

THE TOWN OF  
**Windermere**



**DEVELOPMENT REVIEW BOARD**

**Chair: Frank Chase**

**Peter Fleck**

**Jennifer Roper**

**Stephen Withers**

**Molly Rose**

**Council Liaison: Andy Williams**

***Agenda***

***Agenda***

**September 17, 2024**

**6:30 PM**

**TOWN HALL**

**520 MAIN STREET**

**WINDERMERE, FL 34786**

**PLEASE TURN OFF ALL CELL PHONES AND PAGERS**

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceedings should contact the Office of the Clerk at least 48 hours beforehand at (407) 876-2563.

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Development Review Board:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversation shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or/who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Development Review Board meeting is to harass, annoy, or otherwise disturb any other person in the room.

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

## AGENDA

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

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

**2. NEW BUSINESS**

**a. MINUTES**

**i. Development Review Board Meeting Minutes June 18, 2024 (Attachments - Board Option)**

**b. GENERAL ITEMS FOR CONSIDERATION**

**i. Z24-09 - 1003 Oakdale Street - Matthew and Stacey Sullivan/Darrell Nunnelley - Variance to allow for an expansion of a non-conforming home and reduce the north side setback for a non-contiguous corner lot from 25 feet to 11.8 feet in line with the existing non-conforming home for an attached covered summer kitchen.**

**3. ADJOURN**

# TOWN OF WINDERMERE

## Development Review Board Meeting Minutes

June 18, 2024

Present were Chair Frank Chase, Board Members Molly Rose, Stephen Withers, and Jennifer Roper. Town Council Liaison Andy Williams, Town Planner Brad Cornelius, and Town Clerk Dorothy Burkhalter were also present. Town Manager Robert Smith and Member Peter Fleck were absent.

Chair Chase called the meeting to order at 6:30pm. He then led everyone in the Pledge of Allegiance.

### 1. OPEN FORUM/PUBLIC COMMENTS:

There were no public speakers/comments.

### 2. NEW BUSINESS:

#### a. Minutes

##### i. April 16, 2024, DRB Meeting Minutes

Member Withers made a motion to approve the April 16, 2024, minutes as presented. Member Rose seconded the motion. All were in favor.

#### b. General Items for Consideration

- i. **Z22-10-637 Ridgewood Drive – Suzi Karr Life Estate/Thomas J. Karr, Jr. – Variance request to expand an existing non-conforming home in a manner to expand the non-conformity (less than 50 feet from the normal high-water elevation of the lake), allow construction of a new swimming pool and deck at less than 50 feet from the normal high-water elevation of the lake, and to allow the expansion of the existing non-conforming accessory structure located in the front yard.**

Chair Chase introduced this item. He then commented on the revised response from Mr. Bill Martini. Mr. Cornelius also commented on the response. He then introduced variance request Z22-10. Mr. Cornelius explained the older variance request which was put on hold. He reviewed this request, which is to renovate with additions, expand the accessory structure which is located in the front yard, and a swimming pool with deck which is less than fifty feet from the normal high-water elevation. Mr. Cornelius then commented on the current code regarding non-conforming structures. He stated that are three variance requests. One, to allow expansion of non-conforming home, two, allow the expansion of the accessory structure in the front yard, and three, allow the pool and deck to be less than the fifty-foot rear set-back requirement. Mr. Cornelius completed his presentation and turned the floor to the Board members. Member Rose questioned if the accessory structure meets the front setback. Mr. Cornelius stated yes. Member Withers questioned the accessory structure size reduction. Mr. Cornelius explained the sizing and setback requirements. Member Rose questioned if the cabana is included in the living space. Mr. Cornelius stated no. Ms. Dawn Michelle with The Evans Group, architect, introduced herself. Chair Chase questioned the accessory structure. Ms. Michelle commented on the cabana/accessory structure and the enclosure. She stated that trees are being protected, and septic and stormwater will be determined at a later time. Member Withers questioned the size and setback of the pool. Mr. Cornelius stated forty-two feet from the normal

# TOWN OF WINDERMERE

## Development Review Board Meeting Minutes

June 18, 2024

high elevation. Some discussion followed. Member Withers commented on stormwater, roof structure, gutters, and run-off not towards the lake. He then questioned the hardship. Ms. Michelle stated that the house has been handed down in the family for the past 81 years. She further stated that they would like to renovate the existing home to keep the original integrity and charm. If the variances are not allowed, the home would be demolished and a two-story could be built. They would like to keep in like of the existing homes. Ms. Michelle commented that there are no connection points for the addition, and this is not self-created. Member Withers stated that there is not a hardship. Ms. Michelle stated that a hardship is not the only benchmark to grant a variance, there are others. Member Roper commented on the unusual lot, less disruptive to keep old house, and the history. She also questioned if each variance request could have its own motion. Member Rose commented on the rules regarding the 50' setback. She then stated that she would be in favor of the two other variance requests, but not the pool. Mr. TJ Karr, the owner, introduced himself. He stated that the pool location is to save trees. Mr. Karr explained that if the pool is denied, a redesign can be done but the trees will be removed. Member Withers made a motion to address each request separately. Member Rose seconded the motion. All were in favor. Member Rose made a motion to recommend approval for the additional 1800 square feet but no worse setback than what's there now and meet the current code for septic and stormwater. Roll call vote was as follows: Rose- aye, Withers – nay, Chase – aye, and Roper – aye. Motion carried 3-1. Member Roper made a motion to recommend approval to allow an increase in the non-conforming of the existing accessory structure in the front yard with the addition of a new front porch and enclosed car port. Member Rose seconded the motion. All were in favor. Member Rose made a motion to recommend denial of the new pool and deck to be constructed less than 50 feet from the normal high-water elevation (42 feet). Member Withers seconded the motion. All were in favor. Member Roper made a motion to recommend approval for the pool and deck to be constructed in the front yard outside of the 50-foot NHWE setback. Member Rose seconded the motion. All were in favor.

### ADJOURN:

Member Roper made a motion to adjourn. Member Rose seconded the motion. All were in favor.

The meeting adjourned at 7:09pm.

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Dorothy Burkhalter, Town Clerk

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Frank Chase, Chair



## Dorothy Burkhalter

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**To:** Dorothy Burkhalter  
**Subject:** RE: Variance Public Hearing - 637 Ridgewood Drive

**From:** William Martini <[bmartini@cfl.rr.com](mailto:bmartini@cfl.rr.com)>  
**Sent:** Tuesday, June 18, 2024 8:07 AM  
**To:** Brad Cornelius <[bcornelius@wadetrim.com](mailto:bcornelius@wadetrim.com)>  
**Cc:** Dorothy Burkhalter <[dburkhalter@town.windermere.fl.us](mailto:dburkhalter@town.windermere.fl.us)>; Gregg Anderson <[ganderson@town.windermere.fl.us](mailto:ganderson@town.windermere.fl.us)>; Frank Chase <[fchase@town.windermere.fl.us](mailto:fchase@town.windermere.fl.us)>; Molly Rose <[mrose@town.windermere.fl.us](mailto:mrose@town.windermere.fl.us)>; Stephen Withers <[swithers@town.windermere.fl.us](mailto:swithers@town.windermere.fl.us)>; Jennifer Roper <[jroper@town.windermere.fl.us](mailto:jroper@town.windermere.fl.us)>; Peter Fleck <[pfleck@town.windermere.fl.us](mailto:pfleck@town.windermere.fl.us)>; Andy Williams <[awilliams@town.windermere.fl.us](mailto:awilliams@town.windermere.fl.us)>  
**Subject:** Variance Public Hearing - 637 Ridgewood Drive

Good morning, all.

Sorry for the delay in responding but please see our attached support for this variance request.

This approval is **CONDITIONAL** upon proper stormwater retention and upgraded septic systems being installed (neither was mentioned in the letter).

