THE TOWN OF
Windermere

MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Mayor Andy Williams
Council Members
CT Allen
Mandy David
Tony Davit
Brandi Haines
Tom Stroup

Agenda ***Agenda***

July 14, 2026
6:00 PM

****AMENDED AGENDA****

WINDERMERE TOWN HALL
520 MAIN STREET - WINDERMERE, FL 34786

JOIN ZOOM MEETING: HTTPS://WWW.ZOOM.COM/
MEETING ID: 816 9286 6627 / PASSCODE: TOW2024
ONE TAP MOBILE: +1 (305) 224-1968, 81692866627# US

PLEASE TURN OFF ALL CELL PHONES

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 procedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones, 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 proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

AGENDA

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

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

2. SPECIAL PRESENTATION / PROCLAMATIONS / AWARDS

a. Orange County Public Schools Millage Referendum (Attachments - OCPS to Present)

3. NEW BUSINESS

a. MEETING MINUTES

i. Town Council Meeting Minutes June 9, 2026 (Attachments - Staff Recommends Approval)

ii. Town Council Workshop Minutes June 23, 2026 (Attachments - Staff Recommends Approval)

b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

i. **RESOLUTION NO. 2026-04: Tax Reform**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA, AFFIRMING THE IMPORTANCE OF PUBLIC EDUCATION ON PROPERTY TAXES AND THEIR CONNECTION TO LOCAL SERVICES; FORMALLY OPPOSING HOUSE JOINT RESOLUTION 1F, "SAVE OUR HOMES FROM EXCESSIVE PROPERTY TAXES." (Attachments-Board Option-Board Vote)

ii. **ORDINANCE NO. 2026-02**

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT OF THE COMPREHENSIVE PLAN FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL, FOR CERTAIN REAL PROPERTY OWNED BY THE MATHEISON FAMILY LIMITED PARTNERSHIP, LOCATED AT THE FOLLOWING ADDRESS: 618 RIDGEWOOD DRIVE, AS MORE PARTICULARILY DESCRIBED HEREIN, WITH AN APPROXIMATE SIZE OF 3.37 ACRES; MAKING FINDINGS OF FACT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE. (First Reading-No Board Vote)

Z26-01 – 618 Ridgewood Drive – First reading of ordinances to amend the Future Land Use Classification and Zoning District from Agriculture to Single Family Residential (Based on the information provided in the staff report and input from the applicant and public, the DRB found the subject case compliant with the Town of Windermere Comprehensive Plan and LDC and recommended approval of the small-scale future land use map amendment and rezoning as submitted. The DRB vote was 5-0 to recommend approval. First Reading Only-No Board Votes on Comprehensive Plan and Re-Zoning)

iii. **ORDINANCE NO. 2026-03**

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, ADOPTING A TOWN OFFICIAL ZONING MAP AMENDMENT FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL FOR CERTAIN REAL PROPERTY OWNED BY THE MATHEISON FAMILY LIMITED PARTNERSHIP, LOCATED AT THE FOLLOWING ADDRESS: 618 RIDGEWOOD DRIVE, AS MORE PARTICULARILY DESCRIBED HEREIN, WITH AN APPROXIMATE SIZE OF 3.37 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND OR AN EFFECTIVE DATE. (First Reading-No Board Vote)

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c. DEVELOPMENT REVIEW BOARD ITEMS

i. Case Z26-06 – 637 Ridgewood Drive - Variance request to reduce the front yard setback from 25 feet as required to 15 feet as proposed, and to reduce the Normal High- Water Elevation (NHWE) setback from 50 feet as required to a minimum of 25 feet as proposed to construct a new single-family residence and swimming pool (Based on the information provided in the staff report and input from the applicant and public, the DRB found the proposed variance compliant with the requirements for the approval of a variance in accordance with Section 10.02.02 of the LDC and recommended approval of the variance as submitted. The DRB vote was 4-1 to recommend approval.)

ii. Case Z26-07 – 105 Palm Street - Variance to permit the placement of a swimming pool within the front yard of the subject property, whereas the Land Development Code (LDC) limits the placement of swimming pools to side and rear yards (Based on the information provided in the staff report and input from the applicant and public, the DRB found the proposed variance compliant with the requirements for the approval of a variance in accordance with Section 10.02.02 of the LDC and recommended approval of the variance as submitted. The DRB vote was 5-0 to recommend approval)

iii. Case Z26-08 – 136 Oakdale Street - Request for variances to permit a detached garage/accessory building within a front yard with a reduced front setback of 13 feet and an increased building height of 22 feet, 10 inches, where the Land Development Code requires a minimum 25-foot front yard setback, placement within a side or rear yard, and a maximum height of 18 feet (Based on the information provided in the staff report and input from the applicant and public, the DRB found the proposed variance compliant with the requirements for the approval of a variance in accordance with Section 10.02.02 of the LDC subject to the following two conditions. The DRB vote was 5-0 to recommend approval with these two conditions. 1. The height of the proposed detached garage/accessory building may not exceed 18 feet, consistent with current LDC requirements regarding the height of accessory buildings that do not meet the same setbacks as the principal building. 2. The existing carport located in the property's front yard along East 2nd Avenue must be removed prior to issuance of the building permit for the proposed detached garage/accessory building.)

d. CONTRACTS & AGREEMENTS

i. 2025 Town Manager Evaluations (Attachments-Mayor Williams to present)

e. OTHER ITEMS FOR CONSIDERATION

i. Amendment to Urban County Interlocal Agreement (Attachments)

4. MAYOR & COUNCIL LIAISON REPORTS

5. STAFF REPORTS

6. ADJOURN

MILLAGE REFERENDUM

protecting Teachers, Programs & Student Opportunities

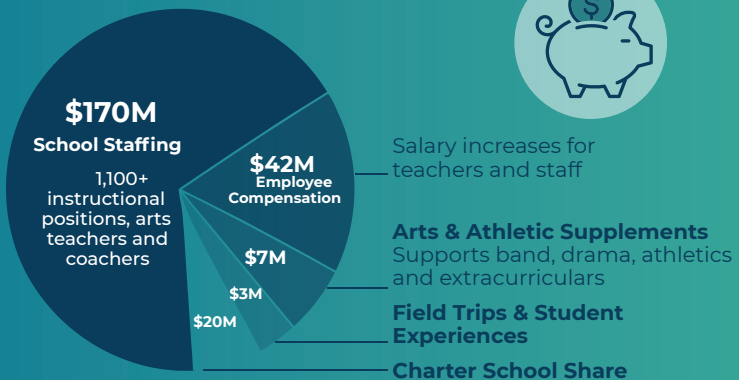
Orange County Public Schools

WHAT VOTERS WILL DECIDE

On November 3, Orange County voters will consider extending the current 1-mill property tax to support school operations for four more years

HOW FUNDS ARE USED

(Annual: ~$242M)



Salary increases for teachers and staff

Arts & Athletic Supplements
Supports band, drama, athletics and extracurriculars

Field Trips & Student Experiences

Charter School Share
(Required by Law)

