 CHRISTINE HUFFMAN: Reacted to "Mary Bissen 203 W 6t..." with ♥

01:39:33 mary bisson: Reacted to "Mary Bissen 203 W 6t..." with ♥

01:39:35 mary bisson: Removed a ♥ reaction from "Mary Bissen 203 W 6t..."

01:39:39 CT Allen: i forgot to mention that we cannot do another Music Among the lakes should the pavilion be built. their set is way too large and we need to be flexible not locked into a permanent building.

01:40:27 Susan Carter: Knowing where to plant more trees in that space is on my list!!

01:40:49 Doug Kegler - 316 Palm St: I agree a restroom building is needed, but the other buildings are not needed.

01:41:58 Theresa Schretzmann-Myers: I totally agree with Stephen Withers to reestablish the shade tree canopy in the Town Square that has been lost in the last over the years. Plant the right trees in the right place and make the Town Square more beautiful and shady again!

01:43:51 BE: I think we need to know all options before voting please.

01:44:25 Zach Strickland: what are the options before people vote

01:44:56 Jangi Borhi: Jangi Borhi at 224 W 3rd Ave, Cathy Vines at 221 Butler St, David Haas at 211 W. 6th St, Emily Jeffrey & Ryan Welsh at 225 W. 3rd Ave...we all oppose the pavilion.

01:45:44 Zach Strickland: we need to know all the options first

01:45:45 Jonathan Lewis: Reacted to "I agree a restroom b..." with ♥

01:46:10 Jonathan Lewis: Reacted to "we need to know all ..." with 👍

01:46:22 CT Allen: Start over!

01:46:49 BE: Yes! Pls start over with options and voting. Not clear.
Thank you 🙏

01:47:30 CT Allen: ...Start the vote over

01:47:40 Valentin Mellstrom: Would suggest starting over, now that all options are clear.

01:47:43 john pilgrim: I would have been with the majority for the first option but it was tough to vote without knowing the options we were voting on

01:47:52 Valentin Mellstrom: Reacted to "I would have been wi..." with 👍

01:48:08 Amanda: Robert, how can there can be an option 2, if grant doesn't allow design to be modified?

01:48:45 CT Allen: Wait would healthy west orange pay for bathrooms?

01:51:31 Angela Withers: is there an option to renegotiate the entire contract for a smaller project that is just restrooms & small stage - possibly separate structures?

01:52:00 CHRISTINE HUFFMAN: I think we prefer restrooms located

somewhere else that does not interrupt the new green space.

01:52:38 Theresa Schretzmann-Myers: That green ugly building was up on piers, not a slab. By putting the bathrooms on a slab back where the building was impacts the trees critical roots systems of the trees remaining in the green space.

01:53:05 CHRISTINE HUFFMAN: Let's just get rid of food trucks.

01:53:53 Andy Cingolani: The lack of permanent restrooms doesn't seem to hurt attendance at food trucks. Are they even necessary?

01:53:53 Mohamed: Reacted to "The lack of permanen..." with 👍

01:53:56 Mohamed: Removed a 👍 reaction from "The lack of permanen..."

01:54:03 Mohamed: Reacted to "Let's just get rid o..." with 👍

01:55:12 CT Allen: I can help with the voting...Pause...modify...Restrooms

01:55:20 mary bitten: Reacted to "Let's just get rid o..." with 👍

01:55:25 Amanda: Can the Town put together a formal poll for all residents?

01:55:48 Vicki: I think we are going to need another workshop that addresses where bathroom can go, with a minimum of 3 options.

01:56:01 CT Allen: Take a holistic view of the qwhole of twon center. which means pause and make a master design.

01:56:14 BE: Agree with all of the above. Thank you

01:57:31 Valentin Mellstrom: Now that options are read and clarified, I think a re-vote would be appropriate.

01:58:25 Matthews: Dan and Bridgette Matthews 420 Butler St. Don't want the pavilion, don't want food trucks, don't want a restroom there either.

02:00:37 Theresa Schretzmann-Myers: Reacted to "Let's just get rid o..." with 👍

02:01:15 Theresa Schretzmann-Myers: Reacted to "Dan and Bridgette Ma..." with 👍

02:01:28 Theresa Schretzmann-Myers: Reacted to "Take a holistic view..." with 👍

02:01:54 Matthews: Reacted to "Dan and Bridgette Ma..." with 👍

02:01:55 CHRISTINE HUFFMAN: Mark, Christy and Paige Huffman, 511 Magnolia Street. We want to pay back the grant, and want no pavilion and no restrooms in that green space location or the town square. We also vote to lose the food truck event. We would support restrooms added to an existing building so that they can be monitored and not add more building and concrete to the town square.

02:01:59 Matthews: Removed a 👍 reaction from "Dan and Bridgette Ma..."

02:02:01 Valentin Mellstrom: Reacted to "Dan and Bridgette Ma..." with 👍

02:02:11 Valentin Mellstrom: Removed a 👍 reaction from "Dan and Bridgette Ma..."

02:02:24 Annamaye Clonts: Agree with the above comments

02:02:44 mary bitten: Reacted to "Dan and Bridgette Ma..." with 👍

02:03:30 CHRISTINE HUFFMAN: Reacted to "Dan and Bridgette Ma..." with 👍

02:04:43 CHRISTINE HUFFMAN: Reacted to "Take a holistic view..." with 👍

02:05:27 CHRISTINE HUFFMAN: Please know that grants aren't always blessings and come with strings attached that take control out of residents hands!

02:05:44 Zoe Villain: Philippe & Zoe Villain, 2617 Carter Grove Circle, no to pavilion, no to concession stand and re-evaluate the restroom project. Return the funds and the town can fund a bathroom project if needed and therefore retain control of the project. Accepting grant \$\$ = loosing control

02:06:05 nancy: John and Nancy Spears vote refund money, no pavilion, no

restrooms, no structure, improve/enhance green space, tree canopy only.

02:07:11 Valentin Mellstrom: Good call Tom. I hear a lot of unclear stuff. Unless stopping this, and paying back, we would just be digging deeper into grant expectations, then own pocket til it'll hurt to much go back.

02:07:24 Zoe Villain: And we need to plant trees, trees, trees, we all hear lots of chain saws and see no replanting

02:07:43 CHRISTINE HUFFMAN: Reacted to "And we need to plant..." with ♥

02:07:54 Angela Withers: I cannot speak for Healthy West Orange but I think they would like to have a presence in Windermere. I think Rotary and the Town should have a conversation with Healthy West Orange to consider what they would be willing to consider.

02:09:48 Matthews: Scrap the grant!

02:09:55 CHRISTINE HUFFMAN: Reacted to "Scrap the grant!" with ♥

02:10:05 Valentin Mellstrom: Would #2 that mean more money spent that needs to be paid back?

02:10:30 Zach Strickland: Yes. There would be more architectural fees due to re-design.

02:13:20 CT Allen: htey are still coming in!

02:14:04 CHRISTINE HUFFMAN: I can't tell if my hand is up. I want to scrap the grant entirely!

02:14:28 Tom Stroup: Replying to "I can't tell if my h..."

it was

02:14:48 Nora: Your hand was up - you may want to let Dorothy know

02:16:02 Terry Osborne: we voted to give up the grant but we also want bathrooms somewhere on the town square.

02:16:38 Mohamed: We live two house away from this site and oppose any structure. We don't need the additional events and traffic

02:17:08 Renee Cingolani: I agree with Moamed.

02:17:08 Annamaye Clonts: To be clear, I voted for option one. Pay back the grant and retain control over our town.

02:17:26 Jangi Borhi: Reacted to "We live two house aw..." with ♥

02:17:49 CHRISTINE HUFFMAN: Option 1.

02:18:53 StephenWithers: There were several people voting that are not residence of the Town

02:19:12 Veronika Kollros: We have the same issues and it's very frustrating to us too. Thanks for sharing, Mohamed!

02:19:25 Jangi Borhi: I completely agree with Mohamed

02:19:37 Zach Strickland: Reacted to "I completely agree w..." with ♥

02:20:10 CHRISTINE HUFFMAN: Thank you Mohamed! We are 100 percent in agreement with you.

02:20:25 Mohamed: Reacted to "Thank you Mohamed! W..." with ♥

02:20:32 Jonathan Lewis: Reacted to "Thank you Mohamed! W..." with ♥

02:20:35 Mohamed: Reacted to "I completely agree w..." with ♥

02:20:42 Mohamed: Reacted to "We have the same iss..." with ♥

02:21:01 Mohamed: Reacted to "I agree with Moamed." with ♥

02:22:16 CHRISTINE HUFFMAN: Thank you! I'm a NO on all of it.

02:23:44 StephenWithers: Dorothy are you capturing names or just hands.

02:24:12 Dorothy Burkhalter: Replying to "Dorothy are you capt..."

Just hands

02:24:46 BE: Thank you for hosting this zoom for Town feedback.
02:27:04 nancy: Thank you Valentin.
02:27:47 StephenWithers: Replying to "Dorothy are you capt..."

Therefore we do not know the people who are not residents voting. I saw three people who are not residences

02:28:13 Jonathan Lewis: Reacted to "Thank you Valentin." with ♥
02:29:36 Valentin Mellstrom: Then let's step that up together. Using this gathering and community momentum.

02:29:54 Jonathan Lewis: Replying to "Thank you Valentin."

We see what has happened with the town taking grants for the town parks. It's been a nightmare just ask the residents located near the parks.

02:29:54 Matthews: We don't want anything built!

02:30:22 Renee Cingolani: what was the vote?

02:30:34 Nancy Nix: Thx Robert for providing this meeting!

02:30:51 Theresa Schretzmann-Myers: Thank you Robert and Stella!

02:31:06 Veronika Kollros: Thank you for providing this meeting and space for residents to voice their opinions!

02:31:06 Tom Stroup: Thank You

02:31:16 Zoe Villain: Thank you for hosting this, open communication is essential

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 April 18, 2023

Town Council May 9, 2023

Case No.: Z23-06

Applicant/Representative: Sheila Cichra

Property Owners: Kevin and Megan Butler

Requested Action: Variance to allow reconstruction of a previously unpermitted boat dock with a 10-foot side setback.

Property Address: 4414 Down Point Lane, Windermere, FL 34786

Legal Description: DOWN POINT SUB 2/97 LOT 1 & THAT PART OF THE EAST 1/2 OF THE NE 1/4 OF THE SW 1/4 AND THAT PART OF THE NW 1/4 OF THE SE 1/4 LYING SOUTH OF THE WESTERLY ESTENSION OF THE NORTH LINE OF LOT 1 IN SEC 9-23-28

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: Lake Down

CASE SUMMARY:

The applicant proposes to reconstruct a boat dock that was not previously permitted that is located 10 feet from the extended side property line. The Town's LDC requires docks to meet a 16 foot setback from the extended side property line.

Based on historic ariels, the dock appears to have existed at least since 1984, and appears to have been altered sometime between 1990 and 2005, without any permit. Consequently, any reconstruction must be compliant with current dock requirements. The previous unpermitted dock was setback 10 feet from the side extended property line, which is not compliant with the Town's LDC current requirement of a 16 foot setback from the side extended property line. The proposed reconstructed dock is the same footprint as the current dock and is also located at 10 feet from the extended side property line, which requires the variance.

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.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property. As of May 2, 2023, 11 responses were received in support and none in opposition.

DEVELOPMNET REVIEW BOARD RECOMMENDATION:

At the Development Review Board (DRB) meeting on April 18, 2023, the DRB reviewed the subject variance. Based on information provided by the applicant and staff report and comments provided at the meeting, the DRB found that the requested variance met the requirements of Section 10.02.02, LDC, and recommends approval of the variance. The DRB vote was 6-0 to recommend approval.



Date: February 6, 2023
To: Brad Cornelius
From: Sheila Cichra
Re: Variance Request for 4414 Down Point Lane, Windermere
Boat dock side setback from projected property line

The attached files are an application package for a side setback variance from 16' to 10' for a proposed boat dock renovation.

The parcel belongs to Kevin and Megan Butler.

We are in the process of obtaining an OC EPD boat dock permit with a setback waiver.

The adjacent property owner to the South has signed a setback waiver to reduce the required setback from 16' to 10'.

The reason for the variance request is that we are trying to renovate an existing boat dock that was never permitted previously. We are trying to remove and rebuild all of the walkway and deck area framing, but not alter the piling locations or the roof.

We believe that renovating the existing dock will cause a much smaller impact to the lake than starting over and moving the structure from the location that it has been in for decades to just 6' farther North.

Thank you for your consideration.



Date: February 6, 2023
To: Brad Cornelius
From: Sheila Cichra
Re: Variance Request for 4414 Down Point Lane, Windermere
Boat dock side setback from projected property line

Special Conditions and Circumstances are created by the fact that the boathouse is existing and is already non-compliant, due to the 10' setback.

Not Self Created - The dock was built long before the Butler's purchased the property.

No Special Privilege Being Conferred: Many docks in the Town of Windermere have been constructed at a reduced setback.

Regarding *Deprivation of Rights*, if this variance isn't approved, the owners will have to tear down the entire existing boat dock, instead of just repairing it.

We are requesting the *Minimum Possible Variance*. Since the encroachment is existing, it cannot be reduced.

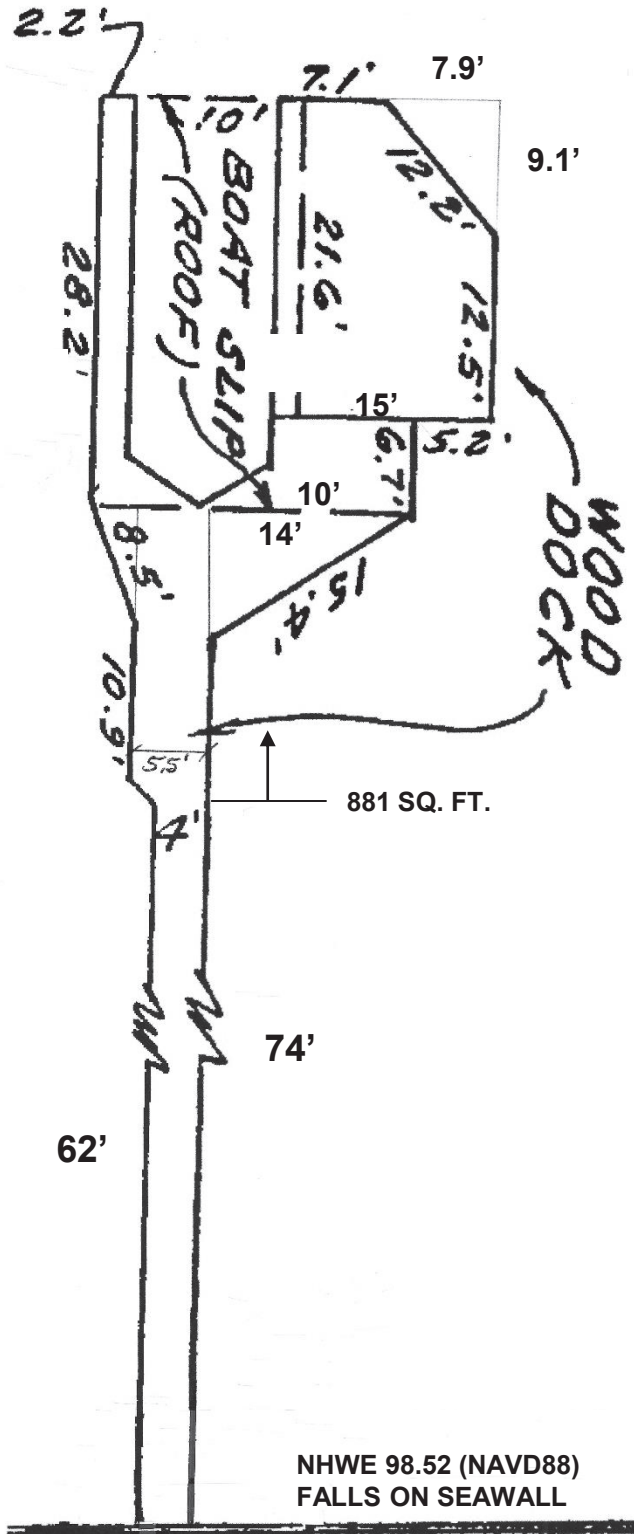
No one would be negatively impacted by the renovation of the boathouse and without the variance, the entire boat dock would have to be demolished and that is not in the best interest of the environment. We believe that is a good example of the *Purpose and Intent* of such a zoning variance.

Plan View

REMOVE ALL DECKING & FRAMING FROM THE DOCK, DECK AND BOAT SLIP & REBUILD IN THE SAME FOOTPRINT

BOATHOUSE & DECK ROOFS NOT TO BE ALTERED

- 4' X 62' DOCK
- 5.5' X 20' DOCK
- 8.5' X 14' X .5 DECK AREA
- 3' X 8.5' X .5 DECK AREA
- 12.2' X 28.2' BOATHOUSE
- 10' X 6.7' DECK AREA
- 15' X 21.6' - 7.9' X 9.1' X .5 DECK AREA
- 881 SQ. FT. TERMINAL PLATFORM
- 1,129 TOTAL SQUARE FEET



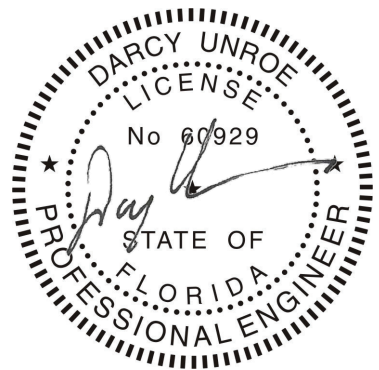
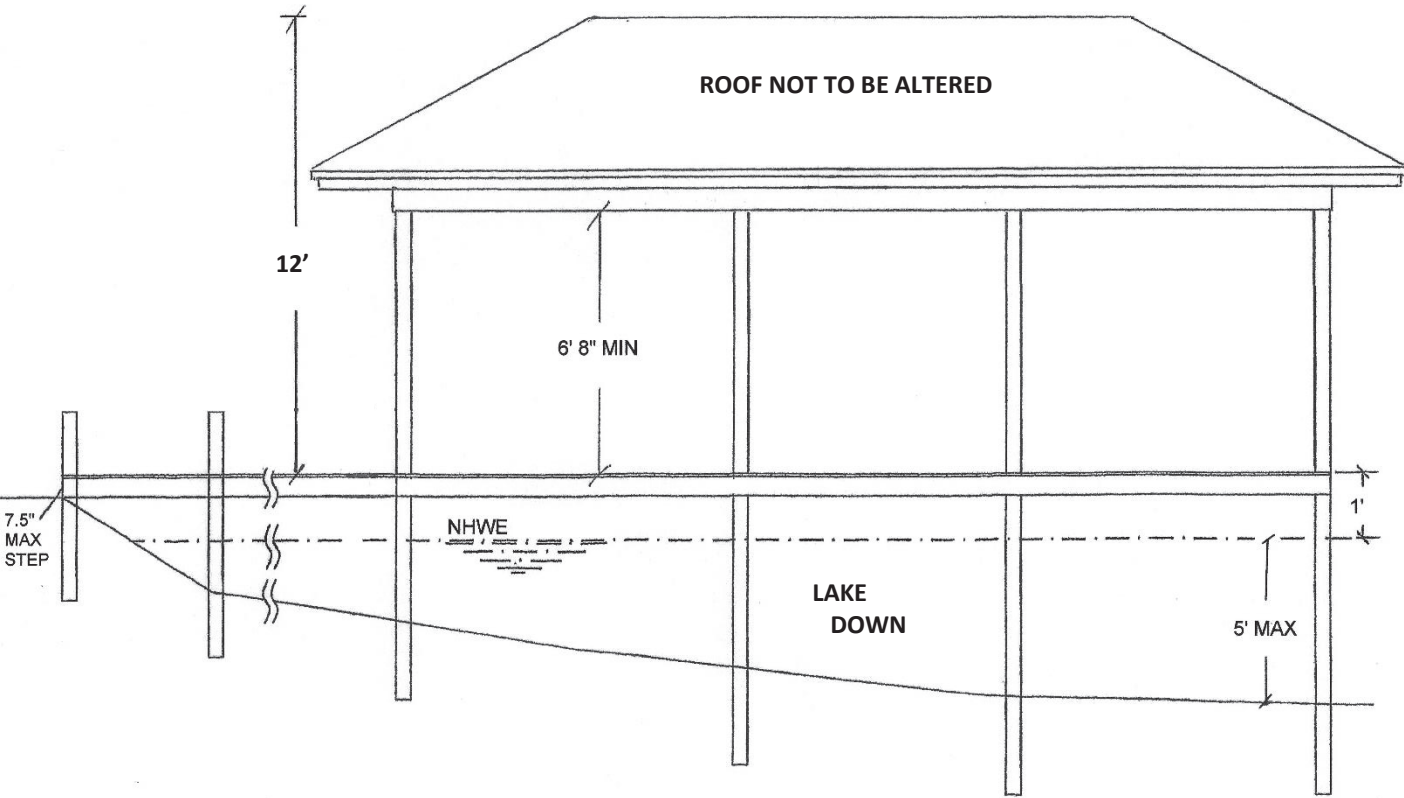
This item has been electronically signed and sealed by Darcy Unroe, PE 60929 on the date indicated using a Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copy.

NHWE 98.52 (NAVD88)
FALLS ON SEAWALL

Butler

4414 Down Point Lane, Windermere

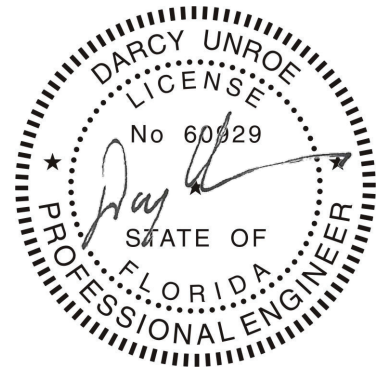
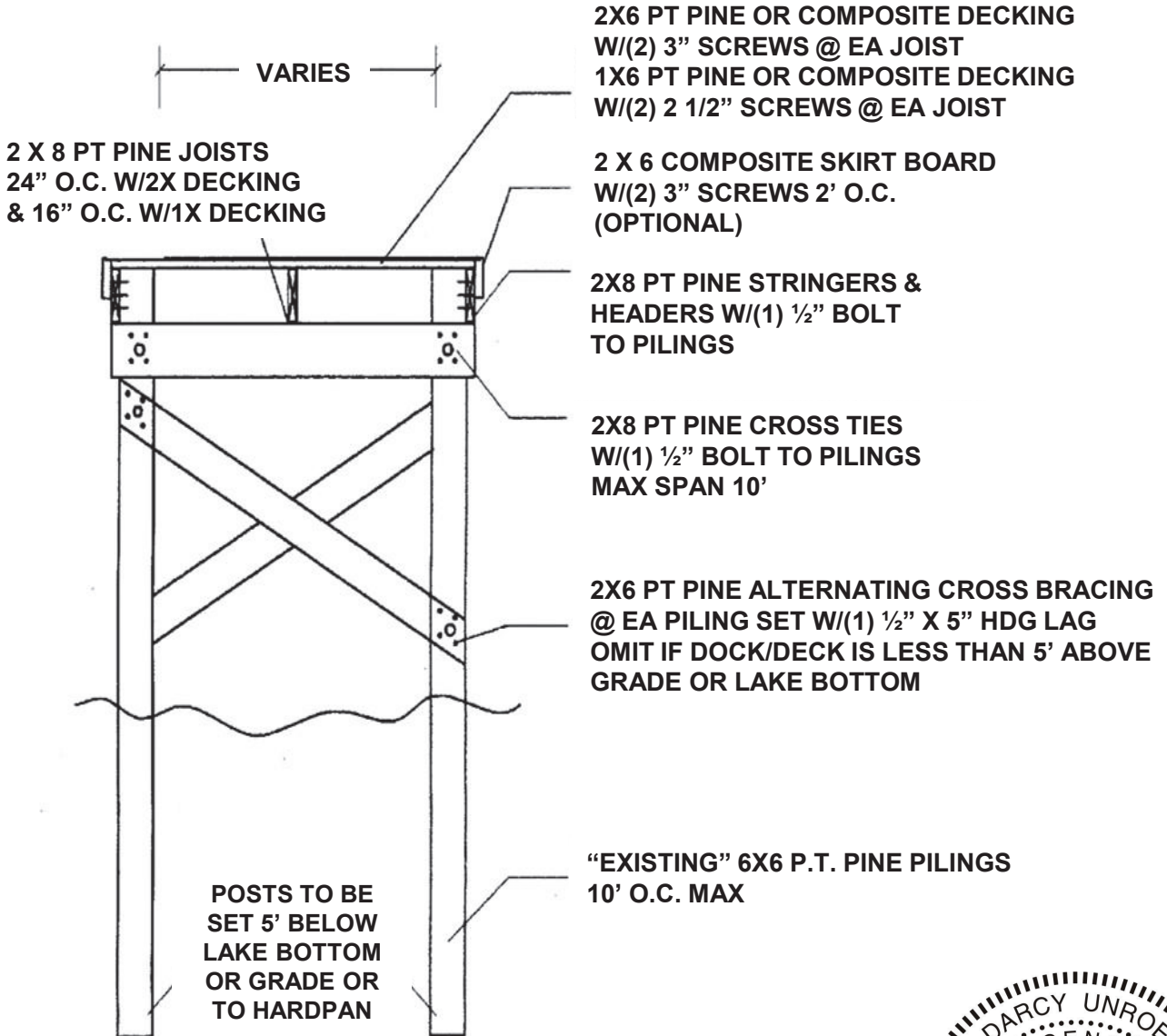
Elevation



Butler

4414 Down Point Lane, Windermere

Dock/Deck Framing Detail



Butler

4414 Down Point Lane, Windermere

Design Standards

The following are general design standards. More stringent design standards may be noted on the plans.

General Requirements:

Reproductions of contract drawings by contractor in lieu of preparation of shop drawings signifies acceptance of information shown as correct and obligates himself to any expense, real or implied, arising from their use. A change to the structural drawings due to the acceptance of alternates and/or substitutes is the responsibility of the contractor and must be submitted to the engineer for approval. The general contractor and each subcontractor shall verify all existing conditions prior to the start of any work. All inconsistencies shall be reported to the designer and/or structural engineer, if needed. Should contractor construct the premises in a fashion not consistent with the plans prepared by the designer and/or structural engineer, or in any fashion, change the plans and drawing without the review and approval from the designer and/or structural engineer. Then designer and/or structural engineer shall bear no responsibility or liability for the construction of premises and accuracy of the drawings.

Structural Aluminum:

Conform to latest edition of Aluminum Association of Florida standard practice for aluminum design. All aluminum shall be 6061-T6 (E= 10,000 ksi; Fy = 35 ksi)

Timber :

Design in accordance with the National Design specification for wood construction. All graded structural lumber shall be pressure treated and meet the following minimum requirements:

Minimum bending stress = 1250 psi

Young Modulus = 1,600 ksi

Maximum of 15% moisture content

Contractor to use - Southern Yellow Pine No. 2, U.N.O.

Lumber sizes shown are nominal sizes. Lumber shall be furnished in finished sizes meeting the requirement of the American Softwood Lumber Standard.

Galvanized Bolts:

All bolts shall be galvanized be ASTM A36, threaded round stock with a minimum yield stress of 36,000 psi.

Design Loads:

Pursuant to Chapter 16 –Table 1607.1

Deck Live Load: 60 psf

Deck Dead Load: 10 psf

Roof Live Load: 20 psf

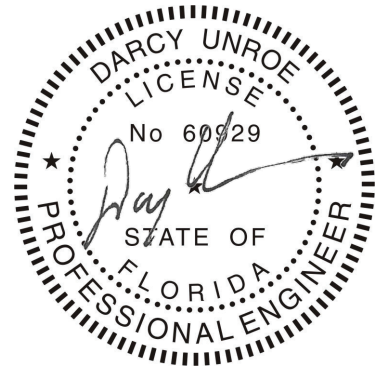
Handrail / Guardrails Post: 200 lbs acting horizontally on top of the Post, 42" A.F.F.

Guardrails and handrails : 50 plf at top rail

Guardrail in fill components: 50 psf

Stair L.L. : 100 psf

Components and cladding, design wind pressures + 38psf / -38psf



Butler

4414 Down Point Lane, Windermere

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 14, 2023

HESS MARK S
4311 DOWN POINT LN
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 4414 Down Point Lane Z23-06

Sheila Cichra, representative of owners Kevin and Megan Butler of 4414 Down Point Lane 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 requires boat docks to be setback a minimum of 16 feet from the projected side property line. The owners are proposing to construct a boat dock 10 feet from the South projected property line. They are requesting a 6-foot variance.

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 **March 10, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, March 21, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, April 11, 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
Encl.

RECOMMEND – Z23-06 (4414 Down Point Ln.)

APPROVAL: DISAPPROVAL

COMMENTS: _____

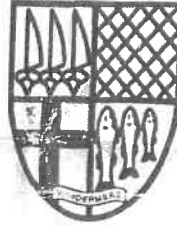
SIGNATURE: Mark Hess DATE: 2/18/23

HESS MARK S

Town of Windermere

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

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

STEPHEN H BRAUN LIVING TRUST
5000 DOWN POINT LN
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 4414 Down Point Lane Z23-06

Sheila Cichra, representative of owners Kevin and Megan Butler of 4414 Down Point Lane 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 requires boat docks to be setback a minimum of 16 feet from the projected side property line. The owners are proposing to construct a boat dock 10 feet from the South projected property line. They are requesting a 6-foot variance.

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 **April 14, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, April 18, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, May 9, 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
Encl.

RECOMMEND – Z23-06 (4414 Down Point Ln.)

APPROVAL: X DISAPPROVAL

COMMENTS: YES NO PROBLEM

SIGNATURE: DATE: 4/8/23

STEPHEN H BRAUN LIVING TRUST

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

FAIAS INC
4300 DOWN POINT LN
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 4414 Down Point Lane Z23-06

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND - Z23-06 (4414 Down Point Ln.)

APPROVAL: YES DISAPPROVAL _____

COMMENTS: I AGREE WITH REQUESTING A 6-FOOT VARIANCE

SIGNATURE: _____ DATE: 03/08/23

FAIAS INC

[Handwritten Signature]
LUIZ DOS SANTOS FAIAS

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

GORSCAK RICHARD D
5040 DOWN POINT LN
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND - Z23-06 (4414 Down Point Ln.)

APPROVAL: **DISAPPROVAL:**

COMMENTS: _____

SIGNATURE: Richard D Gorscak **DATE:** 4/8/23

GORSCAK RICHARD 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

April 4, 2023

454G LLC
5015 DOWN POINT LN
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 4414 Down Point Lane Z23-06

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z23-06 (4414 Down Point Ln.)

APPROVAL: DISAPPROVAL

COMMENTS: Yes please approve their dock.

SIGNATURE:  DATE: 4/10/23

454G LLC

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

SCHWARTZ RONALD
4400 DOWN POINT LN
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 4414 Down Point Lane Z23-06

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND - Z23-06 (4414 Down Point Ln.)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: _____ DATE: 4/10/23

SCHWARTZ RONALD

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

JAKUBIAK JEFFREY
5005 DOWN POINT LN
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z23-06 (4414 Down Point Ln.)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE:  DATE: 4/10/23

JAKUBIAK JEFFREY

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

NANA JASVANT D
PO BOX 2340
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 4414 Down Point Lane Z23-06

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z23-06 (4414 Down Point Ln.)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE:  DATE: 4/10/23

NANA JASVANT D

APPROVAL: DISAPPROVAL

COMMENTS: No problem

SIGNATURE: Milton & Gail Hess DATE: 4/10/2023
HESS MILTON

RECOMMEND - Z23-06 (4414 Down Point Ln.)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: Mark Hess DATE: 4/9/23
HESS MARK S

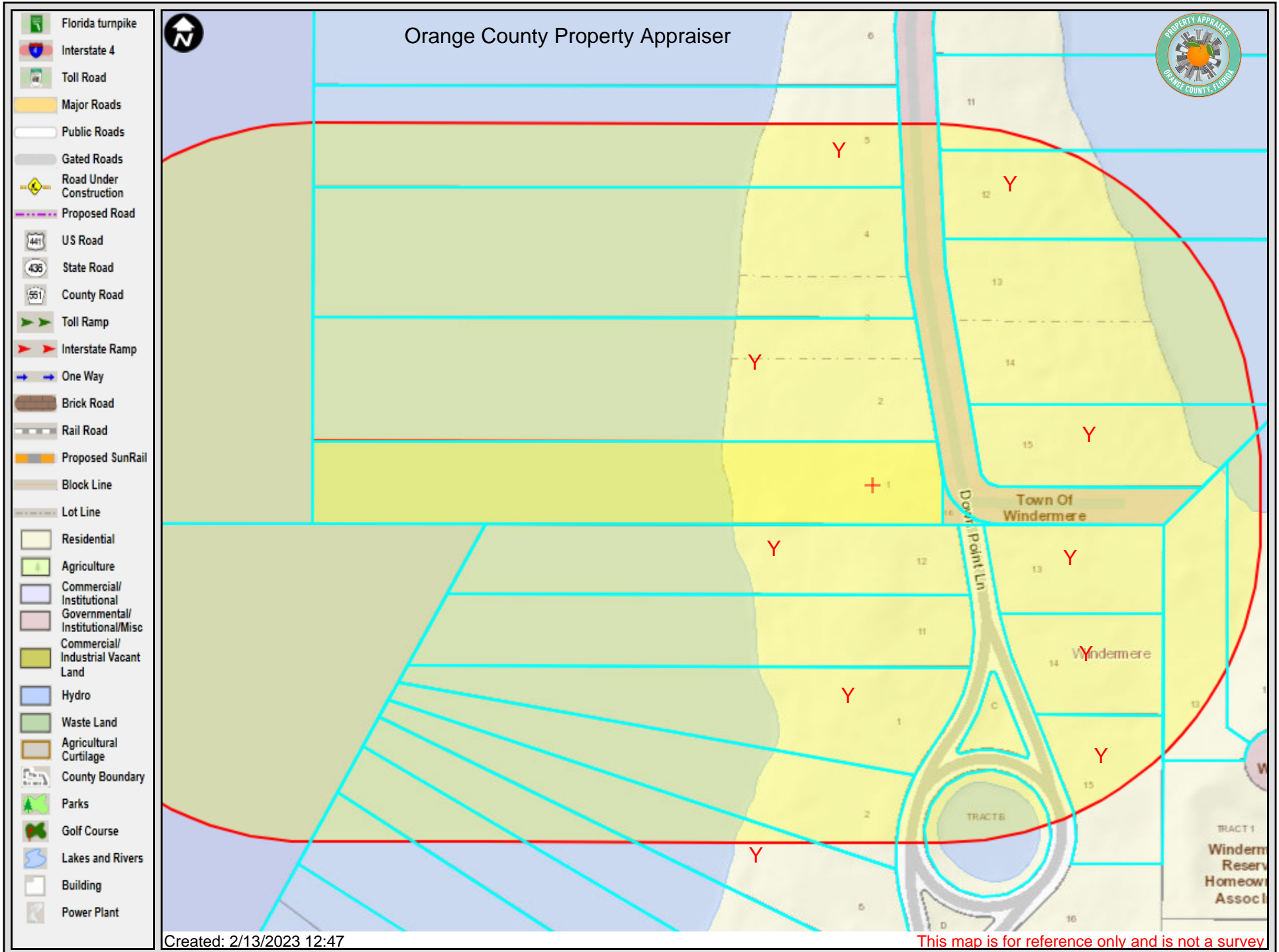
RECOMMEND - Z23-06 (4414 Down Point Ln.)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: Martin Summers DATE: 4/8/23
SUMMERS MARTIN M

Road Sum



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 April 18, 2023

Town Council May 9, 2023

Case No.: Z23-07

Applicant/Representative: Lacey Adams

Property Owner: Lacey Adams

Requested Action: Variance to allow expansion of a nonconforming accessory garage by 100% (adding second story) and a height exceeding 18 feet, add front porch to house at 23.68 feet to the front property line (Oakdale Street), expand total gross floor area to 39.6%.

Property Address: 804 Oakdale Street, Windermere, FL 34786

Legal Description: PLAT OF WINDERMERE G/36 LOT 111

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

CASE SUMMARY:

The applicant's home at 804 Oakdale Street is nonconforming with its existing setbacks

from E 8th Street, (14.6 feet – 15 feet required) and Oakdale Street (23.63 feet – 25 feet required). The existing detached accessory garage is noncompliant with the required setback from the west property line (12 feet – 35 feet required). The existing impervious areas is also slightly noncompliant (45.1% - 45% required). The current total gross floor area is compliant (33.1% - 38% required).

The applicant proposes the following improvements to the existing home:

1. Convert a portion of the interior home from open-to-below space to living area.
2. Add a front porch to the home (Oakdale Street side) at a setback of 23.63 feet.
3. Add a second story bonus room to the detached garage.
4. Remove pavement with pervious pavers.

These improvements require the following variances:

1. Allow the expansion of the existing gross floor area from 33.1% to 39.6%, which exceeds the allowed 38% gross floor area.
2. Allow the additional of the front porch at 23.63 feet, which is less than the required 25 foot setback (location is in line with the existing front porch).
3. Allow the expansion of the existing nonconforming detached garage by 100% (add a second story) and a height of more than 18 feet.

The impervious area will decrease to 44% with the proposed improvements with the use of pervious pavers.

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.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property. As of May 2, 2023, 15 responses were received in support and 3 in opposition.

DEVELOPMNET REVIEW BOARD RECOMMENDATION:

At the Development Review Board (DRB) meeting on April 18, 2023, the DRB reviewed the subject variance. Based on information provided by the applicant and staff report and

comments provided at the meeting, the DRB found that the requested variance as proposed did not meet the requirements of Section 10.02.02, LDC, and recommend approval of only the portion of the variance to allow a front porch addition at less than 25 feet from the front property line with the condition that the entire property be brought into compliance with the Town's current stormwater retention requirements. The other requested variances were recommended for denial. The DRB vote was 6-0 to recommend approval.

APPLICANT REVISED PLAN SUBMITTED ON APRIL 26, 2023

On April 26, 2023, the applicant submitted revised plans for the proposed variance that removes the expansion of the detached garage and only includes the addition of the front porch. This change in the plans is consistent with the DRB recommendation. However, the condition for the entire property to come into compliance with current stormwater requirements remains. The revised plans are included in the agenda packet.

March 22, 2023

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

Re: Variance Request for 804 Oakdale Street

Hello! I am writing to request a variance for the renovation of existing structures on my property at 804 Oakdale Street. I purchased the home in January of 2022 with intention to raise my family in a strong and vibrant community. We are active participants in many community events, supporters of local business, and attend Family Church.

I work from home full-time and have aging family that we plan to care for within our home in the future. We would like to renovate our existing space to better meet those needs. We are asking for the following variances as we are looking to modify the non-confirming lot more than 10%.

- 1.) Add a second story to the existing detached garage as bonus room / family room.
 - a. Not going beyond existing setbacks
 - b. The garage is unable to be moved due to the pool location...the only available direction is up
- 2.) Renovate / reconfigure 2nd floor of main house (within 10% rule)
- 3.) Build front porch addition on Oakdale St side to establish clear & distinct front of house facing Oakdale, as our address suggests (expansion maintains the existing porch setback to the East)

With these changes, the resulting measurements and calculations would be:

1.6% additional FAR (39.6% instead of max 38%)

.7' into the North (8th Street) setback (14.3' instead of 15')

1.37' into the East (Oakdale Street) setback (23.63' instead of 25')

23' into the West setback (12' instead of 35') as the entire existing garage is within the setback and unable to be moved due to the pool location.

*All setbacks are existing and the only 'change' is the porch expansion, which will maintain the existing porch setback to the East.