Thanks for your service and dedication to our Town!

Bill and Pam Martini  
627 Ridgewood Drive  
407-493-3505

**To:** Bill email <[Bmartini@cfl.rr.com](mailto:Bmartini@cfl.rr.com)>

Sent from my iPhone

# 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

May 30, 2024

MARTINI WILLIAM  
627 RIDGEWOOD DR  
WINDERMERE, FL 34786

**RE: Public Notice of Variance Public Hearing 637 Ridgewood Drive**

Suzi Karr Life Estate/Thomas J. Karr, Jr., owner of a single-family home at 637 Ridgewood Drive submitted a request for approval of three (3) variances, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance requests is to allow for significant renovation of the existing home and property. The variance requests include (1) reduced the required 50-foot setback from the normal high-water elevation of the lake to allow a 42-foot setback for the proposed new swimming pool and deck, (2) expansion of an existing non-conforming structure (single-family home) that increases its non-conformity by increasing the size of the existing home with additions with a setback less than the required 50-foot setback from the normal high-water elevation of the lake, and (3) expansion of an existing non-conforming accessory structure with the enclosure of an existing carport and addition of a front porch. Please see the enclosed plans for more information.

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 by **June 14, 2024**. You may use the enclosed stamped envelope or email [bcornelius@wadetrim.com](mailto:bcornelius@wadetrim.com) to return your comment.

This matter will be presented to the Development Review Board (DRB) on **Tuesday, June 18, 2024, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, July 9, 2024, at 6:00 p.m.** The DRB and Town Council meetings will be at Town Hall, located at 520 Main Street, Windermere. Feel free to contact me if you have any questions.

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

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**RECOMMEND – VARIANCE (637 RIDGEWOOD DRIVE) KARR SUZI LIFE ESTATE**

SUPPORT:  OPPOSE

COMMENTS: Approve: on the condition that proper stormwater retention and upgraded septic system are installed.

SIGNATURE:

DATE: 6-17-24

# 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 September 17, 2024

### Town Council October 8, 2024

**Case No.:** Z24-09

**Property Owner/Applicant:** Matthew and Stacey Sullivan/Nunnelley Group

**Representative:** Darrell Nunnelley

**Requested Action:** Variance to allow for an expansion of a non-conforming home and reduce the north side setback for a non-contiguous corner lot from 25 feet to 11.8 feet in line with the existing non-conforming home for an attached covered summer kitchen.

**Property Address:** 1003 Oakdale St.

**Legal Description:** PLAT OF WINDERMERE G/36 LOT 54 & THAT PART OF OCCUPIED PLATTED LAKE & THAT PT OF OCCUPIED UNOPENED EAST BLVD LYING BETWEEN LOT 54 & LAKE

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

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

#### **Surrounding Future Land Use/Zoning**

**North:** E 10<sup>th</sup> Avenue ROW  
**East:** Lake  
**South:** Residential/Residential  
**West:** Residential/Residential

## **CASE SUMMARY:**

The Nunnelley Group, representative for the owners, Matthew and Stacey Sullivan, of 1003 Oakdale St., submitted a request for approval of a variance pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow for an expansion of an existing non-conforming home and reduce the north side setback for a non-contiguous corner lot from 25 feet to 11.8 feet in line with the existing non-conforming home for an attached covered summer kitchen.

The image below shows the subject property (outlined in blue). It is at the corner of Oakdale Street and E 10<sup>th</sup> Avenue (unimproved). The subject property is a non-contiguous corner lot. A corner lot is defined in the Town's Land Development Code (LDC) as a lot having more than one contiguous front yard. A front yard is defined in the Town's LDC as a yard adjacent to the right-of-way. Consequently, the subject property, which is adjacent to the right-of-way for Oakdale Street on the west and E 10<sup>th</sup> Avenue on the north, is a corner lot and not adjacent to another corner lot (i.e., non-contiguous corner lot). Section 3.02.02.4.c.5, LDC, provides the following setbacks for a non-contiguous corner lot:

- Front Yards (Oakdale Street and E 10<sup>th</sup> Avenue) – 25 feet
- Side Yard (South) – 15 feet
- Rear Yard – 50 feet from Normal High-Water Elevation

The existing home on the lot was constructed in 2003 and has a north side setback along E 10<sup>th</sup> Avenue of 11.8 feet at its closest point (rear of the existing structure) and 9'10" on the south side. These two setbacks are non-conforming with the current setback requirements. Consequently, the existing home is a non-conforming structure and subject to the limitations of Ordinance 2023-01, which prohibits the expansion of a non-conforming structure that results in increasing the non-conformity. The addition of the attached covered summer kitchen to the house at the same non-conforming setback of 11.8 feet as the existing house would increase the non-conformity. This is the reason for the variance request.



*Aerial of 1003 Oakdale – Blue Outline – E 10<sup>th</sup> ROW to North of Subject Property.  
Source: Orange County Property Appraiser*

The need for this variance was identified during zoning review of a building permit for renovations to the existing home (Permit 24-03-040). The applicant was advised of the non-compliant setback for the proposed attached covered summer kitchen and the need for a variance. In discussion with the applicant (Darrell Nunnelly), Mr. Nunnelly stated that the attached summer kitchen was already constructed without the approved permit. This was confirmed by the survey submitted by Mr. Nunnelly for the variance request. The survey was dated June 3, 2024, which was after the building permit was submitted in March 2024. The survey shows the area proposed for the attached covered summer kitchen to be already covered. Prior to it being covered without a permit, there was a concrete open slab.

The area of the attached covered summer kitchen is 174.72 square feet. This does not increase the impervious area of the lot since it is covering an existing concrete slab. In addition, the attached covered summer kitchen does not result in exceeding the allowed maximum gross floor area ratio.

Please note that in Mr. Nunnelly's variance request letter he also requests that a variance be granted to deem the existing house as conforming and remove the non-conforming designation. There is no support in the Town's LDC for this type of a request. Variances are for dimensional issues (setbacks, height, etc.) and not to relieve a property from a general provision regarding whether or not a structure is conforming or non-conforming.

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 surrounding public streets, the danger of fire or other hazard to the public;
5. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;
6. The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code; and
7. The variance will not encourage further requests for changes where such a land use would not be deemed appropriate.

It is also important to note that this Section also provides specific standards that are not to be considered in the review of a variance application. These standards are:

1. That the implementation of these regulations would impose an economic hardship on the cost of the building or redevelopment project;
2. That these regulations impose a hardship by decreasing the maximum density of a property in terms of the number of units, square footage of buildings, etc.; and
3. That other adjacent lands, structures, or buildings not in conformance with these regulations provide a rationale for a lessening of their application in this specific case.

Section 10.02.02(c) of the LDC allows the imposition of conditions and restrictions as may be necessary to allow a positive finding to be made on any of the variance standards to minimize the negative effect of the variance. The conditions and restrictions should further the interest of the LDC.

The applicant submitted a site plan, and other materials in support of the variance request. Please see information provided with the agenda item for the applicant's submittal.

**PUBLIC NOTICE:**

Public notices were mailed to property owners within 500 ft of the subject property. As of September 5, 2024, four (4) were received in support, two (2) were received in objection, and one (1) was received with no support nor no objection but recommended the contractor be fined.

The Nunnelley Group LLC  
501 Main St  
Windermere, Fl. 34786  
407.467.8069  
CBC1257063

July 25, 2024

RE: 1003 Oakdale Street Windermere, Fl. 34786

To Whom It May Concern:

Please accept this letter as my request to obtain a side setback variance for the North side of the existing single family residence.