A PROVEN INVESTMENT

2010: First approved during recession funding cuts

2014, 2018, 2022: Renewed by voters

THE BIG PICTURE

OCPS voter-approved millage generates less funding per student than other large districts like Miami-Dade and Broward, yet maintains:

- Smaller class sizes
- Higher average teacher salaries

Today, the district has $1,374 less purchasing power per student than in 2007 due to inflation

ACCOUNTABILITY & LEGAL REQUIREMENTS

- Must be approved by voters every 4 years
- Funds must be shared with charter schools
- Election occurs only during a general election
- Clear ballot language with public reporting is required

bottom line:

The millage referendum will:

- Compensate teachers and educational support employees
- Preserve academic programs, arts, athletics, and student activities

Learn More About OCPS Online:

www.ocps.net @ocps_official @OCPSnews
@OrangeCountyPublicSchools @OrangeCountyPublicSchools

Leading students to success

PREPARE | INSPIRE | EMPOWER

Orange County Public Schools

445 W. Amelia Street · Orlando, Florida 32801 · (407) 317-3200 · www.ocps.net

Scott D. Howat
Chief Communications Officer
President, Foundation for OCPS

Long Form Bio

For more than three decades, Scott D. Howat has dedicated his career to advancing student success in Orange County Public Schools (OCPS). Since 2016, he has served as Chief Communications Officer and President of the Foundation for OCPS, leading strategic communications and philanthropic initiatives that support the district's mission.

Howat began his career as a high school teacher and school administrator before transitioning into district leadership. In 2006, he was appointed Director of Legislative and Congressional Relations and later joined the superintendent's cabinet, where he oversaw governmental affairs, student enrollment, school siting, and served as the district's chief negotiator.

A proud graduate of OCPS, Howat earned his bachelor's degree in Politics from Rollins College and a master's degree in Educational Leadership from the University of Central Florida.
In recognition of his leadership and innovation, Howat was named a 2024 & 2025 PR News People of the Year Chief Communicator. Under his guidance, OCPS has strengthened its brand during a time of national scrutiny of public education, fiscal pressures, and rapid change. He launched the nationally recognized "Mondays with Maria," a weekly talk show and podcast with Superintendent Dr. Maria Vazquez, and expanded community engagement through "The Slice: Positive News from OCPS," a social media campaign celebrating student and staff achievements.

Howat was honored alongside global brands such as Mastercard, NFL, Nissan, McDonald's, Adobe, and Dove at the PR News Awards in New York City.

He and his wife, Catherine, a kindergarten teacher in OCPS, are proud parents of two adult children, Marisa and Mason.

Short Form Bio

Scott Howat has served Orange County Public Schools (OCPS) for over 30 years, currently as Chief Communications Officer and President of the Foundation for OCPS. A former teacher and administrator, he has held leadership roles in legislative affairs, student enrollment, and district negotiations.

A graduate of OCPS, Howat earned degrees from Rollins College and the University of Central Florida. Under his leadership, OCPS has strengthened its brand through initiatives like the award-winning “Mondays with Maria” and “The Slice.” He was honored with the 2024 & 2025 PR News Chief Communicator Award alongside global brands.
He and his wife Catherine, a kindergarten teacher in OCPS, have two adult children, Marisa and Mason.

Speaker Intro Bio

Scott D. Howat is Chief Communications Officer and President of the Foundation for OCPS. With over 30 years of service to Orange County Public Schools, he has led strategic communications, legislative affairs, and community engagement. Under his leadership, OCPS launched the award-winning “Mondays with Maria” and “The Slice” campaigns. He is a two-time PR News Chief Communicator honoree and a proud OCPS graduate.


OCPS Today
Scott Howat
Chief Communications Officer
May 27, 2026
Orange County Public Schools

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Orange County Public Schools

2


Employees
23,964
Teachers
13,556

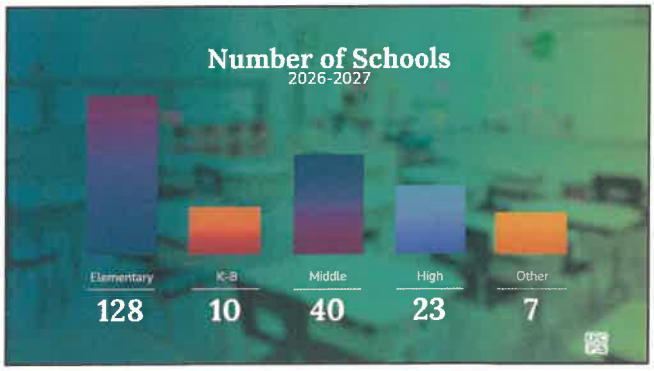
3


8th
Largest District in the U.S.
4th
Largest District in Florida

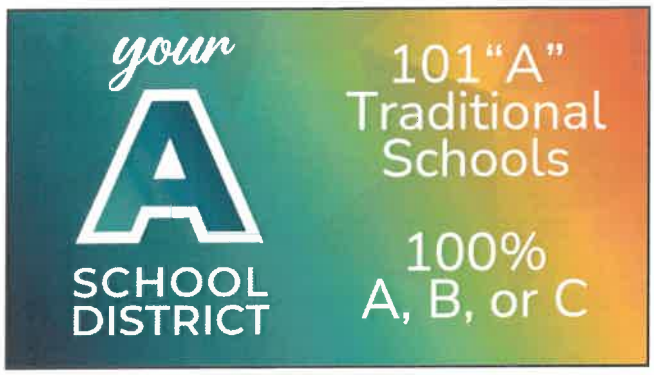
4


Diversity
193
countries
165
languages & dialects

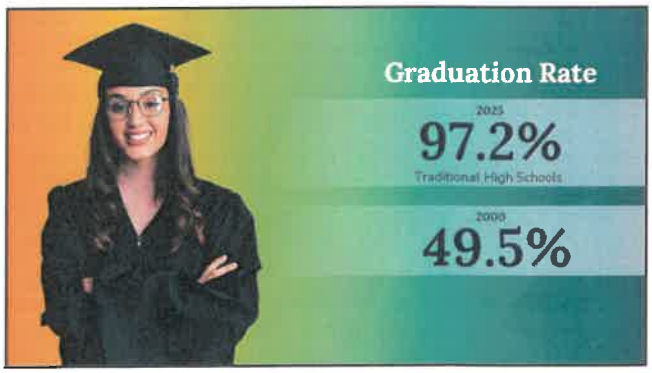
5


Number of Schools
2026-2027
Elementary
128
K-8
10
Middle
40
High
23
Other
7

6


your
A
SCHOOL DISTRICT
101 "A" Traditional Schools
100% A, B, or C

7


Graduation Rate
2025
97.2%
Traditional High Schools
2000
49.5%

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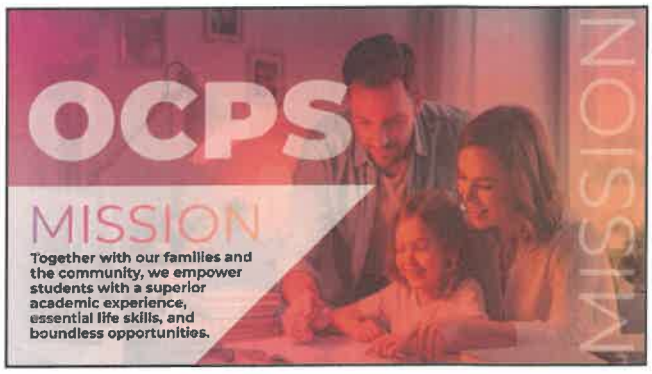
VISION
OCPS
VISION
Every student graduates prepared and inspired for a thriving future.