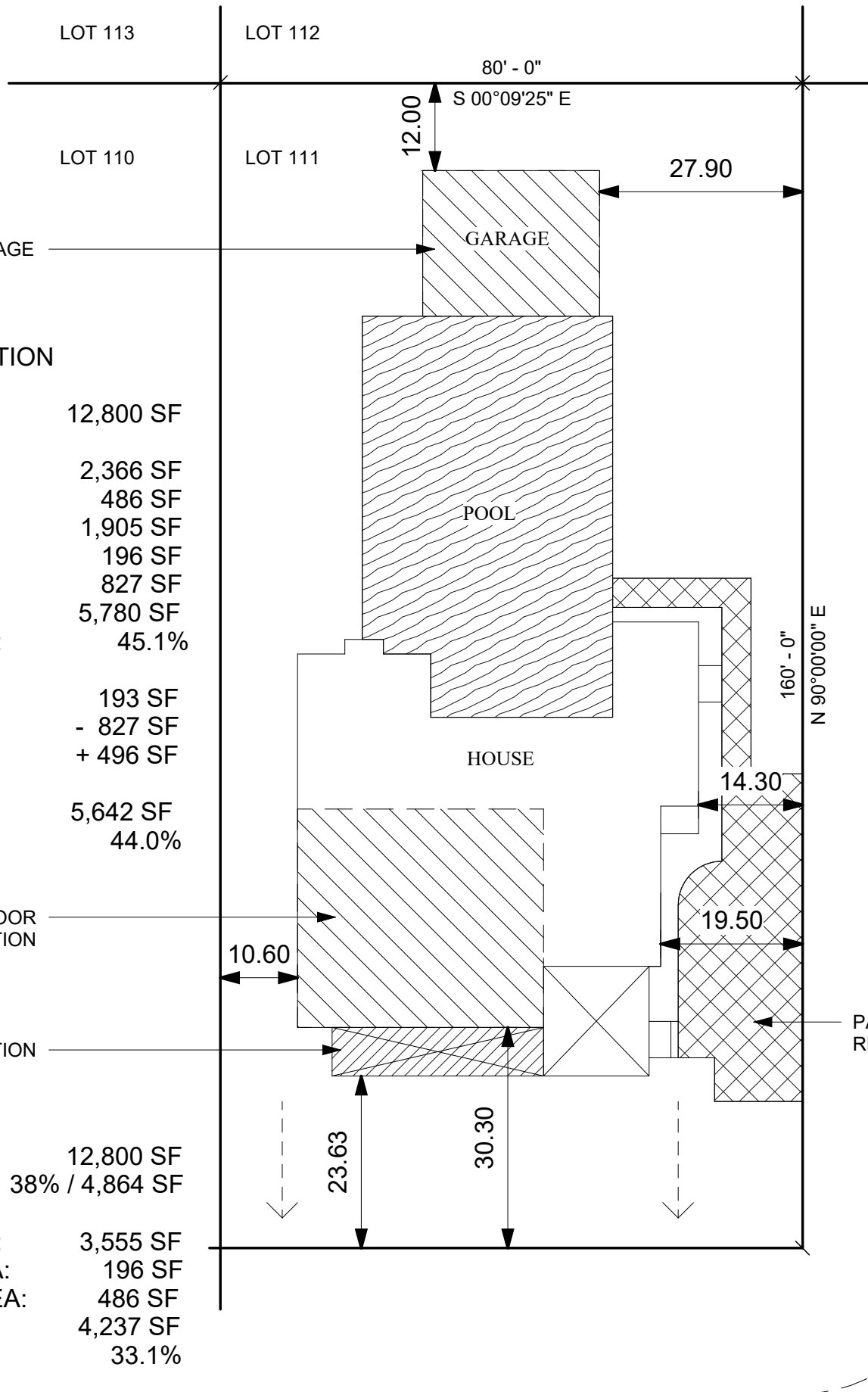
In addition, as I highly value green space, I am willing to take measures for reduction in impervious by removing driveway pavers and replacing with lattice turf blocks. Where previously there had been gravel in front of the garage, it is now lawn.

Thank you very much for your consideration.

Sincerely,

Lacey Adams

*EXISTING LOT DRAINS TOWARDS
OAKDALE STREET - NO CHANGE TO
DRAINAGE REQUIRED*



EIGHTH AVE

IMPERVIOUS CALCULATION

LOT AREA:	12,800 SF
HOUSE AREA:	2,366 SF
GARAGE AREA:	486 SF
POOL AREA:	1,905 SF
PORCH AREA:	196 SF
PAVER AREA:	827 SF
TOTAL EXISTING AREA:	5,780 SF
EXISTING IMPERVIOUS:	45.1%
ADDED AREA (PORCH)	193 SF
REPLACEMTN PAVERS (40% PERMEABLE)	- 827 SF + 496 SF
NEW AREA:	5,642 SF
NEW IMPERVIOUS:	44.0%

2ND FLOOR
RENOVATION

PORCH ADDITION

PAVERS TO BE
REPLACED

FAR CALCULATION

LOT AREA:	12,800 SF
MAX FAR	38% / 4,864 SF
EXISTING LIVING AREA:	3,555 SF
EXISTING PORCH AREA:	196 SF
EXISTING GARAGE AREA:	486 SF
TOTAL EXISTING AREA:	4,237 SF
EXISTING FAR:	33.1%
ADDED LIVING:	154 SF
ADDED PORCH:	193 SF
ADDED BONUS(GARAGE):	486 SF
NEW AREA:	5,074 SF
NEW FAR:	39.6%

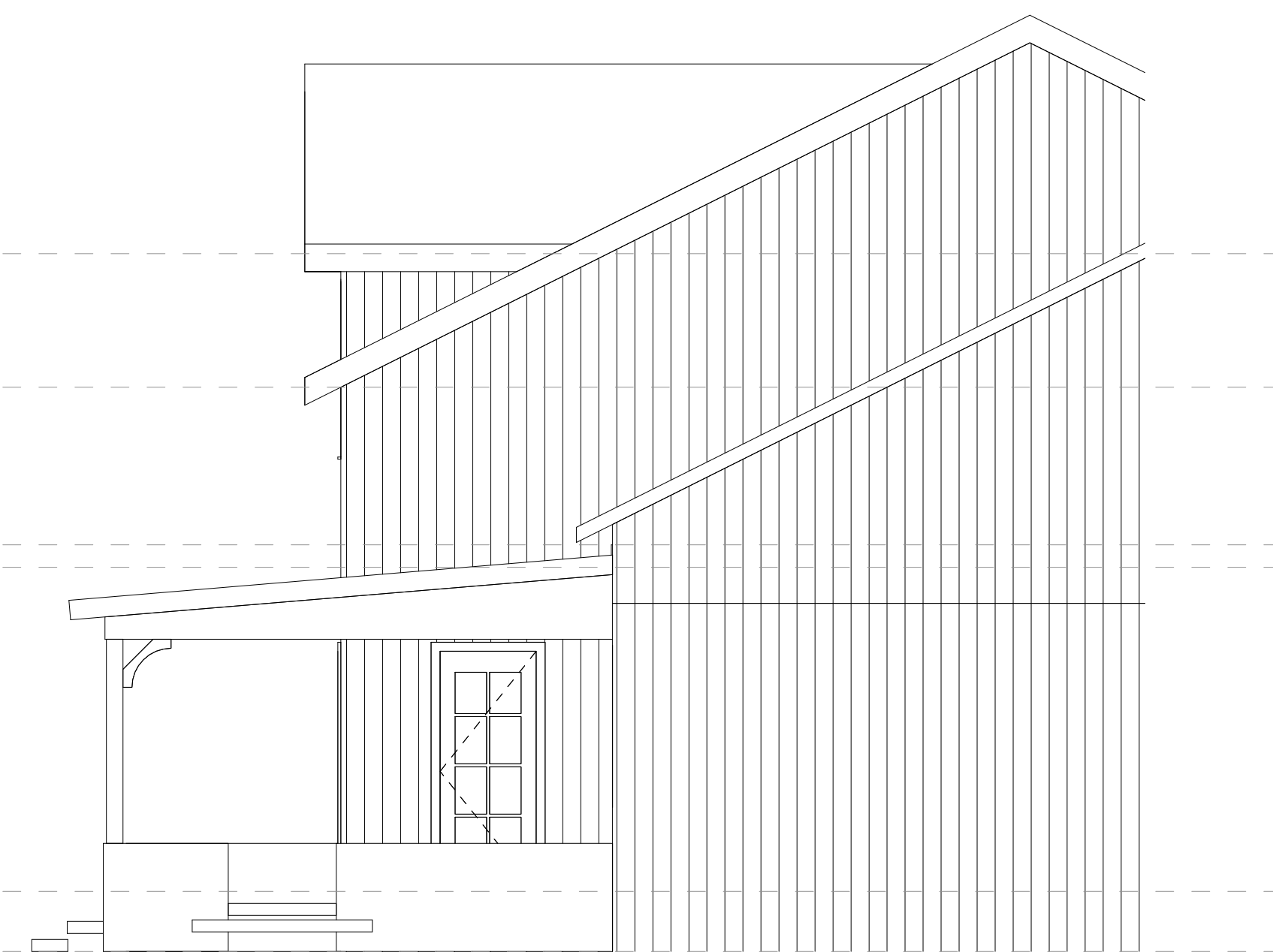
OAKDALE ST



WEST - NEW
SCALE: 1/4" = 1'-0"



SOUTH - NEW
SCALE: 1/4" = 1'-0"



EAST - NEW
SCALE: 1/4" = 1'-0"

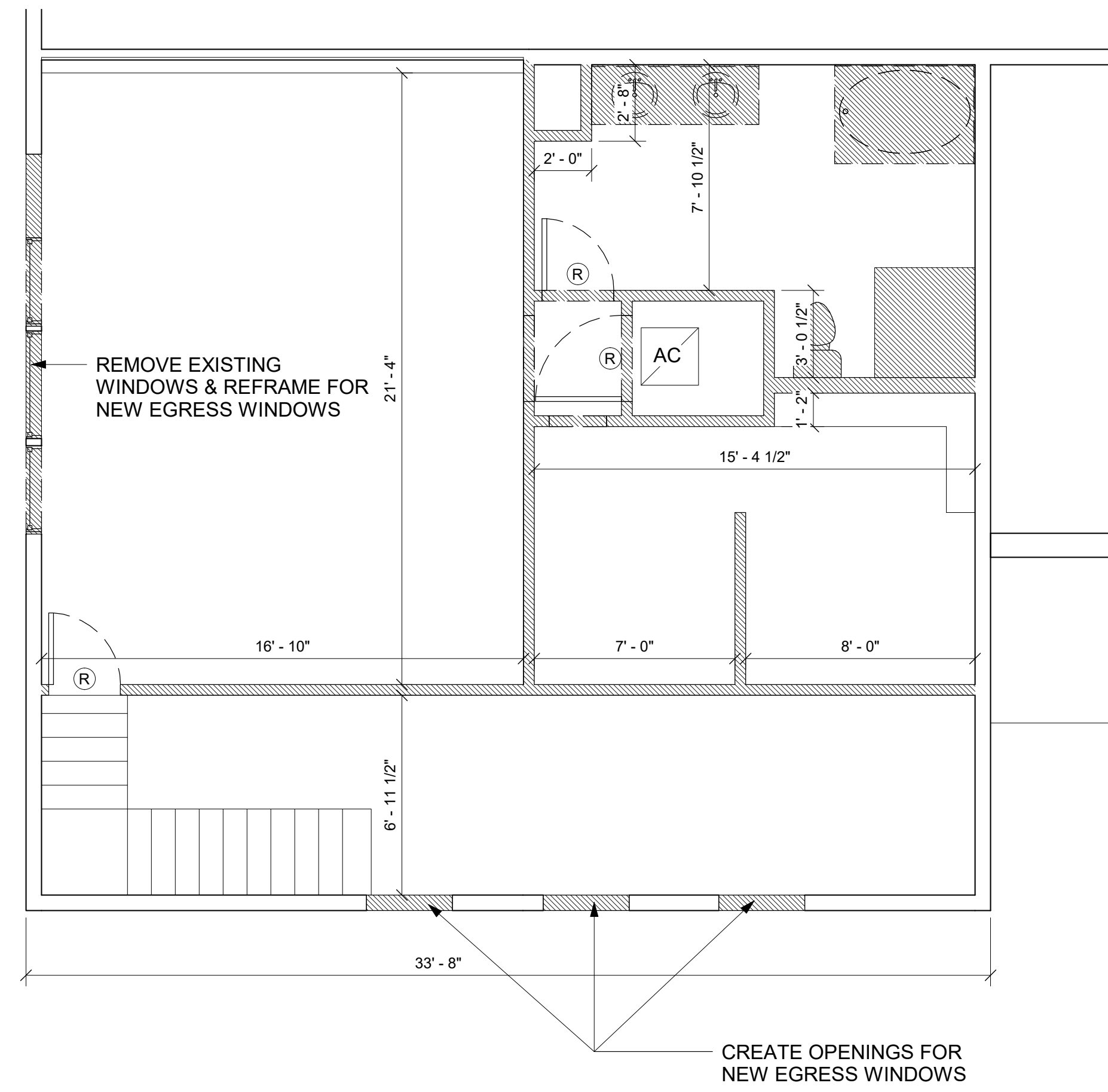
#	DESCRIPTION	DATE	BY

BUMPUS AND ASSOCIATES, INC.
ARCHITECTURE - INTERIOR DESIGN
www.BUMPUSANDASSOCIATES.com
668 FRONT STREET
CELEBRATION, FLORIDA 34747
Ph: (407) 566-0200
Fax: (407) 566-0222
AR 0008045

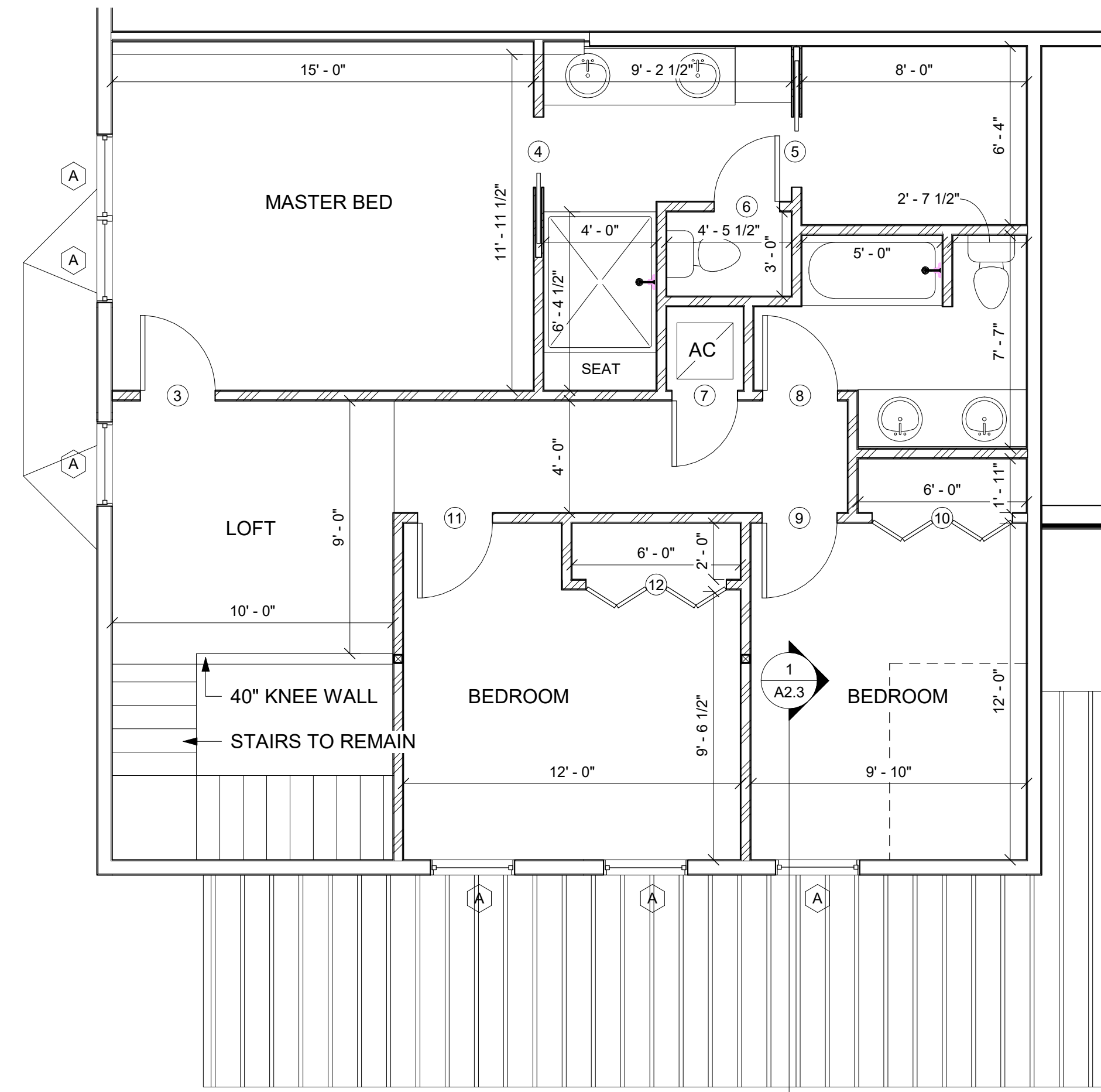
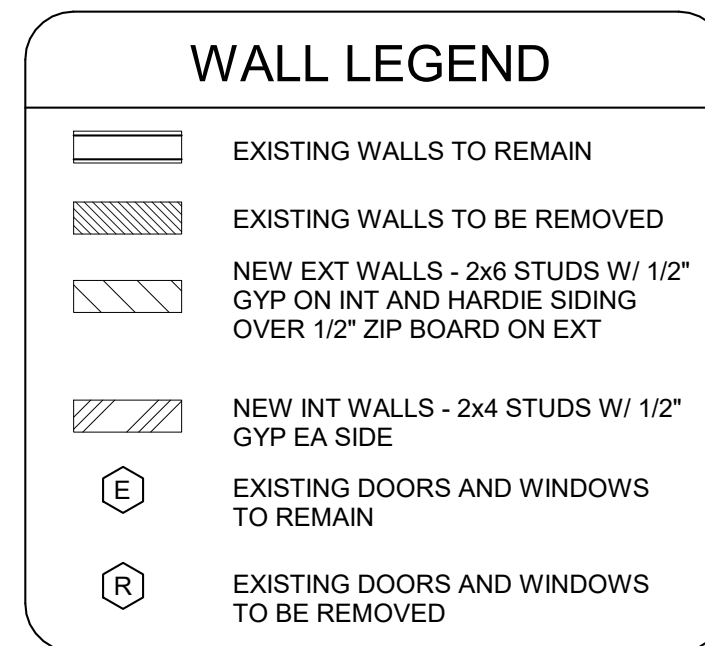
Approved By:
Daniel L. Bumpus
AR 0008045
Date

**ADAMS
HOME RENOVATION**
804 OAKDALE ST
WINDERMERE, FL

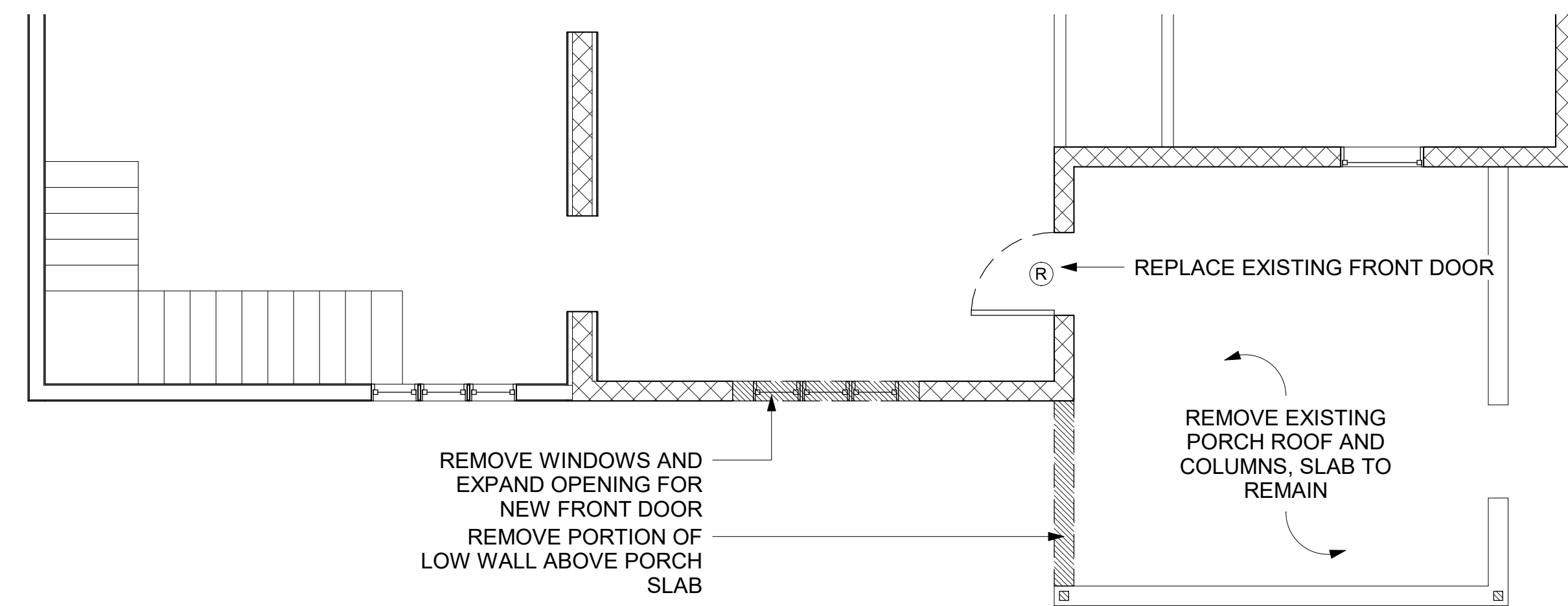
DRWN: BAA APVD: DLB
DATE:
3-28-22
SCALE:
AS SHOWN
JOB NUMBER:
22104
SHEET:
A1



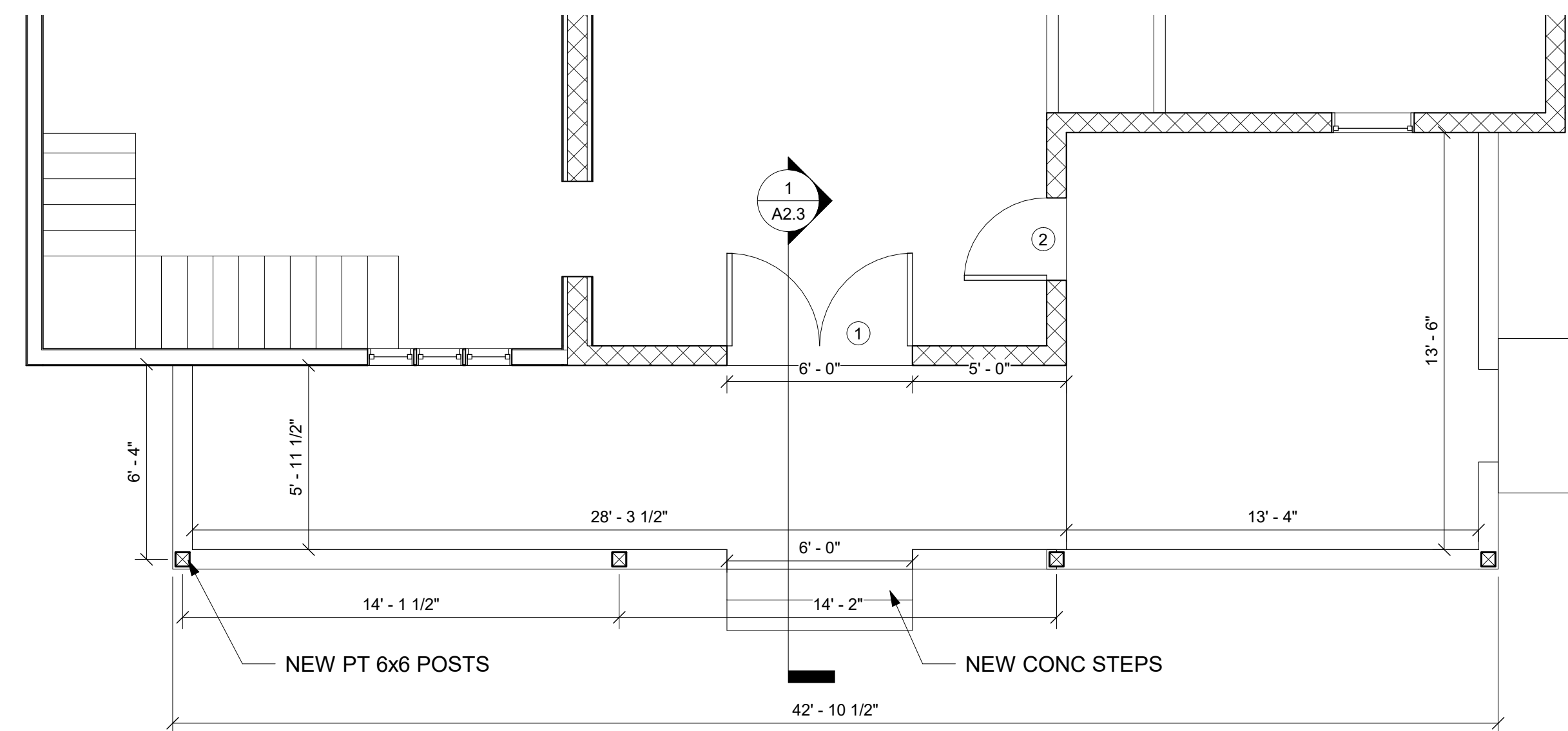
SECOND FLOOR - EXISTING
SCALE: 1/4" = 1'-0"



SECOND FLOOR - NEW
SCALE: 1/4" = 1'-0"



FLOOR PLAN - DEMO
SCALE: 1/4" = 1'-0"



FLOOR PLAN - NEW
SCALE: 1/4" = 1'-0"

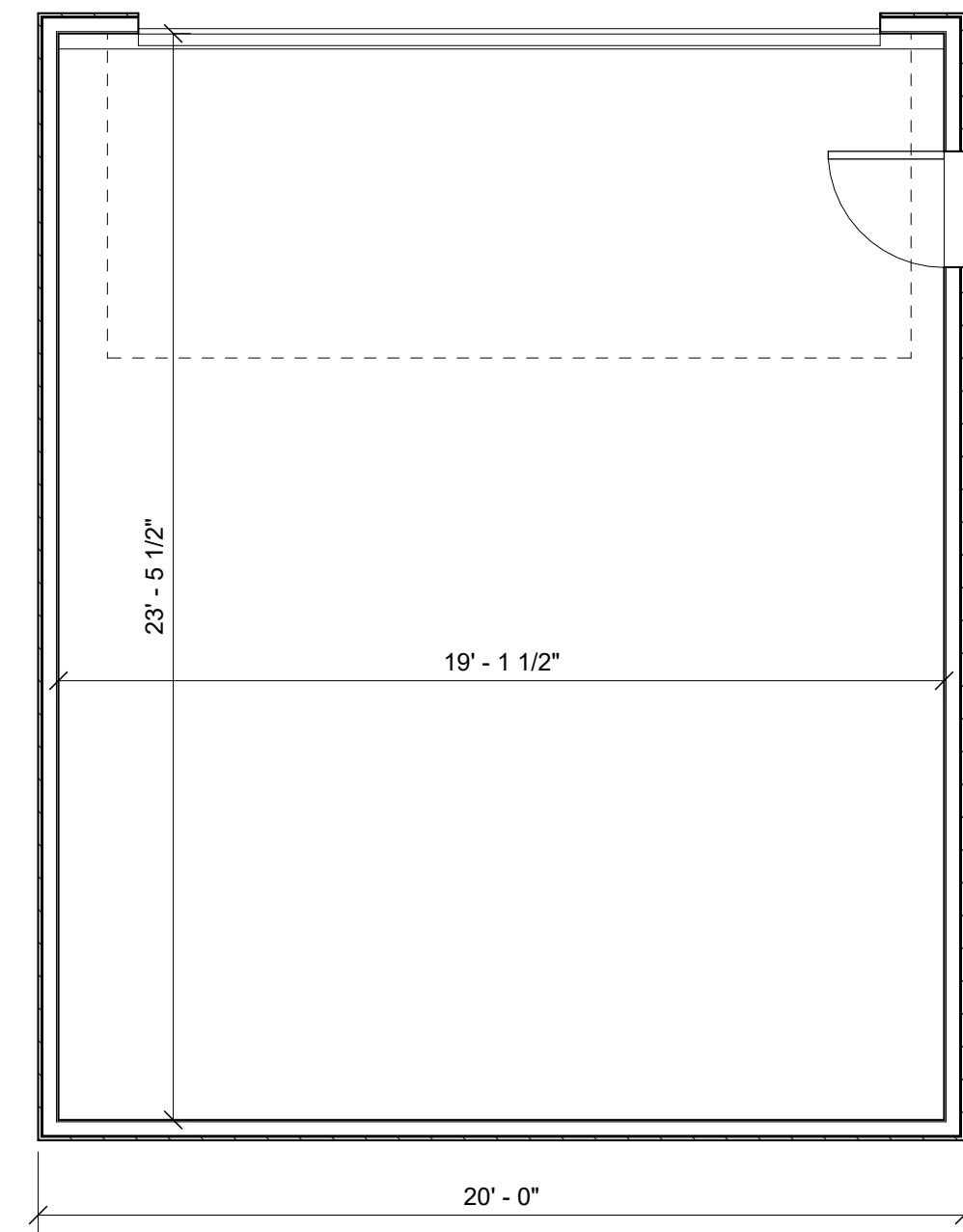
#	DESCRIPTION	DATE	BY

BUMPUS AND ASSOCIATES, INC.
ARCHITECTURE - INTERIOR DESIGN
www.BUMPUSANDASSOCIATES.com
668 FRONT STREET
CELEBRATION, FLORIDA 34747
Ph: (407) 566-0200
Fax: (407) 566-0222
AR 0008045

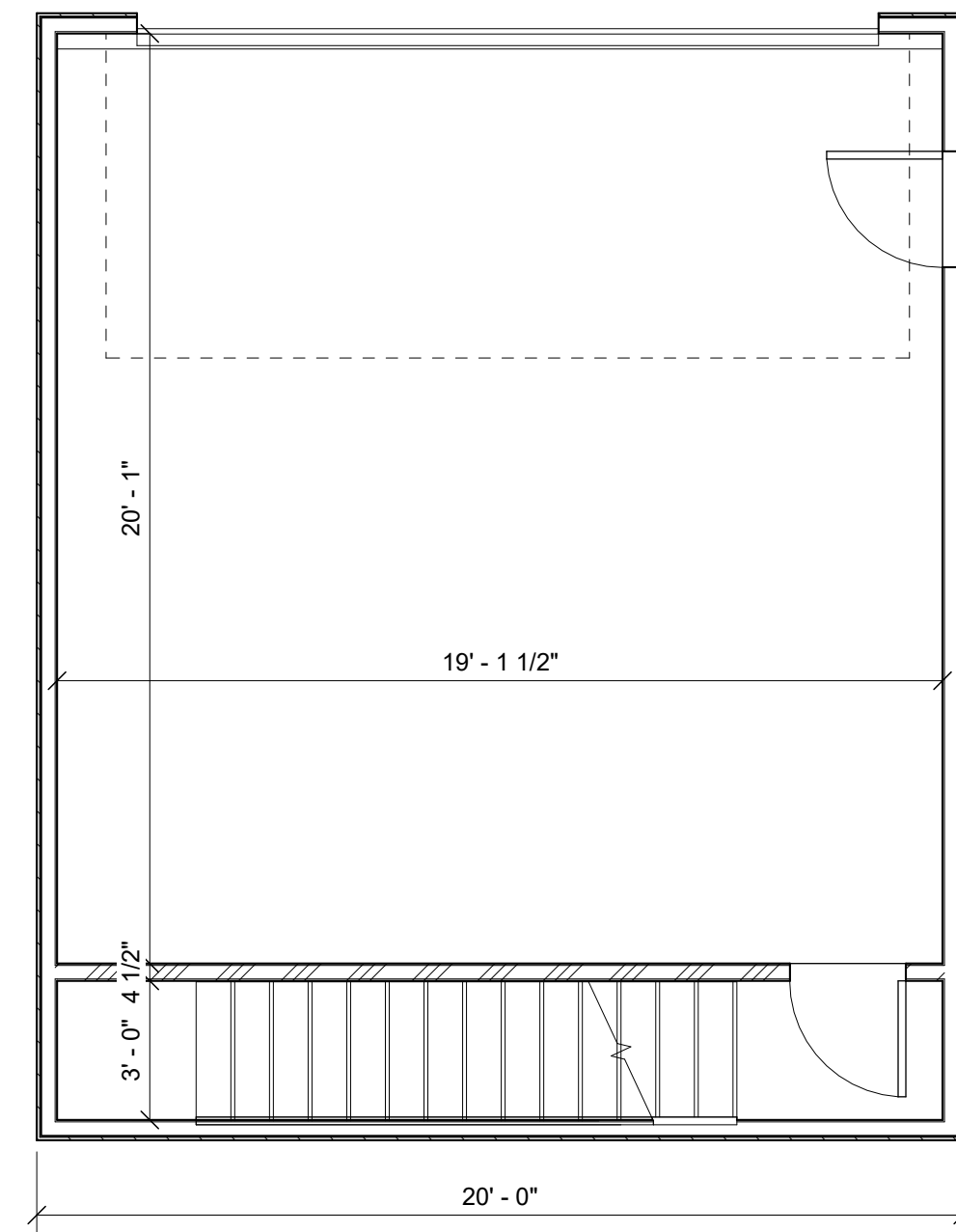
Approved By: _____
Date: _____
Daniel L. Bumpus
AR 0008045

ADAMS HOME RENOVATION
804 OAKDALE ST
WINDERMERE, FL

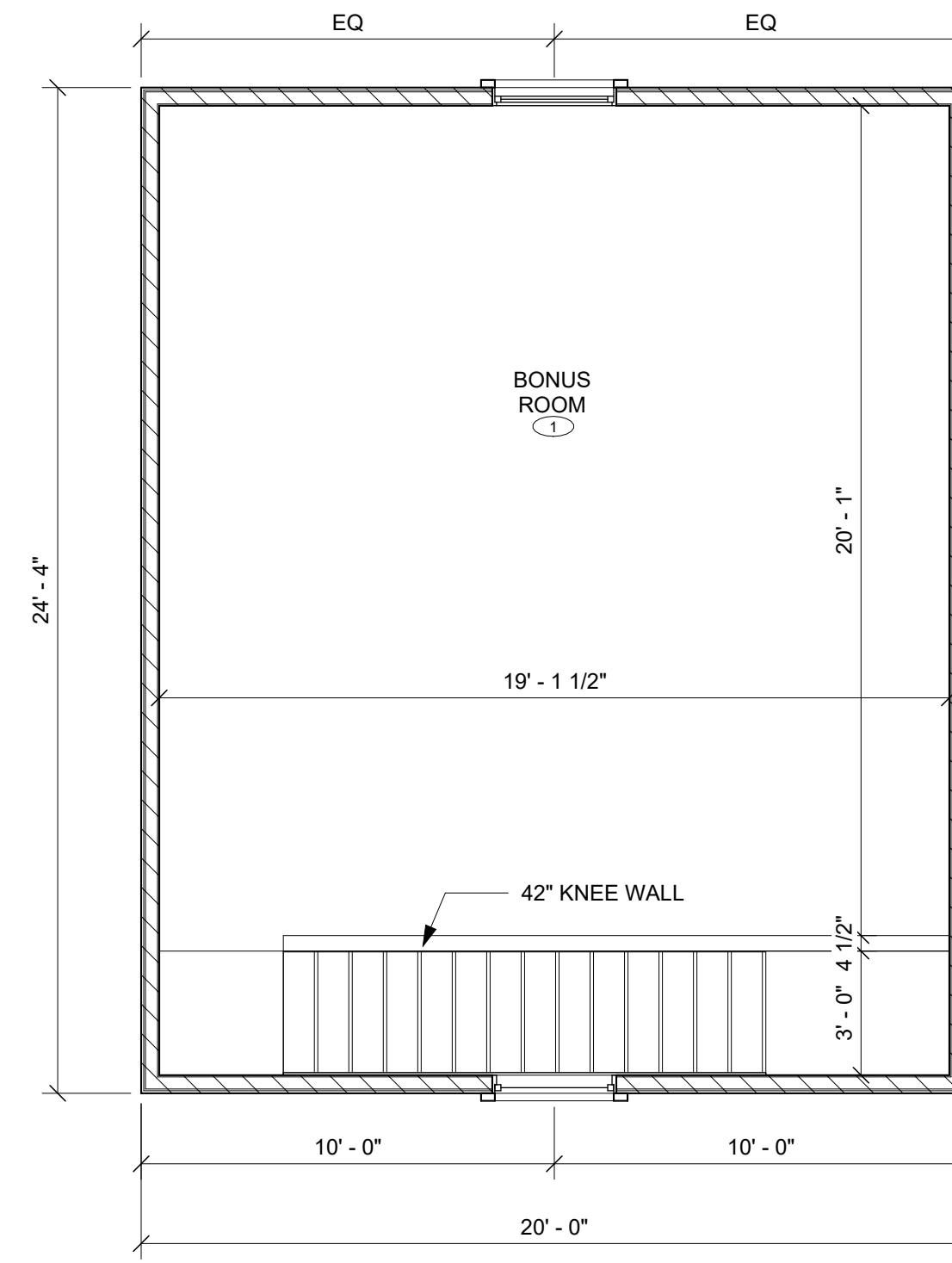
DRWN: SEC APVD: DLB
DATE: 3-28-22
SCALE: AS SHOWN
JOB NUMBER: 22104
SHEET: **A2**



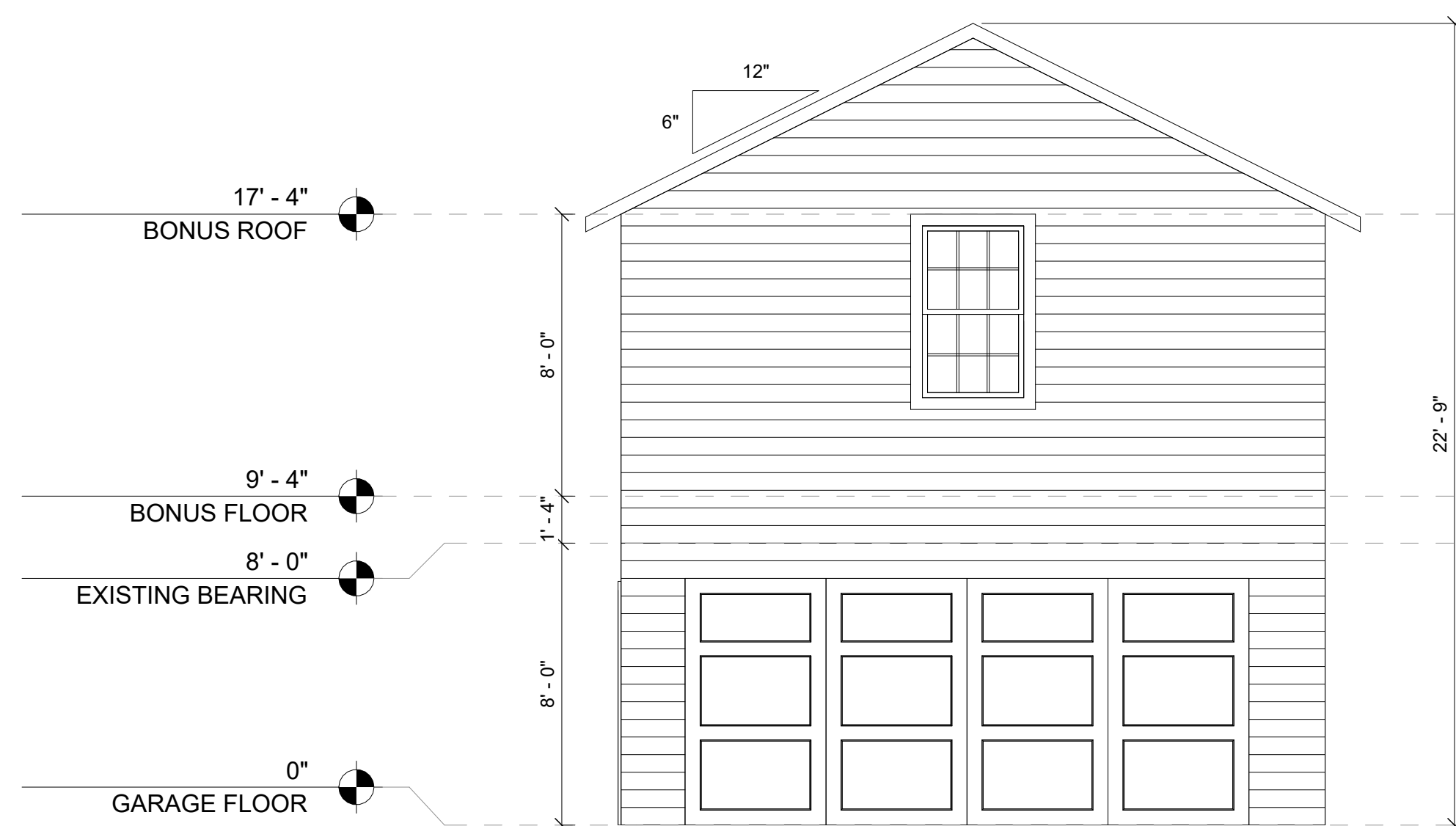
FLOOR PLAN - EXISTING
SCALE: 1/4" = 1'-0"