The reason for the variance is to accomplish 2 things:

1. Eliminate the required 25 foot side yard setback to bring the existing nonconforming residence that has an existing North side building setback of 10.5 feet on the front 39.5 feet and 11.8 feet setback on the rear 52.3 feet of the residence into compliance
2. Obtain a 13.2 foot North side variance on the rear 18.2 feet of the existing nonconforming paver porch so a solid wall 10 foot tall can be built on the North side as an extension of the existing house and have a Pergola style roof system created for a covered Summer Kitchen / BBQ area with screen wall facing the lake on the East side of the existing paver deck to be an extension of the existing covered and screened pool cage on the Southeast part of the house

Reason needed:

Create a Summer Kitchen that is covered instead of having the BBQ system on the existing paver porch without any protection from weather and mosquitoes

Meets variance requirements of the LDC:

The granting of this variance will not change the footprint of the building and paved area that has been used by the Owners since the house was built in 2002 Permit # B02015069 and the pool and deck system was built in 2003 Permit # B03003272



The building and rear porch was approved by Windermere zoning prior to both permits being issued

Windermere changed the rules to have a 25 foot side yard setback on corner lots inside the Town of Windermere causing this hardship

10<sup>th</sup> Street East of Oakdale is an unopened unimproved nonmaintained right of way that should not be considered an active street forcing the 25 foot side yard setback rule – Windermere has posted metal signs saying ‘NO VEHICLES ALLOWED IN PARK’ which should make it clear they don’t consider the area an active Right of Way requiring a safe distance of 25 feet or more from the traffic flow of a normal corner lot to the residence

Sincerely,

Darrell Nunnelley





1003 Oakdale Street  
View of the property from the intersection of Oakdale and 10<sup>th</sup> Street  
impossible to see the left rear corner of the residence from this location




1003 Oakdale Street  
View of the property from 10<sup>th</sup> Street  
Still unable to see the left rear corner porch area of the residence from this location





# AGENT AUTHORIZATION FORM

I/WE, (PRINT PROPERTY OWNER NAME) MATTHEW SULLIVAN, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 1003 OAKDALE STREET, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), DARRELL NUNNELLEY, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, VARIANCE FOR REAR COVERED PORCH, 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: 7-25-24  MATTHEW SULLIVAN  
 Signature of Property Owner Print Name Property Owner

Date: \_\_\_\_\_ \_\_\_\_\_  
 Signature of Property Owner Print Name Property Owner

STATE OF FLORIDA :  
 COUNTY OF ORANGE :

I certify that the foregoing instrument was acknowledged before me this 25<sup>th</sup> day of JULY, 2024 by MATTHEW SULLIVAN He/she is personally known to me or has produced 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 25<sup>th</sup> day of JULY, in the year 2024.



Linda Barbara  
 Signature of Notary Public  
 Notary Public for the State of Florida

My Commission Expires: 2-8-2025

Legal Description(s) or Parcel Identification Number(s) are required:
PARCEL ID #: <u>17-23-28-9336-00-540</u>
LEGAL DESCRIPTION: <u>LOT 54 &amp; THAT PART OF OCCUPIED PLATON LAKE &amp; THAT PART OF OCCUPIED UNOPENED EAST BLVD LYING BETWEEN LOT 54 &amp; LAKE PLAT OF WINDERMERE G/36 - SEE SURVEY &amp; DEED FOR COMPLETE LEGAL</u>

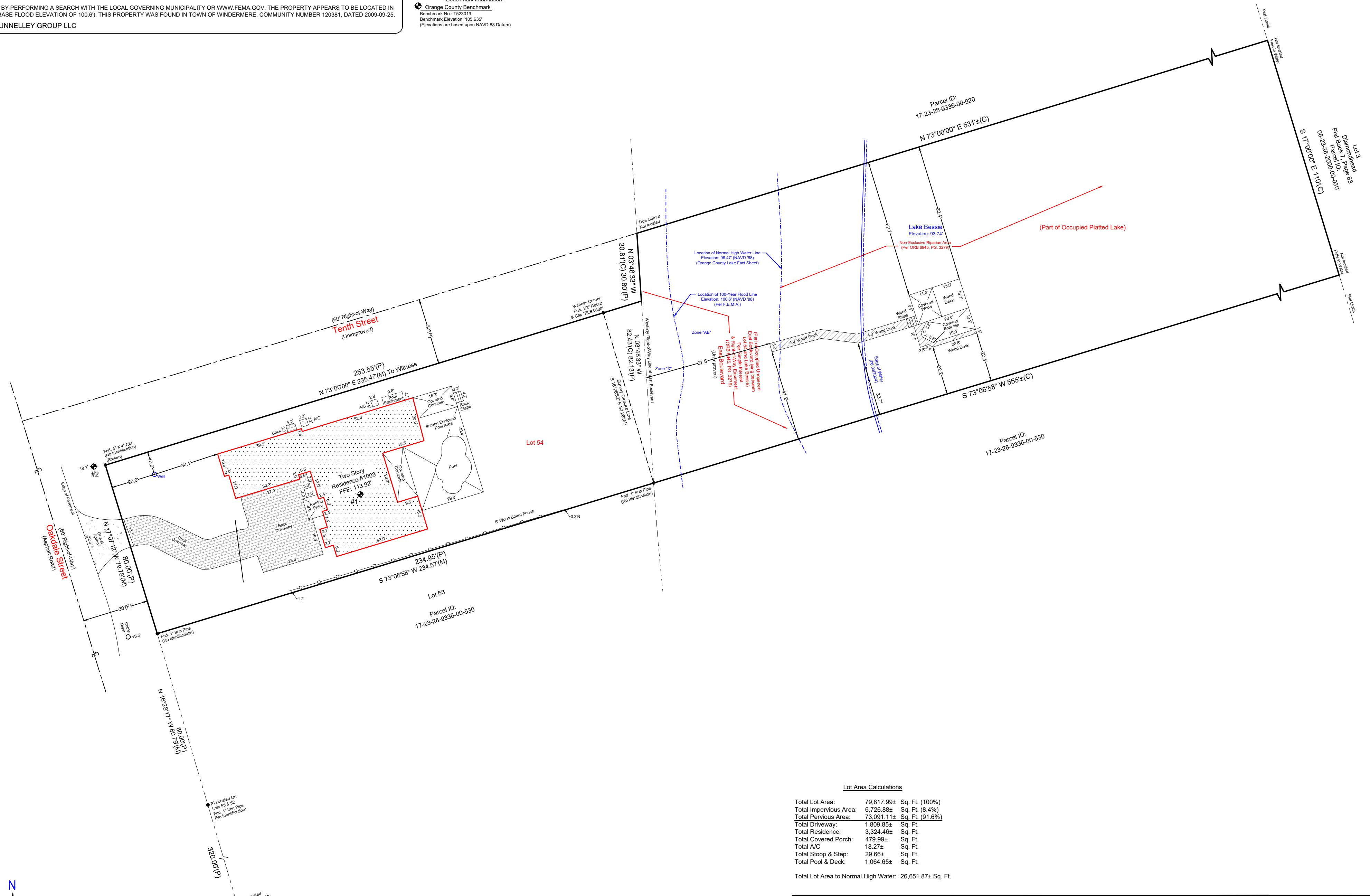
**Boundary Survey**

**Legal Description:**

LOT 54, AND THAT PART OF OCCUPIED PLATTED LAKE AND THAT PART OF OCCUPIED UNOPENED EAST BOULEVARD LYING BETWEEN LOT 54 AND LAKE BESSIE PLAT OF WINDERMERE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK Q, PAGES 36 THROUGH 39, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

FLOOD DISCLAIMER: BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X AE (WITH A BASE FLOOD ELEVATION OF 100.6'). THIS PROPERTY WAS FOUND IN TOWN OF WINDERMERE, COMMUNITY NUMBER 120381, DATED 2009-09-25. CERTIFIED TO: NUNNELLEY GROUP LLC

-Site Benchmark Information-  
 #1  
 Finished Floor Elevation of #1003 Residence  
 Elevation: 113.92'  
 #2  
 Set 1/2" Rebar & Cap "BM LB 7623"  
 Elevation: 116.21'  
 -Benchmark Information-  
 Orange County Benchmark  
 Benchmark No: 7522919  
 Benchmark Elevation: 105.635'  
 (Elevations are based upon NAVD 88 Datum)



**Lot Area Calculations**

Total Lot Area:	79,817.99±	Sq. Ft. (100%)
Total Impervious Area:	6,726.88±	Sq. Ft. (8.4%)
Total Pervious Area:	73,091.11±	Sq. Ft. (91.6%)
Total Driveway:	1,809.85±	Sq. Ft.
Total Residence:	3,324.46±	Sq. Ft.
Total Covered Porch:	479.99±	Sq. Ft.
Total A/C:	18.27±	Sq. Ft.
Total Stoop & Step:	29.66±	Sq. Ft.
Total Pool & Deck:	1,064.65±	Sq. Ft.
Total Lot Area to Normal High Water:	26,651.87±	Sq. Ft.