9


OCPS
MISSION
Together with our families and the community, we empower students with a superior academic experience, essential life skills, and boundless opportunities.
MISSION

10


Leading students to success
PREPARE | INSPIRE | EMPOWER
PREPARE
INSPIRE
EMPOWER

11


Portrait of a Graduate
Leading students to success
PREPARE
INSPIRE
EMPOWER
ACADEMIC FOUNDATIONS
ESSENTIAL SKILLS
WORKPLACE READINESS
Orange County Public Schools

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Why Public Schools Matter

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The Public-School Advantage

- Community- and neighborhood-based
- Certified, trained teachers
- Nationally benchmarked, Cognia accredited district
- Highest-quality academics, arts and extracurriculars
- All students, all meals, no charge
- Outstanding support services for all:
  - Special education, gifted, English-language learners



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Academic Pathways

Dual Enrollment
- UCF, UF, Valencia College
- 9,577 industry certifications earned

Advanced Studies:
- Advanced Placement
- Cambridge AICE
- International Baccalaureate

39 Magnet Programs

Career and Technical Education
- 5 Orange Technical College Campuses
- 70 Programs



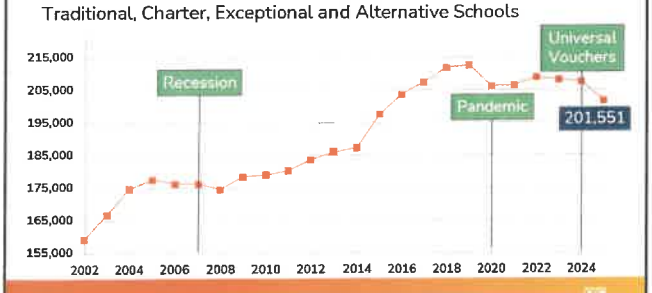
15

Declining Enrollment

16

Student Enrollment

Traditional, Charter, Exceptional and Alternative Schools



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Declining OCPS Student Enrollment

5,896 students (3.2%)
Oct. 2024– Oct. 2025

8,667 students (4.6%)
Oct. 2022 – Oct. 2025

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Why Is This Happening?

- Declining Birth Rates
  - 2025: Lowest in U.S. History

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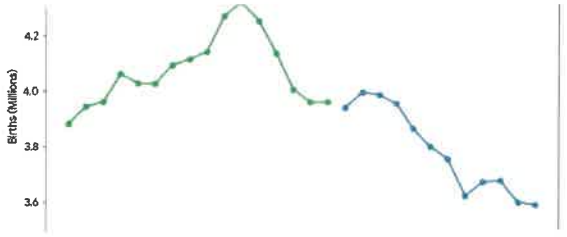
U. S. Birth Rates: Gen Z vs. Gen Alpha



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Why Is This Happening?

Declining Birth Rates
- 2025: Lowest in U.S. History

Housing Trends
- "Aging in Place"

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Housing Trends

88-95%

of adults 50+ want to remain in their current home

41%

drop in turnover since 2021 peak

Key Factors:

Low existing mortgage rates vs. today's higher rates

Rising insurance, property tax and relocation costs

Strong emotional and social ties to neighborhoods

Home modification preferred over relocation.

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Why Is This Happening?

Declining Birth Rates
- 2025: Lowest in U.S. History

Housing Trends
- "Aging in Place"

Sunsetting Temporary Protective Status (TPS) for Immigrant Groups
- 2,500 fewer OCPS Students

23

Why Is This Happening?

Declining Birth Rates
- 2025: Lowest in U.S. History

Housing Trends
- "Aging in Place"

Sunsetting Temporary Protective Status (TPS) for Immigrant Groups
- 2,500 fewer OCPS Students

Family Empowerment Scholarships
- Taxpayer-Funded Vouchers

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Why It Matters

$23M for 2025-26 School Year

Enrollment Declines Impact

- Ability to staff and operate schools
- Ability to offer a variety of course offerings and programs
- Ability to manage and maintain our existing facilities
- Operational Efficiency
  - Elementary: $1.3M
  - Middle: $2.1M

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School Consolidation

- Union Park Middle
- Bonneville Elementary
- Orlo Vista Elementary
- Eccleston Elementary
- Chickasaw Elementary
- McCoy Elementary
- Meadow Woods Elementary

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What We're Doing



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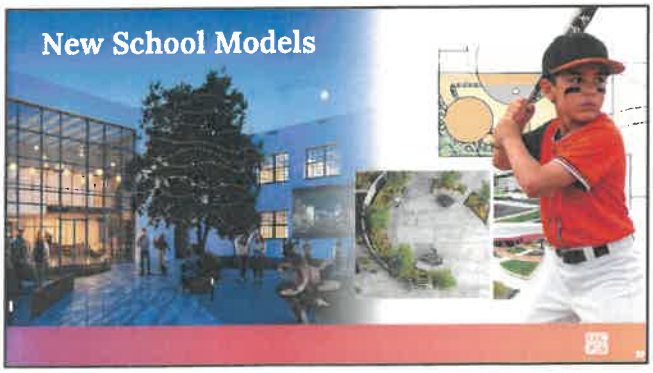
New School Models



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PREPARE | INSPIRE | EMPOWER

PREPARE | INSPIRE | EMPOWER

Orange County Public Schools

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Slide 27

1 could we be more specific here about actions being taken, such as microschools, new scholastic academies, the new gifted magnet?
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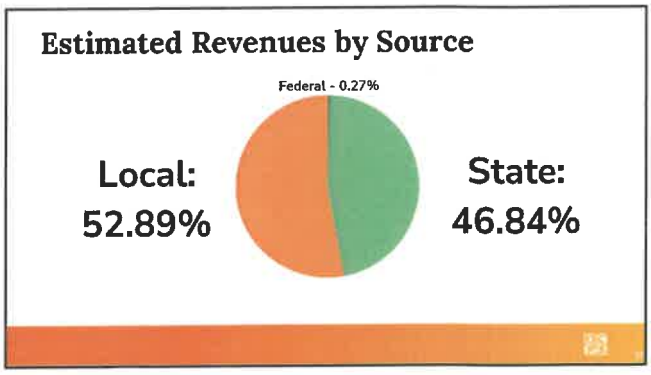

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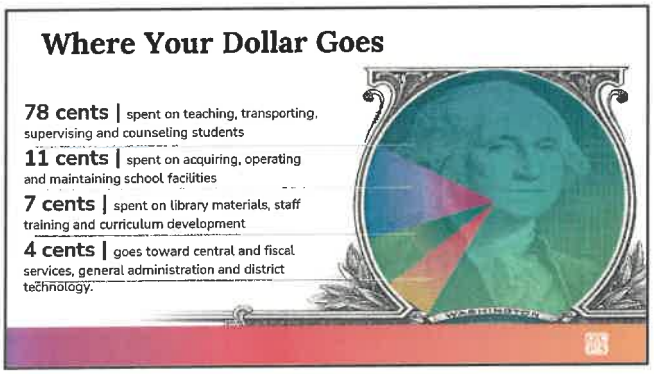