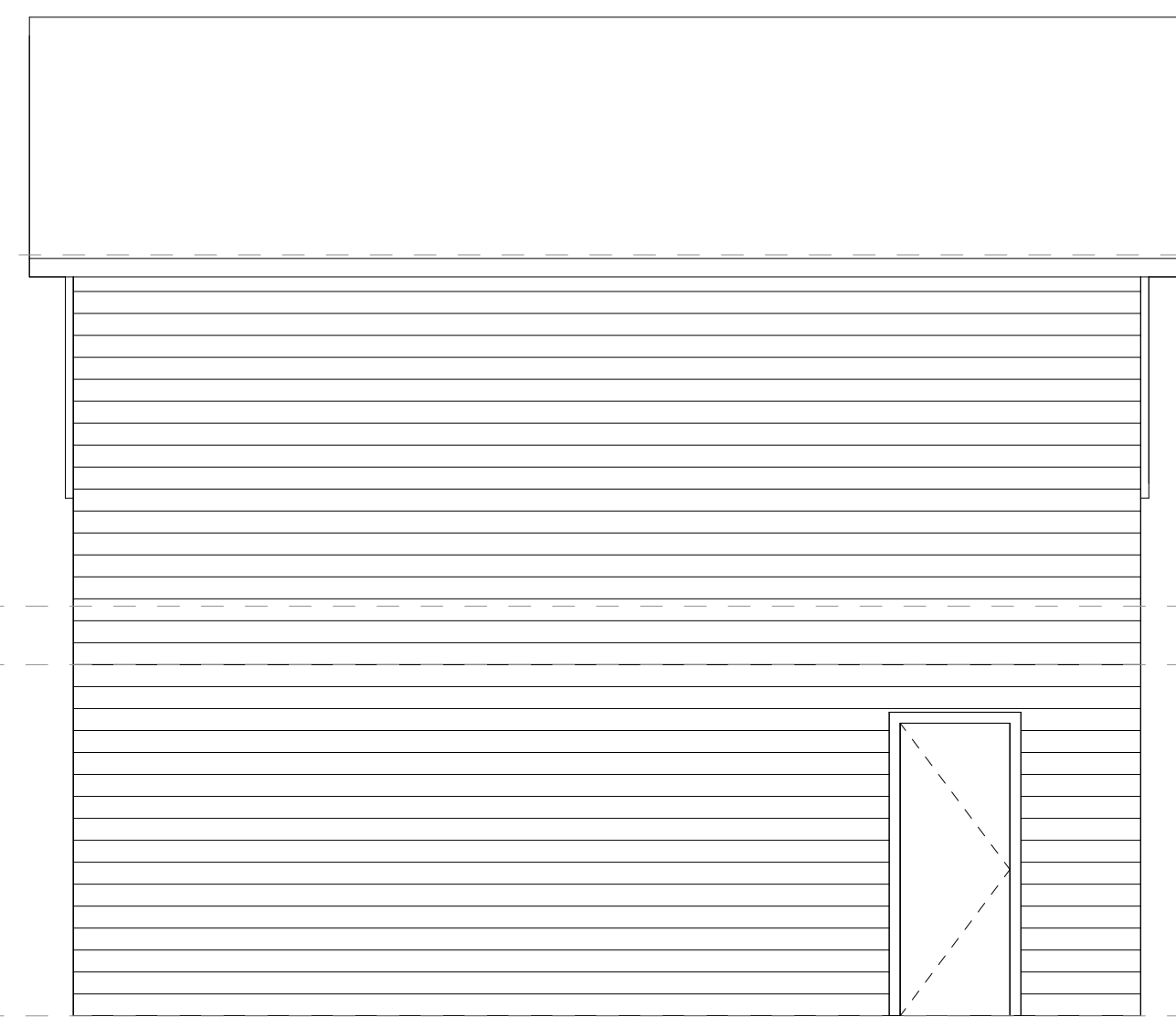
FLOOR PLAN - NEW
SCALE: 1/4" = 1'-0"



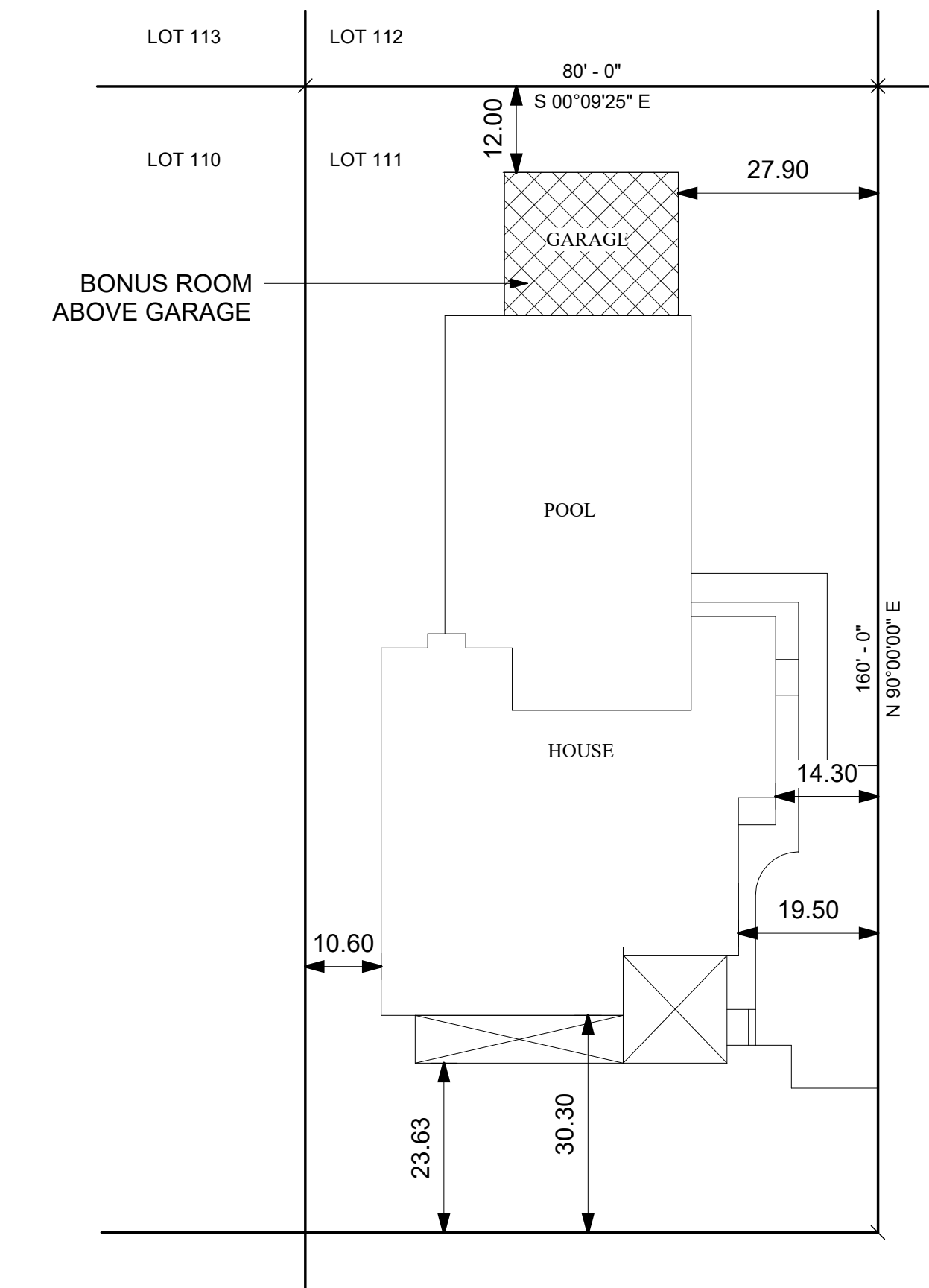
BONUS FLOOR
SCALE: 1/4" = 1'-0"



4 NORTH - NEW
A2.1 SCALE: 1/4" = 1'-0"



5 EAST - NEW
A2.1 SCALE: 1/4" = 1'-0"



OAKDALE ST

EIGHTH AVE

SITE PLAN1
SCALE: 1" = 20'-0"

#	DESCRIPTION	DATE	BY

BUMPUS AND ASSOCIATES, INC.
ARCHITECTURE - INTERIOR DESIGN
www.BUMPUSSANDASSOCIATES.com
608 FRONT STREET
CELEBRATION, FLORIDA 34747
AA C002051

Ph: (407) 566-0200
Fax: (407) 566-0222
AR 0008045

Approved By:
Daniel L. Bumpus
AR 0008045
Date: _____

**ADAMS
BONUS ROOM
804 OAKDALE ST
WINDERMERE, FL**

DRWN: BAA APVD: DLB
DATE: 4/4/2023
SCALE: AS SHOWN
JOB NUMBER: 22104
SHEET: **A2.1**

CONSTRUCTION DRAWINGS

ADAMS

HOME RENOVATION

804 OAKDALE ST
WINDERMERE, FL

ARCHITECT

BUMPUS AND ASSOCIATES, INC.

ARCHITECTURE-INTERIOR DESIGN

603 FRONT STREET
CELEBRATION, FLORIDA 34747
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Approved By:
Daniel L. Bumpus
AK 0008045
Date

ADAMS
HOME RENOVATION
804 OAKDALE ST
WINDERMERE, FL

DATE: 4-26-23
SCALE: As Shown
JOB NUMBER: 22104
SHEET: A0

Revised Variance
Request/Plans Submitted by
Applicant on 4/26/2023
Removes Garage Addition for
Town Council Consideration on
5/9/2023

GENERAL NOTES:

1. FOR ARCHITECTURAL REFERENCE, ELEVATIONS SHOWN HEREFTER ARE BASED ON ELEVATION 0'-0" AT BUILDING FIRST FLOOR FINISH FLOOR SLAB.

2. ALL TRADES SHALL BE RESPONSIBLE TO READ ALL DETAILS AND SPECIFICATIONS AND PLANS. IF ANY CONFLICTS EXIST, THAT TRADE SHALL NOTIFY THE SUPERINTENDENT OF THE SAME PRIOR TO COMMENCEMENT OF WORK.

MECHANICAL NOTES:

- ALL DRYER VENT MUST COMPLY WITH SECTION M 1502 FBC
- ALL AIR RETURNS MUST COMPLY WITH SECTION M 1602 FBC
- ALL A/C UNITS SHALL HAVE A MIN. OF 4" CLEARANCE ON ALL SIDES

PLUMBING NOTES:

- WATER HEATER T&P RELIEF VALVE TO BE FULL SIZE TO EXTERIOR
- WATER HEATER AT FLOOR LEVEL TO BE IN A PAN W/ DRAIN TO EXTERIOR (WITH THERMAL EXPANSION DEVICE)
- SHOWER FIXTURES SHALL CONTAIN TEMPERATURE CONTROL VALVES
- ALL HOSEBIBS SHALL HAVE BACKFLOW DEVICES

DRYWALL NOTES:

- GYPSON BOARD FASTENER SCHEDULE SPECS FOR 1/2" GYP. BOARD:
1. NAILS - 5D COOLERS @ 7" O.C.
WALL - 3D COOLERS @ 8" O.C.
GA-216 5.5, ASTM C 514
2. SCREWS -
CEILING - 1 1/2" LONG GALV. @ 12"
O.C. WALL - 1 1/2" LONG GALV. @ 12"
O.C. GA - 216 6.7, ASTM C 1002
- ALL CEILING MOUNTED GYP. BOARD SHALL BE EITHER 1/2" CEILING GYP. BOARD OF 1/2" GYP. BOARD, GA 214-96
- GYPSON WALL BOARD ACTS AS THE CEILING DIAPHRAGM

GENERAL STRUCTURAL NOTES:

- ALL CONCRETE SHALL HAVE A MINIMUM SPECIFIED COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS FOR SLAB AND FOOTINGS, PROVIDE 3000 P.S.I. AT 28 DAYS FOR THE BEAMS AND CONCRETE FILLED BLOCK CELLS.
- ALL REINFORCING STEEL SHALL BE NEW BILLET STEEL MINIMUM GRADE 40 AND IDENTIFIED IN ACCORDANCE WITH ASTM A615, A616, A617 OR A706, U.N.O.
- CONCRETE MASONRY UNITS SHALL BE IN ACCORDANCE WITH ASTM C90 WITH A MINIMUM NET AREA COMPRESSIVE STRENGTH OF 1500 FM P.S.I.
- MORTAR SHALL BE TYPE M OR S IN ACCORDANCE WITH ASTM C270
- GROUT SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. AT 28 DAYS IN ACCORDANCE WITH ASTM C1019 OR ASTM C476
- ALL MASONRY OPENINGS TO BE PRECAST HEADERS UNLESS NOTED OTHERWISE
- ALL SECTIONS OF CM U. GREATER THAN 4'-0" IN LENGTH AND UNBROKEN BY OPENINGS ACT AS SHEAR WALL SEGMENTS AND INDIVIDUALLY PROVIDE BRACING FOR ADJACENT WALL FORCES AND MAY BE ASSUMED TO TRANSFER THRU BOND BEAMS TO INTERIOR SEGMENTS.
- REINFORCEMENT BAR SPLICES
#5 BAR - 25" MIN.
#7 BAR - 35" MIN.
- VERTICAL REINFORCEMENT SPACING IN MASONRY WALL.
- CONCRETE CAST AGAINST THE EARTH SHALL HAVE A MINIMUM CLEAR COVER OF 3" OVER REINFORCING STEEL.
- STARWAYS SHALL BE EQUIPPED WITH HANDRAILS LOCATED NOT LESS THAN 34" NOR MORE THAN 38" ABOVE THE LEADING EDGE OF A TREAD.
- THE MINIMUM HEADROOM IN ALL PARTS OF THE STAIRWAY SHALL NOT BE LESS THAN 6'-8" MEASURED VERTICALLY FROM THE SLOPED PLANE ADJOINING THE TREAD NOSING OR FROM THE FLOOR SURFACE OF THE LANDING OF PLATFORM.
- THE MAXIMUM RISER HEIGHT SHALL BE 7 1/2" INCHES (192MM), THE GREATEST RISER HEIGHT WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 1/4" INCH.

GENERAL STRUCTURAL NOTES CONT.:

- THE MINIMUM TREAD DEPTH SHALL BE 9 INCHES, THE GREATEST TREAD DEPTH WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 1/4" INCH.
- HANDRAILS WITH A CIRCULAR CROSS SECTION SHALL HAVE AN OUTSIDE DIAMETER OF AT LEAST 1 1/4" INCHES AND NOT GREATER THAN 2 INCHES. IF THE HANDRAIL IS NOT CIRCULAR IT SHALL HAVE A PERIMETER DIMENSION OF AT LEAST 4 INCHES AND NOT GREATER THAN 8 1/4" INCHES WITH A MAX CROSS SECTION OF DIMENSION OF 2 1/4 INCHES.
- HANDRAILS SHALL BE PROVIDED ON AT LAST ONE SIDE OF EACH CONTINUOUS RUN OF TREADS OR FLIGHT WITH FOUR OR MORE RISERS.
- REQUIRED GUARDS SHALL HAVE INTERMEDIATE RAILS OR ORNAMENTAL CLOSURES WHICH DO NOT ALLOW PASSAGE OF A SPHERE 4 INCHES OR MORE IN DIA.
- HANDRAILS SHALL BE DESIGNED & CONSTRUCTED FOR A CONCENTRATED LOAD OF 200 LB. APPLIED AT ANY POINT AND IN ANY DIRECTION.

FIELD REPAIR NOTES:

- MISSED LINTEL STRAPS FOR MASONRY CONSTRUCTION MAY BE SUBSTITUTED WITH (1) SIMPSON MTS 18 STRAP OR (1) USP HC10 STRAP W/3" 3/8" @ 2" LONG TAP CON (STAGGERED) TO BOND BENT BLOCK AND (9) 10D GALV. NAILS TO TRUSS. (MAX UPLIFT VALUE 1000 LBS - CONSULT W/ STRUCTURAL ENGINEER OR ARCHITECT IF REQUIRED UPLIFT VALUE IS GREATER).
- MISSED "J" BOLTS FOR WOOD LOAD BEARING WALLS MAY BE SUBSTITUTED W/ 1/2" @ 3 THREADED ANCHOR BOLTS SET IN 10" X 6" DEEP HOLE FILLED W/ U.S. ANCHOR ULTRA BOND OR "SIMPSON" EPOXY. THE SYSTEM FOLLOWING ALL MANUFACTURER'S RECOMMENDATIONS. (OR) 1/2" X 5 1/2" "RED HEAD" STUD EXPANSION ANCHOR BOLTS FOLLOWING ALL MANUFACTURER'S INSTALLATION PROCEDURES.
- MISSED DOWN RODS MAY BE SUBSTITUTED WITH #5 REBAR SET IN 10" X 6" DEEP HOLE FILLED WITH U.S. ANCHOR ULTRA BOND OR "SIMPSON" EPOXY. THE SYSTEM FOLLOWING ALL MANUFACTURER'S RECOMMENDATIONS.
- MAY SUBSTITUTE HURRICANE STRAP FROM THE STRUCTURAL ENGINEER'S OR ARCHITECT'S SPECIFIED MANUFACTURER WITH STRAP OF GREATER HOLD DOWN VALUE (MEETING SHEARING VALUE OF ORIGINAL SPECIFIED STRAP) IN FIELD WITHOUT VERIFICATION, PROVIDED THAT ALL MANUFACTURER INSTALLATION INSTRUCTIONS ARE FOLLOWED.

WOOD CONSTRUCTION NOTES:

- LOAD-BEARING DIMENSION LUMBER SHALL BE IDENTIFIED BY A GRADE MARK OF A LUMBER GRADING OR INSPECTION AGENCY THAT HAS BEEN APPROVED BY AN ACCREDITATION BODY THAT COMPLIES WITH DOC P5 20.
- STUDS SHALL BE SPACED AT 16" O.C. FOR ALL EXTERIOR BEARING WALLS UNO.
- ALL LVL MEMBERS SHALL HAVE A MINIMUM ALLOWABLE BENDING STRESS OF 2,750 P.S.I. AND AN ALLOWABLE SHEAR STRESS OF 250 P.S.I.
- SEE CHART BELOW FOR STUD GRADE, SPACING AND SIZE SPECIFICATIONS WHEN USING CEMENTITIOUS PLASTER (STUCCO) FOR AN EXTERIOR WALL FINISH UNO.

WALL HEIGHT	SIZE, TYPE & SPACING
UP TO 9'-1 1/2"	2x4 S.P.F. @ 16" O.C.
OVER 9'-1 1/2" TO 10'-1 1/2"	2x4 S.P.F. @ 12" O.C.

WALL HEIGHT	SIZE, TYPE & SPACING
UP TO 8'-1 1/2"	2x4 S.P.F. @ 16" O.C.
OVER 8'-1 1/2" TO 9'-1 1/2"	2x4 S.P.F. @ 12" O.C.
OVER 9'-1 1/2" TO 10'-1 1/2"	2x6 S.P.F. @ 16" O.C.

SHEATHING NOTES:

- ALL ROOF SHEATHING SHALL BE FASTENED TO ROOF FRAMING WITH 8D RING SHANK NAILS WITH THE FOLLOWING MINIMUM DIMENSIONS: 0.113 INCH NOMINAL SHANK DIAMETER, RING DIAMETER OF 0.012 OVER SHANK, 15 TO 20 RINGS PER INCH, 0.280 INCH FULL ROUND HEAD DIAMETER, 2 INCH NAIL LENGTH.
- ROOF NAILING PATTERN SHALL BE AS FOLLOWS: 3" O.C. EDGES, 6" O.C. FIELD, AND GABLE TRUSSES SHALL BE NAILED AT 4" O.C.
- ROOF SHEATHING ACTS AS HORIZONTAL DIAPHRAGM.
- NAILS USED IN WALL SHEATHING APPLICATIONS SHALL BE 8D, COMMON, RING OR SPIRAL SHANK, OR HOT DIPPED GALVANIZED, HAND OR GUN DRIVEN. FOR GUN DRIVEN NAIL, THE SHANK SHALL BE 0.113 DIA. X 2 1/2" LONG W/ 1584" DIA. HEAD, FULL ROUND.
- NAILING PATTERN SHALL BE AS FOLLOWS: 4" O.C. EDGES, 8" O.C. FIELD.
- FULL DEPTH BLOCKING SHALL BE PLACED AT ALL WALL SHEATHING JOINTS NOT OCCURRING @ PLATES

ROOF COVERING NOTES:

- SHINGLES - FBC R905
- ASPHALT SHINGLES SHALL HAVE SELF-SEAL STRIPS OR BE INTERLOCKING, AND COMPLY W/ ASTM D225 OR ASTM D3482
 - UNDERLAYMENT SHALL BE A MINIMUM OF ONE LAYER OF UNDERLAYMENT FELT APPLIED AS FOLLOWS, STARTING AT EAVE, UNDERLAYMENT SHALL BE APPLIED SHINGLE FASHION PARALLEL TO THE EAVE, LAPPED 2 INCHES AND FASTENED SUFFICIENTLY TO STAY IN PLACE.
 - FASTENERS SHALL BE GALV. STAINLESS STEEL, ALUMINUM OR COPPER ROOFING NAILS. MIN. 12 GAUGE SHANK W/ A MINIMUM "DIA. HEAD OF A LENGTH TO PENETRATE THROUGH THE ROOF SHEATHING.
 - ATTACHMENT OF SHINGLES SHALL COMPLY W/ ASTM D3161 MODIFIED TO 110 MPH OR T&107; 6 NAILS PER SHINGLE
 - 15/32" MIN. PLYWOOD DECKING SHALL BE INSTALLED PERPENDICULAR TO SUPPORTS.
 - METHOD OF INSTALLATION SYSTEM ONE SELF-ADHERED UNDERLAYMENT - APPLIED DIRECT TO WOOD DECK
 - THE DIRECT DECK APPLICATION REQUIRES TWO 100 RING SHANK NAILS PER TILE.

UNDERLAYMENT APPLICATION:

UNDERLAYMENT SHALL BE INSTALLED USING ONE OF THE FOLLOWING METHODS:

- FOR ROOF SLOPES FROM TWO UNITS VERTICAL IN 12 UNITS HORIZONTAL (17-PERCENT SLOPE), AND LESS THAN FOUR UNITS VERTICAL IN 12 UNITS HORIZONTAL (33-PERCENT SLOPE), UNDERLAYMENT SHALL COMPLY WITH ASTM D 226, TYPE I OR TYPE II OR ASTM D 4869, TYPE II OR TYPE IV OR ASTM D 6157 AND SHALL BE TWO LAYERS APPLIED IN THE FOLLOWING MANNER. APPLY A 19-INCH (483MM) STRIP OF UNDERLAYMENT FELT PARALLEL TO AND STARTING AT THE EAVES, FASTENED SUFFICIENTLY TO HOLD IN PLACE. STARTING AT THE EAVE, APPLY 36-INCH WIDE (914MM) SHEETS OF UNDERLAYMENT, OVERLAPPING SUCCESSIVE SHEETS 19 INCHES (483MM), AND FASTENED WITH A 1-INCH (25MM) ROUND PLASTIC CAP, METAL CAP NAILS OR NAILS AND TM-TABS ATTACHED TO A NAILEABLE DECK WITH ONE ROW IN THE FIELD OF THE SHEET WITH A MAXIMUM FASTENER SPACING OF 12 INCHES (305MM) O.C. AND ONE ROW AT THE OVERLAPS FASTENED 8 INCHES (152MM) O.C. SYNTHETIC UNDERLAYMENT SHALL BE FASTENED IN ACCORDANCE WITH THIS SECTION AND THE MANUFACTURER'S RECOMMENDATIONS.
- FOR ROOF SLOPES OF FOUR UNITS VERTICAL IN 12 UNITS HORIZONTAL (33-PERCENT SLOPE) OR GREATER, UNDERLAYMENT SHALL COMPLY WITH ASTM D226, TYPE II OR ASTM D4869, TYPE IV OR ASTM D6157 AND SHALL BE ONE LAYER APPLIED IN THE FOLLOWING MANNER. UNDERLAYMENT SHALL BE APPLIED SHINGLE FASHION, PARALLEL TO AND STARTING FROM THE EAVE AND LAPPED 2 INCHES (51MM), FASTENED WITH 1-INCH (25MM) ROUND PLASTIC CAP, METAL CAP NAILS OR NAILS AND TM-TABS ATTACHED TO A NAILEABLE DECK WITH TWO STAGGERED ROWS IN THE FIELD OF THE SHEET WITH A MAXIMUM FASTENER SPACING OF 12 INCHES (305MM) O.C. AND ONE ROW AT THE OVERLAPS FASTENED 6 INCHES (152MM) O.C. SYNTHETIC UNDERLAYMENT SHALL BE FASTENED IN ACCORDANCE WITH THIS SECTION AND THE MANUFACTURER'S RECOMMENDATIONS. END LAPS SHALL BE OFFSET BY 6 FEET (1829MM).

FLASHING NOTES:

- VALLEY FLASHING METAL IS TO BE GALVANIZED STEEL - 28G, NAILED @ 6" O.C. MAX.
- DRIP EDGE SHALL BE PROVIDED AT EAVES AND GABLES OF SHINGLE ROOFS, AND OVERLAPPED A MIN. OF 3 INCHES. DRIP EDGE SHALL BE FASTENED A MAX OF 12 INCHES O.C.
- CONT. L FLASHING AT ROOF TO WALL INTERSECTIONS.

FIRE RATED ASSEMBLY NOTES:

- CONCRETE MASONRY UNITS
A. 8X8X16, 2-CORE, 1.5" FACE, NORMAL WEIGHT CMU, EXCEEDS ASTM E 119 - 1HR FIRE RATING AND CAN BE PLACED LESS THAN 5 FT FROM PROPERTY LINE ACCORDING TO FBC TABLE R501(1)
- OPENINGS IN WALLS THAT ARE LESS THAN 25% OF WALL AREA CAN BE LOCATED NO LESS THAN 3 FT FROM PROPERTY LINE ACCORDING TO FBC TABLE 203.1(1)

EXTERIOR PLASTER NOTES:

- LATH, ALL LATH AND LATH ATTACHMENTS SHALL BE OF CORROSION-RESISTANT MATERIALS. EXPANDED METAL OR WOVEN WIRE LATH SHALL BE ATTACHED WITH 1 1/2" INCH LONG (38MM), 11 GAGE NAILS HAVING A 7/16-INCH (11.1MM) HEAD, OR 7/8-INCH LONG (22.2MM), 16 GAGE STAPLES, SPACED AT NO MORE THAN 6 INCHES (152MM), OR AS OTHERWISE APPROVED.
- PLASTER, PLASTERING WITH PORTLAND CEMENT PLASTER SHALL BE NOT LESS THAN THREE COATS WHEN APPLIED OVER METAL LATH OR WIRE LATH AND SHALL BE NOT LESS THAN TWO COATS WHEN APPLIED OVER MASONRY, CONCRETE, PRESERVE PRESERVATIVE TREATED WOOD OR DECAH-RESISTANT WOOD AS SPECIFIED IN SECTION R317.1 OR GYPSON BOARDING, IF THE PLASTER SURFACE IS COMPLETELY COVERED BY VENEER OR OTHER FINISHING MATERIAL OR IS COMPLETELY CONCEALED, PLASTER APPLICATION NEED BE ONLY TWO COATS, PROVIDED THE TOTAL THICKNESS IS AS SET FORTH IN TABLE R702.1(1).

- WEEP SCREEDS - A MINIMUM 0.019-INCH (0.5MM) (NO. 26 GALVANIZED SHEET GAGE), CORROSION-RESISTANT WEEP SCREED OR PLASTIC WEEP SCREED, WITH A MINIMUM VERTICAL ATTACHMENT FLANGE OF 3 1/2 INCHES (89MM) SHALL BE PROVIDED AT OR BELOW THE FOUNDATION PLATE LINE ON EXTERIOR STUD WALLS IN ACCORDANCE WITH ASTM C 889. THE WEEP SCREED SHALL BE PLACED A MINIMUM OF 4 INCHES (102MM) ABOVE THE EARTH OR 2 INCHES (51MM) ABOVE PAVED AREAS AND SHALL BE OF A TYPE THAT WILL ALLOW TRAPPED WATER TO DRAIN TO THE EXTERIOR OF THE BUILDING. THE WEATHER-RESISTANT BARRIER SHALL LAP THE ATTACHMENT FLANGE. THE EXTERIOR LATH SHALL COVER AND TERMINATE ON THE ATTACHMENT FLANGE OF THE WEEP SCREED.

- WATER-RESISTIVE BARRIERS, WATER-RESISTIVE BARRIERS SHALL BE INSTALLED AS REQUIRED IN SECTION R703.2 AND, WHERE APPLIED OVER WOOD-BASED SHEATHING, SHALL INCLUDE A WATER-RESISTIVE VAPOR-FERMEABLE BARRIER WITH A PERFORMANCE AT LEAST EQUIVALENT TO TWO LAYERS OF GRADE D PAPER. THE INDIVIDUAL LAYERS SHALL BE INSTALLED INDEPENDENTLY SUCH THAT EACH LAYER PROVIDES A SEPARATE CONTINUOUS PLANE AND ANY FLASHING (INSTALLED IN ACCORDANCE WITH SECTION R703.8) INTENDED TO DRAIN TO THE WATER-RESISTIVE BARRIER SHALL BE INSTALLED OVER THE WATER-RESISTIVE BARRIER.

MISC. NOTES:

- EXTERIOR WALLS SHALL PROVIDE THE BUILDING WITH A WEATHER-RESISTANT EXTERIOR WALL ENVELOPE.
- ASPHALT-SATURATED FELT FREE FROM HOLES AND BREAKS, WEIGHING NOT LESS THAN 14 LBS/100 SQ FT, AND COMPLYING WITH ASTM D 226 OR OTHER APPROVED WEATHER-RESISTANT MATERIAL SHALL BE APPLIED OVER STUDS OR SHEATHING OF ALL EXTERIOR WALLS. PAPERBACKED STUCCO LATH MAY BE SUBSTITUTED.
- PORTLAND CEMENT-BASED PLASTER (A.K.A. TEXTURED MASONRY FINISH) SHALL BE 7/8" INCH THICK AND APPLIED OVER METAL LATH AND 2 LAYERS OF GRADE D BUILDING PAPER OR METAL LATH BACKED W/ ASPHALT SATURATED KRAFT GRADE "D" BREATHER-TYPE PAPER.
- TRUSS CONNECTORS SHOWN ON THESE DRAWINGS HAVE BEEN SELECTED BASED ON LOADING ASSUMPTIONS BY THE TRUSS DESIGNER.
- ALL DETAILS AND SECTIONS SHOWN ON THE DRAWING ARE INTENDED TO BE TYPICAL, AND SHALL BE CONSTRUED TO APPLY TO ANY SIMILAR SITUATION ELSEWHERE ON THE PROJECT, EXCEPT WHERE A DIFFERENT DETAIL IS SHOWN.
- MINIMUM SOIL BEARING PRESSURE - 2000 P.S.F. ALL FILL SHALL BE CLEAN SAND, FREE OF ORGANIC AND ANY OTHER DELETERIOUS MATERIALS.
- ALL EXTERIOR FOOTINGS SHALL BE PLACED AT LEAST 12 INCHES BELOW UNDISTURBED GROUND SURFACE. FOOTINGS SHALL BE SUPPORTED ON UNDISTURBED NATURAL SOILS OR ENGINEERED FILL.
- THE DOOR BETWEEN THE GARAGE AND THE LIVING AREA SHALL BE EQUIPPED WITH SOLID WOOD DOORS NOT LESS THAN 1 INCHES IN THICKNESS, SOLID OR HONEYCOMB CORE STEEL DOORS NO LESS THAN 1 INCHES IN THICKNESS, OR 20-MINUTE FIRE RATED DOORS. GARAGES BENEATH HABITABLE ROOMS SHALL BE SEPARATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN 1/2 INCH TYPE X GYPSON BOARD.
- THE DOOR BETWEEN THE GARAGE AND THE LIVING AREA SHALL BE EQUIPPED WITH A SELF-CLOSING DEVICE.

ADDITIONAL NOTES:

- CONTRACTOR TO VERIFY ALL DIMENSIONS, INCLUDING HORIZONTAL, VERTICAL AND ROOF PITCHES. CONTRACTOR TO HAVE SURVEYOR ESTABLISH PROPERTY LINES AND CONFIRM THAT NO PORTION OF THE STRUCTURE EXTENDS INTO THE SETBACK.
- CONTRACTOR TO SCHEDULE INSPECTIONS W/ ARCHITECT AFTER TRUSSES ARE INSTALLED AND BEFORE WALLS ARE COVERED.
- CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR ALL TRUSSES TO ARCHITECT FOR REVIEW PRIOR TO ORDERING TRUSSES.

CODE COMPLIANCE SUMMARY

EXPOSURE CATEGORY: B
WIND SPEED: 140 MPH Valt
INTERNAL PRESSURE COEFFICIENTS: BUILDING, ENCLOSED - ±0.18
RISK CATEGORY: 20 PSF
ROOF DESIGN WIND PRESSURE: FBC, SECTION R301

ROOF LOADS:
TOP CHORD LIVE LOAD - 20.0
TOP CHORD DEAD LOAD - 7/0/15.0
BOTTOM CHORD DEAD LOAD - 10.0
ROOF LIVE LOAD EQUALS WIND LOADS, FBC R301 ROOF DEAD LOAD EQUALS WEIGHTS OF MATERIALS AND CONSTRUCTION, FBC R301

FLOOR LOADS:
TOP CHORD LIVE LOAD - 40.0
TOP CHORD DEAD LOAD - 10.0
BOTTOM CHORD DEAD LOAD - 5.0
SECOND FLOOR LIVE LOAD - 40.0
ATTIC LIVE LOAD - 40.0
FLOOR LIVE LOAD EQUALS LOAD PRODUCED BY RESIDENTIAL OCCUPANCY, FBC R501
FLOOR DEAD LOAD EQUALS WEIGHTS OF MATERIALS AND CONSTRUCTION, FBC R501

WINDOW DESIGN WIND PRESSURE =
A. POSITIVE PRESSURE OF 33.3 PSF
B. NEGATIVE PRESSURE OF -47.2 PSF
DOOR DESIGN WIND PRESSURE =
SLIDING GLASS DOORS =
ALL SIZES
A. POSITIVE PRESSURE OF 33.7 PSF
B. NEGATIVE PRESSURE OF -44 PSF
ENTRY DOORS -
ALL CONFIGURATIONS -
A. POSITIVE PRESSURE OF 33.7 PSF
B. NEGATIVE PRESSURE OF -44 PSF
GARAGE DOORS -
ALL GARAGE DOORS -
A. POSITIVE PRESSURE OF 19.1 PSF
B. NEGATIVE PRESSURE OF -21.6 PSF

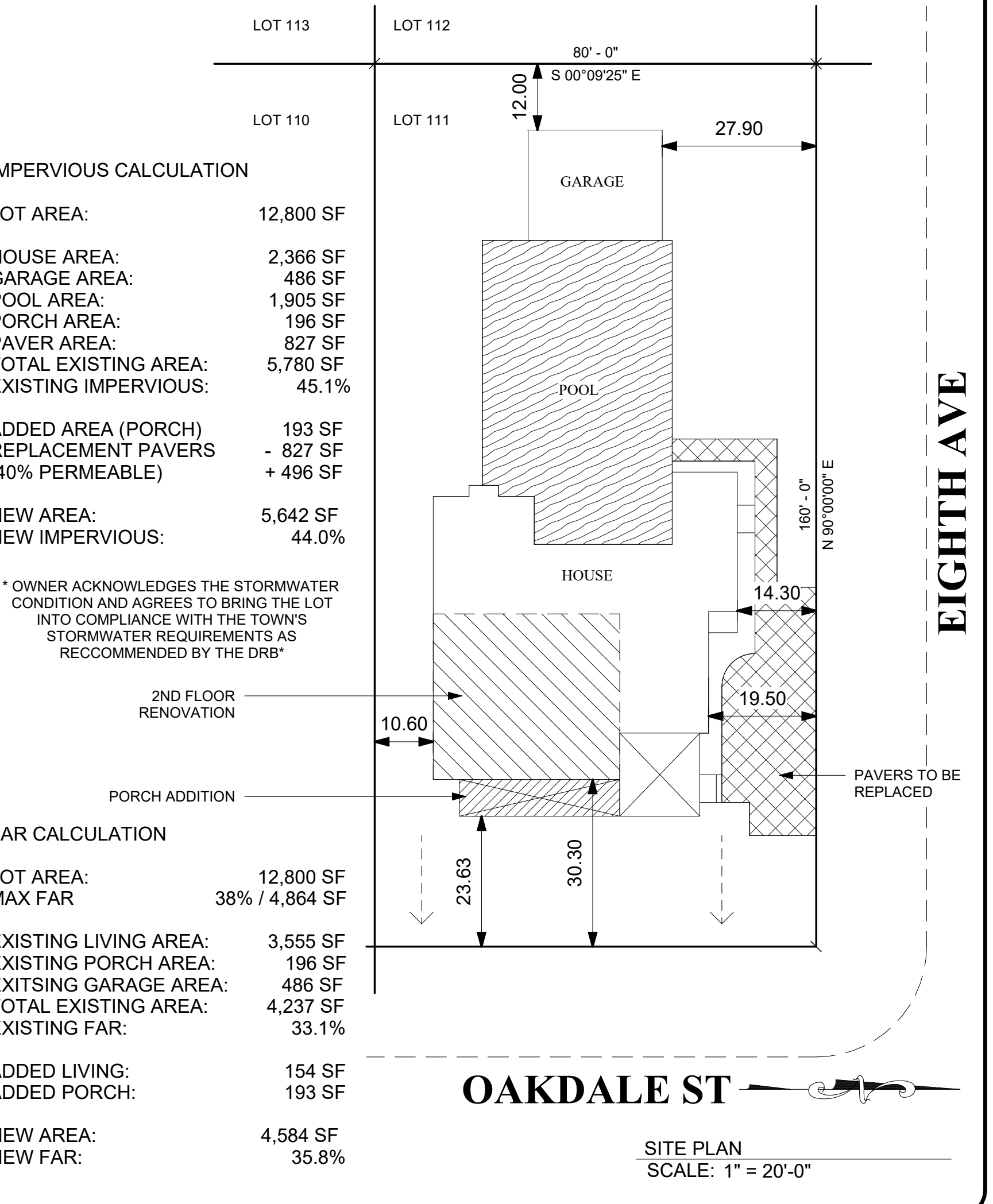
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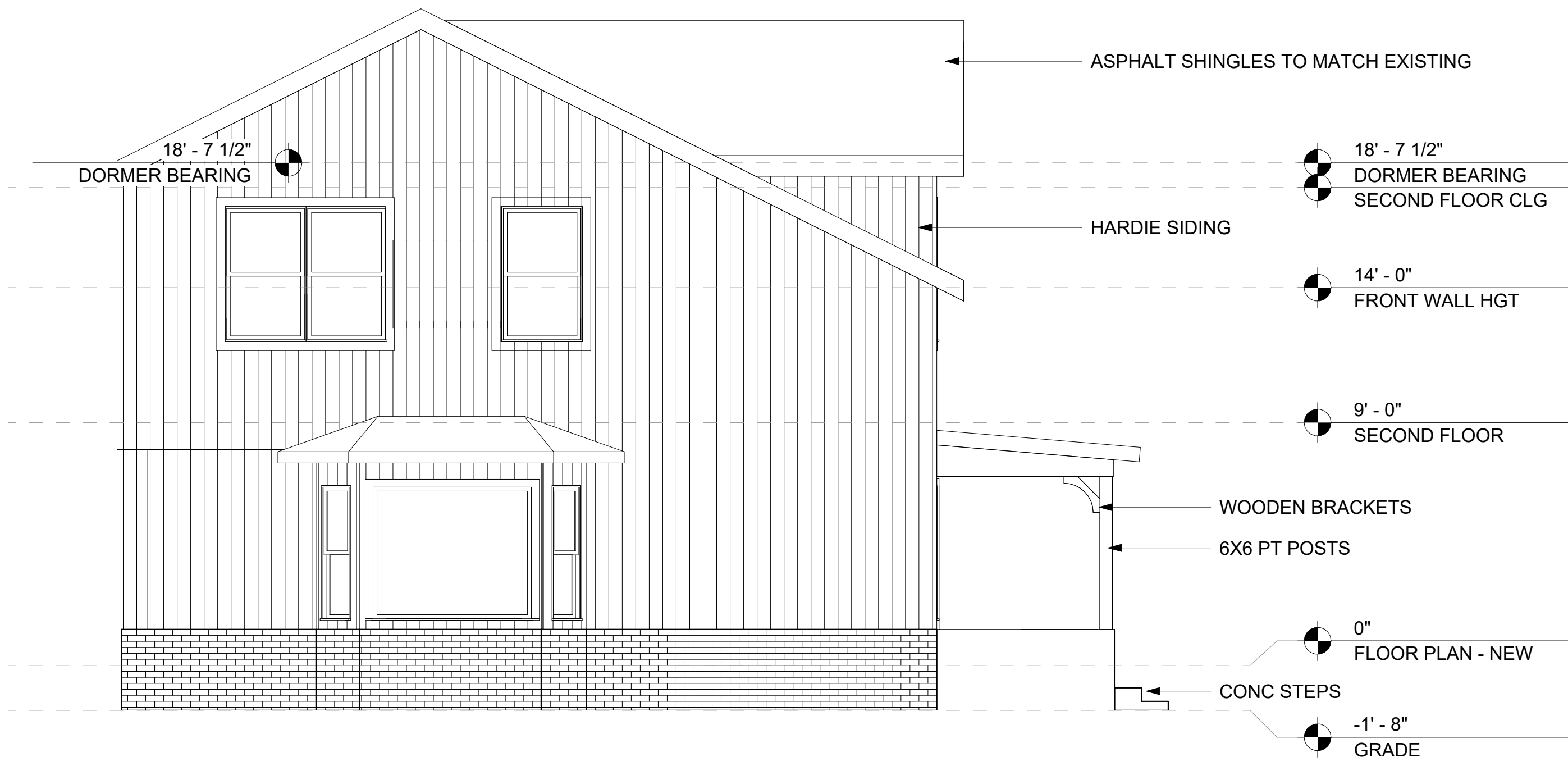
WIND FORCES: FBC 7th EDITION (2020), RESIDENTIAL, SECT 301
PLUMBING & MECHANICAL: FBC 7th EDITION (2020), RESIDENTIAL
ELECTRICAL: FBC 6th EDITION (2020), RESIDENTIAL AND NEC 2017