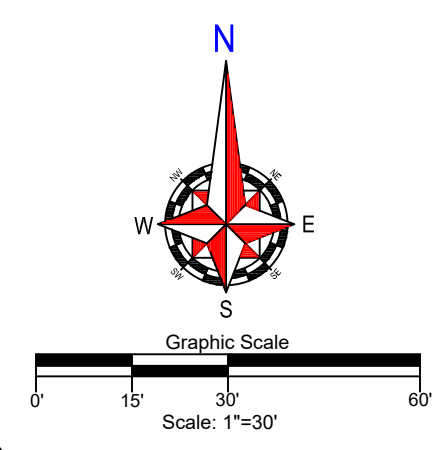
Field Date: 06/03/24	Date Completed: 06/04/24	>Survey is Based upon the Legal Description Supplied by Client. >Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hints. >Subject to any Easements and/or Restrictions of Record. >Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB". >Building Ties are NOT to be used to reconstruct Property Lines. >Fence Ownership is NOT determined. >Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted. >Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies. >Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be construed to give ANY Rights or Benefits to Anyone other than those Certified. >Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known by NCR given to this Surveying Company at the time of this Endeavor. Ireland & Associates Surveying, Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.
Drawn By: GS	File Number: IS-131076	

**Revisions**


True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standard of Practice for Land Surveying in the State of Florida in accordance with Chapter 53-17.052 Florida Administrative Codes, Pursuant to Section 473.227 Florida Statutes.

*Patrick K. Ireland*  
 Patrick K. Ireland, P.S. 66837, L.B. 7623  
 This Survey is Intended Only for the use of Said Certified Parties. This Survey NOT VALID UNLESS signed and Embossed with Surveyor's Seal.

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



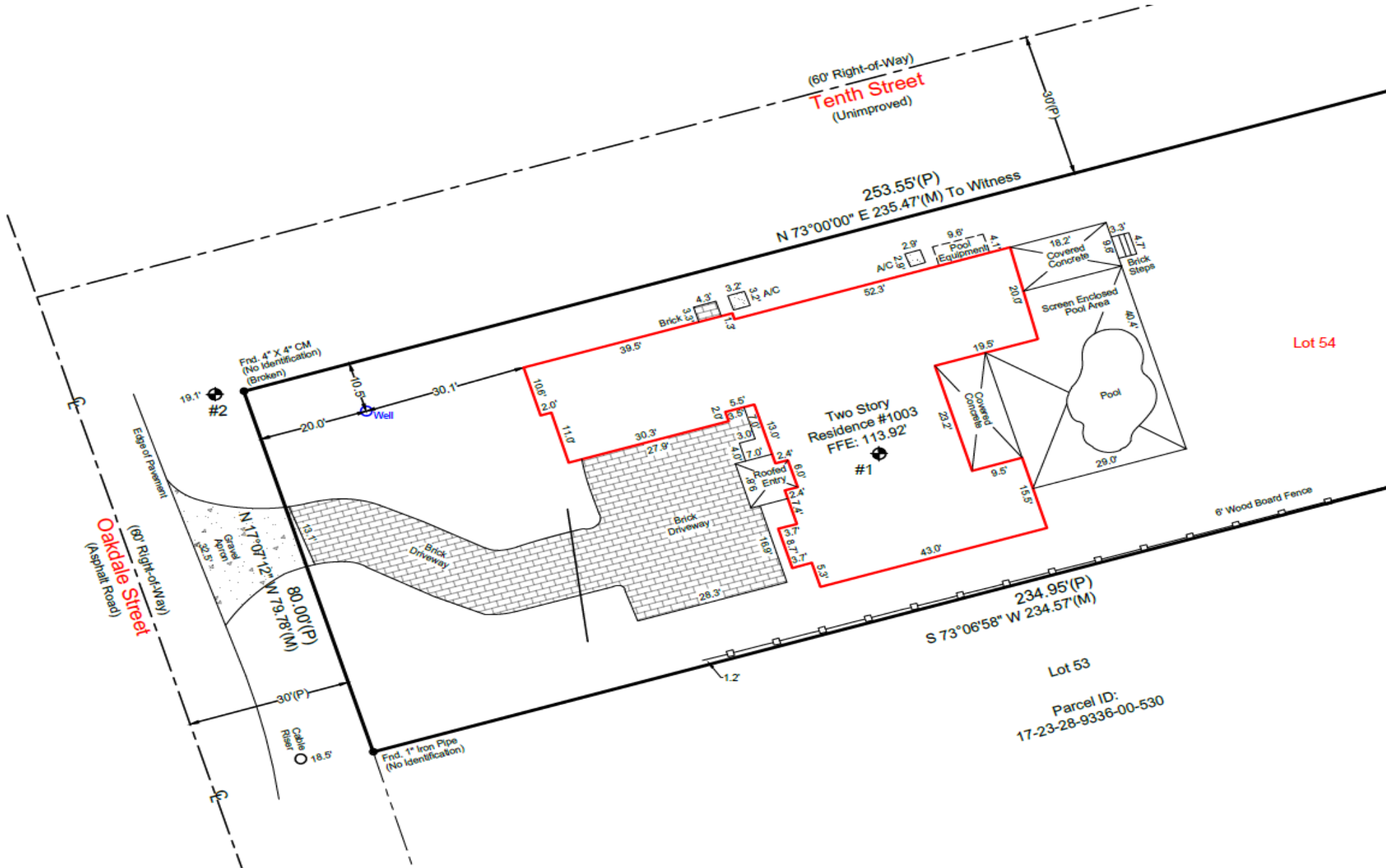
**Title Notes:**  
 >This Surveying Company was NOT given a Title Commitment at the time of Execution of Survey.  
 >There was NO Title Search performed by this Surveying Company.  
 >Survey is Subject to an Accurate Title Search.