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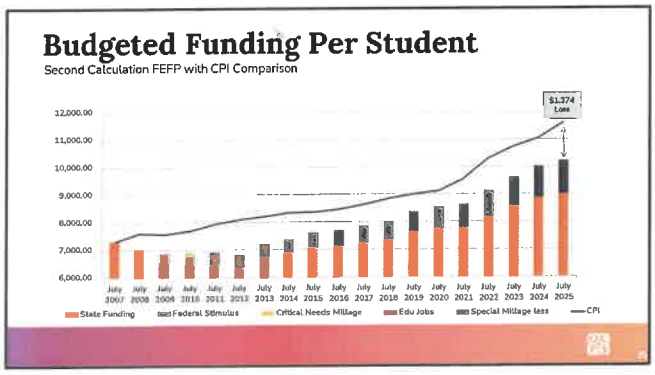

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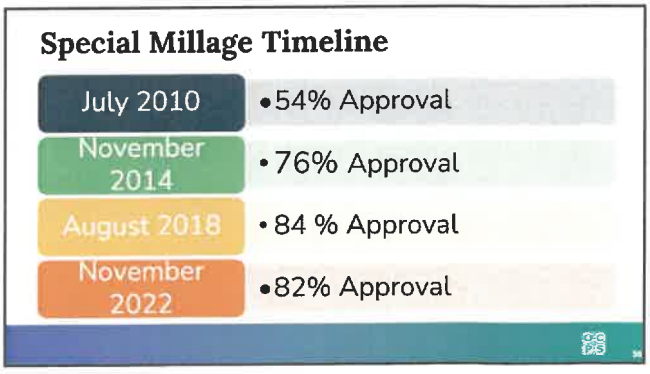

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2025-26 One-Mill Special Millage Revenue ($242M)

Highly Qualified Teachers: • 1,167 instructional positions • 201 art, drama, music and dance teachers • 90 athletic coaches and trainers	$170 million
Staff Compensation Increase:	$42 million
Teacher Supplements for Arts and Athletics:	$7 million
Field Trips:	$20 million
Legally Required Charter School Share:	$3 million

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Millage Proceeds Comparison (FY26)

	Orange	Miami-Dade	Broward
One Mill Operating Revenues	$242,347,050	$560,254,555	$333,273,519
Total Students (Traditional & Charter)	199,153	324,593	236,667
One Mill Operating Revenues per Student	$1,217	$1,726	$1,408
Non-classroom, School-based Instructional (School Counselors, School Psychologists, Librarian/Audio Visional Workers, Other Professional Instructional Staff, Visiting Teachers and Social Workers)	2,965	2,403	1,903
Average Teacher Salaries	$59,308.86	$57,395.32	$58,813.35

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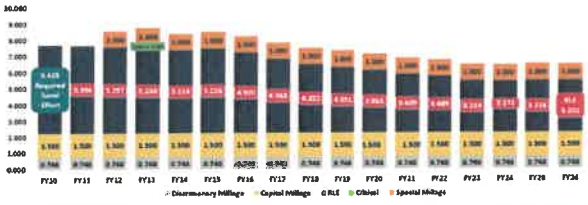
Millage Rates



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Proposed Ballot Language

On May 12, 2026, the School Board of Orange County Florida passed a resolution to call for a millage election at the November 3, 2026 General Election. The Resolution contained the following ballot title and ballot summary:

THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA AD VALOREM MILLAGE ELECTION

BALLOT QUESTION: Shall the School Board of Orange County, Florida, continue the current one mill ad valorem millage for essential operating expenses, including **compensating teachers and educational support employees, preserving academic programs, arts, athletics, and student activities**, beginning July 1, 2027, and ending four fiscal years later on June 30, 2031, shared proportionately with charter schools as legally required, with annual reporting to ensure proper fiscal stewardship of these funds to the citizens of Orange County?

_____ YES FOR APPROVAL

_____NO FOR REJECTION

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Summary

November 3 ballot proposal is to continue the current one-mill ad valorem millage

- Cost to homeowner with a $355,800 median-assessed home value is $28/month (Source: Orange County Property Appraiser)

One Mill for essential operating expenses, to compensate teachers and support staff, preserve academic programs, arts, athletics and student activities

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Questions?

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For More Information

Scott Howat
Chief Communications Officer
Orange County Public Schools
scott.howat@ocps.net
321.436.2010



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TOWN OF WINDERMERE

Town Council Meeting Minutes **June 9, 2026**

CALL TO ORDER:

Mayor Andy Williams; Council Member CT Allen; Council Member Mandy David; Council Member Tony Davit; Council Member Brandi Haines; and Council Member Tom Stroup were present. ATM/PWD Tonya Elliott-Moore, Attorney Heather Ramos, Deputy Chief Jayson Bonk and Town Clerk Dorothy Burkhalter were present. Town Manager Robert Smith was absent.

Mayor Williams called the meeting to order at 6:00 pm 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 Williams opened the floor to the public. First to speak was Ms. Landra Wormack, representative of the Orange County Tax Collector's Office. She addressed the Council and introduced herself as attending on behalf of Orange County Tax Collector Scott Randolph. She stated she wanted the Mayor and Council to know that the Tax Collector's Office remained a resource for the Town and community for DMV-related and business tax matters. Ms. Nancy Bardoe, 225 East 9th Avenue, expressed concerns about the Lake Bessie/9th Avenue project, highlighting ongoing issues and comparing it unfavorably to other construction projects. Ms. Bardoe stated that while the project area looked somewhat better that evening, there had been ongoing issues, and she wanted those concerns placed on public record. Ms. Cheryl Rogers, 824 Main Street, criticized the council's decision to appeal a court ruling that favored property rights, citing the significant financial burden on taxpayers. She urged the Council to redirect resources to matters that more directly benefit the community and to drop the appeal.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. 2026 Legislative Session Update from Representative Leonard Spencer Florida State House District 45