ARCHITECTURAL SHEETS

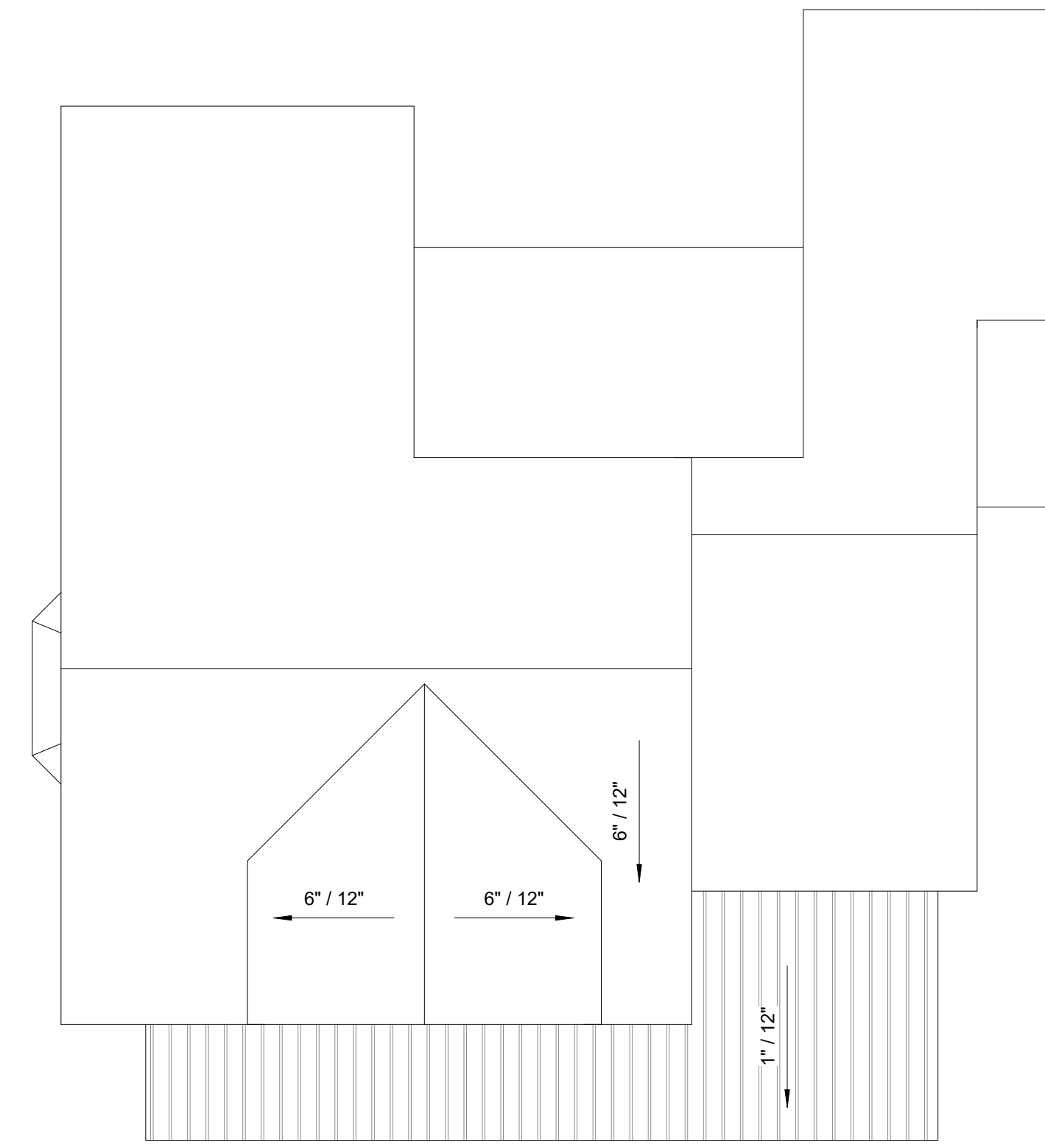
EXISTING LIVING AREA	= 3,555 S.F.
SECOND FLOOR EXPANSION	= 154 S.F.
NEW LIVING AREA	= 3,709 S.F.
NO CHANGE TO NON-LIVING AREA	

COVER SHEET	A0
ELEVATIONS	A1
FLOOR PLAN	A2
ELECTRICAL PLAN	A3
FOUNDATION AND FRAMING	A4
SCHEDULES & DETAILS	A5
SCHEDULES & DETAILS	A6

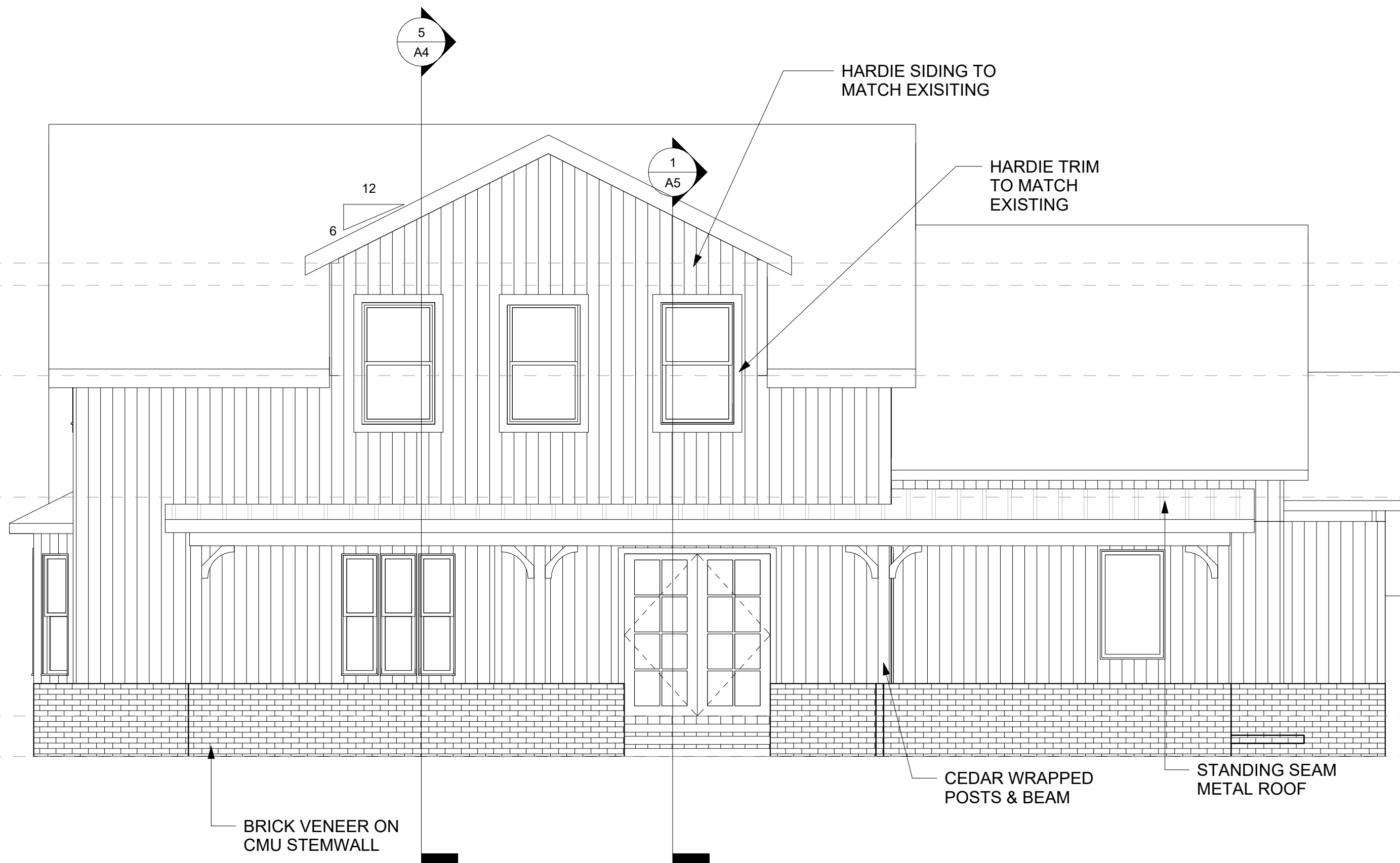




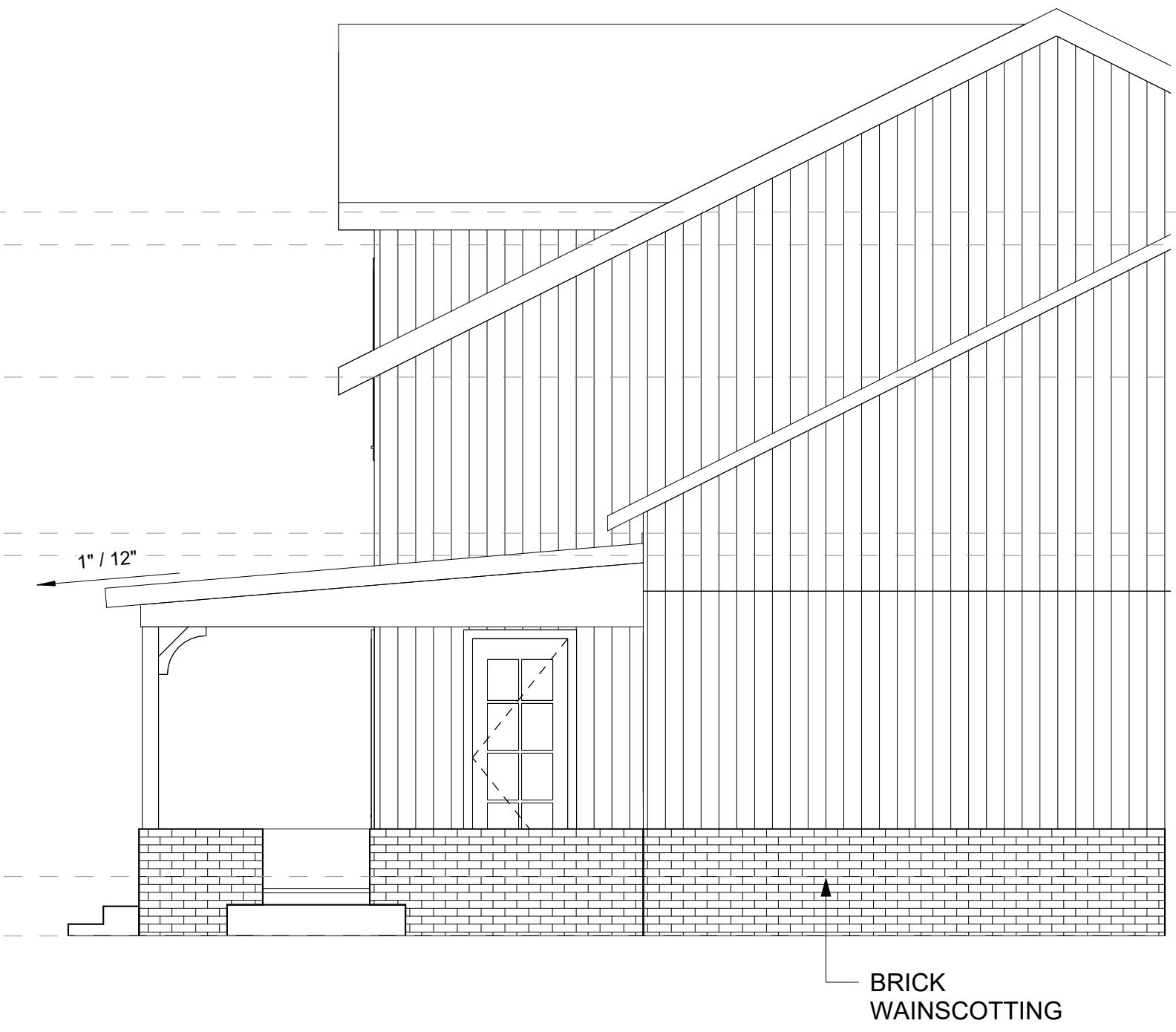
1 WEST - NEW
A1 SCALE: 1/4" = 1'-0"



3 ROOF
A1 SCALE: 1/8" = 1'-0"



2 SOUTH - NEW
A1 SCALE: 1/4" = 1'-0"



4 EAST - NEW
A1 SCALE: 1/4" = 1'-0"



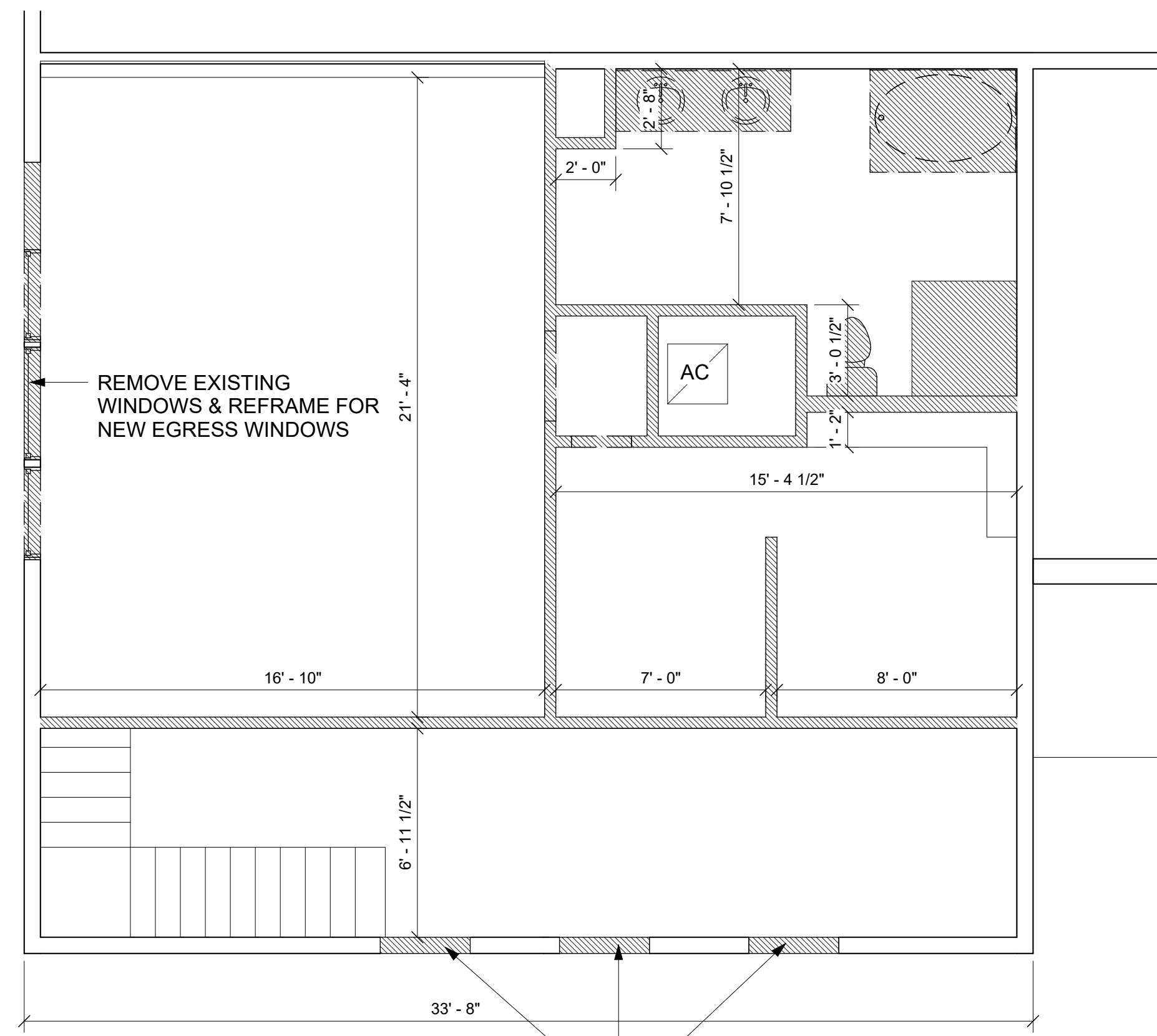
#	DESCRIPTION	DATE	BY

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Approved By:
Daniel L. Bumpus
AR 0008045
Date

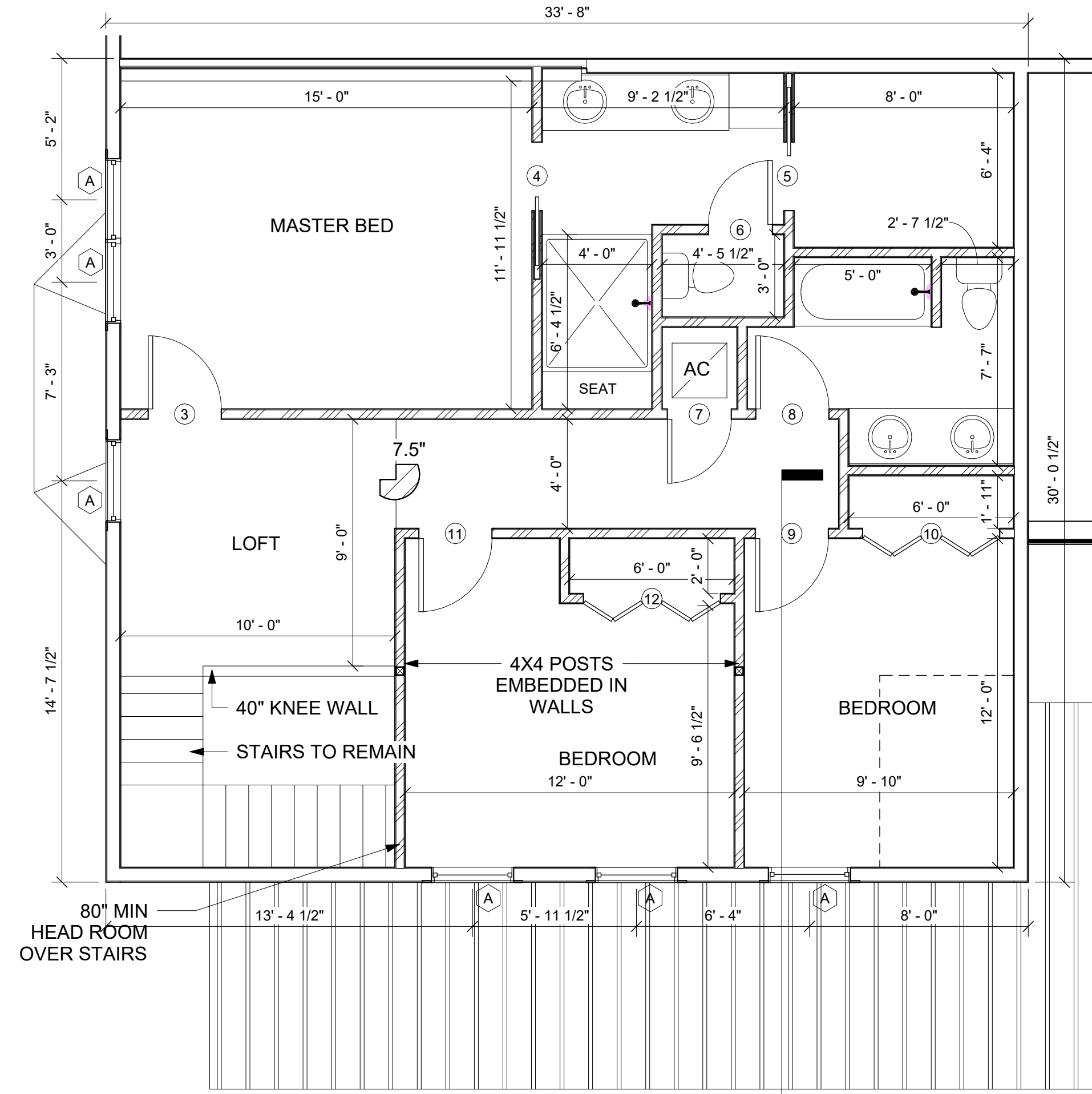
ADAMS HOME RENOVATION
804 OAKDALE ST
WINDERMERE, FL

DRWN: BAA APVD: DLB
DATE: 4-26-23
SCALE: AS SHOWN
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SHEET: **A1**

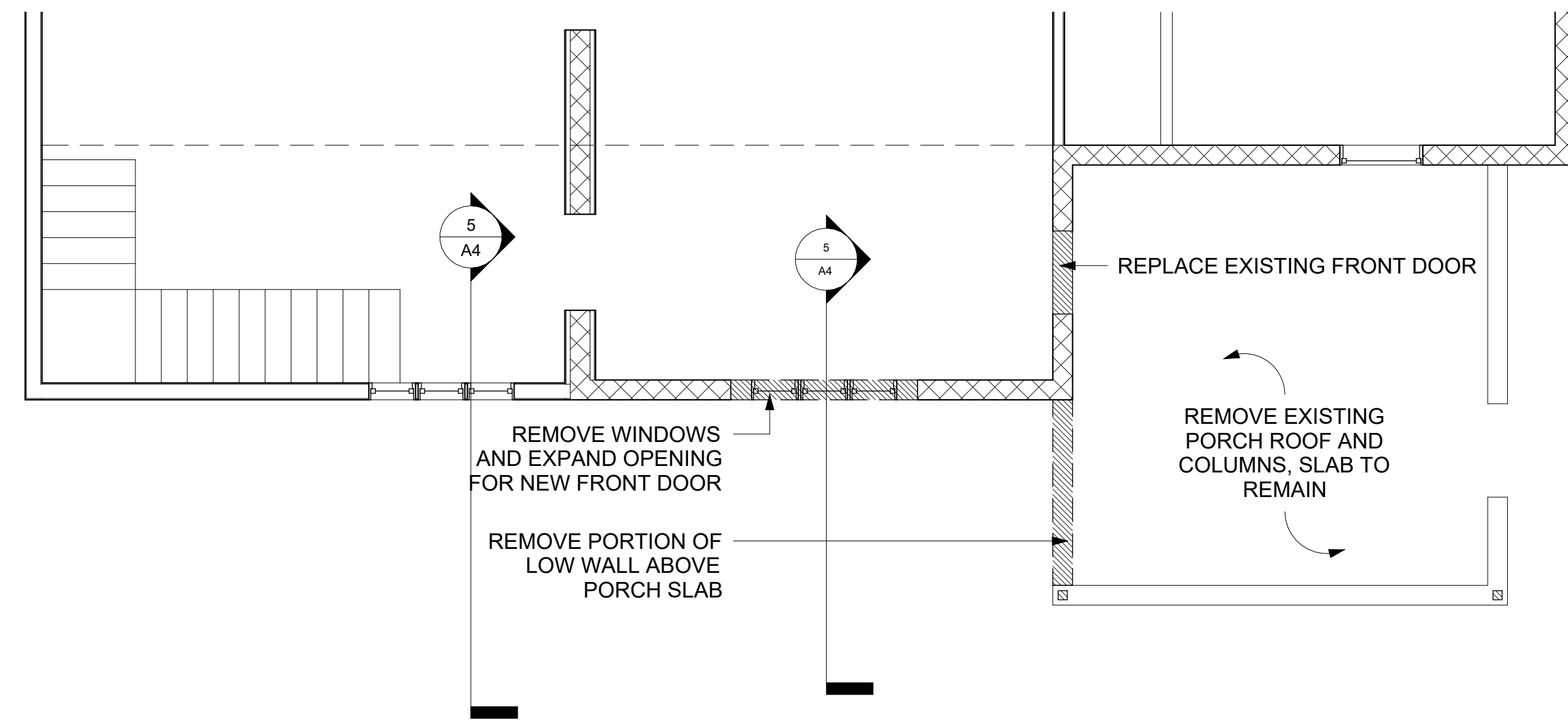


SECOND FLOOR - EXISTING
SCALE: 1/4" = 1'-0"

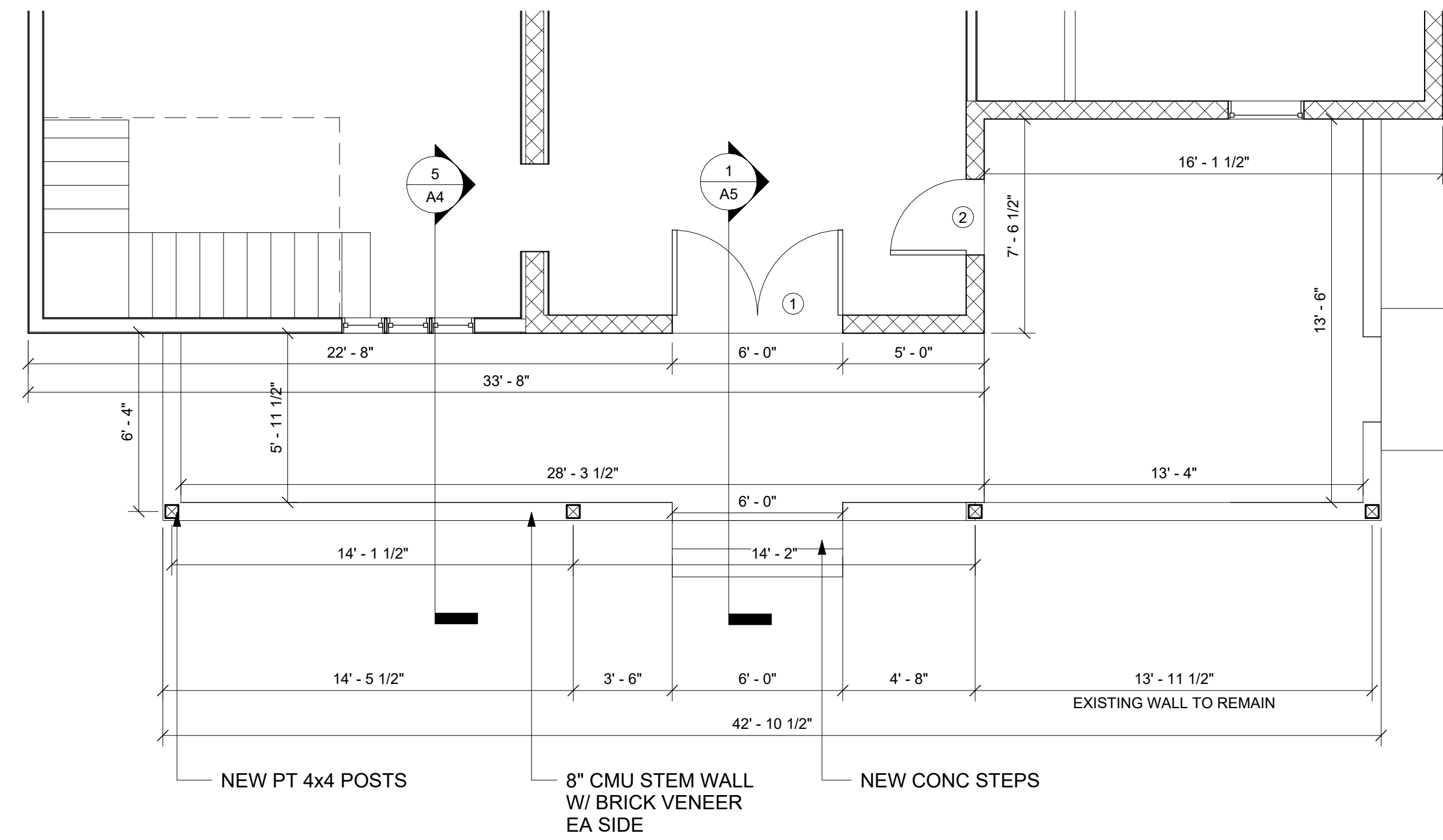
WALL LEGEND	
	EXISTING WALLS TO REMAIN
	EXISTING WALLS TO BE REMOVED
	NEW EXT WALLS - 2x6 STUDS W/ 1/2" GYP ON INT AND HARDIE SIDING OVER 1/2" ZIP BOARD ON EXT
	NEW INT WALLS - 2x4 STUDS W/ 1/2" GYP EA SIDE
	EXISTING DOORS AND WINDOWS TO REMAIN
	EXISTING DOORS AND WINDOWS TO BE REMOVED



SECOND FLOOR - NEW
SCALE: 1/4" = 1'-0"



FLOOR PLAN - DEMO
SCALE: 1/4" = 1'-0"



FLOOR PLAN - NEW
SCALE: 1/4" = 1'-0"

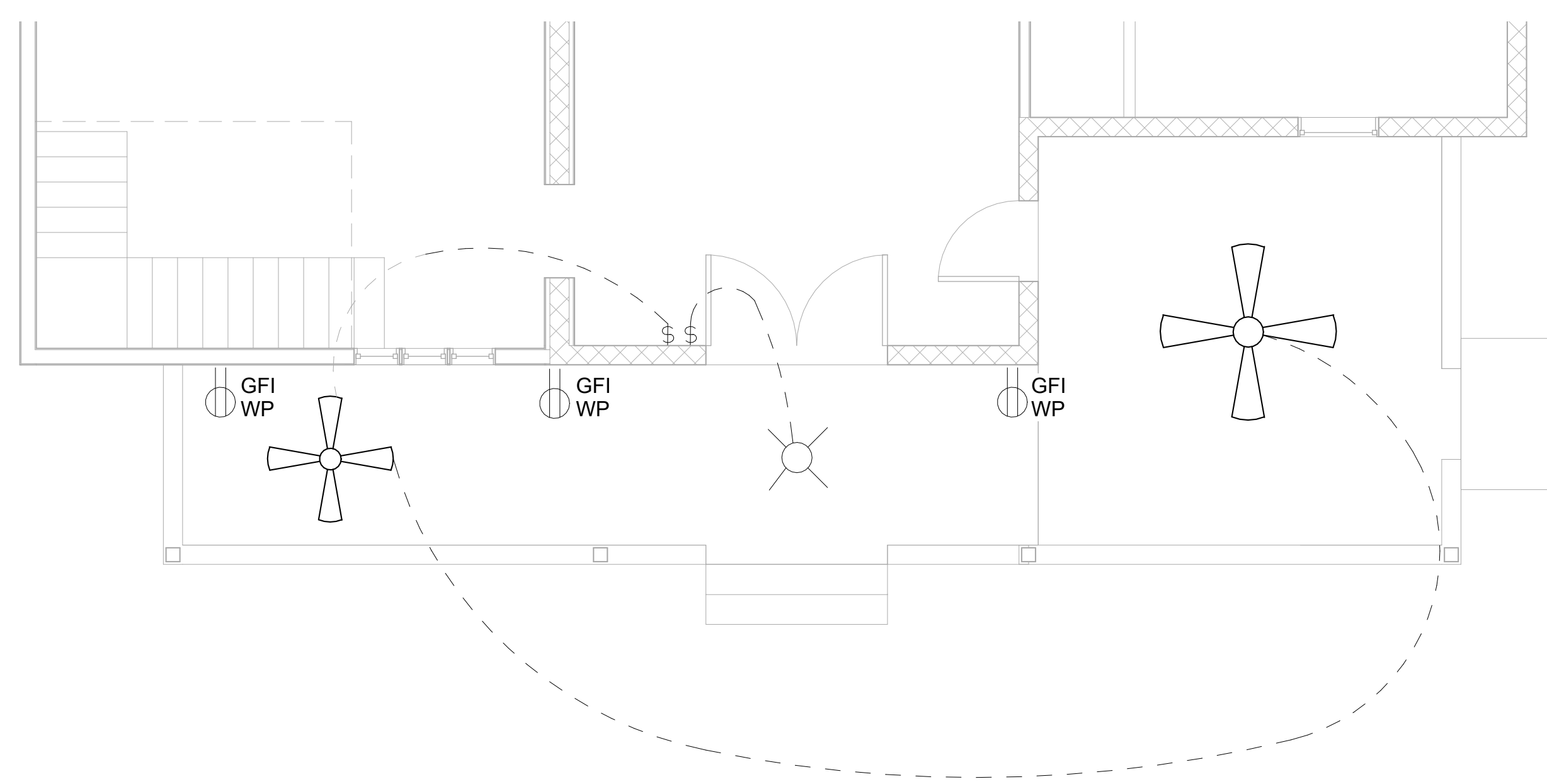
#	DESCRIPTION	DATE	BY

BUMPUS AND ASSOCIATES, INC.
ARCHITECTURE - INTERIOR DESIGN
www.BUMPUSSANDASSOCIATES.com
608 FRONT STREET
CELEBRATION, FLORIDA 34747
AA C002051
Ph: (407) 566-0200
Fax: (407) 566-0222
AR 0008045

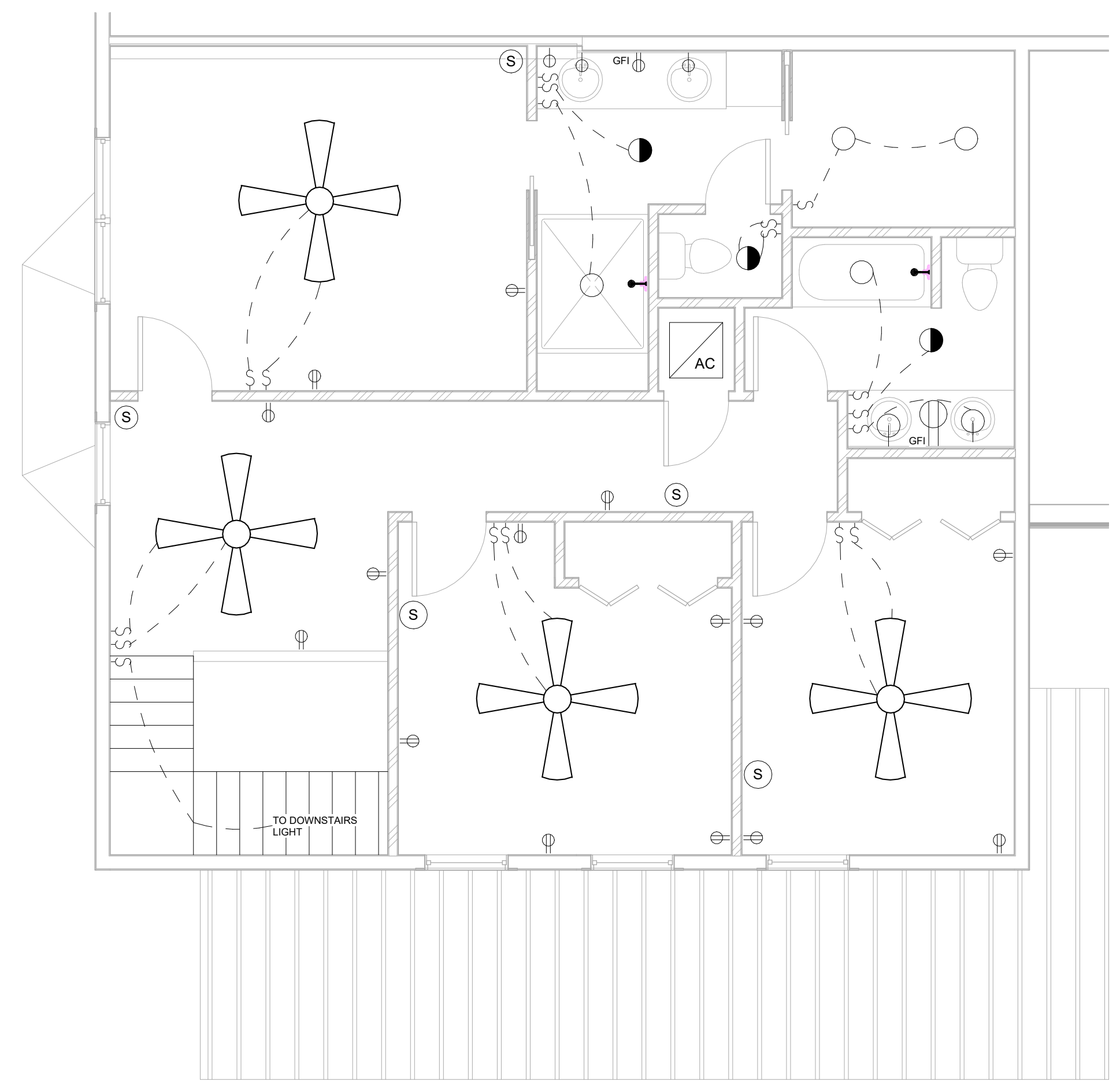
Approved By:
Daniel L. Bumpus
AR 0008045
Date: _____

ADAMS HOME RENOVATION
804 OAKDALE ST
WINDERMERE, FL

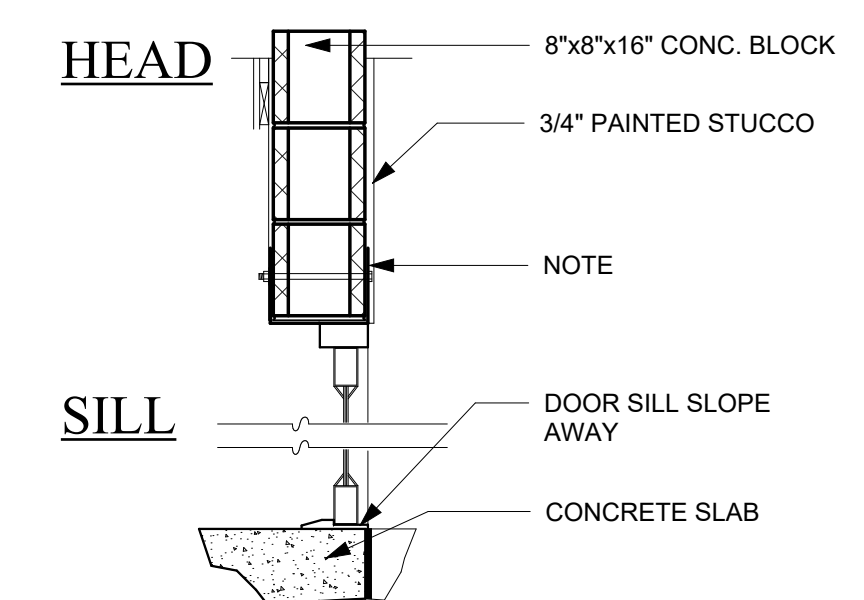
DRWN: SEC	APVD: DLB
DATE: 4-26-23	
SCALE: AS SHOWN	
JOB NUMBER: 22104	
SHEET: A2	