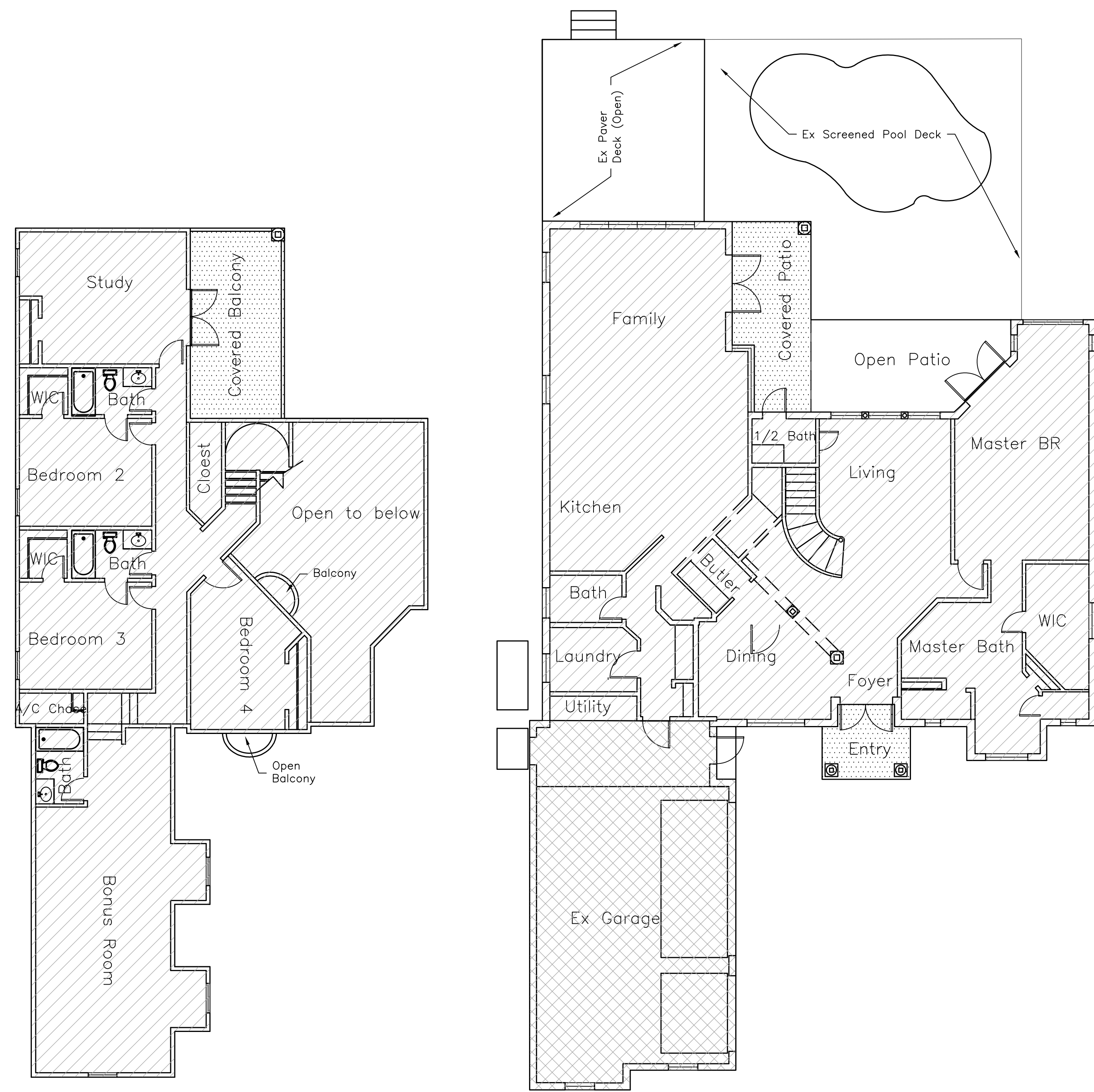


# 1003 Oakdale

## Enlarged Survey showing the North side setbacks







Second Floor Plan

First Floor Plan

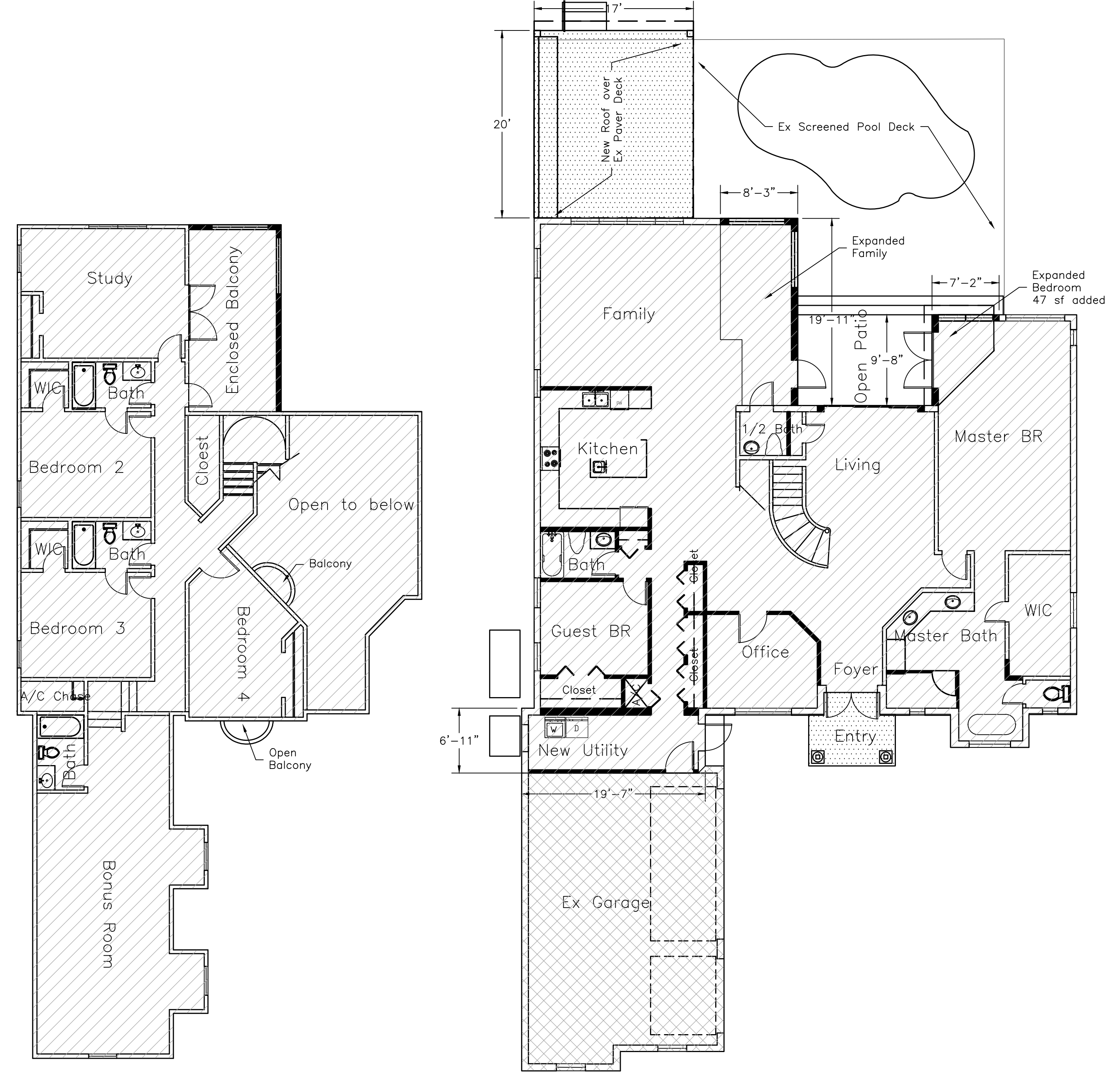
Existing Floor Plans

Scale: 1/8"=1'

Existing Floor Area Calculations			
Label	1st Floor	2nd Floor	Total
Living Area	2,429 sf	2,307 sf	4,736 sf
Garage	799 sf	0 sf	799 sf
Covered Entry	65 sf	0 sf	65 sf
Covered Balconys	148 sf	197 sf	345 sf
<b>Total</b>	<b>3,441 sf</b>	<b>2,504 sf</b>	<b>5,945 sf</b>

Site Area	26,843 sf	0.62 Ac
Existing FAR	0.221	



Second Floor Plan

First Floor Plan

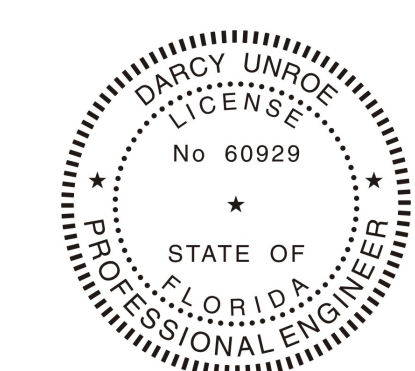
Proposed Floor Plans

Scale: 1/8"=1'

Proposed Floor Area Calculations			
Label	1st Floor	2nd Floor	Total
Living Area	2,763 sf	2,504 sf	5,267 sf
Garage	665 sf	0 sf	665 sf
Covered Entry	65 sf	0 sf	65 sf
Covered Balconys	340 sf	0 sf	340 sf
<b>Total</b>	<b>3,833 sf</b>	<b>2,504 sf</b>	<b>6,337 sf</b>

Site Area	26,843 sf	0.62 Ac
Proposed FAR	0.236	



Darcy Unroe  
 c=US, st=Florida,  
 l=Orlando, o=Unroe  
 Engineering, Inc.,  
 cn=Darcy Unroe,  
 engineering.com  
 2024.06.05 19:52:23  
 -04'00'

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.