Mayor Williams turned the floor over to Representative Spencer. Representative Leonard Spencer addressed the Mayor, Council, and staff and provided a legislative update from the 2026 Florida Legislative Session. He stated that the session had required special sessions before final completion and that he wanted to summarize where matters ultimately landed, particularly as they related to affordability, opportunity, innovation, local control, infrastructure, and the state budget. Representative Leonard Spencer reported that he had pushed back against state preemption of local decision-making and emphasized that municipalities such as Windermere were best equipped to manage their own growth and community standards. He discussed House Bill 1001 and its Senate companion regarding diversity, equity, and inclusion-related restrictions on local governments. Representative Leonard Spencer stated that, regardless of views on DEI, he objected to the erosion of home rule and to provisions that could expose local elected officials to findings of misfeasance or malfeasance and possible removal by the Governor for actions that had previously been within municipal authority. Representative Leonard Spencer also commented on the redistricting special session, stating that he opposed what he viewed as gerrymandered maps and voted no. He further stated that he voted no on the property tax special session measures because, in his view, although tax relief may sound attractive, the proposal would strip local governments of a critical revenue source without a suitable replacement. He said that such a change would likely produce a tax shift rather than a true reduction in the cost of government, because roads, schools, public safety, and other municipal services would still require funding. Representative Leonard Spencer then summarized legislation he had supported. He highlighted House Bill 365 relating to specialized law enforcement training for interactions with individuals on the autism spectrum; legislation allowing high school students to volunteer at polling locations; House Bill 243 concerning electric bicycle regulation and safety; and House Bill 1093, described as the "vertical force" bill, which he said would support next-generation aviation and alternative mobility options in the region. He also discussed environmental legislation, including House Bill 1019, known as the Joe Casello Act, to phase out PFAS-containing firefighting foam, which he described as important to protecting lakes, reclaimed water systems, land, and public health. On affordability matters, Representative Leonard Spencer discussed House Bill 915, which codifies the Working People with Disabilities Program into permanent Florida law to help allow individuals with developmental disabilities to work while retaining Medicaid eligibility within revised income and asset limits. He also noted support for House Bill 1481 to expand housing options for veterans and House Bill 1327 to protect veteran benefit payments for minor clients.

DRAFT

Representative Leonard Spencer concluded with budget items secured for the district. He stated that Windermere received $784,000 for the Windermere roundabout upgrade at 6th Avenue and Main Street and $500,000 for the Chase Road and Main Street intersection improvement project. He said these appropriations were intended to improve traffic flow, safety, and pedestrian conditions and represented tax dollars brought back to the community. Representative Leonard Spencer thanked the Mayor, Council, and staff for their partnership and service.

3. NEW BUSINESS

a. MINUTES

i. Town Council Meeting Minutes: May 12, 2026

ii. Town Council Special Meeting Minutes: May 14, 2026

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

b. FINANCIAL

i. IPO #212 Amendment #1 Kimley-Horn – Town Square Restroom Facility – Final Design and Construction Documents

Mayor Williams introduced this item and turned the floor over to ATM/PWD Elliott-Moore. ATM/PWD Elliott-Moore presented a request for approval of Amendment No. 1 to IPO #212 with Kimley-Horn for final design, permitting, and construction documents for the Town Square restroom facility. She explained that, following Council direction at the May meeting, the scope had been refined and brought back for consideration. ATM/PWD Elliott-Moore stated that the amendment would cover final design and construction documents for the building itself, including structural, mechanical, electrical, and plumbing engineering; architectural services; permitting coordination; and preparation of construction-ready plans for bidding and permitting. The amount presented for approval was $34,190.00, with optional landscape services available for Council consideration. Mr. Chris Davidson, Kimley-Horn representative elaborated that the Town was already under contract through IPO #212 for the site civil plan, including existing conditions, demolition, site planning, grading, utility plans, erosion control, and specifications for the restroom site. He stated that Amendment No. 1 would focus on the building design itself. He explained that the structure would utilize CMU walls intended to match the look and feel of the library facility and that Kimley-Horn would provide MEP services, permitting, utility coordination, and optional landscape architecture services, while certain architectural services would be subcontracted. Council Member Brandi Haines asked about the design submittal schedule, and ATM/PWD Elliott-Moore responded that, because the project was a restroom facility, the Council had previously directed a simplified review structure rather than full 30/60/90 percent milestones. She stated that the project would come back at approximately 45 percent and again at final design. Mr. Davidson confirmed that the proposal contemplated two submittals, even though different terminology could be used depending on architectural and structural disciplines. Member Davit made a motion to approve IPO #212 Amendment #1 with Kimley-Horn for the Town Square Restroom Facility final design and construction documents in the amount of $34,190.00. Member David seconded the motion. Roll call vote was as follows: Stroup - aye, Haines - aye, David - aye, and Allen - aye. Motion carried 5-0.

ii. IPO #221 Kimley Horn – 6th Ave and Lake Down Retaining Wall Improvements

Mayor Williams introduced this item and turned the floor over to ATM/PWD Elliott-Moore. ATM/PWD Elliott-Moore presented a request for approval of IPO #221 with Kimley-Horn for professional engineering services associated with the 6th Avenue and Lake Down retaining wall improvements project, funded through the Hazard Mitigation Grant Program. She reminded the Council that 75 percent of the project cost would be paid through state and federal funding and 25 percent would be the Town's responsibility. ATM/PWD Elliott-Moore explained that the project would advance the

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HMGP shoreline stabilization effort previously initiated after Hurricane Ian and that the Town had already approved the subrecipient grant agreement with the State. She stated that the scope included retaining wall design, shoreline stabilization, drainage improvements, environmental permitting, surveying, geotechnical work, utility coordination, and grant administration. The professional services cost presented was $199,230.00, and the estimated design and permitting duration was approximately 365 days. ATM/PWD Elliott-Moore emphasized that HMGP projects typically proceed in phases, with design and coordination occurring first, followed by a separate determination as to whether Phase 2 construction funding will be provided. She noted that the Town had previously been successful in obtaining Phase 2 HMGP funding for other projects. Mr. Davidson stated that the grant related back to Hurricane Ian in September 2022 and was awarded in late 2024. He explained that Kimley-Horn would prepare the design and construction plans for the project, including roadway improvements, curb and gutter work, milling and resurfacing, possible pavement reconstruction, drainage improvements, new structures along the curb line, a baffle box near the retaining wall, structural design, permitting, and continued support in moving the FEMA/HMGP project into the construction phase. He noted that geotechnical and survey services would be subcontracted. Council Member CT Allen asked whether the temporary quick-creek or emergency stabilization work already performed would be sufficient in the interim. ATM/PWD Elliott-Moore responded that the quick-creek installation was intended as a temporary mitigation measure, funded through FEMA, to improve the condition until the permanent project could be completed. She stated that the Town was better off than before the temporary work but cautioned that no one could predict future storm impacts and that the interim measure was not a permanent solution. reiterated that the present project was the necessary next step. Mr. Davidson added that time remained important because of grant timelines associated with the disaster funding and that design should proceed as quickly as possible in order to move into the construction phase. Member Davit made a motion to approve IPO #221 with Kimley-Horn for 6th Avenue and Lake Down Retaining Wall Improvements in the amount not to exceed $199,230, pending the scope, developments, and cost estimates. Member Allen seconded the motion. Roll call vote was as follows: Allen - aye, Davit - aye, David - aye, Haines - aye, and Stroup - aye. Motion carried 5-0.

c. OTHER ITEMS FOR CONSIDERATION

i. Consideration of Legislative Correspondence Regarding Property Tax Reform Legislation