FLOOR PLAN - ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

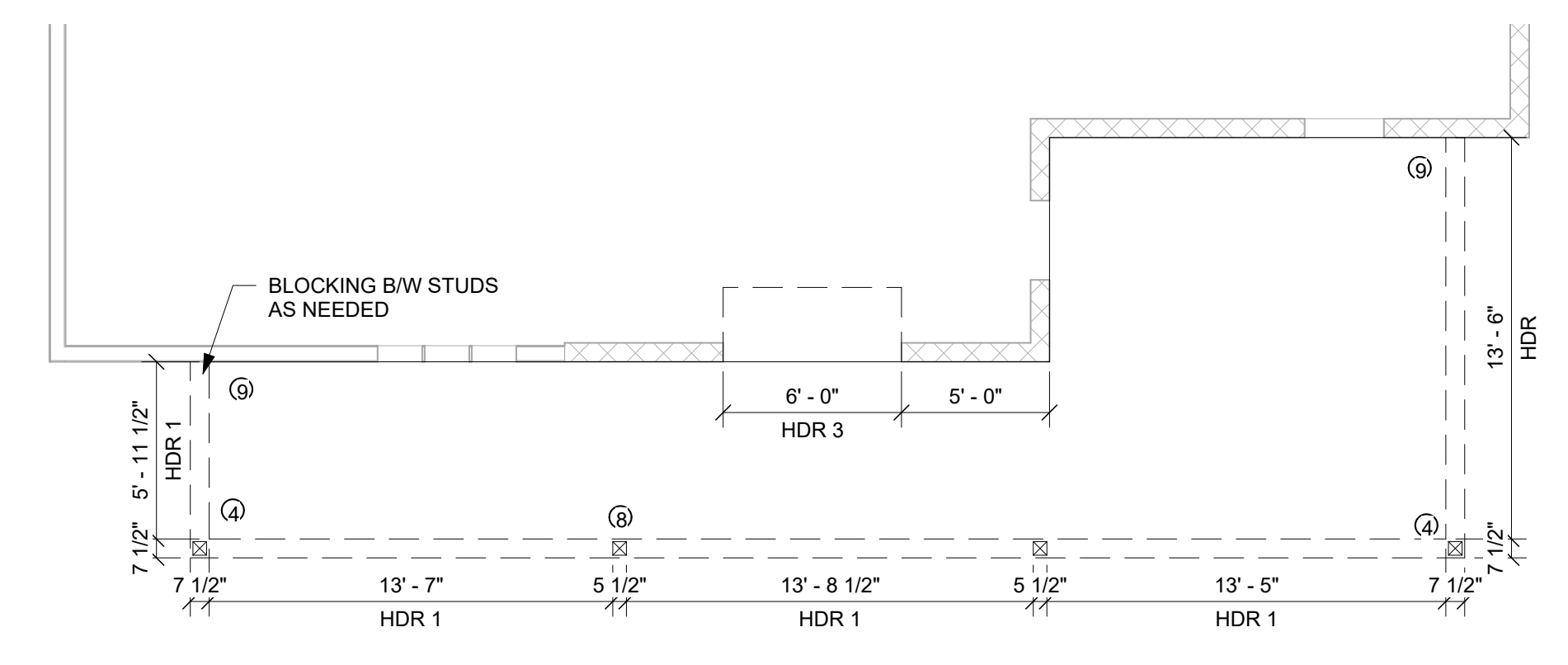


SECOND FLOOR - ELECTRICAL
SCALE: 1/4" = 1'-0"

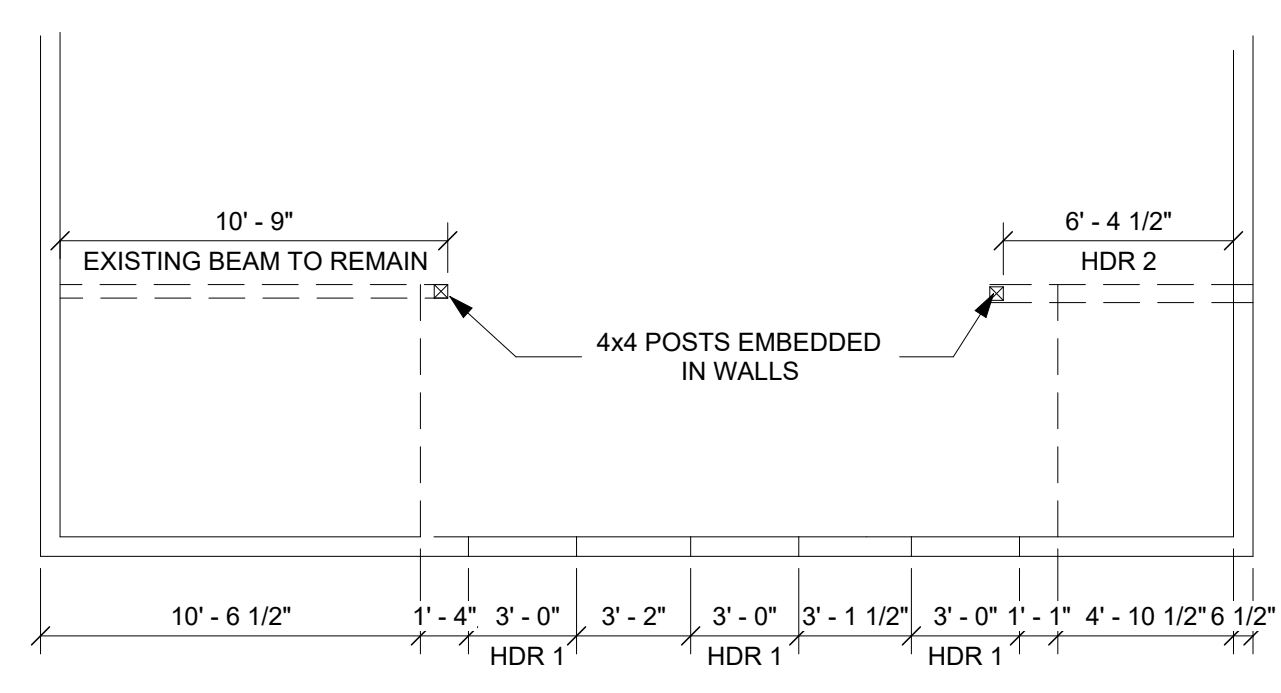


NOTE:
CUT 1 SIDE OF EXISTING CMU WALL AND INSERT 4"x6"x3/8" STEEL ANGLE
CUT OTHER SIDE AND INSERT SECOND ANGLE
CUT AND INSERT ANGLES 8" PAST OPENING ON EACH END
1/2" THRU BOLTS/ 1 AT EACH END & 3'-0" O.C.
AFTER ANGLES & BOLTS ARE IN PLACE, REMOVE PORTION OF WALL BELOW

5 OPENING CUT INTO EXISTING WALL
A3 SCALE: 3/4" = 1'-0"



FLOOR PLAN - PORCH HEADER PLAN
SCALE: 3/16" = 1'-0"



SECOND FLOOR - HEADER PLAN
SCALE: 3/16" = 1'-0"

HEADER:
HDR1: (2) 2x8's W/ 1/2" PLY SPACERS
HDR2: (2) 2x12's W/ 1/2" PLY SPACERS
HDR3: STEEL LINTEL
-SEE 5/A3

ELECTRICAL LEGEND			
	CEILING FAN		SWITCH
	CEILING MOUNTED LIGHT		2-WAY SWITCH
	6" CAN LIGHT		OUTLET
	WALL LIGHT		EXTERIOR OUTLET- WATERPROOF COVER
	SMOKE ALARM		CABLE OUTLET
			EXTRACTOR FAN/ LIGHT COMBO

NOTES:
1. ALL OUTLETS SHALL BE ARC FAULT CIRCUIT INTERRUPTERS
2. ALL 125 VOLT 75 AND 20 AMPERE RECEPTACLES SHALL BE LISTED TAMPER-RESISTANT RECEPTACLES NEC 2008 21052
3. EXISTING ELECTRICAL TO REMAIN UNLESS OTHERWISE NOTED

SMOKE DETECTORS:
SMOKE DETECTORS SHALL BE IN ALL SLEEPING AREAS, SHALL BE INTERCONNECTED, SHALL BE 3' FROM WITHIN 1' TO 3' OF PEAK AND SHALL BE 3' FROM THE SUPPLY OR RETURN AIR STREAM AND EQUIPPED WITH A BATTERY BACKUP

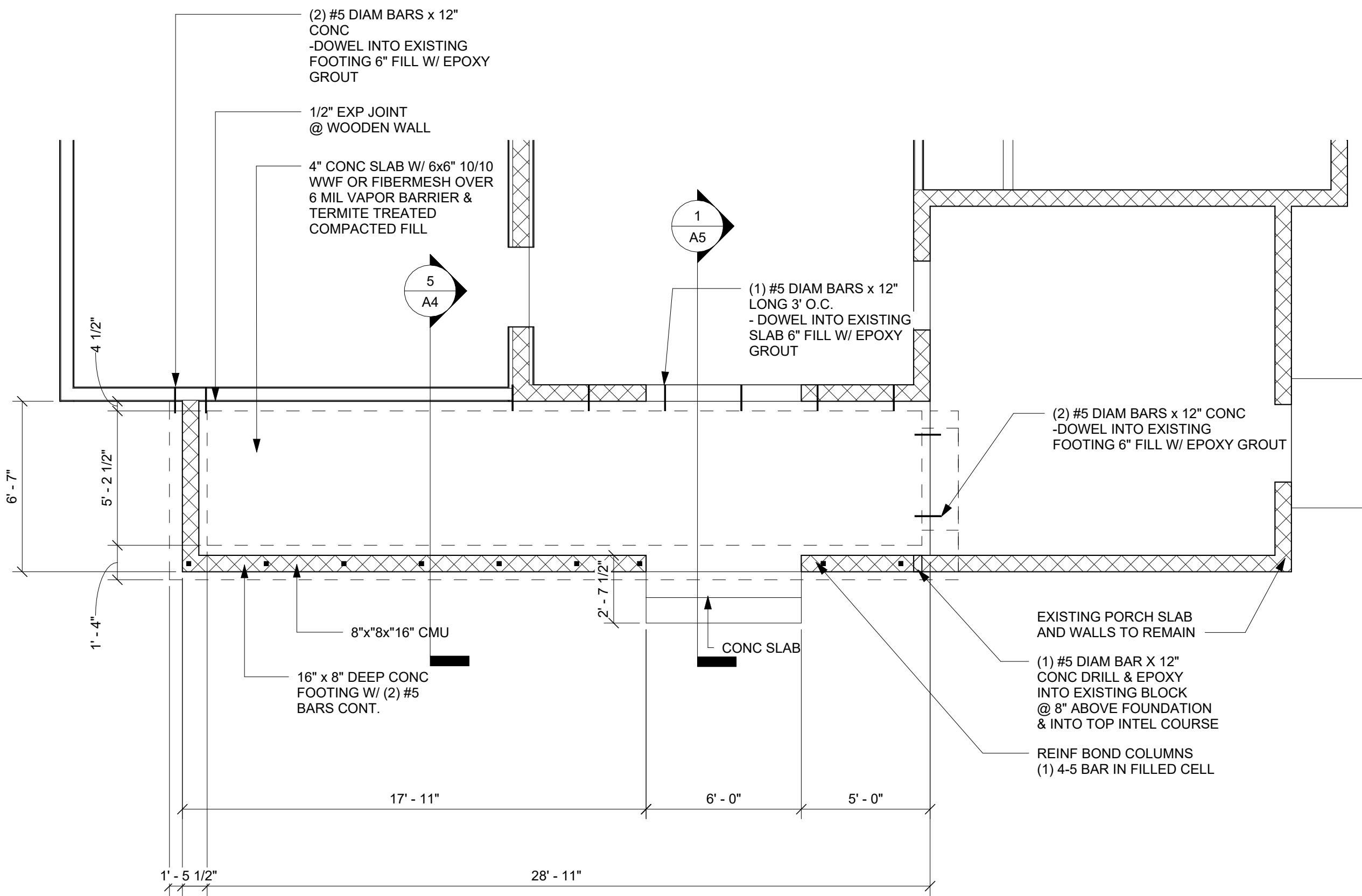
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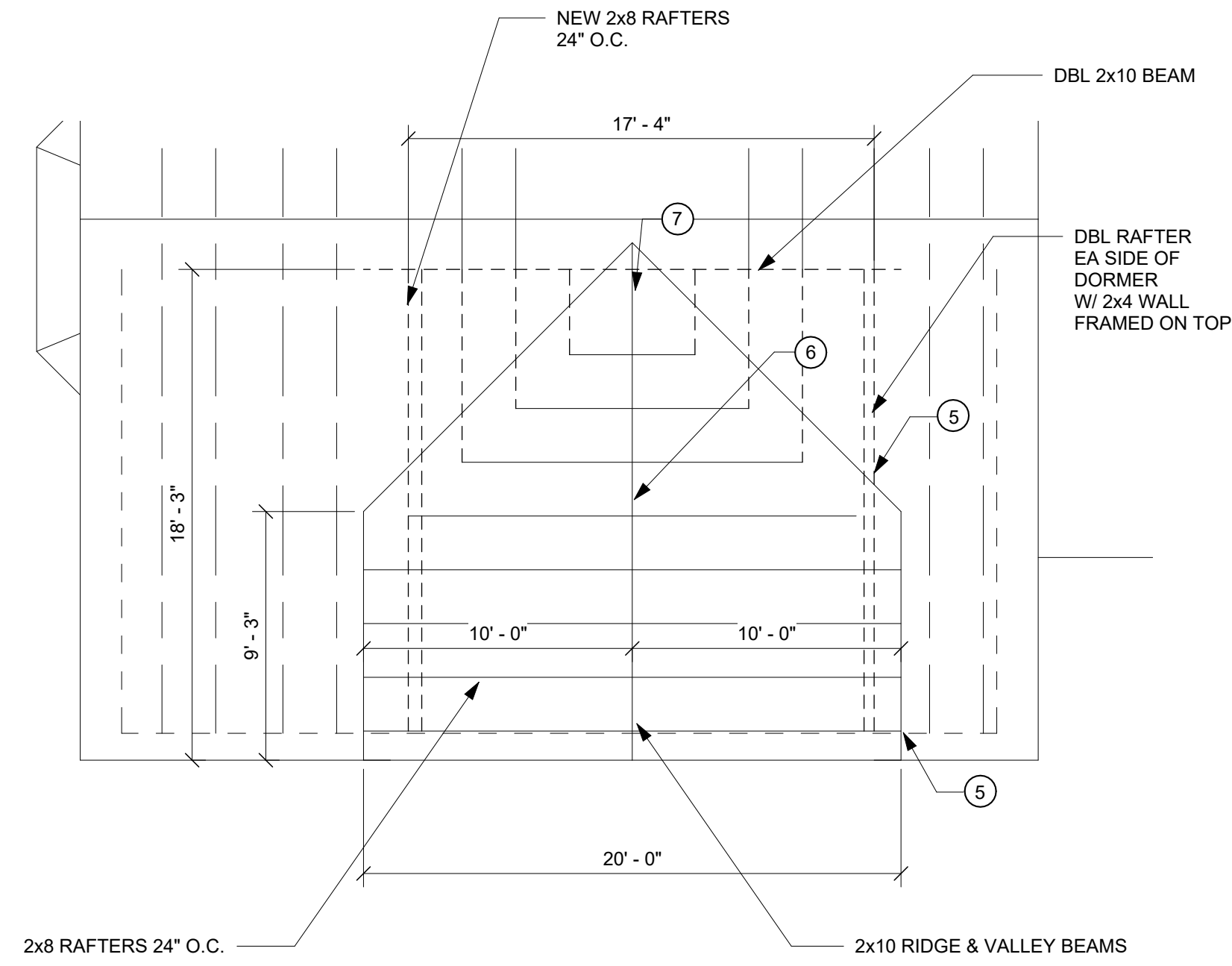
Approved By:
Daniel L. Bumpus
AR 0008045
Date

ADAMS HOME RENOVATION
804 OAKDALE ST
WINDERMERE, FL

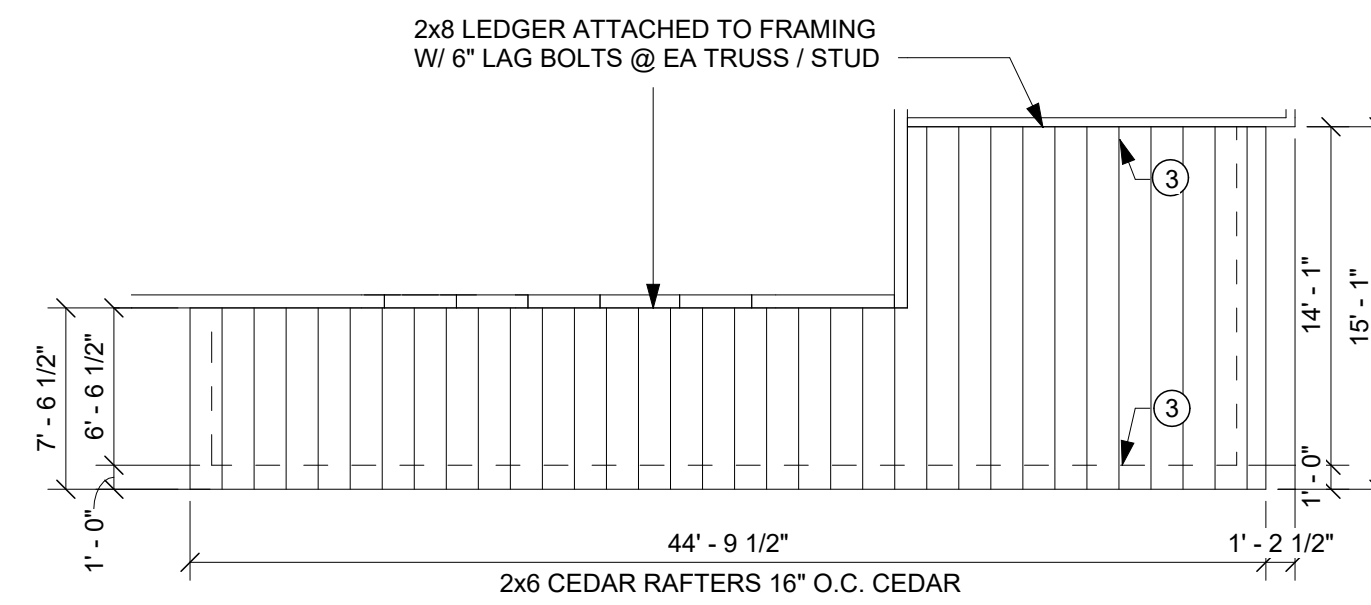
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DATE:
4-26-23
SCALE:
AS SHOWN
JOB NUMBER:
22104
SHEET:
A3



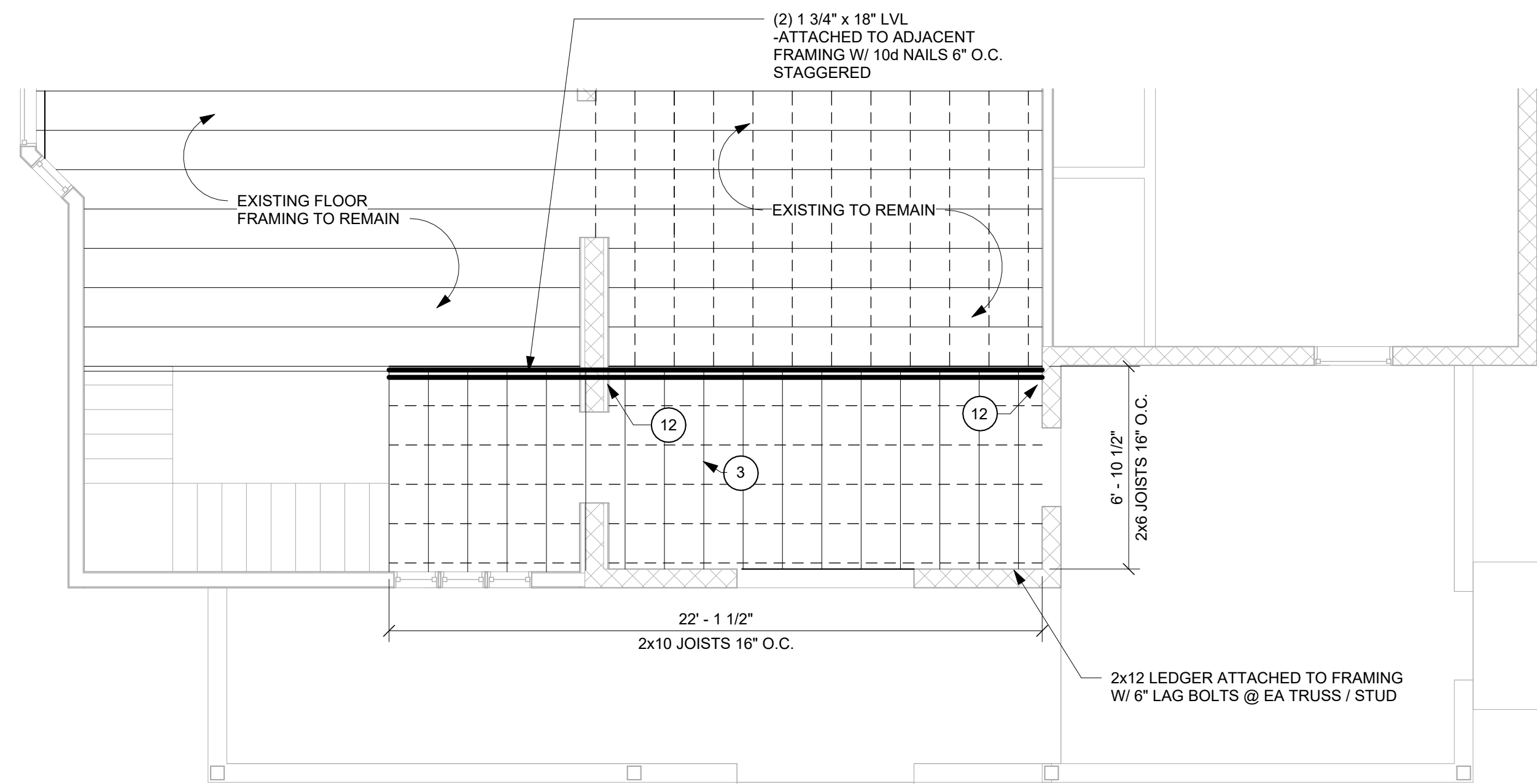
FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



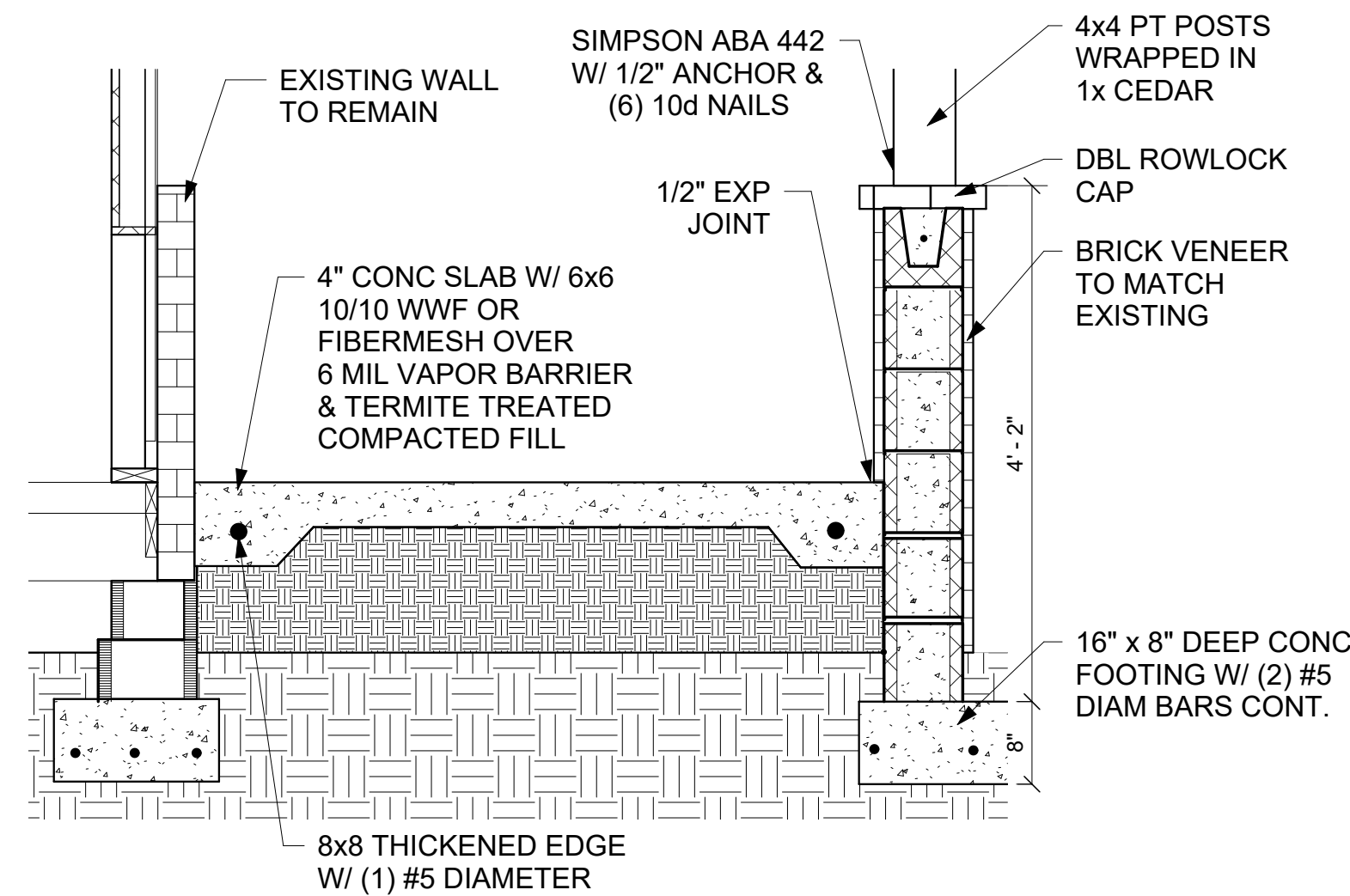
DORMER FRAMING
SCALE: 3/16" = 1'-0"



PORCH ROOF FRAMING
SCALE: 1/8" = 1'-0"

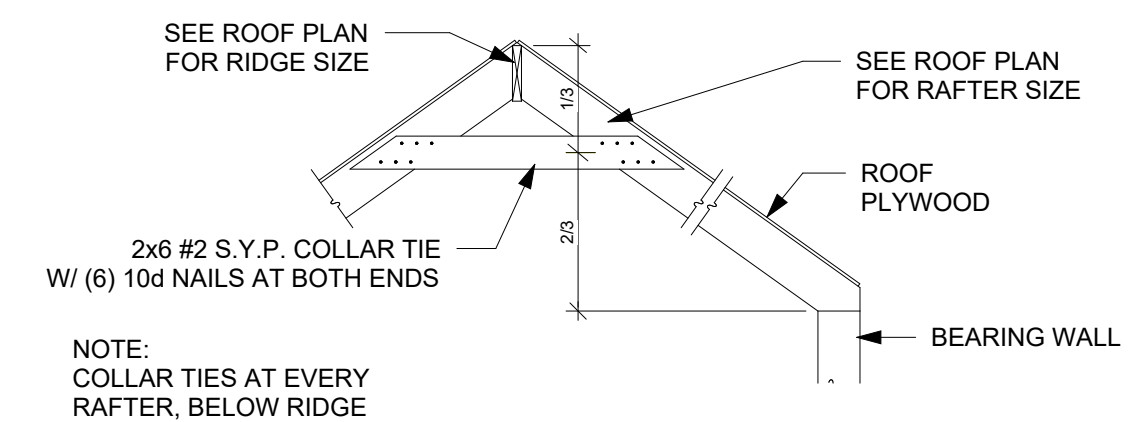


FLOOR FRAMING
SCALE: 1/4" = 1'-0"



PORCH SECTION
SCALE: 3/4" = 1'-0"

CONNECTORS		
1	FLOOR JOIST TO FLOORING	SIMPSON H2.5A W/(5) 8d x 2 1/2" TO JOIST AND TO PLATE
2	FLOOR JOIST TO LEDGER/BEAM	SIMPSON LUS210 W/ (8) 10d NAILS TO FACE & (4) 10d NAILS TO JOIST
3	HEADER TO CORNER POST	SIMPSON RTC 44W/(16) 16d NAILS TO BEAM & (10) 10d NAILS TO POST
4	RAFTER TO RIDGE	SIMPSON RR W/(4) 10d x 1 1/2" NAILS TO JOIST AND RIDGE
5	RAFTER TO HEADER/TOP PLATE	SIMPSON H10A W/(9) 10dx 1 1/2" NAILS TO PLATE AND TRUSS
6	HIP/RIDGE	SIMPSON HRC 22 W/(16) 10d x 1 1/2" NAILS TO JOISTS & (2) 10d x 1 1/2" NAILS TO EA HIP
7	HIP JOIST TO DOUBLE PLATE	SIMPSON HCP W/(6) 10d x 1 1/2" NAILS TO JOIST AND HEADER
8	POST COP MIDDLE	SIMPSON PC4Z W/ (10)d NAILS TO BEAM & (8) 10d NAILS TO POST
9	HEADER TO WALL	SIMPSON HUC 48 W/ (4) 10d NAILS TO HEADER & (10) 1/4" x 2 3/4" TITEN 2 SCREWS TO CMU OR (16d) NAILS TO STUD WALL
10	LVL TO 4x6 POST	SIMPSON MST24 W/ (18) 10d x 2 1/2" ON EACH SIDE
11	POST TO FOOTING	SIMPSON CBS46 W/ (2) 5/8" DIAM BOLTS TO COLUMN
12	LVL TO CMU	SIMPSON HTSM20 W/ (7) 10d x 1 1/4" NAILS TO BEAM & (4) 1/4" x 2 1/4" TITEN SCREWS TO CMU
13	POST TO STEM WALL	SIMPSON ABA 442 W/ 1/2" ANCHOR & (6) 10d NAILS



6 COLLAR TIE DETAIL
SCALE: 1/4" = 1'-0"

CONVENTIONAL FRAMING

- ROOF FRAMING INFORMATION
- ROOF RAFTERS FOR CONVENTIONAL FRAMING:
 - 0'-0" TO 6'-0" SPAN, 2x4 #2 SYP AT 2'-0" O.C.
 - 6'-0" TO 9'-0" SPAN, 2x6 #2 SYP AT 2'-0" O.C.
 - 9'-0" TO 12'-0" SPAN, 2x8 #2 SYP AT 2'-0" O.C.
 - 12'-0" TO 15'-0" SPAN, 2x10 #2 SYP AT 2'-0" O.C.
 - 15'-0" TO 18'-0" SPAN, 2x12 #2 SYP AT 2'-0" O.C.
 - ROOF RIDGE FOR CONVENTIONAL FRAMING:
 - 2x6 #2 SYP RIDGE WITH 2x6 ROOF RAFTERS
 - 2x8 #2 SYP RIDGE WITH 2x8 ROOF RAFTERS
 - 2x10 #2 SYP RIDGE WITH 2x10 ROOF RAFTERS
 - 2x12 #2 SYP RIDGE WITH 2x12 ROOF RAFTERS
 - ATTACH RAFTER TO RIDGE WITH SIMPSON H2.5A AND (4) 16d NAILS.
 - ROOF RIDGE MEMBER SHALL BE ONE MEMBER SIZE BIGGER THAN LARGEST ROOF RAFTER ATTACHING TO ROOF RIDGE.
 - ALL NEW ROOF FRAMING RAFTERS BEARING ON A NEW ROOF SYSTEM OR EXISTING ROOF SYSTEM SHALL BEAR ON A NEW #2 S.Y.P. 2x SOLE PLATE. 2x SOLE PLATE SHALL BE 1" LARGER THAN ROOF RAFTER SEAT CUT DIMENSION.
- NOTE: LOADING FOR ROOF FRAMING MEMBERS ABOVE IS LIVE LOAD=20 LBS PSF, DEAD LOAD=15 LBS PSF, WITH DEFLECTION LIMIT OF L/360. ABOVE ROOF FRAMING MEMBERS ARE NOT LOADED FOR INTERIOR FINISH MATERIAL. SEE CEILING FRAMING INFORMATION BELOW.
- CEILING FRAMING INFORMATION
- CEILING RAFTERS FOR CONVENTIONAL FRAMING:
 - 0'-0" TO 8'-0" SPAN, 2x4 #2 SYP AT 2'-0" O.C.
 - 8'-0" TO 12'-0" SPAN, 2x6 #2 SYP AT 2'-0" O.C.
 - 12'-0" TO 16'-0" SPAN, 2x8 #2 SYP AT 2'-0" O.C.
 - 16'-0" TO 19'-0" SPAN, 2x10 #2 SYP AT 2'-0" O.C.
 - 19'-0" TO 22'-0" SPAN, 2x12 #2 SYP AT 2'-0" O.C.
- NOTE: LOADING FOR CEILING FRAMING MEMBERS ABOVE IS LIVE LOAD=10 LBS PSF, DEAD LOAD=10 LBS PSF, WITH DEFLECTION LIMIT OF L/360.

#	DESCRIPTION	DATE	BY

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ARCHITECTURE - INTERIOR DESIGN
www.BUMPUSSANDASSOCIATES.com
608 FRONT STREET
CELEBRATION, FLORIDA 34747
Ph: (407) 566-0200
Fax: (407) 566-0222
AR 0008045
AA C002051

Approved By: Daniel L. Bumpus
AR 0008045
Date: _____

ADAMS HOME RENOVATION
804 OAKDALE ST
WINDERMERE, FL

DRWN: Author APVD: Approv
DATE: 4-26-23
SCALE: AS SHOWN
JOB NUMBER: 22104
SHEET: **A4**

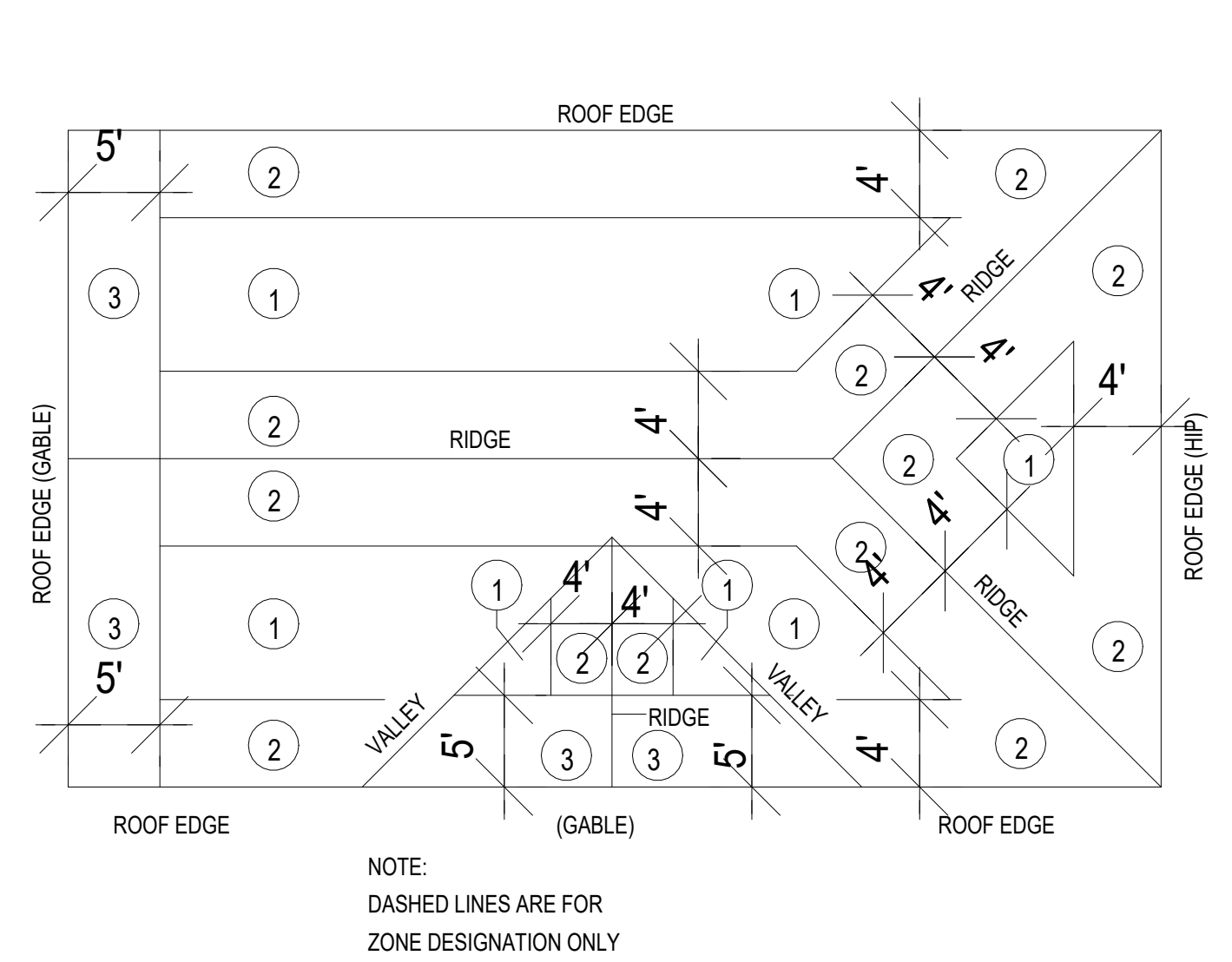
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 AR 0008045
 608 FRONT STREET
 CELEBRATION, FLORIDA 34747
 AA C002051

Approved By:
 Daniel L. Bumpus
 AR 0008045
 Date

ADAMS HOME RENOVATION
 804 OAKDALE ST
 WINDERMERE, FL

DRWN: Author APVD: Approv
 DATE:
 4-26-23
 SCALE:
 AS SHOWN
 JOB NUMBER:
 22104
 SHEET:
A6



ROOF NAILING PATTERN (COMMON NAILS)

- ZONE 1: USE 8d NAILS @ 6" O.C. EDGES - 12" O.C. FIELD
- ZONE 2: USE 8d NAILS @ 6" O.C. EDGES - 8" O.C. FIELD
- ZONE 3: USE 8d NAILS @ 6" O.C. EDGES - 6" O.C. FIELD
- GABLE TRUSS: USE 8d NAILS @ 4" O.C.

MECHANICAL DRIVEN

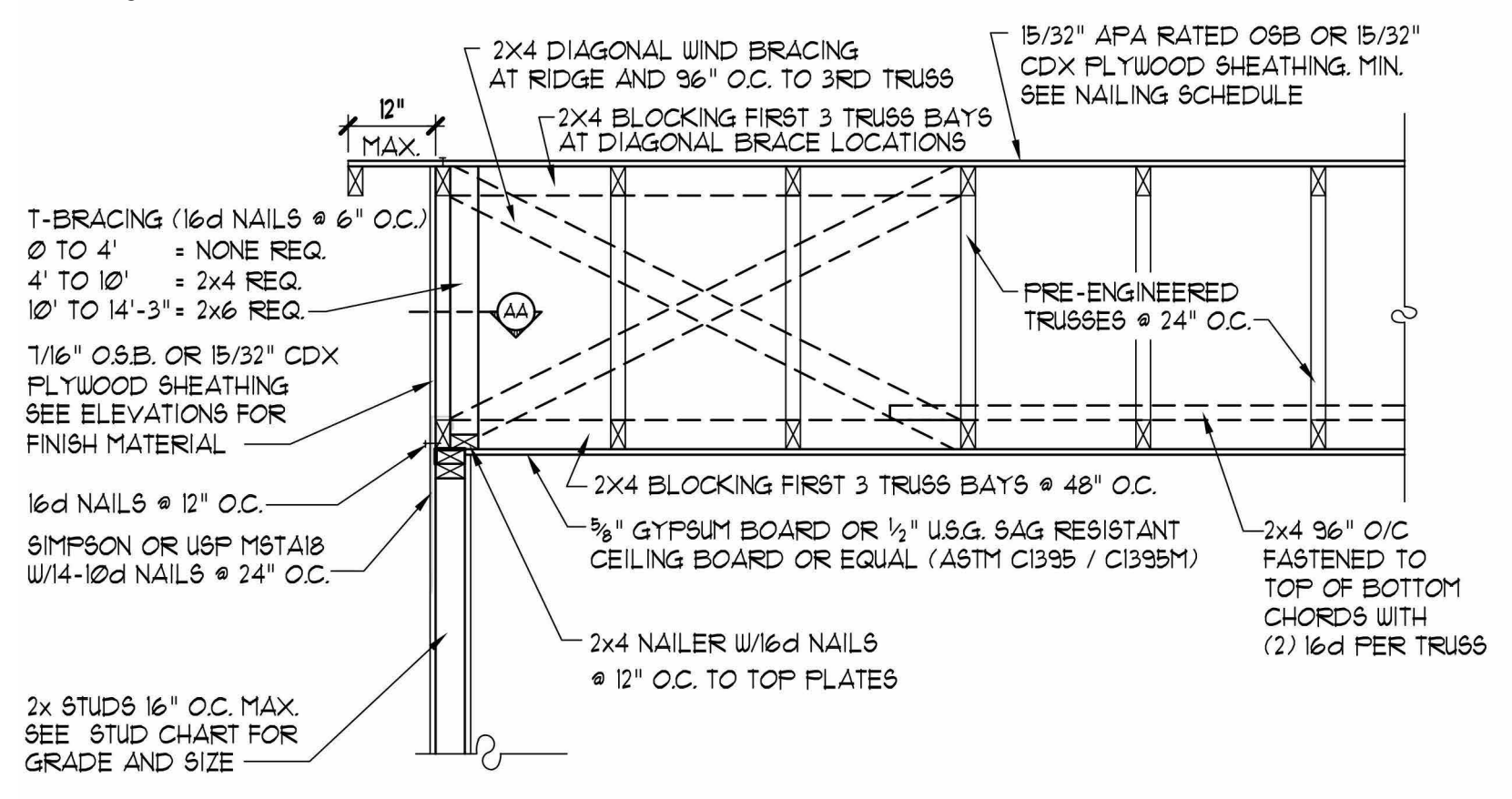
- USE MIN. .099" SHANK x 2" LONG w/ 15/64" HEAD (FULL ROUND)
- ZONE 1: 6" O.C. EDGES - 8" O.C. FIELD
- ZONE 2: 4" O.C. EDGES - 6" O.C. FIELD
- ZONE 3: 4" O.C. EDGES - 4" O.C. FIELD
- GABLE TRUSS: USE 8d NAILS @ 4" O.C.