Revision	Date

A Custom Home Addition For:  
 Matthew & Tracy Sullivan  
 12925 W Lake Butler Rd  
 Windermere, FL 34786

Existing & Proposed Floor Plans

**Unroe Engineering**  
 Engineering/Planning/Scientific Evaluations  
 PO Box 868942, Orlando, FL 32886 • PH: 407-259-0550 • FX: 407-259-0539

Drawn By: DPU  
 Checked By: DPU  
 Date: 04/16/24

Job No.: 2426

Darcy Unroe PE 60929

Revision	Date

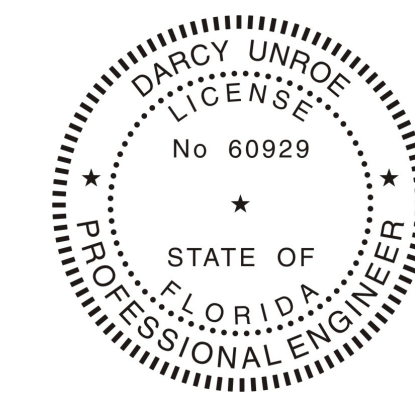
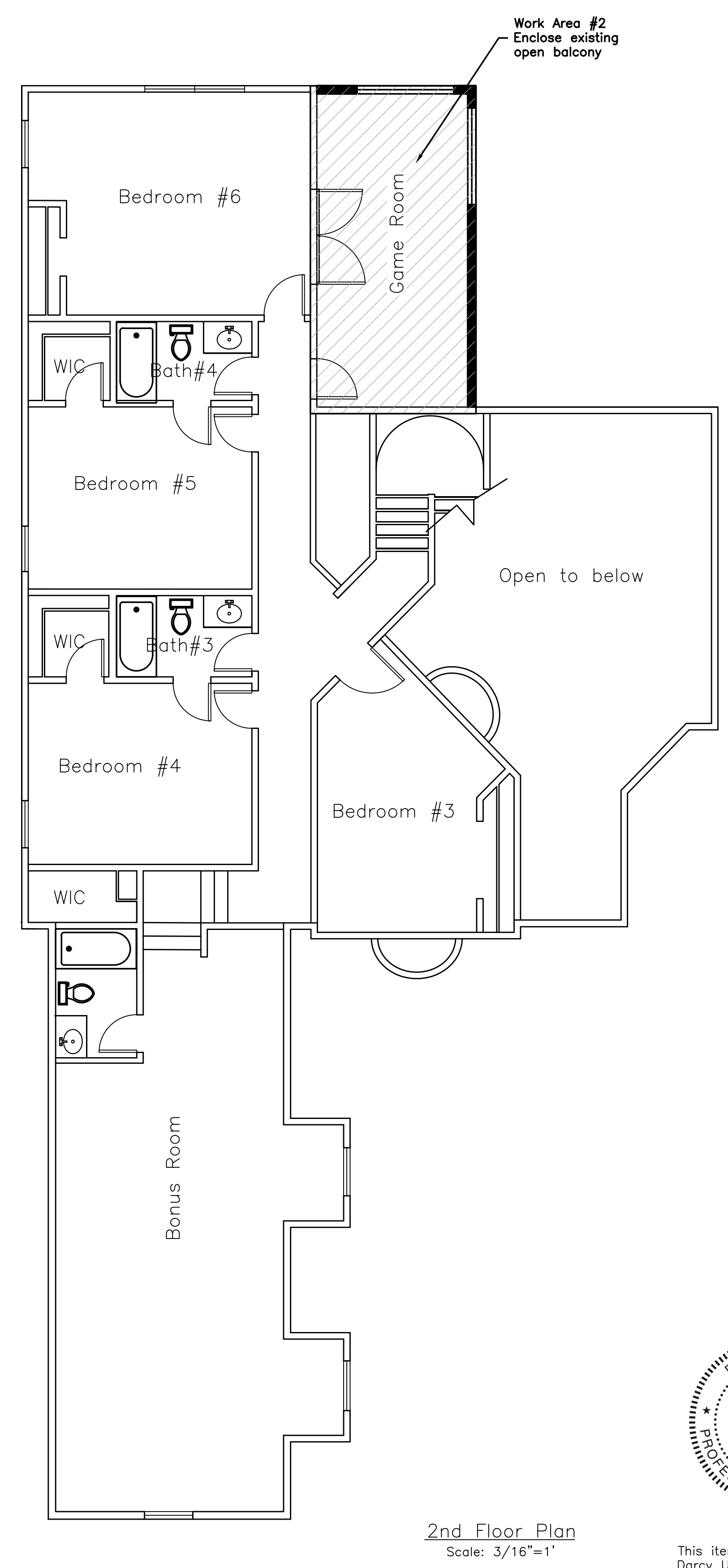
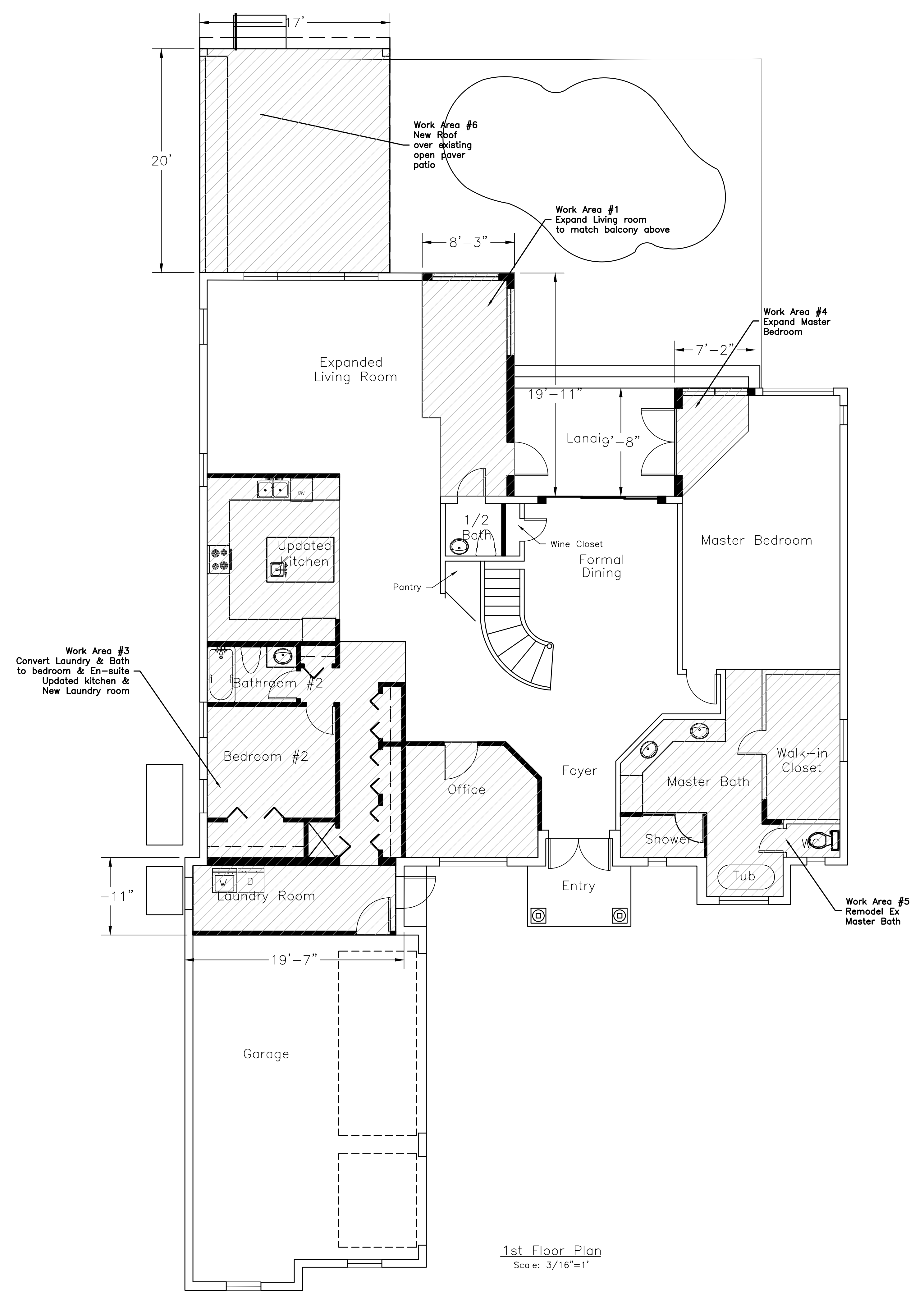
A Custom Home Addition For:  
 Matthew & Tracy Sullivan  
 12925 W Lake Butler Rd  
 Windermere, FL 34786