Mayor Williams introduced this item and turned the floor over to ATM/PWD Elliott-Moore. ATM/PWD Elliott-Moore introduced draft letters for Councils consideration regarding recently approved property tax reform measures and proposed constitutional amendments that could significantly affect local government revenues and long-term financial planning in Florida. She explained that the purpose of the letters was to communicate concerns regarding impacts on municipal operations and services and to encourage the Legislature to clearly identify sustainable replacement funding mechanisms before any substantial reduction in local revenue sources occurred. ATM/PWD Elliott-Moore emphasized that local governments depend on property tax revenues to support public safety, infrastructure, stormwater management, parks and recreation, code enforcement, and other essential services. She also noted that the item was not intended as a statement about any individual legislator, party, or policy position, but rather as a discussion of fiscal impacts and the need for accountable replacement revenues. Attorney Ramos then provided legal and legislative context. She explained that, during the June 1–2 special session, the Legislature passed a proposed constitutional amendment, House Joint Resolution 1F, and implementing legislation, Senate Bill 4F. She noted that the constitutional amendment would go directly to the November 2026 ballot without the Governor's signature unless successfully challenged in court, while the statutory bill would require gubernatorial approval or veto. Attorney Ramos summarized the four major elements of the constitutional amendment: a significant increase in the homestead exemption for existing Florida residents; limits on future assessment growth for non-homestead property, including commercial property; a five-year residency waiting period before new Florida residents could receive the enhanced exemption; and constitutional restrictions on how counties and municipalities may spend ad valorem tax revenues. She then explained that, if approved by voters, the homestead exemption would increase to $150,000 beginning January 1, 2027, and to $250,000 beginning January 1, 2028. She gave an example showing how a property assessed at $500,000 would see its taxable value reduced first to $350,000 and then to $250,000. Attorney Ramos further explained that non-homestead property assessment growth would be capped at up to 5 percent annually for most commercial and other non-homestead real estate. She also described the five-year residency requirement for new Florida residents and stated that the amendment would create an exhaustive list of permissible municipal uses for ad valorem revenues, including public safety, education and public schools, infrastructure, flood control and natural resource projects, bond

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obligations, pension obligations, and core governmental administration. In response to Council questions, Attorney Ramos stated that user fees could only be charged to recover the actual cost of the service provided. Member Allen observed that if general fund support declined, some fees might rise because the underlying service costs would still need to be paid. Attorney Ramos agreed and stated that while voters might initially focus on tax reductions, they might not immediately realize that municipal services would still require funding one way or another. When asked about the utility of sending letters at that stage, Attorney Ramos stated that, in one sense, "that ship has sailed," but said correspondence could still ask what dedicated funding source local governments were expected to use. She also suggested that the Council might consider a formal resolution or public education effort so residents could better understand the potential impacts. Council Member Allen stated that one suggestion raised elsewhere was for municipalities to hold workshops showing residents which services would be reduced if approximately 25 percent of tax revenues were lost. She then said it could be helpful to have residents participate in deciding what services would no longer be provided under such a scenario. Attorney Ramos stated that the issue was very new and still being processed statewide. She further stated that legal challenges prior to ballot placement were possible and that broader impacts could arise for local governments, including effects on bond issuances and other financial obligations. Based on the discussion, the Council indicated interest in public education and further exploration of options concerning the proposed tax reform and its local impacts. Member Allen made a motion to direct staff to schedule a Town Council workshop with residents regarding legislative correspondence on property tax reform legislation, which services the residents would like reduced, possible sustainable replacement funding and public education. Member Davit seconded the motion. Roll call vote was as follows: Allen - aye, Davit -aye, David - aye, Haines - aye, and Stroup - aye. Motion carried 5-0.

ii. Declaration of Surplus Property – Nineteen (19) Virco Upholstered Stacking Chairs

Mayor Williams introduced this item and turned the floor over to ATM/PWD Elliott-Moore. ATM/PWD Elliott-Moore presented a request to declare 19 Virco upholstered stacking chairs as surplus property. Staff explained that local governments may either transfer such items to other local governments or surplus them for disposal or sale. Staff stated that the Town was preparing for potential space needs associated with renovation of the Town Hall and that the chairs were old, no longer needed, and taking up storage space. Staff noted that newer chairs had already been purchased and that removing the older chairs would help clear a cluttered storage closet. Member David made a motion to declare nineteen (19) Virco upholstered stacking chairs as surplus property. Member Haines seconded the motion. Roll call vote was as follows: Stroup - aye, Haines - aye, David - aye, Davit - aye, and Allen aye. Motion carried 5-0.

5. MAYOR & COUNCIL LIAISON REPORTS:

Mayor Williams opened the floor to the council members for any reports. Member Davit reported on MetroPlan and Tri-County Board of Directors meeting. Member Haines reported on the Tree Board and Historical Preservation Board. Member Allen presented a $1,000.00 Legacy Foundation grant check to Member Davit for support for the "Stop Solider Suicide" initiative. Mayor Willaims reminded all the Pancake Breakfast on Saturday July 4th.

6. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Absent

b. ATM/PWD TONYA ELLIOTT-MOORE – ATM/PWD Elliott-Moore reported that several significant capital and grant-funded projects continued to advance, including the Ward Trail pedestrian project, HMGP shoreline stabilization projects, and stormwater projects. She also stated that the Town Manager and staff were preparing the proposed fiscal year 2026-2027 budget for Council consideration later in the summer and into the fall. ATM/PWD Elliott-Moore noted upcoming personal travel and informed the Council that she would be out of town for approximately two weeks.

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c. ATTORNEY HEATHER RAMOS – Attorney Ramos added two legislative items not covered earlier in the evening. First, she discussed House Bill 803, which had been signed by the Governor and would exempt certain residential construction work valued under $7,500 from building permit requirements beginning the following month. Attorney Ramos noted that the exemption did not apply to electrical, plumbing, structural, mechanical, or gas work and stated that there were already questions about how some of those terms would be interpreted. She also noted that contractors could not split larger jobs into smaller components to avoid permit thresholds and that the bill contained revisions affecting local government oversight of private providers. Second, Attorney Ramos advised that the Town would soon receive an ordinance concerning synthetic turf. She explained that the Town had very limited authority to regulate synthetic turf on residential property of one acre or less, though commercial properties remained fully regulable.

d. DEPUTY CHIEF JAYSON BONK – Deputy Chief Bonk reported that operations were going well, that the department remained fully staffed, and that personnel would be assisting during the upcoming crane and bridge activity.

e. TOWN CLERK DOROTHY BURKHALTER – Clerk Burkhalter reminded all to file their annual disclosure forms before July 1st.

7. ADJOURN:

Mayor Williams adjourned the meeting at 7:00pm.

_____ _____

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Loren "Andy" Williams, Mayor

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Town Council Workshop

Budget Mid-Year Meeting Minutes

June 23, 2026, 6:00 PM

1. CALL TO ORDER

Mayor Williams called the Town Council Workshop to order at 6:00 PM on Tuesday, June 23, 2026. The meeting was held virtually via Zoom. Present were Mayor Andy Williams, Council Members CT Allen, Tony Davit, Mandy David, and Brandi Haines. Also present were Town Manager Robert Smith and Town Clerk Dorothy Burkhalter.

2. DISCUSSION ITEM(S)

a. Special Presentation: Town of Windermere Budget Analysis Report FY 25/26

Manager Smith presented the mid-year Budget Analysis Report for Fiscal Year 2025–2026. He noted that the report was delivered later than usual given ongoing circumstances and emphasized that all revenue and expenditure figures were prepared conservatively. He acknowledged that the $2,000,000 revolving line of credit secured in December was reflected as a revenue source, without it the Town would be operating in the red. He projected the Town would close the fiscal year with a positive balance of approximately $1,885,000 including the loan, but would otherwise be approximately $125,000 in the red.