ROOF DIAPHRAGM NOTES

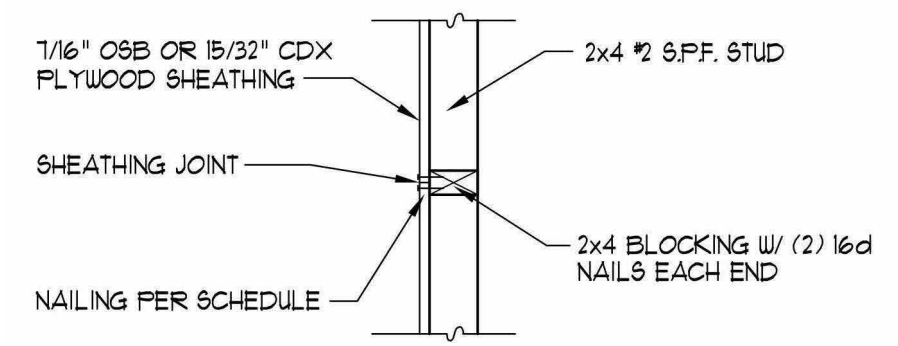
- ROOF SHEATHING ACTS AS A HORIZONTAL DIAPHRAGM
- GYPSUM WALLBOARD ACTS AS THE CEILING DIAPHRAGM

NAIL SCHEDULE FOR ROOFS

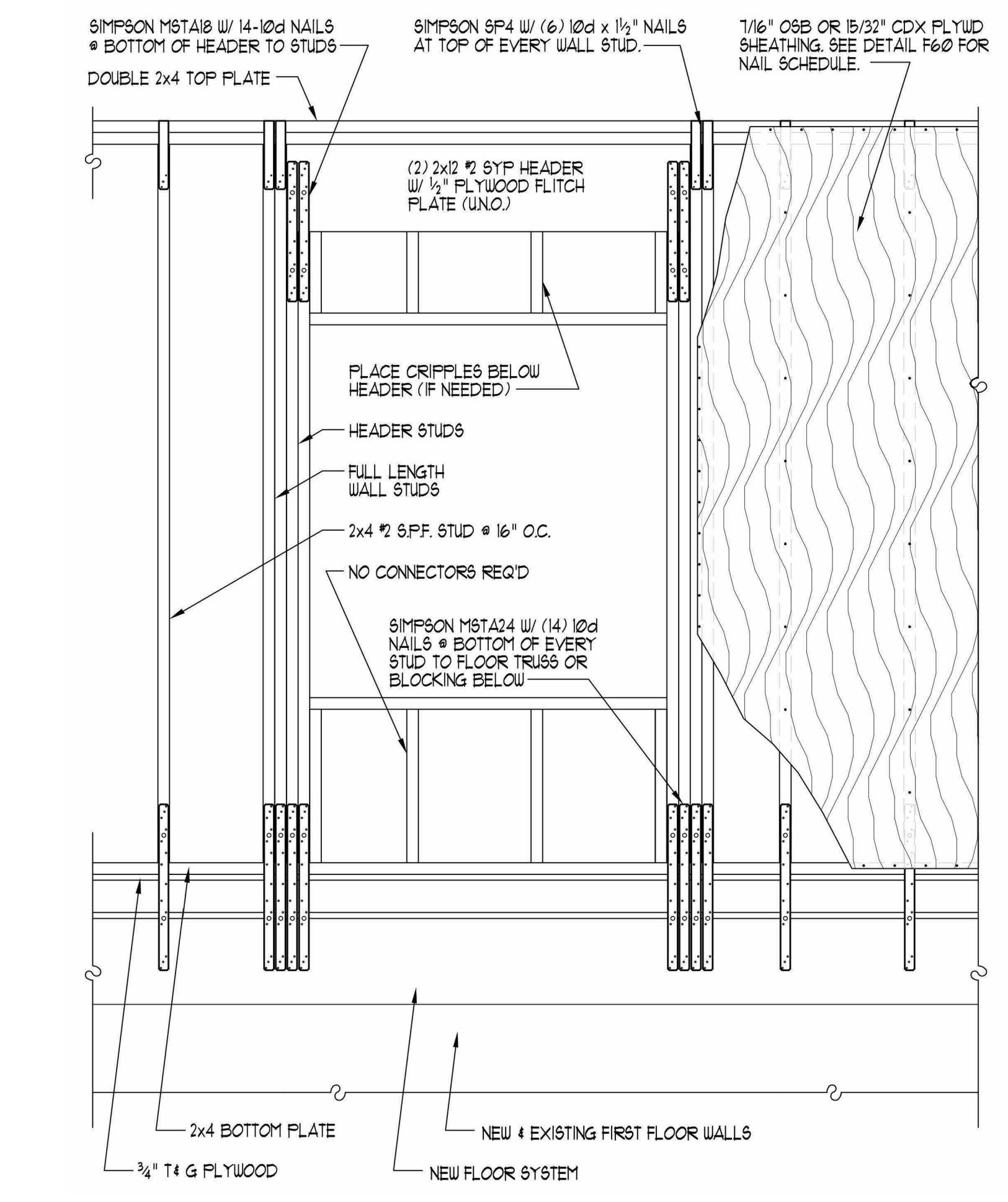
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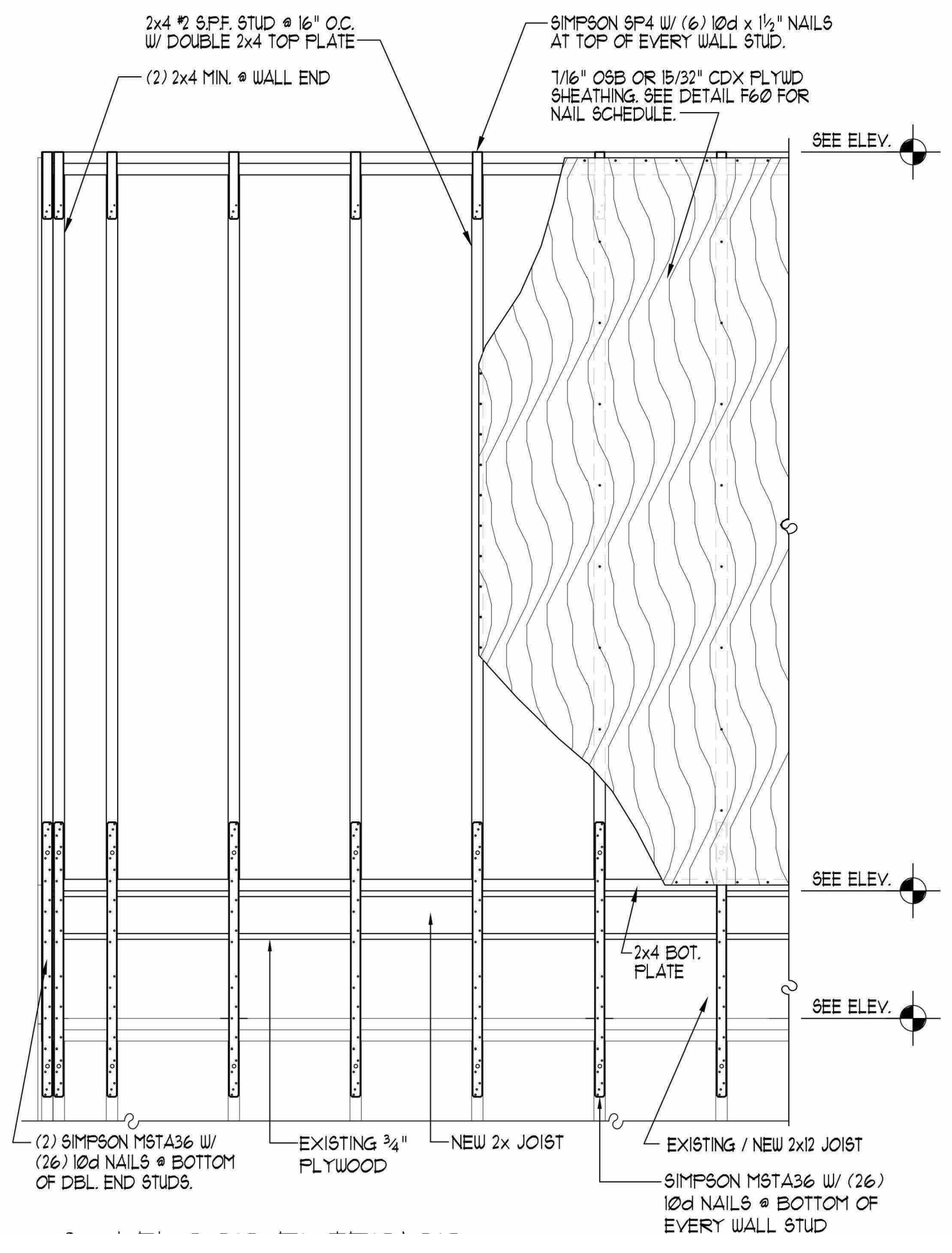
2 GABLE END FRAMING
 SCALE: 1/2" = 1'-0"



7 SHEATHING WALL SPLICE DETAIL
 SCALE: 3/4" = 1'-0"



3 2nd STORY EXTERIOR 2x4 FRAME WALL WITH OPENING DETAIL
 SCALE: 3/4" = 1'-0"



4 2nd FLOOR EXTERIOR FRAME WALL ON FRAME WALL
 SCALE: 3/4" = 1'-0"

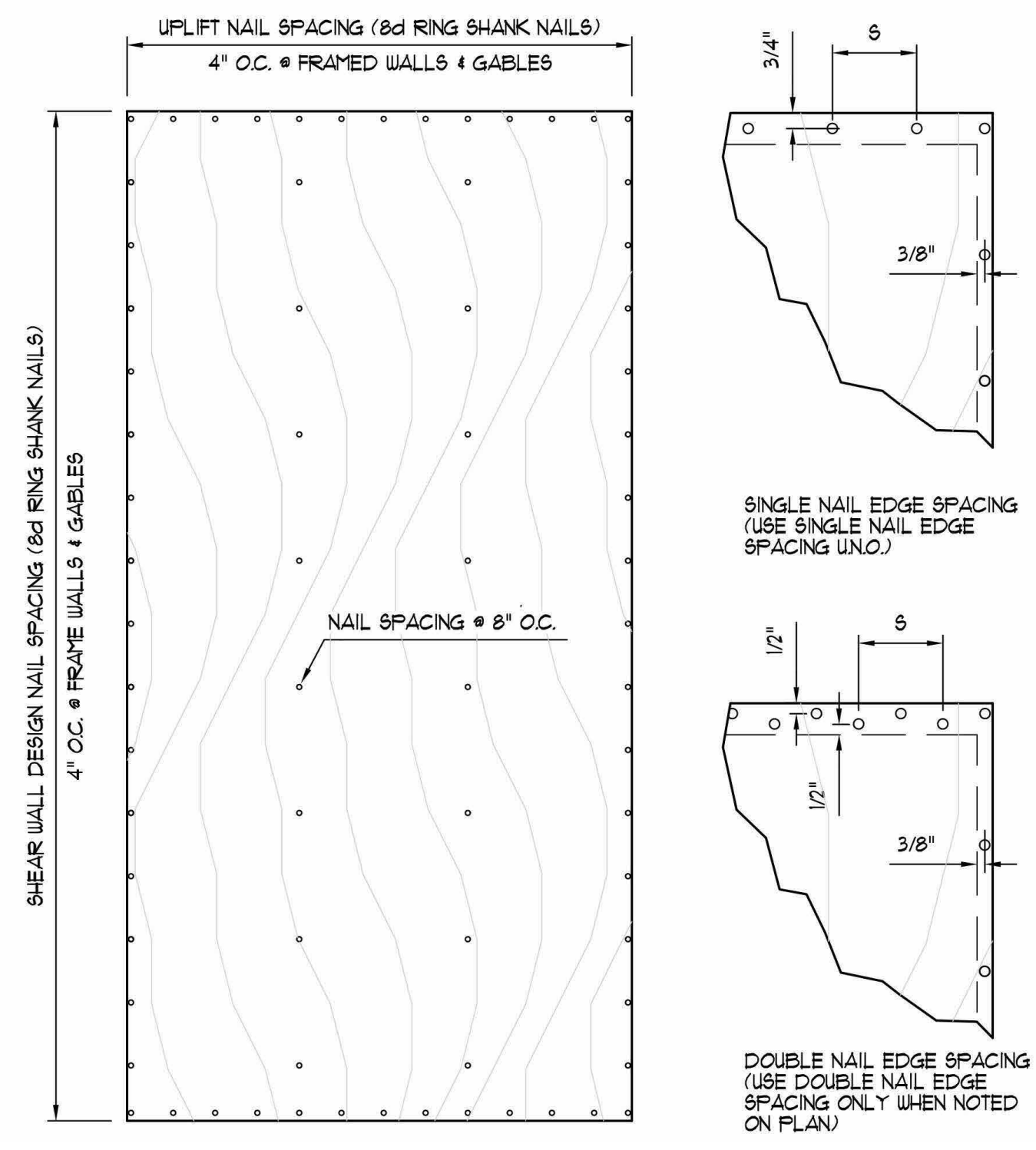
NAIL SCHEDULE FOR WALLS:

SIDEWALL / GABLE ENDS:

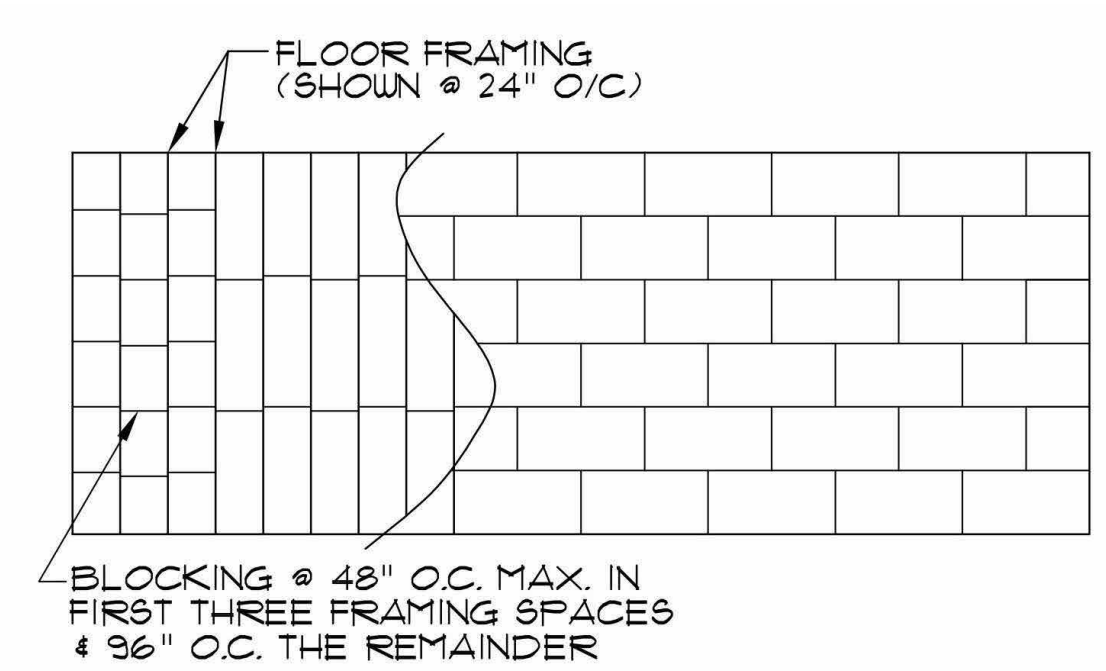
ALL SHEATHING FOR SIDEWALLS AND GABLE END WALLS SHALL BE NAILED 4" O.C. AT THE EDGES AND 8" O.C. AT INTERMEDIATE SUPPORTS. FULL DEPTH BLOCKING SHALL BE PLACED AT ALL SHEATHING JOINTS NOT OCCURRING AT PLATES.

NAILS:

NAILS USED IN ALL SHEATHING APPLICATIONS SHALL BE 8d. COMMON, RING OR SPIRAL SHANK, OR HOT DIPPED GALVANIZED, HAND OR GUN DRIVEN. (FOR GUN DRIVEN NAILS, THE MIN. SHANK SHALL BE .099" x 2 1/2" LONG W/ 15/64" HEAD (FULL ROUND).



5 SHEATHING PANEL ATTACHMENT FOR EXTERIOR SHEAR WALLS
 SCALE: 3/4" = 1'-0"



BLOCKING REQUIRED: PROVIDE 2x4 BLOCKING IN THE FIRST THREE FRAMING SPACES AT 48" O.C. REMAINDER TO BE BLOCKED AT 96" O.C.

FASTENING: FASTEN FLOOR SHEATHING TO FRAMING AND BLOCKING WITH 8d COMMONS OR 8d HOT DIPPED GALVANIZED NAILS AT THE FOLLOWING SPACING:

- 6" ON CENTER AT ALL PANEL EDGE FRAMING
- 12" ON CENTER AT ALL INTERMEDIATE FRAMING

6 FLOOR BRACING @ ENDWALLS
 SCALE: 1/8" = 1'-0"

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

SUNSHINE VACATION RENTALS INC
1245 OAKDALE ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 804 Oakdale Street, Z23-07

Lacey Adams, owner of 804 Oakdale Street 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 variance requests are follows:

1. The Town's code limits expansion of nonconforming structures to 10% of the existing floor area of the structure (Detached Garage). The applicant is requesting to expand the nonconforming garage by 100% by adding a second story.
2. The Town's code requires contiguous corner lots to have a 35-foot side setback from adjacent contiguous corner lots. The existing garage is 12 feet from the west side setback. The applicant is proposing to add a second story addition to the existing nonconforming garage with the same 12-foot setback.
3. The Town's code limits the height of accessory structures to no higher than 18 feet unless the accessory structure meets the primary structure setbacks. The garage does not meet the setbacks of the primary structure and the proposed second story would not meet it either. The applicant is proposing to construct a second story addition on the accessory detached garage, that does not meet the 35-foot side setback requirement, that exceeds 18 feet in height.
4. The Town's code requires lots to have a 25-foot front setback. The applicant is proposing to construct a porch that is 23.63 feet from the east front property line.
5. The Town's code limits the maximum gross floor area to 38% of the total lot area. The applicant is proposing a gross floor area of 39.6%.

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 **April 14, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, April 18, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, May 9, 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

RECOMMEND - Z23-07 (804 Oakdale Street)

APPROVAL: _____ DISAPPROVAL X

COMMENTS: I AM OPPOSED TO ANY INCREASE IN THE SIZE OF STRUCTURES ON OAKDALE UNTIL THE DRAINAGE PROBLEM IS FIXED. MY PROPERTY CONTINUES TO BE FLOODED.

SIGNATURE: Thomas Fry DATE: 4-12-23

SUNSHINE VACATION RENTALS INC THOMAS FRY

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

SIMAAN SIMON TOUFIC
812 EAST BLVD
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND --Z23-07 (804 Oakdale Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: _____ DATE: 4/14/2023

SIMAAN SIMON TOUFIC

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

RYNN BRENT
725 OAKDALE ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 804 Oakdale Street, Z23-07

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
town@wadetrim.com

RECOMMEND - Z23-07 (804 Oakdale Street)

APPROVAL: X DISAPPROVAL: _____

COMMENTS: _____

SIGNATURE: Rynn Brent DATE: 4-18-23

RYNN BRENT

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

KEOWN W JAMES JR
836 MAIN ST
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND - Z23-07 (804 Oakdale Street)

APPROVAL: X DISAPPROVAL: _____

COMMENTS: _____

SIGNATURE: W James Keown DATE: 4/13/23

KEOWN W JAMES JR

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

THEISEN DANIEL W
PO BOX 823
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 804 Oakdale Street, Z23-07

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: X DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: Daniel Theisen DATE: 4/12/2023

THEISEN DANIEL W

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

TURNER WILLIAM C
736 OAKDALE ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 804 Oakdale Street, Z23-07

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: X DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: William C Turner DATE: 4/9/2023

TURNER WILLIAM 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

April 4, 2023

NURAL LLLP
8967 SAVANNAH PARK
ORLANDO, FL 32819

RE: Public Notice of Variance Public Hearing for 804 Oakdale Street, Z23-07

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: Nursimla Anthony DATE: 4/8/23

NURAL LLLP

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

FIOLA ARMAND J
720 MAIN ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 804 Oakdale Street, Z23-07

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: _____ DISAPPROVAL

COMMENTS: _____

SIGNATURE: _____ DATE: 4/10/2023

FIOLA ARMAND J

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

LINCOLN TIMOTHY W
PO BOX 163
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND - Z23-07 (804 Oakdale Street)

APPROVAL: ✓ DISAPPROVAL

COMMENTS: SEEMS TO BE A REASONABLE REQUEST

SIGNATURE: DATE: 4/10/2023

LINCOLN TIMOTHY W

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

BARDOE WILLIAM G
225 E 9TH AVE
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND - Z23-07 (804 Oakdale Street)

APPROVAL: DISAPPROVAL:

COMMENTS: *We approve as long as the homeowner directly next to the proposed 2-story garage does not object to looking at a 2 story structure/wall. (Main Street)*

SIGNATURE: *Nancy P. Bardoe* DATE: *April 11, 2023*

BARDOE WILLIAM G *Homeowner*

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

SCHMIDT NICHOLAS JAMES III
815 OAKDALE ST
WINDERMERE, FL 34786

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Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE:

DATE: 4/17/23

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

April 4, 2023

THEISEN MATHEW R
218 E 7TH AVE
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: _____ **DISAPPROVAL:** _____

COMMENTS: _____

SIGNATURE: _____ **DATE:** 4/12/23

THEISEN MATHEW R

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

CARR STEPHEN E
729 MAIN ST
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: DISAPPROVAL

COMMENTS: Project sounds like it will
enhance the property and blend with
existing community.

SIGNATURE: Stephen Carr + DATE: 4/12/03

CARR STEPHEN E Stephen Carr

Town of Windermere

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

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

D M HUBER FAMILY L P
PO BOX 730
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND - Z23-07 (804 Oakdale Street)

APPROVAL: DISAPPROVAL

COMMENTS: LOOKS NICE

SIGNATURE: *Allen Bradley* DATE: 4/12/23

D M HUBER FAMILY L P

RECOMMEND – Z23-07 (804 Oakdale Street)

APPROVAL: ✓ **DISAPPROVAL** _____

COMMENTS: _____

SIGNATURE: *Elle Rickerson* **DATE:** *4-11-2023*

RICKERSON LANCE L LIFE ESTATE

Brad Cornelius, AICP, Town Planner

Wade Trim, Inc.

Tampa, FL

Re: Public Notice of Variance Public Hearing for 804 Oakdale Street, Z23-07

Dear Mr. Wade,

After reviewing the proposed construction plans for 804 Oakdale Street, I would like to express my disapproval for the project.

My reluctance to approve this request is based on the continued flooding that has occurred at my property located at 916 Oakdale Street. It is obvious from my experience during multiple rain events in the past that most of the houses north and south of my property on and off Oakdale Street do not have appropriate water retention. It is imperative that all new construction on Oakdale Street include appropriate water retention.

The proposal clearly states, "Existing lot drains towards Oakdale Street – No change to drainage required". This type of strategy leads to more flooding of my property and more water run-off into Lake Bessie.

There clearly is no current water retention on the property. If you look at the 2002 request to construct the 2-Car Garage, you will see that a Proposed Storm Water Pond was included in the Permit. Today there is no Storm Water Pond located where it should be. I wonder who is responsible for the enforcement of this "missing" Proposed Storm Water Pond.

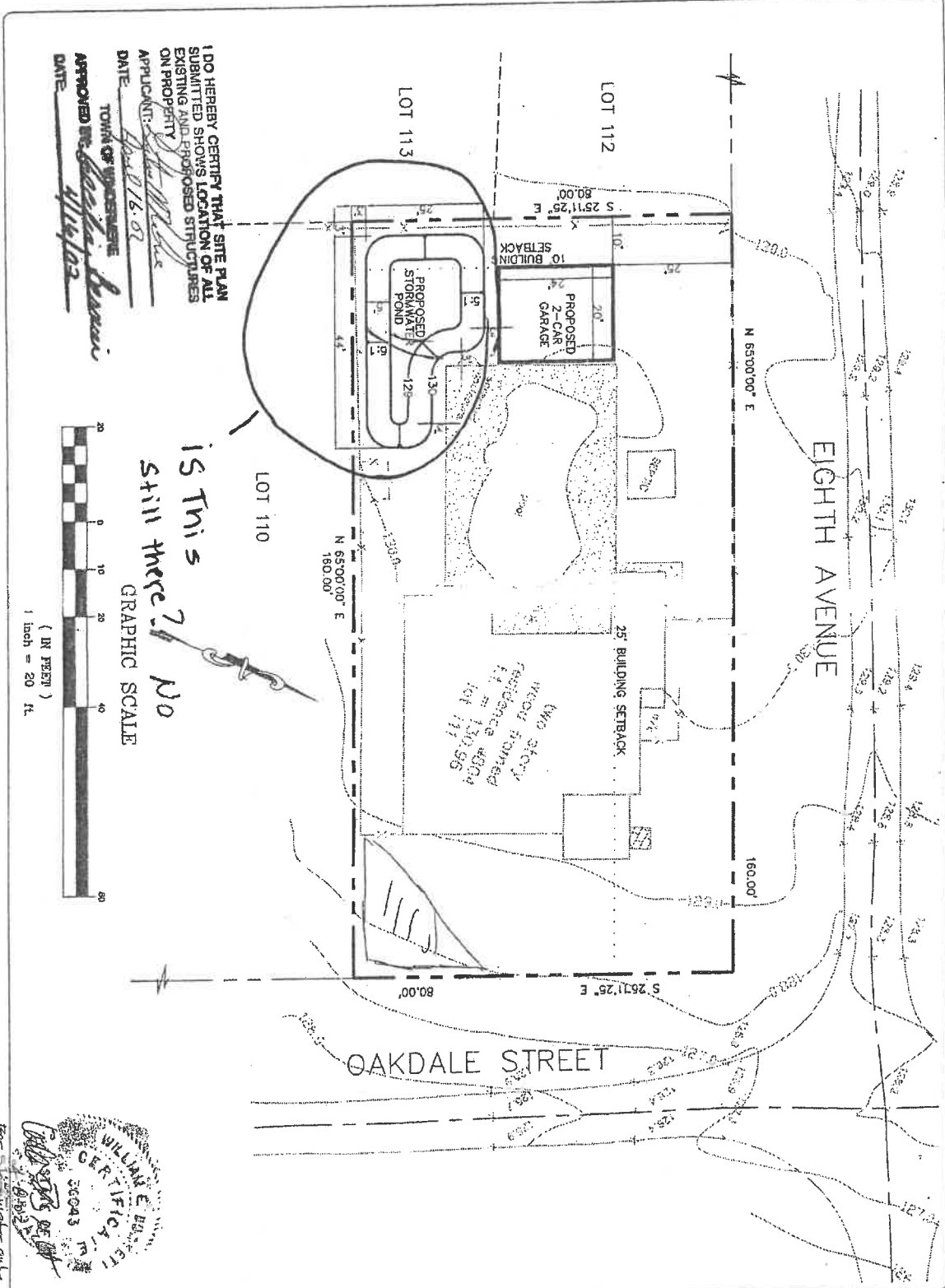
I will continue to disapprove any construction that does not clearly include proper storm water retention on all properties located on Oakdale Street.

Respectfully,


Tom Fry

1245 Oakdale Street

Windermere, FL



I DO HEREBY CERTIFY THAT SITE PLAN SUBMITTED SHOWS LOCATION OF ALL EXISTING AND PROPOSED STRUCTURES ON PROPERTY
 APPLICANT: *Christine McKechnie*
 DATE: *07/16/02*
 TOWN OF WINDSORVILLE
 APPROVED BY: *William E. Gerlach, III*
 DATE: *07/16/02*

is this
still there?
no

GRAPHIC SCALE



For information only
 WILLIAM E. GERLACH, III
 26043
 CIVIL ENGINEER

DATE: 07/16/02
 DWG: []
 DESIGNED BY: []
 CHECKED BY: []
 APPROVED BY: []
 SHEET NO. 1
 OF 1

SITWORK CONSTRUCTION PLANS FOR MR. CHRISTINE McKECHNIE

SITE PLAN

NO.	DESCRIPTION

Burkett Engineering, Inc.
 Civil Engineering Consultants
 230 N. Orange Avenue, Suite 1801
 Orlando, FL 32801
 (407) 244-1260 FAX (407) 244-0421

OCA 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	Parke	Hospital	



Created: 4/3/2023 12:39

This map is for reference only and is not a survey

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 April 18, 2023

Town Council May 9, 2023

Case No.: Z23-08

Applicant/Representative: Kevin Ball

Property Owner: Nick and Susan Capone

Requested Action: Variance to allow a sport court in front of the principal structure.

Property Address: 65 Pine Street, Windermere, FL 34786

Legal Description: PLAT OF WINDERMERE G/36 LOT 465 & N 30 FT OF VAC R/W ON THE SOUTH DESC: BEG AT THE SW CORNER OF LOT 465 TH N18-04-01W 457.83 TH S68-45-32E 116.35 FT TH S18-04-01E 420 FT TH S75-37-39W 91.21 FT TH N18-04-01W 30.06 FT TO THE POB & OCCUPIED PT OF LAKE

Future Land Use/Zoning: Residential/Residential

Existing Use: Vacant (Single-family home in permitting – Permit 23-03-035)

Surrounding Future Land Use/Zoning

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

CASE SUMMARY:

Currently, a new single-family home is in the permitting process for 65 Pine Street (Permit 23-03-025). As part of the new single-family home site plan, a sport court is proposed. The proposed sport court will be sunken in the ground approximately 6.5' to 7' and surrounded by hedges and trees around the top.

65 Pine Street is a unique property that is a flag lot and is accessed by a private easement connecting to Pine Street. Because of this unique lot configuration, a variance is required to place the proposed sport court in front of the principal structure.

The proposed sport court is compliant with all other requirements (meets setback requirements, impervious area and stormwater runoff accounted for within the permit for the new single-family home, any lighting will be directed only to the sport court).

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.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property. As of May 2, 2023, 6 responses in support and 5 responses in objection were received.

DEVELOPMNET REVIEW BOARD RECOMMENDATION:

At the Development Review Board (DRB) meeting on April 18, 2023, the DRB reviewed the subject variance. Based on information provided by the applicant and staff report and comments provided at the meeting, the DRB found that the requested variance did not meet the requirements of Section 10.02.02, LDC, and recommends denial of the variance. The DRB found that there was not a hardship and there was potential for negative impacts. The DRB vote was 5-1 to recommend denial.

March 22nd, 2023

Town of Windermere Development Review Board

Re: 65 Pine Street, Pickleball Court Variance Request

Request:

The property owners would like to construct a pickleball court on their property. This lot has a very unique configuration as access to the property is through an access easement. If the location of the 'front of the lot' is where the driveway intersects the street, then this proposed court is not in front of the residence, as the house and court are the same distance back from that point. We are submitting this request because there is a question about the true 'front' of the lot. Additionally, because this lot was previously split, it is not wide enough to place the court beside the house.

To avoid any possibility of the court being seen from any adjacent property, we lowered the court to be below grade and there is a minimum 6' tall wall surrounding the court. This will reduce any noise from the court. In addition to the walls, the court has a 6' tall hedge and 14' tall trees surrounding it so it will be impossible to see it from any adjacent property.

The court would be a hardship to construct in the back yard, because if they screen the court with walls to reduce noise and visibility it will also block their view to the lake. We can screen the court much heavier in the proposed location than we could on the lakeside the house.

The court will be lit with domed moonlighting only that does not cast light on the neighboring properties.

Should you have any questions, please feel free to contact me.



Scott Redmon
REDMON DESIGN COMPANY, PA



**REDMON
DESIGN
COMPANY, PA**

Landscape Architecture

**92 South Lakewood
Circle**

Maitland, FL 32751

**Tel (407) 647-2006
Fax (407) 647-3314**

FL RLA Lic.# 6666670

www.RedmonDesign.com



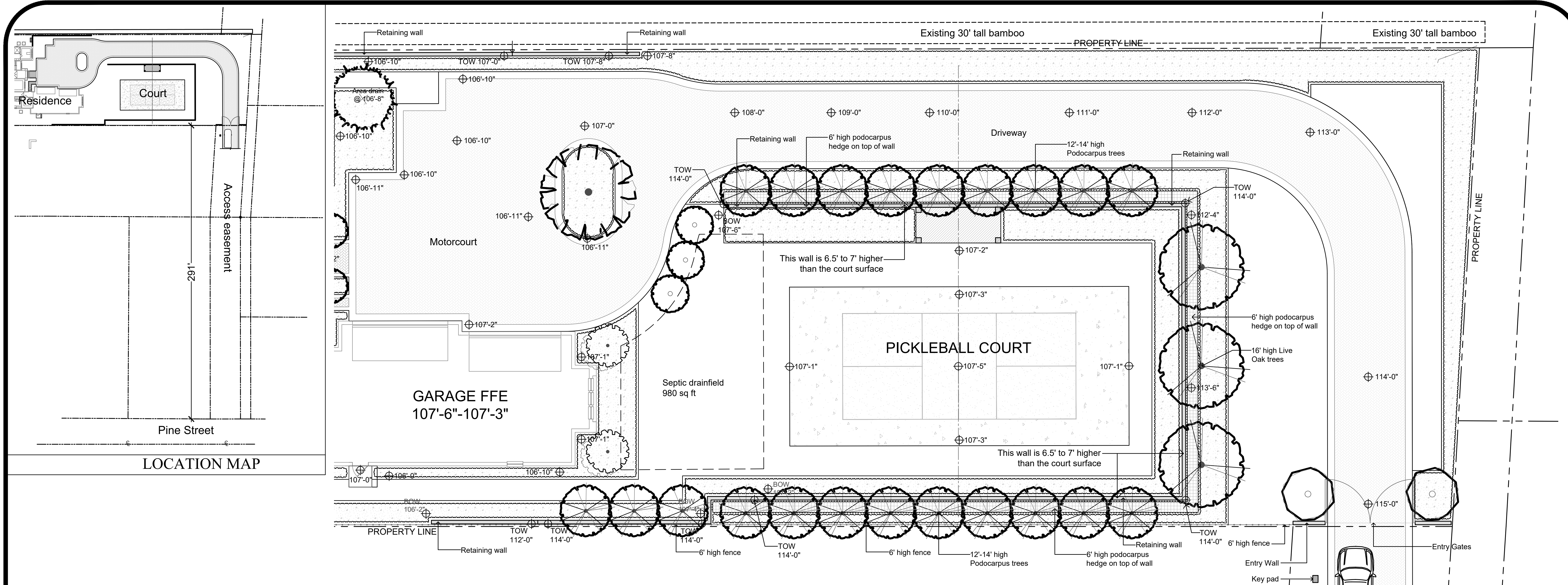


Revisions	
Date	By
3/22/23	BG

The Capone Residence
Site Landscape Plan
65 Pine Street, Windermere, FL

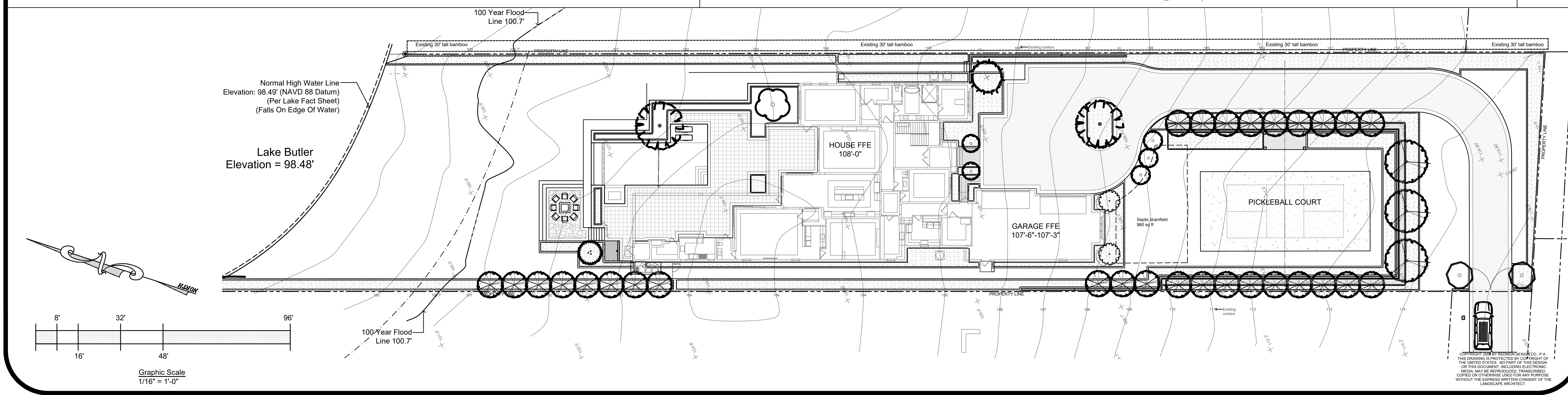
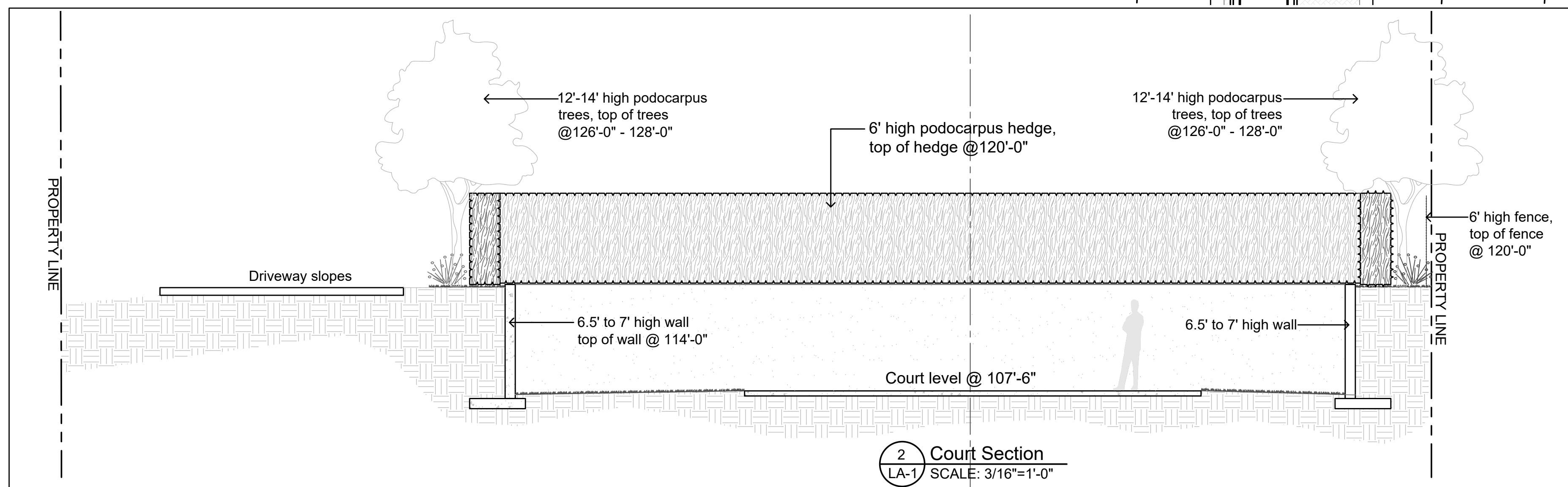
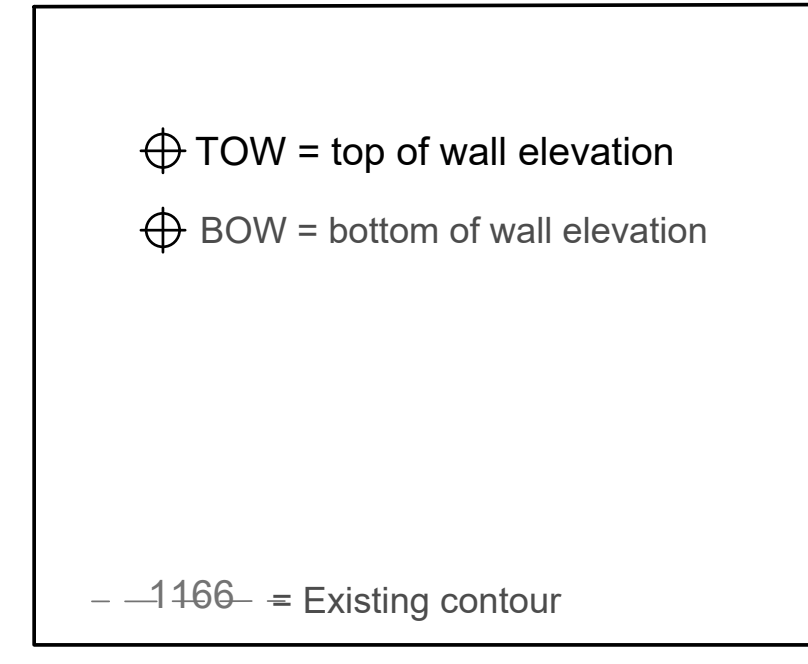
02/29/2023	Date
AS INDICATED	Scale
S. REDMON	Designed By
B. GRAHAM	Drawn By
	Job #

Sheet
LA-1
Of 1 Sheets



AREA SUMMARY

TOTAL LOT AREA	100%	41,200 SQ FT
DRIVEWAY, WALKS, WALLS AND EQUIPMENT PADS		5,906 SQ FT
POOL AND POOL DECK		2,325 SQ FT
SPORT COURT		1,920 SQ FT
AREA 1ST FLOOR		7,165 SQ FT
<hr/>		
TOTAL IMPERVIOUS	42%	17,316 SQ FT
TOTAL PERVIOUS	60%	23,884 SQ FT



COPYRIGHT 2023 BY REDMON DESIGN CO., P.A. THIS DRAWING IS PROTECTED BY COPYRIGHT OF THE UNITED STATES. NO PART OF THIS DESIGN OR THE DOCUMENTS CONTAINED THEREIN MAY BE REPRODUCED, TRANSMITTED, COPIED OR OTHERWISE USED FOR ANY PURPOSE WITHOUT THE EXPRESS WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT.