WORK AREA FLOOR PLANS

**Unroe Engineering**  
 Engineering Planning/Scientific Evaluations  
 PO Box 86942, Orlando, FL 32886 • PH: 407-299-0650 • FX: 407-299-0639

Drawn By: DPU  
 Checked By: DPU  
 Date: 07/16/24  
 Job No.: 2424

Darcy Unroe PE 60929



Darcy Unroe  
 c=US, st=Florida,  
 l=Orlando, o=Unroe  
 Engineering, Inc.,  
 cn=Darcy Unroe,  
 email=Darcy@unroe  
 engineering.com  
 2024.06.05 19:52:08  
 -04'00'

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.





# Building Permit

KEEP POSTED ON JOBSITE AT ALL TIMES  
Orange County Division of Building Safety  
201 South Rosalind Avenue  
Orlando, Florida 32802-2687  
Phone: 407-836-5550

DATE ISSUED: **October 25, 2002**

BUILDING PERMIT NUMBER: **B02015069**

Permission is granted to do the following work according to the conditions hereon and the approved plans and specifications subject to compliance with the Ordinances of Orange County, Florida.

The issuance of this permit does not grant permission to violate any applicable Orange County and/or State of Florida codes and/or State of Florida codes and/or ordinances. There may be additional permits required from other governmental agencies.

In addition to the requirements of this permit, there may be additional restrictions applicable to the property that may be found in the public records of this county.

This permit becomes void if the work authorized is not commenced within 6 months or is suspended or abandoned for a period of 6 months after

Tenant/Occupant:

Owner:

Project Address: **1003 Oakdale St.  
Windermere, FL  
34786**

Parcel I.D. Number: **17-23-28-9336-00-540**

Zoning District:

Contractor: **David Carl Buckles**

License #: **CGC0060737**

Address: **967 Glenview Cir.  
Winter Garden, FL  
34787**

Building Code:

Value of Work: **\$320,000.00**

NOC: **Y**

Square Footage: **4,665**

Maximum Floor Load Allowable: **40**

No. of Stories: **0**

Maximum Number of Persons: **0**

Type of Construction: **N/A**

No. of Units: **1**

Sprinkler Sys. Provided: **N/A**

Sprinkle Sys Req'd: **N/A**

Building Risk Category: **N/A**

Use & Occupancy Type: **R3**

Wind Speed: **N/A**

Wind Borne Debris Region: **N/A**

Threshold Building: **N**

Flood Plain: **N/A**

Nature of Work: **New Construction**

Low Floor Elevation: **N/A**

Number of Trees: **N/A**

The following sub-permits are required and must be obtained through FastTrack. For more information email [ESubs@ocfl.net](mailto:ESubs@ocfl.net)

Issued By:

Special Considerations: **Erect Sfr Lot 54  
Health Hold For Septic Permit Building Hold For Complete Deck Section, Garage Door  
Master File, Letter On Structural Loads**

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.





# Building Permit

KEEP POSTED ON JOBSITE AT ALL TIMES  
Orange County Division of Building Safety  
201 South Rosalind Avenue  
Orlando, Florida 32802-2687  
Phone: 407-836-5550

DATE ISSUED: **March 10, 2003**

BUILDING PERMIT NUMBER: **B03003272**

Permission is granted to do the following work according to the conditions hereon and the approved plans and specifications subject to compliance with the Ordinances of Orange County, Florida.

The issuance of this permit does not grant permission to violate any applicable Orange County and/or State of Florida codes and/or State of Florida codes and/or ordinances. There may be additional permits required from other governmental agencies.

In addition to the requirements of this permit, there may be additional restrictions applicable to the property that may be found in the public records of this county.

This permit becomes void if the work authorized is not commenced within 6 months or is suspended or abandoned for a period of 6 months after

Tenant/Occupant:

Owner:

Project Address: **1003 Oakdale St.  
Windermere, FL  
34786**

Parcel I.D. Number: **17-23-28-9336-00-540**

Zoning District:

Contractor: **Michael Paul Fratrik**

License #: **CPC0050520**

Address: **348 W. S R 434  
Oviedo, FL  
32765**

Building Code:

Value of Work: **\$17,000.00**

NOC: **Y**

Square Footage: **288**

Maximum Floor Load Allowable: **0**

No. of Stories: **0**

Maximum Number of Persons: **0**

Type of Construction: **N/A**

No. of Units: **0**

Sprinkler Sys. Provided: **N/A**

Sprinkle Sys Req'd: **N/A**

Building Risk Category: **N/A**

Use & Occupancy Type: **R3**

Wind Speed: **N/A**

Wind Borne Debris Region: **N/A**

Threshold Building: **N**

Flood Plain: **N/A**

Nature of Work: **New Construction**

Low Floor Elevation: **N/A**

Number of Trees: **N/A**

The following sub-permits are required and must be obtained through FastTrack. For more information email [ESubs@ocfl.net](mailto:ESubs@ocfl.net)

Issued By:

Special Considerations: **Construct Pool L 54  
Construct Pool In Rear Of Sfr, Zoning Hold For Windermere,**

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.



RECOMMEND - Z24-09 (1003 Oakdale St.)

APPROVAL:  DISAPPROVAL

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

SIGNATURE: \_\_\_\_\_ DATE: 9.1.2024

HANKINS-KOPPEL CINDY

HANKINS-KOPPEL JEFFREY

*Cindy Hankins-Koppel*  
*Jeffrey Hankins-Koppel*

RECOMMEND - Z24-09 (1003 Oakdale St.)

APPROVAL:  DISAPPROVAL

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

SIGNATURE: \_\_\_\_\_ DATE: 8-24-2024

MARTIN JOSEPH

MARTIN RACHEL

RECOMMEND - Z24-09 (1003 Oakdale St.)