Ad Valorem / Property Tax Revenues

The millage rate remained constant at 3.7425 mills. The annexation of Chaine Du Lac contributed additional assessed property values and ad valorem tax revenue. Manager Smith cautioned that the pending property tax reform legislation represents a significant unknown, as the implementation schedule over the next eight years has not yet been published by the state. He advised that an increase to the fire protection services assessment may become necessary in FY 2027–28, though existing reserve funds should cover the gap through that cycle. He further stated that many municipalities are considering raising their millage rates and non-ad valorem assessments preemptively, but that he does not believe the Town needs to pursue that option at this time.

Member Davit inquired whether the Town would be forced to go to the rollback rate. Manager Smith explained that the legislation's language is unclear and subject to active litigation, and that the rollback rate would likely reference FY 2024 or FY 2025 levels — approximately $3.9/$3.8 million — but would not affect utility taxes, half-cent sales tax, or other ancillary revenue sources. He also clarified that the rollback rate calculation does not account for new assessed value added through the Chaine Du Lac annexation.

Parks & Recreation and Historical Preservation Board

Member Allen asked about the elevated Parks & Recreation revenue figure. Town Manager Smith confirmed that the majority — approximately $80,000–$85,000 — derives from the annual Run Among the Lakes event, which continues to grow in popularity. It was noted that a portion of the current year's revenue also came from Centennial bench sales, which should be broken out and excluded from future budget projections as a non-recurring source.

Regarding the Historical Preservation Board (HPB), Town Manager Smith reported that their revenues are generated from food truck night events, which have been roughly breaking even. He recommended

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suspending future food truck nights and the annual Light Up Windermere event until the outcome of the November referendum is known, given the associated costs and the Town's need to prioritize essential services. Council members acknowledged this recommendation, though discussion reflected an appreciation for these community events and an interest in exploring sponsorships as an alternative funding mechanism.

Council members also raised the question of whether the HPB's building maintenance obligations — specifically for the Cal Palmer building and the 1887 schoolhouse — should be transferred to the Public Works budget and incorporated into a formal Capital Improvement Program (CIP). Member Davit stated that the Long-Range Planning (LRP) board has been tasked with developing a prioritized CIP in coordination with the Town Manager, and that maintenance obligations for built infrastructure should be addressed through that process with funding scaled to available revenues. Member Davit questioned whether funding for the Cal Palmer project was to reflect in the Public Works budget. Discussion followed.

Ancillary Revenue Sources

Town Manager Smith reviewed ancillary revenues including franchise fees, utility taxes, half-cent sales tax, and revenue sharing. He noted general upward trends in most categories, attributing franchise fee growth in part to new hookups and development such as the 500-block project. He cautioned that the half-cent sales tax may be restructured by the state depending on the outcome of the November referendum.

Grant Reimbursements and Capital Projects

The Town is awaiting approximately $1,300,000 to $1,500,000 in reimbursements from the state for Hazard Mitigation Grant Program (HMGP) grants. Town Manager Smith described the HMGP reimbursement process as a significant ongoing challenge, further complicated by a staff transition at the state level — the Town's primary contact went on maternity leave — and delays resulting from the federal government shutdown. By contrast, reimbursements through FDOT for the multimodal trail (Ward Trail Phase 1) have moved considerably faster due to the involvement of engineering firm DRMP and a more streamlined FDOT process.

Key projects discussed included:

- West 2nd Avenue: $530,000 received to date; approximately $1,800,000 anticipated before October 1st.
- Butler Drainage/Bessie: Approximately $800,000 in reimbursements anticipated against $1,200,000 in expenditures.
- Ward Trail Phase 1: Reimbursements progressing efficiently through FDOT/DRMP.
- Potable Water System (Central, North, and South Phases): ARPA funds utilized to offset costs; remaining appropriations expected to cover the balance. The project cost escalated from approximately $3,000,000 to $5,300,000. An extension of water service down Palm Avenue remains on hold pending final reconciliation of the West 2nd Avenue and Central Water contracts.

Departmental Expenditure Highlights

- Legislative: Expenses were largely on target. Notable items included a $5,000 buy-in to Bike Central Florida (affiliated with Healthy West Orange) to qualify for a $100,000 grant for the Ward Trail, an increase in the lobbyist contract, and holiday social costs partially offset by sponsorships.
- Administration: The largest variance was litigation costs, approximately $118,000, associated with a quiet title declaratory action filed to clarify property ownership as part of an effort to facilitate settlement. Manager Smith acknowledged that the communication of this action to the

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parties served could have been handled better and indicated that a press release was being prepared, with a related meeting scheduled for the following day.

- Finance: General insurance came in under budget, a positive result. The primary overage was attributable to the $2,000,000 loan — including a $13,000 Florida government finance fee and approximately $43,000 in monthly payments — and solid waste costs associated with the Chaine Du Lac annexation, which will be recouped in the next fiscal year.
- Development Services: Professional services for planning and zoning administration through Wade Trim exceeded budget by approximately $25,000, driven by the volume of questions, applications, and additional work generated by ongoing development activity. Manager Smith noted that utilizing Wade Trim remains more cost-effective than maintaining full-time in-house planning and zoning staff. He also noted that the Evaluation and Appraisal Report (EAR) is not due until 2027, and that the Charter Review Committee is due in the same timeframe.
- Public Works: Expenditures exceeded revenues primarily due to delays in receiving grant reimbursements. Professional services through KHA (including engineers Frank, John, and Michael Moore for West 2nd Avenue) exceeded budget due to additional approved purchase orders for unanticipated project needs. Two police vehicles were purchased outright at a cost of approximately $113,000, which Manager Smith noted was made prior to the current budget uncertainty but will reduce future debt service. He indicated that several projects have been placed on hold — including approximately $76,000 for sidewalks and $22,000 for parks and recreation improvements — to conserve resources pending HMGP reimbursements. He committed to providing the full list of deferred projects to the Town Council.

Summary and Outlook

Manager Smith summarized that the Town's financial position, while manageable for the current fiscal year with the support of the $2,000,000 loan, faces meaningful uncertainty heading into FY 2026–27 depending on the outcome of the November property tax reform referendum. He reiterated that expenditure projections reflect actual anticipated costs while revenue estimates are deliberately conservative. He emphasized that essential services — Police, Fire, and Administration — must be protected and that non-essential expenditures, including community events and certain capital improvements, may need to be scaled back or deferred.

Mayor Williams and council members acknowledged the quality of the work reflected in the report and thanked Manager Smith, as well as staff members Theresa, Tara, and Dorothy, for their efforts in compiling the analysis.

Budget Workshop Schedule

Manager Smith advised that the first budget workshop, at which the millage rate must be set, is scheduled for late July. A second workshop is planned for mid-August, followed by two required public hearings in September. All budget workshops must be held in person. Exact dates will be coordinated with the timelines of Orange County, OCPS, and the South Florida Water Management District and communicated to the Council.