AGENT AUTHORIZATION FORM

I/WE, (PRINT PROPERTY OWNER NAME) Nick and Susan Capone, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 65 Pine Street, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), Kevin C. Ball, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, _____, 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: 3-10-23

Nick Capone
Signature of Property Owner

Nick Capone
Print Name Property Owner

Date: 3-10-23

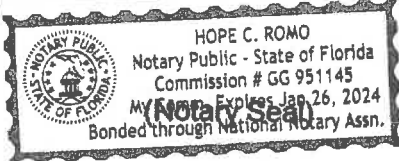
Susan Capone
Signature of Property Owner

Susan Capone
Print Name Property Owner

STATE OF FLORIDA :
COUNTY OF Orange :

I certify that the foregoing instrument was acknowledged before me this 13th day of MARCH, 2023 by Susan Capone. He/she is personally known to me or has produced Florida Drivers License as identification and did/did not take an oath.

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



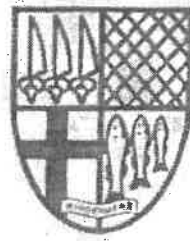
Hope C. Romo
Signature of Notary Public
Notary Public for the State of Florida

My Commission Expires: 01-26-2024

Legal Description(s) or Parcel Identification Number(s) are required:
PARCEL ID #: <u>17-23-28-9336-04-650</u>
LEGAL DESCRIPTION:

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

MCAFEE MICHAEL B
407 W 1ST AVE
Windermere, FL 34786

RE: Public Notice of Variance Public Hearing for 65 Pine Street, Z23-08

Scott Redmon, the representative for the owners of 65 Pine Street, Nicholas and Susan Capone, 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 **April 14, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, April 18, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, May 9, 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
Encl.

RECOMMEND - Z23-08 (65 Pine Street)

APPROVAL: _____ DISAPPROVAL X

COMMENTS: *Bad precedent. Impacts at least 5 adjacent properties. Noxious sound and lights with disturb neighbors. Cause neighborhood dogs to bark making bad situation worse. Park use not a yard use.*

SIGNATURE: *[Signature]* DATE: 4/14/23

MCAFEE MICHAEL 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

April 4, 2023

SUTTON BYRON K
505 W 2ND AVE
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND - Z23-08 (65 Pine Street)

APPROVAL: X **DISAPPROVAL** _____

COMMENTS: _____

SIGNATURE: Byron K. Sutton **DATE:** 4-10-23

SUTTON BYRON K

APPROVAL: _____ DISAPPROVAL: _____

COMMENTS: A variance is to be asked for if there is a hardship. Having multiple courts in the middle of a populated area is not a hardship.

SIGNATURE: *[Signature]* DATE: 4-14-2023

POLK ROBERT F

We will attend the meeting and see if we can learn more. These documents do not get to us in a timely manner to review with any clarity. Emily Polk

FIRST-CLASS



ZIP 33602 02 7H \$ 000.60 0006118561

Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
201 N. Franklin St.
Suite 1350
Tampa, FL 33602

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

FAY GERALD W
28 PINE ST
WINDERMERE, FL 34786

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Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND - Z23-08 (65 Pine Street)

APPROVAL: _____ **DISAPPROVAL** _____

COMMENTS: *We enjoy playing pickle ball would love to see someone else enjoy it. Since we are not directly affected we don't really care as long as the adjacent neighbors approve*

SIGNATURE: *Fay Gerald W* **DATE:** *4/13/23*

FAY GERALD W

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

AZPURUA FERNANDO
92 PINE ST
WINDERMERE, FL 34786

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Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z23-08 (65 Pine Street)

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: _____

SIGNATURE:  DATE: 4/13/2023

AZPURUA FERNANDO

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

ROLAND JASON H
1 1ST CT
WINDERMERE, FL 34786

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Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND - Z23-08 (65 Pine Street)

APPROVAL: X DISAPPROVAL _____

COMMENTS: None

SIGNATURE: _____ DATE: 4/10/23

ROLAND JASON H

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

LAWLER THOMAS P
9 PINE ST
WINDERMERE, FL 34786

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tow@wadetrim.com
Encl.

RECOMMEND – Z23-08 (65 Pine Street)

APPROVAL: X DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: *Lawler* DATE: 4/10/23

LAWLER THOMAS P

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

YEAGER WILLIAM W
415 W 1ST AVE
WINDERMERE, FL 34786

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Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z23-08 (65 Pine Street)

APPROVAL: _____ DISAPPROVAL

COMMENTS: _____

- Pickleball noise + lighting are big concerns.
- Vegetation can visually screen but wout address these concerns.

SIGNATURE:  DATE: 4-10-23

YEAGER WILLIAM W

Town of Windermere

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



Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

April 4, 2023

VARLEY FAMILY TRUST
50 PINE ST
WINDERMERE, FL 34786

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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 **April 14, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, April 18, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, May 9, 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
Encl.

RECOMMEND – Z23-08 (65 Pine Street)

APPROVAL: _____ DISAPPROVAL X

COMMENTS: _____

SIGNATURE: _____ DATE: 4/10/23

VARLEY FAMILY TRUST

RECOMMEND - Z23-08 (65 Pine Street)

APPROVAL: X DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: Linnae Williams DATE: 4-13-23

WILLIAMS LINNAE D PARSONS

RECOMMEND - Z23-08 (65 Pine Street)

APPROVAL: X DISAPPROVAL _____

COMMENTS: NO EXCEPTIONS

SIGNATURE: Thomas M. Johnson DATE: 4/13/23

JOHNSON THOMAS M JR
2 PINE ST
WINDERMERE, FL
34786

Cornelius, Brad

From: Kevin Ball <kevin@goehringandmorgan.com>
Sent: Friday, April 21, 2023 12:03 PM
To: Cornelius, Brad; Andy Williams; Mandy David; Tony Davit; Molly Rose; tstroup@town.windermere.fl.us; Jim O'Brien
Cc: Robert Smith; Mastison, Sarah; Warner, Amanda; Baird, Connor; Dorothy Burkhalter; Theresa Syphers
Subject: Re: Variance Request for 65 Pine St, Z23-08, Pickleball Court

This message originated from outside of Wade Trim

Brad,

Thank you for looping me in, I can confirm that neither property owner is a pickleball instructor. Have a great weekend.

Thanks
Kevin Ball

From: Cornelius, Brad <bcornelius@wadetrim.com>
Sent: Friday, April 21, 2023 11:25 AM
To: Lloyd Woosley <lhwoosley@yahoo.com>; Andy Williams <awilliams@town.windermere.fl.us>; Mandy David <mdavid@town.windermere.fl.us>; Tony Davit <tdavit@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; tstroup@town.windermere.fl.us <tstroup@town.windermere.fl.us>; Jim O'Brien <jobrien@town.windermere.fl.us>
Cc: Robert Smith <rsmith@town.windermere.fl.us>; Mastison, Sarah <smastison@wadetrim.com>; Warner, Amanda <AWARNER@WadeTrim.com>; Baird, Connor <cbaird@wadetrim.com>; Dorothy Burkhalter <dburkhalter@town.windermere.fl.us>; Theresa Syphers <tsyphers@town.windermere.fl.us>; Kevin Ball <kevin@goehringandmorgan.com>
Subject: RE: Variance Request for 65 Pine St, Z23-08, Pickleball Court

Mr. Woosley,

Thank you for sending your comments on this variance case. Your email will be included with the Town Council agenda item for their consideration.

At the Development Review Board (DRB) meeting on Tuesday (4/18), the DRB recommended that the Town Council deny the variance request by a vote of 5-1.

As a point of information, the ability of a local government to regulate the use of residential properties for a home-based business is preempted by the State. In 2021, Section 559.955, Florida Statutes, was amended to preempt to the State the regulation of home-based businesses and requires all local home-based business regulations must be compliant with Florida law. Attached is current Town home-based business ordinance that was adopted to be consistent with the change to the state law in 2021.

However, the Town still can enforce parking requirements, require primary business activity must occur inside the home, there can be no outside appearance of a non-residential use of a property with the exception that signage is

allowed consistent with any other sign limitations for any residential property, and general noise, sound, garbage, etc. nuisance laws apply. The Town's current ordinance does reflect these limitations.

Feel free to contact me with any other questions.

Take care,
Brad



Brad Cornelius, AICP, CFM, CPM, Vice President
201 N. Franklin Street, Suite 1350, Tampa, FL 33602
813.882.4373 office
813.415.4952 cell



From: Lloyd Woosley <lhwoosley@yahoo.com>

Sent: Friday, April 21, 2023 10:53 AM

To: Andy Williams <awilliams@town.windermere.fl.us>; Mandy David <mdavid@town.windermere.fl.us>; Tony Davit <tdavit@town.windermere.fl.us>; Molly Rose <mrose@town.windermere.fl.us>; tstroup@town.windermere.fl.us; Jim O'Brien <jobrien@town.windermere.fl.us>

Cc: Robert Smith <rsmith@town.windermere.fl.us>; Cornelius, Brad <bcornelius@wadetrim.com>

Subject: Variance Request for 65 Pine St, Z23-08, Pickleball Court

This message originated from outside of Wade Trim

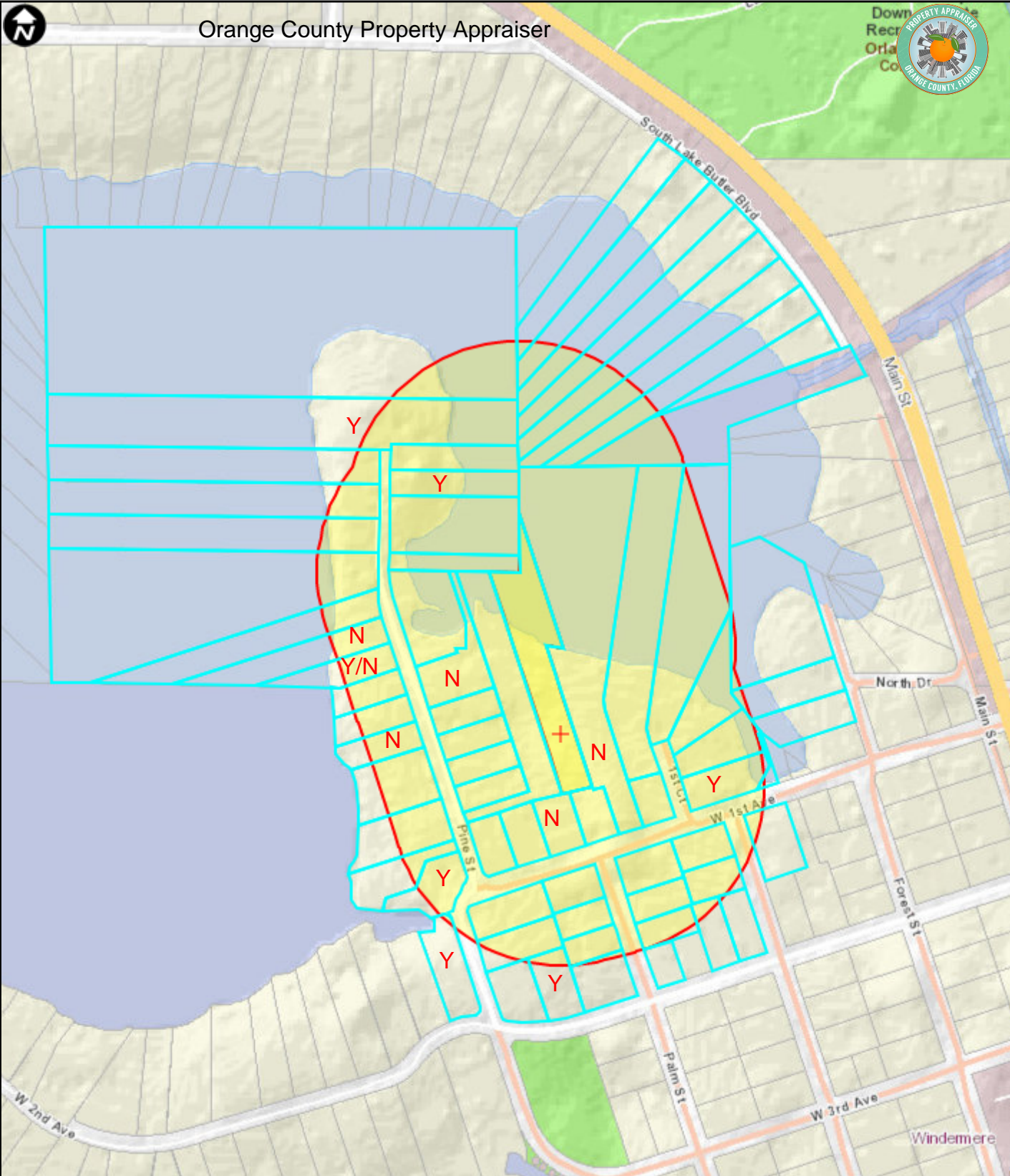
After the public comment period for the subject variance closed on April 14, 2023, my wife and I were informed by a neighbor, whose property is adjacent to 51 and 65 Pine St., that one of the property owners of 65 Pine St. is a pickleball instructor. If that is true, they most likely would plan to use the proposed pickleball court for commercial purposes resulting increased noise and traffic activity. Teleworking from home is perfectly acceptable. However, using residential property for commercial purposes where vehicles would be routinely entering and leaving the property, and creating more pickleball related noise than exclusive personal use of the proposed court is not compatible with an area having 100% residential land use.

The Town Council will be considering the variance request on May 9. I will be out of town and unfortunately cannot attend. I wish to inform you of these concerns that unfortunately came to our attention after the public comment period ended.

Lloyd Woosley
24 Pine St.
Windermere, FL

OCA 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	Parke	Hospital



Created: 4/2/2023 19:59

This map is for reference only and is not a survey

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

To: Mayor and Town Council

From: Brad Cornelius, AICP, Wade Trim, Inc. – Contracted Town Planner

Date: May 2, 2023

Re: First Reading Ordinance 2023-01 - Proposed Change to 10% Limitation for Nonconforming Structures

One of the most common variance requests is expanding the gross floor area of nonconforming structures more than the 10% limitation provided in the Town's Land Development Code (LDC). Most often, the proposed expansions beyond the 10% are comprised of additions that are compliant with the current zoning requirements (i.e., setbacks, height, maximum gross floor area, impervious area, etc.).

Variances that request a greater than 10% expansion and are fully compliant with all other zoning standards are typically recommended for approval by the DRB and approved by the Town Council. However, variances that request a greater than 10% expansion and are not fully compliant with all other zoning standards are typically recommended for denial by the DRB and denied by the Town Council.

When particular variances are regularly approved, that is often a sign that the zoning provision that is subject to the variance may need to be revised to no longer require a variance.

Based on the pattern of approval of variances for greater than 10% expansion of gross floor area of nonconforming structure with all additions fully compliant with current zoning requirements and not expanding the nonconformity, it is my recommendation that the Town consider amending this portion of the LDC.

The attached ordinance is a proposed revision to the LDC to eliminate the 10% expansion limitation and replace with the following:

- Allows additions that do not expand the nonconformity and are fully compliant with current zoning requirements;
- Establishes that nonconformities are not a reason for additions or new development to

be built not in compliance with existing zoning requirements;

- Clarifies that structures damaged or destroyed by fire or other recognized disaster under a declared state of emergency may be repaired or rebuilt to match the condition the day before the fire or disaster as long as a permit is submitted within 180 days of the event. Any other repair or demolition must be done in compliance with the existing zoning requirements;
- Clarifies the FEMA 100-year flood zone nonconforming requirements apply (50% substantial improvement rule);
- Clarifies that the Orange County dock ordinance regulates nonconforming docks due to the Town adopting the County's dock requirements; and
- Removes an old provision that required nonconforming structures be registered with the Town by 1993.

I believe this change will support and remove a hurdle in improving existing older homes and provide for a more consistent and common approach to nonconforming structures.

At the April 18, 2023, Development Review Board (DRB) meeting, the DRB unanimously recommended that the Town Council approve the proposed ordinance with one change to allow the Town Manager to designate natural events that may not be to a level of emergency declaration to allow the reconstruction of a nonconforming structure. The proposed Ordinance 2023-01 includes the recommended change by the DRB.

Attached is Ordinance 2023-01 with the mark-ups showing the changes, and a clean version with the changes incorporated.

Please do not hesitate to contact me with any questions. I can be reached at 813-415-4952 or bcornelius@wadetrim.com.

ORDINANCE NO. 2023-01

1
2
3 **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF**
4 **WINDERMERE, FLORIDA AMENDING THE EXISTING**
5 **NONCONFORMING DEVELOPMENT EXPANSION LIMITATION;**
6 **AMENDING ARTICLE X, DIVISION 10.01.00, OF THE TOWN OF**
7 **WINDMERERE LAND DEVELOPMENT CODE TO ALLOW THE**
8 **EXPANSION OF AN EXISTING NONCONFORMING STRUCTURE**
9 **WHEN SUCH EXPANSION DOES NOT INCREASE THE**
10 **NONCONFORMITY AND SUCH EXPANSION IS IN FULL**
11 **COMPLIANCE WITH CURRENT LAND DEVELOPMENT CODE**
12 **REQUIREMENTS; PROVIDING STANDARDS FOR EXISTING**
13 **NONCONFORMING STRUCTURES RELATED TO RECONSTRUCTION**
14 **AFTER PARTIAL OR FULL DEMOLITION, RECONSTRUCTION**
15 **AFTER A TOWN DECLARED STATE OF EMERGENCY FOR A**
16 **NATURAL DISASTER OR OTHER WEATHER EVENT AS APPROVED**
17 **BY THE TOWN MANAGER, RECONSTRUCTION WITHIN THE 100-**
18 **YEAR FLOOD ZONE, RECONSTRUCTION OF BOATHOUSES AND**
19 **DOCKS, AND OTHER CLARIFICATIONS AND UPDATES AS**
20 **PROVIDED HEREIN; PROVIDING FOR SEVERABILITY,**
21 **CODIFICATION AND AN EFFECTIVE DATE.**

22
23 **BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

24
25 **Section 1. Legislative Findings.** The Town Council of the Town of Windermere hereby makes
26 and declares the following findings and statements of legislative intent:
27

- 28 1. The Town of Windermere places a high priority on maintaining the special
29 character of the town and encouraging responsible and quality development;
30
- 31 2. Within the town, there are several homes and other structures that are legal
32 nonconforming structures that are limited to a ten percent expansion and are restricted in their
33 ability to be renovated or expanded due to their nonconformity;
34
- 35 3. The Town Council receives and approves many variances requesting the
36 expansion of an existing nonconforming structure by more than the ten percent limitation but in
37 compliance with all other current requirements of the Town’s Land Development Code;
38
- 39 4. The consistent Town Council approval of variances to allow a greater than ten
40 percent expansion of an existing nonconforming structure but in compliance with all other
41 current requirements of the Town’s Land Development Code is a strong indication of a need to
42 amend the Land Development Code to address the issue;
43
- 44 5. The Town Council considered the recommendation by the Town’s Development
45 Review Board, and comments during the public hearing for this proposed ordinance and;
46

47 6. The Town Council has determined it is in the best interest of the Town to amend
48 Article X, Division 10.01.00, of the Town’s Land Development Code to allow the expansion of
49 an existing nonconforming structure that does not increase the nonconformity and is in full
50 compliance with current land development code requirements; provide standards for existing
51 nonconforming structures related to reconstruction after partial or full demolition, reconstruction
52 after a Town declared state of emergency for a natural disaster or other weather event as
53 approved by the Town Manager, reconstruction within the 100-year flood zone, reconstruction of
54 boathouses and docks, and other clarifications and updates as provided herein
55

56 **Section 2. Land Development Code Amendment.** Article X, Division 10.01.00, of the Town’s
57 Land Development Code is amended as follows:

58 **Sec. 10.01.01. Definitions.**

59 The following words, terms and phrases, when used in this division, shall have the meanings ascribed to
60 them in this section, except where the context clearly indicates a different meaning:

61 *Nonconforming development* means development legally constructed in accordance with regulations in place
62 at the time of such construction or land that does not conform to the land use regulations in article II, and/or the
63 development design and improvement standards of this Land Development Code in article VI, and/or the future
64 land use map.

65 **Sec. 10.01.02. Continuation.**

66 ~~Subject to the provisions in this division for terminating nonconforming Nonconforming development, such~~
67 ~~development may, if otherwise lawful and in existence on the date of enactment of this Land Development Code,~~
68 may remain in use in its nonconforming state and may only be expanded or improved consistent with the
69 requirements within this Division of this Land Development Code. ~~until the year 2000, but shall not be expanded~~
70 ~~or improved.~~

71 **Sec. 10.01.03. ~~Termination~~ Expansion or improvement of nonconforming development or**
72 **structure.**

73 (a) *Generally.* Nonconforming development or structures shall only be expanded or improved if the expansion or
74 improvement is fully compliant with the requirements of this Land Development Code, and the
75 nonconforming condition is not increased as a result of the new construction. Nonconforming development
76 is also subject to the following requirements: ~~must be brought into full compliance with the use regulations~~
77 ~~in article II of this Land Development Code, and the development design and improvement standards in~~
78 ~~article VI of this Land Development Code, in conjunction with the following activities:~~

79 (1) If a nonconforming development or structure is voluntarily fully or partially demolished, any
80 reconstruction must meet all requirements of this Land Development Code. ~~The gross floor area of the~~
81 ~~development or structure is expanded by more than ten percent. Repeated expansions of a~~
82 ~~development, constructed over any period of time commencing with the effective date of this Land~~
83 ~~Development Code, shall be combined in determining whether this threshold has been reached.~~

84 (2) Reconstruction of ~~the a nonconforming principal~~ structure after the structure has been substantially
85 damaged or destroyed by fire or ~~other~~ natural disaster with a declared state of emergency by the Town
86 or other weather event as determined by the Town Manager may be repaired or rebuilt as it existed
87 the day prior to the damage or destruction. However, if a building permit is not submitted to the Town
88 within 180 days after the fire, natural disaster, or weather event to repair or rebuild the
89 nonconforming structure, then any repair or reconstruction must meet all requirements of this Land
90 Development Code ~~calamity. A structure is substantially destroyed if the cost of reconstruction is 50~~

91 ~~percent or more of the fair market value of the structure before the calamity. If there are multiple~~
92 ~~principal structures on a site, the cost of reconstruction shall be compared to the combined fair market~~
93 ~~value of all the structures.~~

94 ~~(3) It is the intent of this Land Development Code to permit those nonconformities that existed on June~~
95 ~~10, 1975, to continue until they are removed, but not to encourage their survival. Those few structures~~
96 ~~shall not be enlarged upon, expanded or extended. Owners of such properties must apply in writing to~~
97 ~~the town by January 1, 1993, for recognition of their status, providing such proof, as is available, of~~
98 ~~their existence in a nonconforming status as of June 10, 1975.~~

99 (3) Any nonconforming property that existed on June 10, 1975, but has changed its usage to a single-
100 family residence shall not be permitted to revert back to duplex usage.

101 (b) *Special provisions for specific nonconformities.*

102 (1) *Nonconformity with the stormwater management requirements of this Land Development Code.* ~~In~~
103 ~~addition to the activities listed in subsection (a) of this section, a~~ An existing development that does not
104 comply with the stormwater management requirements of this Land Development Code must be
105 brought into full compliance when the use of the development is intensified, resulting in an increase in
106 stormwater runoff or added concentration of pollution in the runoff.

107 (2) Nonconformity with floodplain requirements of the Floodplain Management Ordinance of Chapter 16,
108 Code of Ordinances. Any structure or development that does not meet the requirements of the
109 Floodplain Management Ordinance in Chapter 16, Code of Ordinances, shall be subject to
110 requirements of Chapter 16, Code of Ordinances, to come into compliance.

111 (3) Nonconforming boathouses and docks. Boathouses and docks that do not meet the requirements of
112 Section 7.02.05 of this Land Development Code are subject to the requirements for repairs and
113 reconstruction under Orange County's ordinances regulating, restricting, and otherwise addressing
114 boat dock construction, as such ordinances may be amended from time-to-time.

115 ~~(24) Nonconforming with the parking and loading requirements of this Land Development Code. In addition~~
116 ~~to the activities listed in subsection (a) of this section, f~~ Full compliance with the requirements of this
117 Land Development Code shall be required where the seating capacity or other factor controlling the
118 number of parking or loading spaces required by this Land Development Code is increased by ten
119 percent or more.

120 (35) *Nonconforming signs.*

121 a. *Defined.* Any sign within the town on the effective date of this Land Development Code or a sign
122 existing within any area annexed to the town after the effective date of this Land Development
123 Code, and except for subdivision signs erected prior to 1990, which is prohibited by, or does not
124 conform to the requirements of, this Land Development Code; except that signs that are within
125 ten percent of the height and size limitations of this Land Development Code, and that in all
126 other respects conform to the requirements of this Land Development Code, shall be deemed to
127 be in conformity with this Land Development Code.

128 b. *Amortization.*

129 1. *Alternative A.*

130 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all signs
131 prohibited by division 8.02.00, prohibited signs, of this Land Development Code,
132 shall be removed or made to conform within 60 days of the enactment of this Land
133 Development Code.

134 (ii) All other nonconforming signs shall be removed or altered to be conforming within
135 seven years of the effective date of this Land Development Code, unless an earlier
136 removal is required by subsection (a) or (b)(3)b.2(ii)C of this section.

- 137 2. *Alternative B.*
 138 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all signs
 139 prohibited by division 8.02.00, prohibited signs, of this Land Development Code,
 140 shall be removed or made to conform within 60 days of the enactment of this Land
 141 Development Code.
 142 (ii) Unless an earlier removal is required by subsection (a) or (b)(3)b.2(ii)C of this
 143 section, all other nonconforming signs may be maintained for the longer of the
 144 following periods:
 145 A. Two years from the date upon which the sign became illegal under this
 146 Land Development Code;
 147 B. A period of three to seven years from the installation date or most recent
 148 renovation date that preceded the enactment of this Land Development
 149 Code according to the amortization table in this subsection. If the date of
 150 the more recent renovation is chosen as the starting date of the
 151 amortization period, the period of amortization shall be calculated
 152 according to the cost of the renovation and not according to the original
 153 cost of the sign;

Sign Cost or Permitting Years Renovation from Installation Cost or Renovation Date	
\$101.00 to \$1,000.00	3 years
\$1,001.00 to \$3,000.00	4 years
\$3,001.00 to \$10,000.00	5 years
More than \$10,000.00	7 years

- 154
 155 C. Any owner of a sign who requests an amortization period longer than two
 156 years shall, within one year from the date of enactment of these
 157 regulations, file with the town manager a statement setting forth the cost
 158 of the sign, the date of erection, or the cost and date of most recent
 159 renovation and a written agreement to remove the sign at or before the
 160 expiration of the amortization period applicable to the sign; or
 161 D. The development review board may grant a variance from the terms of
 162 the foregoing amortization schedule for up to one additional year where
 163 it finds such additional period of time is necessary in order to avoid
 164 unnecessary hardship not caused by the petitioner, and such variance is
 165 not contrary to the public interest. Multiple one-year extensions may be
 166 granted where warranted, but may only be granted one year at a time.
 167 (c) *Continuation of nonconforming signs.* Subject to the limitation imposed by the amortization schedule above,
 168 and subject to the restrictions in subsection (a) or (b)(3)b.2(ii)A and B of this section, a nonconforming sign
 169 may be continued and shall be maintained in good condition as required by this Land Development Code, but
 170 it shall not be:
 171 (1) Structurally changed to another nonconforming sign, but its pictorial content may be changed.
 172 (2) Structurally altered to prolong the life of the sign, except to meet safety requirements.
 173 (3) Altered in any manner that increases the degree of nonconformity.
 174 (4) Expanded.
 175 (5) Reestablished after damage or destruction if the estimated cost of reconstruction exceeds 50 percent
 176 of the appraised replacement cost as determined by the town manager.
 177 (6) Continued in use when a conforming sign or sign structure shall be erected on the same parcel or unit.

-
- 178 (7) Continued in use when the structure housing the occupancy is demolished or requires renovations the
179 cost of which exceeds 50 percent of the assessed value of the structure.
- 180 (8) Continued in use after the structure housing the occupancy has been vacant for six months or longer.
181 Should any of the conditions in this subsection (c) be violated, the sign shall be removed within 60 days.
- 182 (d) *Nonconforming signs along federal highways.* If it is determined that nonconforming signs along a federal
183 interstate or primary aid highway may not be removed pursuant to the above provisions, the town council
184 shall develop a plan for their expeditious removal in accordance with state and federal law.

185 **Section 3. Codification.** Section 2 of this Ordinance shall be codified and made part of the
186 Town of Windermere Land Development Code.

187 **Section 4. Conflicts.** In the event of a conflict or conflicts between this ordinance and other
188 ordinances, this ordinance controls to the extent of the conflict.

189 **Section 5. Severability.** The provisions of this Ordinance are declared to be separable and if
190 any section, paragraph, sentence or word of this Ordinance or the application thereto any person
191 or circumstance is held invalid, that invalidity shall not affect other sections or words or
192 applications of this Ordinance. If any part of this Ordinance is found to be preempted or
193 otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent
194 permitted by the severance of such preempted or superseded part.

195 **Section 6. Effective Date.** This Ordinance shall become effective upon adoption at its second
196 reading.

197 **ENACTED** this ____ day of _____, 2023, at a regular meeting of the Town
198 Council of the Town of Windermere, Florida.

199
200
201
202 Town of Windermere, Florida
203 by: Town Council
204
205
206 by: _____
207 Jim O'Brien, Mayor
208

209 Attest:
210
211
212 _____
213 Dorothy Burkhalter, MMC, FCRM
214 Town Clerk
215

216 First reading:
217 Second reading:
218 Advertised:

ORDINANCE NO. 2023-01

1
2
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4 **WINDERMERE, FLORIDA AMENDING THE EXISTING**
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26 and declares the following findings and statements of legislative intent:
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29 character of the town and encouraging responsible and quality development;
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32 nonconforming structures that are limited to a ten percent expansion and are restricted in their
33 ability to be renovated or expanded due to their nonconformity;
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- 35 3. The Town Council receives and approves many variances requesting the
36 expansion of an existing nonconforming structure by more than the ten percent limitation but in
37 compliance with all other current requirements of the Town’s Land Development Code;
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- 39 4. The consistent Town Council approval of variances to allow a greater than ten
40 percent expansion of an existing nonconforming structure but in compliance with all other
41 current requirements of the Town’s Land Development Code is a strong indication of a need to
42 amend the Land Development Code to address the issue;
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- 44 5. The Town Council considered the recommendation by the Town’s Development
45 Review Board, and comments during the public hearing for this proposed ordinance and;
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47 6. The Town Council has determined it is in the best interest of the Town to amend
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62 at the time of such construction or land that does not conform to the land use regulations and/or the development
63 design and improvement standards of this Land Development Code, and/or the future land use map.

64 **Sec. 10.01.02. Continuation.**

65 Nonconforming development may remain in use in its nonconforming state and may only be expanded or
66 improved consistent with the requirements within this Division of this Land Development Code.

67 **Sec. 10.01.03. Expansion or improvement of nonconforming development or structure.**

68 (a) *Generally.* Nonconforming development or structures shall only be expanded or improved if the expansion or
69 improvement is fully compliant with the requirements of this Land Development Code, and the
70 nonconforming condition is not increased as a result of the new construction. Nonconforming development
71 is also subject to the following requirements:

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73 reconstruction must meet all requirements of this Land Development Code.
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75 fire or natural disaster with a declared state of emergency by the Town or other weather event as
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77 or destruction. However, if a building permit is not submitted to the Town within 180 days after the
78 fire, natural disaster, or weather event to repair or rebuild the nonconforming structure, then any
79 repair or reconstruction must meet all requirements of this Land Development Code .
- 80 (3) Any nonconforming property that existed on June 10, 1975, but has changed its usage to a single-
81 family residence shall not be permitted to revert back to duplex usage.

82 (b) *Special provisions for specific nonconformities.*

- 83 (1) *Nonconformity with the stormwater management requirements of this Land Development Code.* An
84 existing development that does not comply with the stormwater management requirements of this
85 Land Development Code must be brought into full compliance when the use of the development is
86 intensified, resulting in an increase in stormwater runoff or added concentration of pollution in the
87 runoff.

- 88 (2) *Nonconformity with floodplain requirements of the Floodplain Management Ordinance of Chapter 16,*
89 *Code of Ordinances.* Any structure or development that does not meet the requirements of the
90 Floodplain Management Ordinance in Chapter 16, Code of Ordinances, shall be subject to
91 requirements of Chapter 16, Code of Ordinances, to come into compliance.
- 92 (3) *Nonconforming boathouses and docks.* Boathouses and docks that do not meet the requirements of
93 Section 7.02.05 of this Land Development Code are subject to the requirements for repairs and
94 reconstruction under Orange County's ordinances regulating, restricting, and otherwise addressing
95 boat dock construction, as such ordinances may be amended from time-to-time. (4)
96 *Nonconforming with the parking and loading requirements of this Land Development Code.*, Full
97 compliance with the requirements of this Land Development Code shall be required where the seating
98 capacity or other factor controlling the number of parking or loading spaces required by this Land
99 Development Code is increased by ten percent or more.
- 100 (5) *Nonconforming signs.*
- 101 a. *Defined.* Any sign within the town on the effective date of this Land Development Code or a sign
102 existing within any area annexed to the town after the effective date of this Land Development
103 Code, and except for subdivision signs erected prior to 1990, which is prohibited by, or does not
104 conform to the requirements of, this Land Development Code; except that signs that are within
105 ten percent of the height and size limitations of this Land Development Code, and that in all
106 other respects conform to the requirements of this Land Development Code, shall be deemed to
107 be in conformity with this Land Development Code.
- 108 b. *Amortization.*
- 109 1. *Alternative A.*
- 110 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all signs
111 prohibited by division 8.02.00, prohibited signs, of this Land Development Code,
112 shall be removed or made to conform within 60 days of the enactment of this Land
113 Development Code.
- 114 (ii) All other nonconforming signs shall be removed or altered to be conforming within
115 seven years of the effective date of this Land Development Code, unless an earlier
116 removal is required by subsection (a) or (b)(3)b.2(ii)C of this section.
- 117 2. *Alternative B.*
- 118 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all signs
119 prohibited by division 8.02.00, prohibited signs, of this Land Development Code,
120 shall be removed or made to conform within 60 days of the enactment of this Land
121 Development Code.
- 122 (ii) Unless an earlier removal is required by subsection (a) or (b)(3)b.2(ii)C of this
123 section, all other nonconforming signs may be maintained for the longer of the
124 following periods:
- 125 A. Two years from the date upon which the sign became illegal under this
126 Land Development Code;
- 127 B. A period of three to seven years from the installation date or most recent
128 renovation date that preceded the enactment of this Land Development
129 Code according to the amortization table in this subsection. If the date of
130 the more recent renovation is chosen as the starting date of the
131 amortization period, the period of amortization shall be calculated
132 according to the cost of the renovation and not according to the original
133 cost of the sign;

Sign Cost or Permitting Years Renovation from Installation Cost or Renovation Date
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\$101.00 to \$1,000.00	3 years
\$1,001.00 to \$3,000.00	4 years
\$3,001.00 to \$10,000.00	5 years
More than \$10,000.00	7 years

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- C. Any owner of a sign who requests an amortization period longer than two years shall, within one year from the date of enactment of these regulations, file with the town manager a statement setting forth the cost of the sign, the date of erection, or the cost and date of most recent renovation and a written agreement to remove the sign at or before the expiration of the amortization period applicable to the sign; or
- D. The development review board may grant a variance from the terms of the foregoing amortization schedule for up to one additional year where it finds such additional period of time is necessary in order to avoid unnecessary hardship not caused by the petitioner, and such variance is not contrary to the public interest. Multiple one-year extensions may be granted where warranted, but may only be granted one year at a time.

(c) *Continuation of nonconforming signs.* Subject to the limitation imposed by the amortization schedule above, and subject to the restrictions in subsection (a) or (b)(3)b.2(ii)A and B of this section, a nonconforming sign may be continued and shall be maintained in good condition as required by this Land Development Code, but it shall not be:

- (1) Structurally changed to another nonconforming sign, but its pictorial content may be changed.
- (2) Structurally altered to prolong the life of the sign, except to meet safety requirements.
- (3) Altered in any manner that increases the degree of nonconformity.
- (4) Expanded.
- (5) Reestablished after damage or destruction if the estimated cost of reconstruction exceeds 50 percent of the appraised replacement cost as determined by the town manager.
- (6) Continued in use when a conforming sign or sign structure shall be erected on the same parcel or unit.
- (7) Continued in use when the structure housing the occupancy is demolished or requires renovations the cost of which exceeds 50 percent of the assessed value of the structure.
- (8) Continued in use after the structure housing the occupancy has been vacant for six months or longer.

Should any of the conditions in this subsection (c) be violated, the sign shall be removed within 60 days.

(d) *Nonconforming signs along federal highways.* If it is determined that nonconforming signs along a federal interstate or primary aid highway may not be removed pursuant to the above provisions, the town council shall develop a plan for their expeditious removal in accordance with state and federal law.

Section 3. Codification. Section 2 of this Ordinance shall be codified and made part of the Town of Windermere Land Development Code.

Section 4. Conflicts. In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls to the extent of the conflict.

Section 5. Severability. The provisions of this Ordinance are declared to be separable and if any section, paragraph, sentence or word of this Ordinance or the application thereto any person or circumstance is held invalid, that invalidity shall not affect other sections or words or

172 applications of this Ordinance. If any part of this Ordinance is found to be preempted or
173 otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent
174 permitted by the severance of such preempted or superseded part.

175 **Section 6. Effective Date.** This Ordinance shall become effective upon adoption at its second
176 reading.

177 **ENACTED** this ____ day of _____, 2023, at a regular meeting of the Town
178 Council of the Town of Windermere, Florida.