APPROVAL:  DISAPPROVAL

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

SIGNATURE: \_\_\_\_\_ DATE: 8/26/24

AMY LYNN HOOD REVOCABLE TRUST

*Amy Lynn Hood*

# 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

August 22, 2024

**SUNSHINE VACATION RENTALS INC**  
1245 OAKDALE ST  
WINDERMERE FL 34786

**RE: Public Notice of Variance Public Hearing for 1003 Oakdale St. - Z24-09**

Darreel Nunnelley, representative for Matthew and Stacey Sullivan, owners of 1003 Oakdale St, submitted a request for approval of a variance pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow for an expansion of a non-conforming structure to provide for a decrease in the side setback from 25 feet to approximately 11.8 feet in line with the side of the existing home for the addition of a covered patio. This variance request is after the fact. The covered patio was constructed without a permit.

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 use of the enclosed stamped envelope to Wade Trim, Inc. or by email to tow@wadetrim.com by **September 13, 2024**.

This matter will be presented to the Development Review Board on **Tuesday, September 17, 2024, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, October 8, 2024, at 6:00 p.m.** You may attend the meetings 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 – Z24-09 (1003 Oakdale St.)**

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

COMMENTS: ① Granting a variance after the construction encourages others to violate the code ② Building outside the existing code leads to flooding and runoff into the lake ③ over building will hurt the beauty of the lake front.

SIGNATURE: [Signature] DATE: 8/24/24

SUNSHINE VACATION RENTALS INC



August 25, 2024

Brad Cornelius, AICP, Town Planner

Dear Mr. Cornelius,

I am adamantly opposed to approving the request for a variance on the property located at 1003 Oakdale Street in Windermere for several reasons.

1. No one should be granted a request for a variance after they have already constructed a structure that is in violation of existing code. That encourages others to do the same under the idea that asking for forgiveness is easier than asking for permission.
2. Additional construction outside of and in violation of the existing code on Oakdale Street will only add to the existing drainage problem in this area. This construction reduces the land's ability to hold and percolate the rain that falls on the lot. This leads to rain runoff into Lake Bessie and to flooding of other properties.
3. Unnecessary over-construction, outside of existing codes, only decreases the beauty and purity of the lake front.

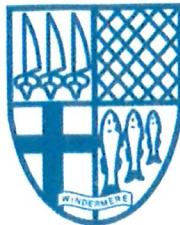
Hopefully, you and the town council will recognize the many problems that will result from a variance on this property.

Thank you for your time and consideration.

Tom Fry / Owner 916 Oakdale Street

# 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

August 22, 2024

**FRY THOMAS  
FRY JOANNE  
1245 OAKDALE ST  
WINDERMERE FL 34786**

**RE: Public Notice of Variance Public Hearing for 1003 Oakdale St. - Z24-09**

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

**RECOMMEND - Z24-09 (1003 Oakdale St.)**

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

COMMENTS: ① Granting a Variance After the fact is bad policy.  
② Building outside of code leads to Flooding of other AREAS.  
③ Structures outside of code destroy the beauty of the Lake front.

SIGNATURE: [Signature] DATE: 8/25/24

FRY THOMAS  
FRY JOANNE

④ what good are codes if people do not honor them.

August 25, 2024

Brad Cornelius, AICP, Town Planner

Dear Mr. Cornelius,

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3. Unnecessary over-construction, outside of existing codes, only decreases the beauty and purity of the lake front.

Hopefully, you and the town council will recognize the many problems that will result from a variance on this property.

Thank you for your time and consideration.

Tom Fry / Resident 1245 Oakdale Street

# 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

August 22, 2024

**NABERS JOHN M  
628 HIGHLAND AVE  
WINDERMERE FL 34786**

**RE: Public Notice of Variance Public Hearing for 1003 Oakdale St. - Z24-09**

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

---

**RECOMMEND – Z24-09 (1003 Oakdale St.)**

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

COMMENTS: I DO NOT THINK I NEEDED TO GET THIS NOTICE.  
MY PROPERTY IS 636 OAKDALE 1

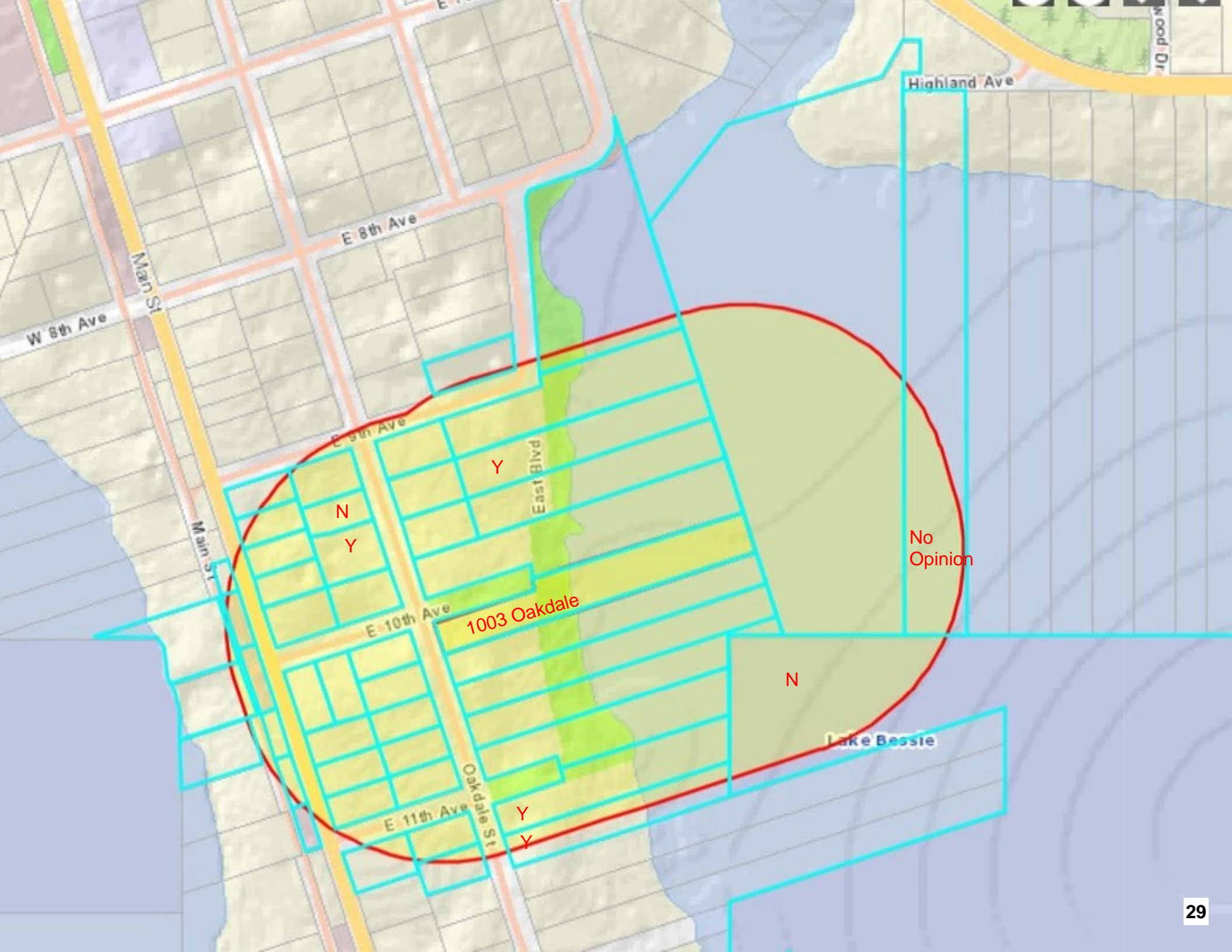
BUT THE CONTRACTOR SHOULD AND I THINK DID KNOW TO GET A PERMIT. SO I THINK

SIGNATURE: [Signature] DATE: 8/28/24

NABERS JOHN M

THEY SHOULD BE FINED  
REGARDLESS OF THE OUTCOME





N

Y

Y

1003 Oakdale

N

No  
Opinion

Lake Bessie