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182 Town of Windermere, Florida
183 by: Town Council

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186 by: _____
187 Jim O'Brien, Mayor
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189 Attest:

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192 _____
193 Dorothy Burkhalter, MMC, FCRM
194 Town Clerk

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196 First reading:
197 Second reading:
198 Advertised:

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA AMENDING THE EXISTING NONCONFORMING DEVELOPMENT EXPANSION LIMITATION; AMENDING ARTICLE X, DIVISION 10.01.00, OF THE TOWN OF WINDMERERE LAND DEVELOPMENT CODE TO ALLOW THE EXPANSION OF AN EXISTING NONCONFORMING STRUCTURE THAT DOES NOT INCREASE THE NONCONFORMITY AND IS IN FULL COMPLIANCE WITH CURRENT LAND DEVELOPMENT CODE REQUIREMENTS; PROVIDING STANDARDS FOR EXISTING NONCONFORMING STRUCTURES REALTED TO CONSTRUCTION AFTER PARTIAL OR FULL DEMOLITION RECONSTRUCTION AFTER A TOWN DECLARED STATE OF EMERGENCY FOR A NATURAL DISASTER OR OTHER WEATHER EVENT AS APPROVED BY THE TOWN MANAGER, RECONSTRUCTION WITHIN THE 100-YEAR FLOOD ZONE, RECONSTRUCTION OF BOATHOUSES AND DOCKS, AND OTHER CLARIFICATIONS AND UPDATES AS PROVIDED HEREIN; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:

Section 1. Legislative Findings. The Town Council of the Town of Windermere hereby makes and declares the following findings and statements of legislative intent:

1. The Town of Windermere places high priority on maintaining the special character of the town and encourages responsible and quality development;

2. Within the town there are several homes and other structures that are legal nonconforming uses that are limited to a ten percent expansion and are restricted in their ability to be renovated or expanded due to their nonconformity;

The Town Council receives and approves many variances requesting the expansion of an existing nonconforming structure by more than the ten percent limitation but in compliance with all other current requirements of the Town's Land Development Code;

4. The consistent Town Council approval of variances to allow a greater than ten percent expansion of an existing nonconforming structure but in compliance with all other current requirements of the Town's Land Development Code is a strong indication of a need to amend the Land Development Code to address the issue;

5. The Town Council considered the recommendation by the Town's Development Review Board, and comments during the public hearing for this proposed ordinance and;

46 6. The Town Council has determined it is in the best interest of the Town to amend
47 Article X, Division 10.01.00, of the Town's Land Development Code to allow the expansion of
48 an existing nonconforming structure that does not increase the nonconformity and is in full
49 compliance with current land development code requirements; provide standards for existing
50 nonconforming structures related to reconstruction after partial or full demolition, reconstruction
51 after a Town declared state of emergency for a natural disaster or other weather event as
52 approved by the Town Manager, reconstruction within the 100-year flood zone, reconstruction of
53 boathouses and docks, and other clarifications and updates as provided herein
54

55 **Section 2. Land Development Code Amendment.** Article X, Division 10.01.00, of the Town's
56 Land Development Code is amended as follows:

57 Sec. 10.01.01. Definitions.

58 The following words, terms and phrases, when used in this division shall have the meanings ascribed to
59 them in this section, except where the context clearly indicates a different meaning:

60 Nonconforming development means development or land use that does not conform to the land use regulations
61 and/or the development design and improvement standards of the Land Development Code, and/or the future
62 land use map.

63 Sec. 10.01.02. Continuation.

64 Subject to the provisions in this division for termination of nonconforming development, such development
65 may, if otherwise lawful and in existence on the date of enactment of this Land Development Code, remain in use
66 in its nonconforming state and may only be expanded or improved consistent with the requirements within this
67 Division of this Land Development Code.

68 Sec. 10.01.03. Expansion or improvement of nonconforming development or structure.

69 (a) Generally, nonconforming development or structure shall only be expanded or improved if the expansion or
70 improvement is fully compliant with the requirements of this Land Development Code, and the
71 nonconforming condition is not increased as a result of the new construction. Nonconforming development
72 is also subject to the following requirements:

73 (1) If nonconforming development or structure is voluntarily fully or partially demolished, any
74 reconstruction must meet all requirements of this Land Development Code.

75 (2) Reconstruction of a nonconforming structure after the structure has been damaged or destroyed by
76 fire or natural disaster with a declared state of emergency by the Town or other weather event as
77 determined by the Town Manager may be repaired or rebuilt as it existed the day prior to the damage
78 or destruction. However, if a building permit is not submitted to the Town within 180 days after the
79 fire, natural disaster, or weather event to repair or rebuild the nonconforming structure, then any
80 repair or reconstruction must meet all requirements of this Land Development Code.

81 (3) Any nonconforming property that existed on June 10, 1975, but has changed its usage to a single-
82 family residence shall not be permitted to revert back to duplex usage.

83 (b) Special provisions for specific nonconformities.

84 (1) Nonconformity with the stormwater management requirements of this Land Development Code. An
85 existing development that does not comply with the stormwater management requirements of this
86 Land Development Code must be brought into full compliance when the use of the development is
87 intensified, resulting in an increase in stormwater runoff or added concentration of pollution in the
88 runoff.

89 (2) Nonconformity with floodplain requirements of the Floodplain Management Ordinance of Chapter 16,
90 Code of Ordinances. Any structure or development that does not meet the requirements of the
91 Floodplain Management Ordinance in Chapter 16, Code of Ordinances, shall be subject to
92 requirements of Chapter 16, Code of Ordinances, to come into compliance.

93 (3) Nonconforming boathouses and docks. Boathouses and docks that do not meet the requirements of
94 Section 7.02.05 of this Land Development Code are subject to the requirements for repairs and
95 reconstruction, as provided in Section 7.02.05 of this Land Development Code, under Orange County's
96 ordinances regulating, restricting, and otherwise addressing boat dock construction, as such
97 ordinances may be amended from time-to-time. (4) Nonconforming with the parking and
98 loading requirements of this Land Development Code., Full compliance with the requirements of this
99 Land Development Code shall be required where the seating capacity or other factor controlling the
100 number of parking or loading spaces required by this Land Development Code is increased by ten
101 percent or more.

102 (5) Nonconforming signs.

103 a. Defined. Any sign within the town on the effective date of this Land Development Code or a sign
104 existing within any area annexed to the town after the effective date of this Land Development
105 Code, and except for subdivision signs erected prior to 1990, which is prohibited, or does not
106 conform to the requirements of, this Land Development Code, except that signs that are within
107 ten percent of the height and size limitations of this Land Development Code, and that in all
108 other respects conform to the requirements of this Land Development Code, shall be deemed to
109 be in conformity with this Land Development Code.

110 b. Amortization.

111 1. Alternative A.

112 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all signs
113 prohibited by division 8.02.00, prohibited signs, of this Land Development Code,
114 shall be removed or made to conform within 60 days of the enactment of this Land
115 Development Code.

116 (ii) All other nonconforming signs shall be removed or altered to be conforming within
117 seven years of the effective date of this Land Development Code, unless an earlier
118 removal is required by subsection (a) or (b)(3)b.2(ii)C of this section.

119 2. Alternative B.

120 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all signs
121 prohibited by division 8.02.00, prohibited signs, of this Land Development Code,
122 shall be removed or made to conform within 60 days of the enactment of this Land
123 Development Code.

124 (ii) Unless an earlier removal is required by subsection (a) or (b)(3)b.2(ii)C of this
125 section, all other nonconforming signs may be maintained for the longer of the
126 following periods:

127 A. Two years from the date upon which the sign became illegal under this
128 Land Development Code;

129 B. A period of three to seven years from the installation date or most recent
130 renovation date that preceded the enactment of this Land Development
131 Code according to the amortization table in this subsection. If the date of
132 the more recent renovation is chosen as the starting date of the
133 amortization period, the period of amortization shall be calculated
134 according to the cost of the renovation and not according to the original
135 cost of the sign;

Sign Cost or Permitting Years Renovation from Installation Cost or Renovation Date	
\$101.00 to \$1,000.00	3 years
\$1,001.00 to \$3,000.00	4 years
\$3,001.00 to \$10,000.00	5 years
More than \$10,000.00	7 years

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- C. Any owner of a sign who requests an amortization period longer than two years shall, within one year from the date of enactment of these regulations, file with the town manager a statement setting forth the cost of the sign, the date of erection, or the cost and date of most recent renovation and a written agreement to remove the sign at or before the expiration of the amortization period applicable to the sign; or
- D. The development review board may grant a variance from the terms of the foregoing amortization schedule for up to one additional year where it finds such additional period of time is necessary in order to avoid unnecessary hardship not caused by the petitioner, and such variance is not contrary to the public interest. Multiple one-year extensions may be granted where warranted, but may only be granted one year at a time.

(c) Continuation of nonconforming signs. Subject to the limitations imposed by the amortization schedule above, and subject to the restrictions in subsection (a) or (b)(3)b.2(ii)A of this section, a nonconforming sign may be continued and shall be maintained in good condition as required by this Land Development Code, but it shall not be:

- (1) Structurally changed to another nonconforming sign and its pictorial content may be changed.
- (2) Structurally altered to prolong the life of the sign, except to meet safety requirements.
- (3) Altered in any manner that increases the degree of nonconformity.
- (4) Expanded.
- (5) Reestablished after damage or destruction if the estimated cost of reconstruction exceeds 50 percent of the appraised value as determined by the town manager.
- (6) Continued in use when a conforming sign or sign structure shall be erected on the same parcel or unit.
- (7) Continued when the structure housing the occupancy is demolished or requires renovations the cost of which exceeds 50 percent of the assessed value of the structure.
- (8) Continued in use after the structure housing the occupancy has been vacant for six months or longer.

Should any of the conditions in this subsection (c) be violated, the sign shall be removed within 60 days.

(d) Nonconforming signs along federal highways. If it is determined that nonconforming signs along a federal interstate or primary highway may not be removed pursuant to the above provisions, the town council shall develop a plan for their expeditious removal in accordance with state and federal law.

167 **Section 3. Codification.** Section 2 of this Ordinance shall be codified and made part of the
168 Town of Windermere Land Development Code.

169 **Section 4. Conflicts.** In the event of a conflict or conflicts between this ordinance and other
170 ordinances, this ordinance controls to the extent of the conflict.

171 **Section 5. Severability.** The provisions of this Ordinance are declared to be separable and if
172 any section, paragraph, sentence or word of this Ordinance or the application thereto any person

173 or circumstance is held invalid, that invalidity shall not affect other sections or words or
174 applications of this Ordinance. If any part of this Ordinance is found to be preempted or
175 otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent
176 permitted by the severance of such preempted or superseded part.

177 **Section 6. Effective Date.** This Ordinance shall become effective upon adoption at its second
178 reading.

179 **ENACTED** this ____ day of _____, 2023, at a regular meeting of the Town
180 Council of the Town of Windermere, Florida.

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Town of Windermere, Florida
by: Town Council

by: _____
Jim C. _____, Mayor

191 Attest:

192
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Dorothy Burkhalter, MMC, FCPM
Town Clerk

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198 First reading:
199 Second reading:
200 Advertised:

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**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Approve Rostan Solutions, LLC FEMA Reimbursement – Hurricane Ian

REQUESTED ACTION: Approval

Work Session (Report Only)

Regular Meeting

DATE OF MEETING: May 9, 2023

Special Meeting

CONTRACT: N/A

Effective Date: 7/11/18

Managing Division / Dept:

Vendor/Entity: Rostan Solutions, LLC

Termination Date: July 10, 2023

Public Works

BUDGET IMPACT: \$25,000

Annual

Capital

N/A

FUNDING SOURCE:

EXPENDITURE ACCOUNT:

FEMA Emergency Hurricane Ian

001 5999 000 7570

HISTORY/FACTS/ISSUES:

Rostan Solutions, LLC has been assisting the Town with FEMA reimbursement for all activities and damages incurred due to Hurricane Ian. Town Council approved an initial \$25,000 to Rostan for these services in November.

The initial estimate of \$25,000 from Rostan for these services was a conservative estimate based upon probable debris (Category A) and emergency protective measures (Category B) costs. Now that the Town is transitioning into the permanent work (Categories C – G) phase of our recovery, the total project costs (including emergency work and permanent work) are expected to exceed \$2M, making \$100K (5% of the \$2M) available in Cat Z management costs.

The current list of reimbursable projects is as follows and will include engineered mitigation projects at Lake Street Park at 5th Street as well as 6th Street near the Lake Down Boat Ramp.

Location	Quote Costs
Fernwood	\$1,340.00
Fernwood	\$8,400.00
Schoolhouse/Citrus Grove	\$315.00
Main Street Tennis Courts – Park Among the Lakes	\$466.32
Lake Street Park – 5th Street and Lake	\$15,300.00
Lake Street Park – 5th Street and Lake	\$13,815.00
Lake Street Park – 5th Street and Lake	\$330.00
Lake Down Park – 4th Street	\$1,015.00
Lake Down Park – 4th Street	\$38,688.00
Fencing Behind Town Hall Next to the Library	\$315.00
Windermere Recreation Center	\$7,000.00
Windermere Recreation Center	\$1,100.00
Windermere Recreation Center	\$1,100.00
Central Park	\$1,100.00
Palmer Park	\$750.00
Public Works Yard	\$600.00
Paving - 6th Street Near Orange County Boat Ramp	\$46,110.00
Paving - 1 Down Point Lane – Conroy Windermere	Included in above
Sidewalks - 3314 - 3316 Wax Berry Court	\$512.00
Sidewalks - Lake Street Park - 5th & Lake Park	\$522,610.00
Sidewalks - 6th at Johnson Park	\$1,016,453.00
Sidewalks - Park Ave and Marquesas Court	\$928.00
Debris	\$447,215.92
Total Requested	\$2,125,463.24

Rostan is requesting for an additional \$25,000, for a total budget of \$50,000, to continue the FEMA reimbursement and cost recovery work. Rostan anticipates funds to be reimbursed as part of FEMA Category Z management costs.



**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Approve Rostan for FEMA Reimbursement Services - \$25,000

REQUESTED ACTION: Approval

Work Session (Report Only)

Regular Meeting

DATE OF MEETING: November 14, 2022

Special Meeting

CONTRACT: N/A

Effective Date:

Managing Division / Dept:

Vendor/Entity: Rostan

Termination Date: _____

Public Works

BUDGET IMPACT: Not to exceed \$25,000

Annual

Capital

N/A

FUNDING SOURCE:

EXPENDITURE ACCOUNT:

FEMA Emergency Hurricane Ian

001 5999 000 7570

HISTORY/FACTS/ISSUES:

When dealing with a disaster event, municipalities have a choice to either handle submitting to FEMA for reimbursement themselves, or to utilize a firm with expertise in managing and obtaining reimbursement from FEMA. In effort to ensure that the Town receives as much as possible under the reimbursables, the Town staff engaged Rostan to provide grant management services. Rostan as the Town's debris monitor has all the tickets, photos, and documentation for the debris removal and have many years of experience and expertise in gaining reimbursement from FEMA for their clients.

As time was of the essence, staff authorized Rostan to begin grant management work on October 19, 2022 in an amount of \$25,000. Funds are expended from the Town's Hurricane Ian line item 001-5999-000-7570.

PROFESSIONAL SERVICES TASK ORDER

Task Order Number: 2

Amendment 1

Subject to the Agreement between the Town of Windermere, FL [**the CLIENT**] and Rostan Solutions, LLC [**ROSTAN**], effective July 18, 2018, the CLIENT hereby authorizes ROSTAN to perform services as specified in this Task Order and in accordance with the above-mentioned Agreement.

1. Basic Project Information

Project Name: Hurricane Ian DR4673 Public Assistance Consulting Services

Project Location: Town of Windermere, FL

CLIENT Representative: Robert Smith, Town Manager

ROSTAN Representative: Dina Groves

- 2. **Scope of Services:** ROSTAN shall perform its Services as described in Scope of Services, attached and incorporated into this Task Order.
- 3. **Period of Service:** The period of service shall begin October 13, 2022, expiring July 10, 2023.
- 4. **Compensation:** ROSTAN's compensation under this Task Order, which shall not be exceeded without prior written authorization of the CLIENT, is \$50,000.
- 5. **Fee Schedule:** This Task Order's Pricing Schedule is incorporated and provided as Attachment 1.
- 6. **Amendment:** [1] This Task Order amends previously executed Task Order No. 2. This amended revises the total scheduled compensation from \$25,000 to \$50,000.

ISSUED AND AUTHORIZED BY:

ACCEPTED AND AGREED TO BY:

WINDERMERE

ROSTAN SOLUTIONS, LLC

BY: _____
Robert Smith
Town Manager

BY: _____
Kyle Jones
Vice President

Date: _____

Date: _____

ATTACHMENT 1

Fee Schedule

- 1.) **Pricing.** The scope of services set forth herein for Task Order 2 is being estimated conservatively based upon knowledge of CLIENT’s damages and current status of claims. The budget estimate for this Task Order is a not-to-exceed amount of \$50,000.00. The not-to-exceed Task Order budget estimate is based on the overall damage estimate as mutually understood by the CLIENT and ROSTAN.
- 2.) **Expenses and Travel.** Rates are inclusive of all costs with the exception to those expenses related to federal per diem for meals and incidentals, allowable milage and/or rental vehicle, rental vehicles petroleum products, airfare, and lodging. Expenses will comply with General Services Administration (GSA), Federal Travel Regulations (FTR), and Travel/Per Diem Bulletins and be directly passed through without markup. Receipts will be provided.
- 3.) **Rate Schedule.** ROSTAN’s fee schedule is included below.

Debris Monitoring Operations		
Description	Unit	Rate per Hour
Project Manager	Hour	\$85.00
Operations Manager	Hour	\$75.00
Field Supervisor	Hour	\$48.00
Tower Monitor	Hour	\$34.00
Field Monitor	Hour	\$32.00
Clerical / Administrative Assistant	Hour	\$24.00
Data/GIS Specialist	Hour	\$65.00
Environmental Specialist	Hour	\$75.00
Billing/Invoice Analyst	Hour	\$24.00
FEMA Specialist	Hour	\$85.00
Public Assistance/Grants Management		
Description	Unit	Rate per Hour
Program Manager	Hour	\$165.00
Grants Management Consultant	Hour	\$145.00
Consultant/Scientist/Planner/Engineer	Hour	\$125.00
Benefit Cost Analysis Specialist	Hour	\$140.00
GIS / HAZUS Specialist	Hour	\$125.00
Field Technician	Hour	\$65.00
Administrative Specialist	Hour	\$45.00

Date: October 13, 2022

Subject: **Proposal for DR-4673 Hurricane Ian Public Assistance Consulting Services**

Rostan Solutions, LLC (Rostan) is pleased to present our Consulting Services Proposal to assist the Town of Windermere, FL (“Town”) in its efforts to document damages and recover costs caused by Hurricane Ian DR-4673. Rostan specializes in pursuing federal funding in accordance with FEMA regulations and FEMA Public Assistance (PA) eligibility. We intend to work directly with FEMA, the Florida Division of Emergency Management (FDEM) and the Town throughout the claim to assist with project scope development process, reimbursement of costs, 406 mitigation opportunities and cash flow planning initiatives. Rostan will work with the Town to develop the PA claim with technical and supporting documentation for presentation to FEMA and FDEM to support the greatest amount of federal participation that can reasonably be expected.

TOWN OBJECTIVES

Based on our understanding, the following objectives are critical actions for the Town:

- Assist with cash flow needs
- Facilitate FEMA reimbursement process from debris operations and emergency protective measures
- Assist the Town with project scope development for permanent work projects (roads, wash outs, building replacement, docks, landings, etc)
- Assist with grant management and eligibility requirements

GRANTS MANAGEMENT SERVICES

Rostan shall work closely and collaborate with the Town to ensure the proper use and application of federal and state funds. Rostan shall focus on maximizing eligible, allocable federal dollars. Rostan shall conduct efficient processes that reduce the timeline for eligibility determinations that support project cash flow sources and uses. Rostan will provide technical knowledge and experience, proven business processes, and policy strategies. In order to develop and implement the framework of grant activities, Rostan shall perform services and work necessary to complete the following objectives and tasks:

- Prepare and coordinate the development of Project Worksheets (PW's) and versions as required with the Town, Federal agencies, and State agencies. This includes project development, formulation, and processing as required for small and large projects.
- Assist the Town with formulation of projects in accordance with the FEMA Delivery Model:
 - Develop Damage Inventory (DI) Line Items
 - Develop Detailed Damage Dimensions (DDD)
 - Complete required Essential Elements of Information (EEI)
 - Complete Cost Estimate using RsMeans
 - Identify, track and present required Consensus based Codes and Standards
- Work with the Town to obtain all costs and necessary backup documentation to develop,

revise and submit PW's and grant applications to the Federal agencies and State agencies to be approved, obligated, and reimbursed.

- Review eligibility issues for the Town and develop justifications for presentation to the Federal agencies, State agencies, and other agencies involved in providing disaster recovery funds.
- Ensure that all eligible damages have been identified, quantified, and presented to the Town, Federal agencies, and State agencies. All eligible damages shall be incorporated into PW' s and grant applications with supporting documentation and proper cost estimates, using the

FEMA Cost Estimating Factor (CEF) when necessary.

- Provide, or as needed retain the services of, professional experts to prepare damage assessments and technical reviews and oversight in the furtherance of program objectives.
- Review contracts, bid documentation, change orders, and other records to support the proper preparation and presentation of PW's, grant applications and eligible activities.
- Compile and summarize/justify costs for presentation to Federal agencies and State agencies for reimbursement of eligible costs, ensuring compliance with applicable regulations.
- Attend meetings with the Town, Federal agencies, and State agencies to negotiate and represent PWs and the obligation of eligible amounts.
- Provide grant management advice to maximize reimbursements of disaster recovery expenses.
- Provide advice to the v personnel and Consultants; attend and participate in meetings as required.
- Prepare draft correspondence to local, Federal, and State officials as necessary.
- Provide the Town with any changes in policies, procedures, processes, or deadlines throughout the financial disaster recovery process.
- Prepare and conduct the close-out process, ensuring maximum recovery and retention of all eligible funding, satisfactory disposition of appeals and availability of supporting documents for future audits.
- Prepare for and respond to inspections and audits for on-going and completed projects.
- Prepare formal audit responses and justifications; attend associated meetings and hearings as needed.
- Monitor Consultant's own time and activities by project, or as allowable under the provisions of Federal guidance for direct administrative, indirect, and project management costs (reference Federal regulations and policy guidance for these topics).
- Provide written performance and status reports to the Town on the status of the FEMA Public Assistance program and other grant programs as requested. The performance and status report should include, but is not limited to, the following:
 - Hours billed and amount invoiced by personnel

- PW and grant application development and revisions
- PW and grant application submissions and approvals
- Obligated amounts versus eligible estimates
- Issues with PW and grant application submissions and resolutions
- Issues requiring assistance
- Amounts awarded to the Town per PW and grant application
- Requests for Reimbursement submitted
- Estimated and actual costs
- Reimbursements received by the Town
- Insurance deductions
- PW and grant application closeouts

TOWN Responsibilities:

To assist us in completing the various work tasks described, the Town may need to assemble and provide the following information and resources:

- Identify a central contact person / key contact.
- Provide a Town organization chart, together with a list of names, roles, and phone numbers of personnel involved in FEMA grant management and insurance claim(s).
- Provide access to all relevant insurance and facility-related files.
- Provide access to knowledgeable individuals who can answer questions and assist in obtaining additional information, including engineering staff, finance staff, accounting staff, grant management staff, and operational staff.
- Provide a work area, such as a conference room or large office (this may be negotiated based on operational feasibility).

PRICING:

Effective under the terms of the agreement, Rostan is initially proposing a Not-To-Exceed Task Order, in the amount of \$25,000.00 for Grant Management Services, in accordance with the RFP Fee Schedule Form as presented in Attachment 1. *The Town will be awarded 5% of the total FEMA obligated amount from approved projects for its management costs allowance.* As per the agreement, we will bill on a time and material basis, in accordance with our rate schedule that was submitted in the agreement.

Regards,



Kyle Jones, CEM
Vice President

**ATTACHMENT 1
FEE SCHEDULE**

5. EXHIBIT D TO ATTACHMENT A - FEE SCHEDULE FORM

EXHIBIT D TO ATTACHMENT A

FEE SCHEDULE

Debris Monitoring Operations		
Description	Unit	Rate per Hour
Project Manager	Hour	\$85.00
Operations Manager	Hour	\$75.00
Field Supervisor	Hour	\$48.00
Tower Monitor	Hour	\$34.00
Field Monitor	Hour	\$32.00
Clerical / Administrative Assistant	Hour	\$24.00
Data/GIS Specialist	Hour	\$65.00
Environmental Specialist	Hour	\$75.00
Billing/Invoice Analyst	Hour	\$24.00
FEMA Specialist	Hour	\$85.00
Public Assistance/Grants Management		
Description	Unit	Rate per Hour
Program Manager	Hour	\$165.00
Grants Management Consultant	Hour	\$145.00
Consultant/Scientist/Planner/Engineer	Hour	\$125.00
Benefit Cost Analysis Specialist	Hour	\$140.00
GIS / HAZUS Specialist	Hour	\$125.00
Field Technician	Hour	\$65.00
Administrative Specialist	Hour	\$45.00

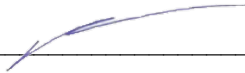
***Additional Public Assistance/Grants Management roles/rates may be provided if necessary. Each additional role must include a detailed description of the services to be provided.

* Rostan Exclusively uses HaulPass®, our proprietary ADMS, for load ticket data collection needs. Associated costs are included in the proposed labor rates.
 ** Rates are inclusive of all costs with the exception to those expenses related to federal per diem, allowable mileage and/or rental vehicles, rental vehicle petroleum products, airfare, and lodging. Expenses will comply with General Services Administration (GSA) Federal Travel Regulation (FTR) and Travel/Per Diem Bulletins and be directly passed through without markup. Receipts will be provided.



The scope of services estimated under this proposal for DR-4673 Hurricane Ian Public Assistance Consulting Services has been presented herein.

ACCEPTED AND AUTHORIZED BY:

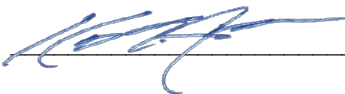
By:  _____

Name: Robert Smith

Title: Town Manager

Date: 19 October 2022

AGREED TO BY:

By:  _____

Name: Kyle Jones

Title: Vice President

Date: 10/19/2022



**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Approve QIce Builders to Repair Docks at Lake Street and Lake Down Parks – Hurricane Ian

REQUESTED ACTION: Approval

Work Session (Report Only)

Regular Meeting

DATE OF MEETING: May 9, 2023

Special Meeting

CONTRACT: N/A

Effective Date:

Managing Division / Dept:

Vendor/Entity: QIce Builders

Termination Date: _____

Public Works

BUDGET IMPACT: \$67,803

Annual

Capital

N/A

FUNDING SOURCE:

EXPENDITURE ACCOUNT:

FEMA Emergency Hurricane Ian

001 5999 000 7570

HISTORY/FACTS/ISSUES:

During Hurricane Ian the docks at Lake Street Park (5th Street) and Lake Down Park (4th Street) were badly damaged. For these reasons, the docks have been closed and staff was waiting for FEMA to send inspectors to see the damages there for themselves. To date Rostan has inspected and completed full inspection reports on both docks and on April 23, 2023, FEMA inspectors performed their assessment.

Town Staff requested quotes and posted the request for quotes on Demand Star. The only response was from QIce a local contractor who is familiar with the docks within the Town and specializes in dock repairs.

Anticipated costs for these repairs are as follows:

1. Lake Street Park (5th) - \$29,115
 - a. Reinstall bumpers
 - b. Reframe and Redeck 1st section of dock – 360 ft
 - c. Re Deck and Reframe 2nd section of dock - 320 ft
2. Lake Down Park (4th) - \$38,688
 - a. Rebuild existing dock 18” above current level – 744 sq ft
 - b. Replace and install handrail
 - c. Bolt all framing and compact the piles. Replace framing and platform

These repairs have been submitted to FEMA for reimbursement under Hurricane Ian.

Boat Dock Repairs _ Hurricane Ian

Closed

154	10	0	0	1
Broadcast to	Viewed Quotes	Submitted Quote	Not Quoting	Quoting But Later

Quote Details

Quote Number	Ian 002
Due	Mar 16, 2023 2:00pm (EDT)
Broadcast Date	Mar 2, 2023 12:45pm (EST)
Days to deliver after Receipt of Order (ARO)	None
Shipping Notes	None
Additional Specifications	None
Insurance and Additional Requirements	
Terms and Conditions	
Contact Name	Tonya Elliott Moore
Contact Address	Town of Windermere, 614 Main Street, Windermere, FL 34786, United States of America
Contact Email	tmoore@town.windermere.fl.us
Contact Phone	407-876-2563
Shipping Name	Tonya Elliott Moore
Shipping Address	Town of Windermere, 614 Main Street, Windermere, FL 34786, United States of America
Shipping Phone	407-876-2563

Documents

Filename	Type	File Type	File Size	Date Modified	Status
Hurricane la...	Quote Document / Specifications	PDF	0.21 KB	Mar 2, 2023	Complete

Commodity Code

[022-959-00] MARINE CONSTRUCTION AND RELATED SERVICES; MARINE EQUIPMENT MAINTENANCE AND REPAIR



1 0 0 W e s t P l a n t S t .
W i n t e r G a r d e n , F l . 3 4 7 8 7

Peter Fleck
Phone: (407) 724-1550
Email: Pkfleck@aol.com
CBC No: 1252836

Date 12-20-22

Tonya Elliott Moore
Director of Public Works
Town of Windermere
614 Main Street
Windermere, FL. 34786
Main: (407) 876-2563 x5325
Cell: 321-299-2410
Fax: (407) 876-0103
tmoores@town.windermere.fl.us

Scope of work:

Lift existing dock 18" above current level. Replace/ reinstall handrail and relocate right side pile to inside the frame. Bolt off all framing and compact piles after setting. Repair / replace existing frame as needed on terminal platform.

744 sq ft @ \$52 = \$38,688

CUSTOMER: _____

VENDER: **Q-ICE BUILDERS, LLC.**

SIGNATURE: _____

BY: _____

DATE: _____

DATE: _____

713.015 Mandatory provisions for direct contracts

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Owner

Date

489.1425 Duty of contractor to notify residential property owner of recovery fund

FLORIDA HOMEOWNERS' CONSTRUCTION

RECOVERY FUND

PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A CLAIM, CONTACT THE FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD AT THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

2601 BLAIR STONE ROAD, TALLAHASSEE, FLORIDA 32399-1039

Phone: 850-487-1395

Disclaimer

This document provides information about the laws affecting the Florida construction industry. We do not give legal advice, which is the application of law to an individual's specific circumstances. Although we go to great lengths to make sure our information is accurate and useful, we recommend you consult a lawyer if you want professional assurance that our information and your interpretation of it, is appropriate to your particular situation.

Owner

Date



1 0 0 W e s t P l a n t S t .
W i n t e r G a r d e n , F l . 3 4 7 8 7

Peter Fleck
Phone: (407) 724-1550
Email: Pkfleck@aol.com
CBC No: 1252836

Date 8-9-21

TRAVIS MATHIAS

PUBLIC WORKS FOREMAN

TOWN OF WINDERMERE

614 MAIN STREET – MAILING
501 – PHYSICAL & DELIVERIES

WINDERMERE, FL 34786

EMAIL: TMATHIAS@TOWN.WINDERMERE.FL.US

PHONE: 321-299-2409

FAX: 407-876-0103

Scope of work:

- Install 3 new D bumpers on the town boat ramp dock

TOTAL

\$ 375

Option 1	
Fix with lag bolts 1 st section of dock frame. And repair as well as can be expected without replacement 16 man hours	\$1600
Option 2	
Re frame and redeck 1 st section of dock 360 # @42	\$15,120
Bolt frame	\$. 180
Additional Option to re deck and frame 2 nd section of 320# @42	\$13,440

If option 2 is selected it would be the same process as the town boat ramp dock renovation had.

Payment due upon completion

PAYMENTS ARE DUE 7 DAYS AFTER FINAL INSPECTION. IF PAYMENT IS LATE IT WILL VOID ANY WARRANTY

CUSTOMER: _____ VENDER: **Q-ICE BUILDERS, LLC.**

SIGNATURE: _____ BY: _____

DATE: _____ DATE: _____

WARRANTY/MAINTENANCE

STATEMENT OF WARRANTY: Q-ICE BUILDERS, LLC. APPLIES THE FOLLOWING WARRANTY INFORMATION TO THEIR WORKMANSHIP AND MATERIALS USED TO CONSTRUCT DECKS, DOCKS, SEA WALLS.

STRUCTURAL WARRANTY: FIVE (5) YEARS FROM THE DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY, CONTRACTOR WARRANTS THAT THE STRUCTURE WILL REMAIN STRUCTURALLY SOUND. BOAT LIFTS, BENCHES, ROPE RAILINGS, TABLES AND OTHER PARTS AND ACCESSORIES ARE BY DEFINITION NOT PART OF THE STRUCTURE.

PRIMARY MATERIALS WARRANTY: ONE (1) YEAR FROM THE DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY. INCLUDED ARE WOOD, STEEL, ALUMINUM, WELDS, PLASTICS, AND HARDWARE. NOTE: WOOD HAS A NATURAL TENDENCY TO SPLINTER AND/OR CRACK DUE TO EXPANSION AND CONTRACTION, AND SHALL NOT BE VIEWED AS A FAULT IN THE MATERIAL.

SECONDARY MATERIAL WARRANTY: SIX (6) MONTHS FROM DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY. INCLUDED ARE ROPE, AND SURFACE FINISHES SUCH AS PAINT OR SEALANT.

ACCESSORY WARRANTY: ONE (1) YEAR FROM THE DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY. INCLUDED ARE DOCK BOXES, ALUMINUM LADDERS, BENCHES, GATES, AND ANCHORING SYSTEMS.

MANUFACTURER WARRANTY: MANY COMPONENTS SUCH AS LIFTS, HOISTS SYSTEMS, AND ROOFING MATERIALS, CARRY WARRANTIES OFFERED FROM THE INDIVIDUAL MANUFACTURERS AND SHALL BE HONORED BY THE COMPANY, WITH PROPER MAINTENANCE.

EXCEPTIONS TO ABOVE MENTIONED WARRANTIES: NEGLIGENCE BY THE CUSTOMER, INCLUDING MISUSE OR NEGLIGENCE TO SURFACES AND EQUIPMENT, AND/OR NOT MAINTAINING THE STRUCTURE AS RECOMMENDED IN THE "MAINTENANCE RECOMMENDATIONS" SECTION OF THIS AGREEMENT. ALSO EXCLUDED FROM THIS WARRANTY ARE THE DAMAGES CAUSED BY INCLEMENT WEATHER CONDITIONS SUCH AS HIGH WINDS, HURRICANES, TORNADOS, AND HAIL (BUT NOT LIMITED TO THESE).

REPAIRS AND REPLACEMENTS: Q-ICE BUILDERS, LLC. IS ONLY RESPONSIBLE FOR THE INDIVIDUAL COMPONENTS THAT ARE REPAIRED OR REPLACED, AND WILL BE DISCLOSED IN A PRESENTED QUOTE TO THE CUSTOMER. IF PARTS THAT TO BE REPLACED ARE NOT AVAILABLE, AN ITEMIZED QUOTATION OF A COMPARABLE ALTERNATIVE WILL BE PRESENTED TO THE CUSTOMER FOR APPROVAL. IF INDIVIDUAL MECHANICAL OR STATIONARY ITEMS ARE PURCHASED FROM Q-ICE BUILDERS, LLC. BUT INSTALLED BY OTHERS, THERE IS NO WARRANTY ON THE INSTALLATION LABOR.

QUOTE CONDITIONS:

ARE BASED ON NORMAL MARKET RATE OF MATERIALS, UNFORSEEN SPIKES IN PRICES DUE TO SUPPLY CHAIN INTERRUPTIONS LIKE COVID OR HURRICANES MAY CAUSE INCREASES TO THIS AGREEMENT BASED ON THOSE INCREASES.

POSTS AND ANCHORS: QUOTED AMOUNT IS BASED ON POSTS BEING ABLE TO BE JETTED INTO PLACE, OR ANCHORS SET, ADDITIONAL COSTS MAY BE INCURRED BY THE CUSTOMER IF UNFORESEEN SOIL CONDITIONS (TREE ROOTS, ROCK, MUCK, HARD-PAN) EXIST, WHICH CANNOT BE DETECTED UNTIL CONSRUCTION/INSTALLATION HAS BEGUN. THE CONDITION

EXPLAINED AND ADDITIONAL COSTS (IF APPLICABLE) WILL BE PRESENTED TO CUSTOMER WHEN DISCOVERED.

ACCEPTANCE: ALL QUOTES ARE VALID FOR 14 DAYS FROM DATE POSTED ON QUOTE.

DEPOSITS: WILL BE USED FOR PULLING PERMITS, PLANS, MATERIAL ORDERS, DESIGN WORK AND ARE NON-REFUNDABLE.

FINAL PAYMENT: FINAL PAYMENT IS DUE WITHIN 10 DAYS OF FINAL BUILDING INSPECTION.

IRRIGATION SYSTEMS: ALL IRRIGATION SYSTEMS PUMPS SHALL BE TURNED OFF DURING CONSTRUCTION, DUE TO A VARIOUS MATERIALS BEING USED STIRRED UP DURING THE JETTING PROCESS, CLOGS IN THE PUMPS AND LINES COULD OCCUR. IT IS THE CUSTOMER'S RESPONSIBILITY TO INSURE THAT ALL PUMPS REMAIN OFF DURING THE ENTIRE CONSTRUCTION PROCESS. Q-ICE BUILDERS, LLC. **IS NOT RESPONSIBLE FOR ANY DAMAGE TO IRRIGATION SYSTEMS OR LANDSCAPE DURING THE DOCK INSTALLATION PROCESS.**

DELIVERY AND STORAGE OF MATERIALS: UNLESS SPECIFIC INSTRUCTIONS ARE SUBMITTED BY THE CUSTOMER IN WRITING, INDICATING SPECIAL STORAGE INSTRUCTIONS, Q-ICE BUILDERS, LLC. WILL BE RESPONSIBLE FOR LOCATING THE EFFECTIVE AND EFFICIENT PLACE TO STORE MATERIALS FOR THE DURATION OF CONSTRUCTION. **DUE TO THE WEIGHT OF THE MATERIALS, SOME DAMAGE TO YOUR YARD AND/OR DRIVEWAY MAY OCCUR, AND IS NOT THE RESPONSIBILITY OF Q-ICE BUILDERS, LLC.**

LENGTH OF CONSTRUCTION: DUE TO UNFORESEEN WEATHER CONDITIONS, SUB-CONTRACTING SCHEDULING, PERMITTING DELAYS AND SIZE OF THE PROJECT, CONSTRUCTION TIMES WILL VARY.

GENERAL DISCLAIMER: Q-ICE BUILDERS LLC. SHALL NOT BE HELD ACCOUNTABLE FOR ANY DAMAGE WHICH OCCURS TO BOAT RAMPS OR STORED EQUIPMENT (BOATS, SKIS, ETC.) OR PERSONS, AS A RESULT OF THE USE AND/OR OPERATION OF THE DOCKS, DECKS, JUMPS, SLIDERS, WALLS OR EQUIPMENT.

MAINTENANCE RECOMMENDATIONS:

ANNUAL BASIS: WOOD DECK SURFACES CLEANED (PRESSURE WASHED RECOMMENDED) AND FINISH. CLEAN GEAR ASSEMBLY OF EXCESS GREASE, THEN RE-GREASE AS PER MANUFACTURER INSTRUCTIONS

SEMI-ANNUAL BASIS: (EVERY 6 MONTHS): (1) INSPECTION OF HOIST SYSTEMS, REFER TO MANUFACTURER INSTRUCTIONS.

MONTHLY BASIS:

- LUBRICATE HOIST SYSTEM'S PULLEYS AND BEARINGS.
- INSPECT ALL WOOD SURFACES, ESPECIALLY SURFACES UNDER WATER, FOR BUILD-UP WHICH WILL MAKE SURFACES SLIPPERY AND DANGEROUS. CLEAN IF NECESSARY.
- CHECK ALL CABLES, CABLE CLAMPS, NUTS AND BOLTS FOR BREAKAGE, LOOSENING, TANGLING OR CRIMPING, REPAIR AND/OR REPLACE AS NECESSARY.
- INSPECT DECORATIVE ROPE FOR FRAYING. NOTE DECORATIVE ROPE HANDRAILS DO NOT CONTAIN ANY STRUCTURAL INTEGRITY AND SHOULD NOT BE USED AS SUCH.

THE ABOVE INFORMATION HAS BEEN REVIEWED AND ACCEPTED AS PART OF CONTRACT AGREEMENT:

SIGNED _____ DATE _____

CUSTOMER _____

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professional assurance that our information and your interpretation of it, is appropriate to your particular situation.

Owner

Date

LIAISON REPORT



LIAISON: Mandy David

LIAISON ASSIGNMENT: Parks and Recreation

DATE: April 13, 2023

UPDATE:

Run among the Lakes - Saturday, October 14, 2023- The website is live and at the time 8 people had already registered for the run.

Halloween Costume Party parade and Hayride- Saturday, October 28, 2023

PetFest was an amazing event. Working on dates for next year.

Tennis- Having issues with pros using the courts. Putting signs on the courts for residents to call if they see non residents on the court without a resident with them. Also sending out email to tennis players a reminder about not giving key out and staying with the non residents they let in or key will be taken away for a year.

Palmer Park- Swings and teeter totter has been ordered and waiting delivery. Waiting on ETA for shade structure and ADA walkway with ramp to playground.

Town Square- Purchasing soccer goal for kids to play on the grassy lot by Forrest Street

March Minutes - Were approved