Additional Discussion: Rise Up — America's 250th "In Motion" Event

Mayor Williams introduced for open discussion a proposed community event tied to the national America 250th anniversary celebration, tentatively planned for Constitution Day, September 17, with an evening timeframe of approximately 7:00–9:00 PM. The event was identified as a fundraiser with ties to the Sea Cadets, a youth organization that receives Town support.

Council members expressed mixed views. Member Allen stated that the event appeared to be a political statement in disguise, noted that the Town is cutting its own events due to budget constraints and would still incur costs for police, public works setup, and portable restrooms, and indicated that the organizers had reportedly been turned down by other municipalities. Member Davit countered that the event's purpose — celebrating the nation's 250th birthday — is not inherently political, and that the Sea Cadets

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connection warranted giving the proposal due consideration rather than dismissing it without full discussion.

Other council members agreed that the initial pitch lacked sufficient detail to make a fully informed decision, and questioned whether event costs such as sanitation, staffing, and setup would be borne by the organizers or the Town.

It was agreed that no vote would be taken. Member Davit volunteered to reach out to the event organizers and the Sea Cadets to gather more detailed information and bring the matter back to the Council for further consideration.

3. ADJOURN

Mayor Williams declared the workshop closed at 6:58 PM.

_____	_____
Dorothy Burkhalter	Loren “Andy” Williams
Town Clerk	Mayor

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RESOLUTION NO. 2026-04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA, AFFIRMING THE IMPORTANCE OF PUBLIC EDUCATION ON PROPERTY TAXES AND THEIR CONNECTION TO LOCAL SERVICES; FORMALLY OPPOSING HOUSE JOINT RESOLUTION 1F, "SAVE OUR HOMES FROM EXCESSIVE PROPERTY TAXES."

WHEREAS, the Florida Legislature's Joint Resolution 1F proposes amendments to the Florida Constitution that would significantly increase the homestead exemption for Florida residents; limit future assessment growth on non-homestead property, including commercial property; and restrict municipal spending of ad valorem taxes to specified purposes; and

WHEREAS, property taxes are the primary source of funding for essential municipal services, including public safety, infrastructure, utilities, parks, and disaster response; and

WHEREAS, these revenues support the day-to-day services residents rely on and the long-term investments that keep communities safe and functional; and

WHEREAS, state-level property tax mandates shift risk, not costs, and when local flexibility is removed, residents will ultimately bear the consequences through reduced services, deferred maintenance, and pressure for backfill funding; and

WHEREAS, if property taxes are reduced or eliminated, alternative methods of funding local services—such as increased sales taxes, user fees, special assessments, state appropriations, etc.—will be required to ensure that employees are paid, that infrastructure is maintained, and that public safety responsibilities are met; and

WHEREAS, whether these alternative funding methods will be sufficient, reliable, equitable, and locally controlled remains uncertain; and

WHEREAS, the Town budget is adopted annually in public meetings and reflect local priorities and accountability to voters; and

WHEREAS, understanding how property tax dollars are used helps residents make informed decisions about their community's needs and future; and

WHEREAS, changes to property tax policy can have direct impacts on service levels, infrastructure maintenance, and long-term financial stability; and

WHEREAS, municipalities are best positioned to explain local service needs, costs, and fiscal realities to their residents; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA, THAT:

Section 1. The above-stated recitals are hereby adopted and confirmed.

Section 2. The Town of Windermere remains concerned about the potential impacts of the proposed constitutional amendment on local fiscal stability, municipal bond obligations,

infrastructure investments, and the ability of communities to plan for future growth, resiliency, and service delivery needs.

Section 3. The Town of Windermere opposes the constitutional amendment set forth in HJR 1F as drafted.

Section 4. The Town of Windermere affirms its commitment to educating residents about how property tax revenues support essential local services and community priorities.

Section 5. The Town of Windermere encourages open, transparent public discussion about municipal finances, service delivery, and long-term planning.

Section 6. The Town of Windermere supports efforts to ensure that any future tax policy discussions are informed by clear, accurate information about local government operations and impacts.

PASSED AND ADOPTED by the Town of Windermere, Florida, this 14th day of July, 2026.

_____
Loren “Andy” Williams, Mayor

ATTEST:

_____
Dorothy Burkhalter, MMC, FCRM
Town Clerk

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

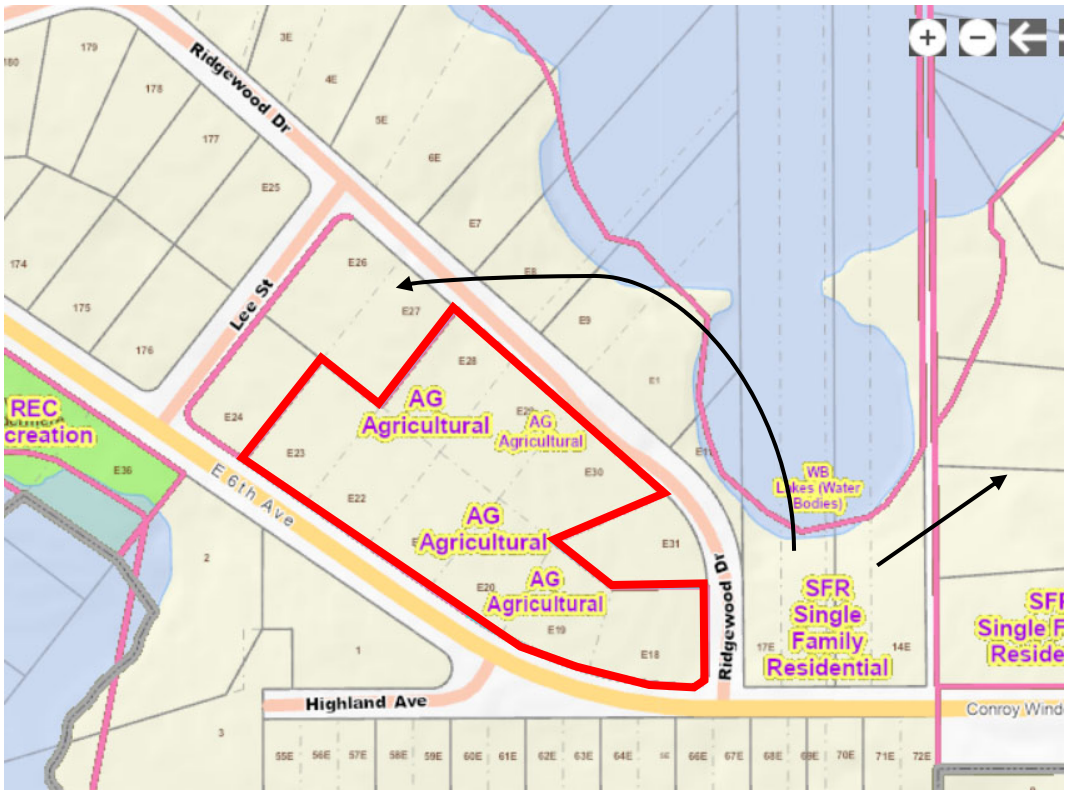
Development Review Board
June 16, 2026

Town Council
July 14, 2026

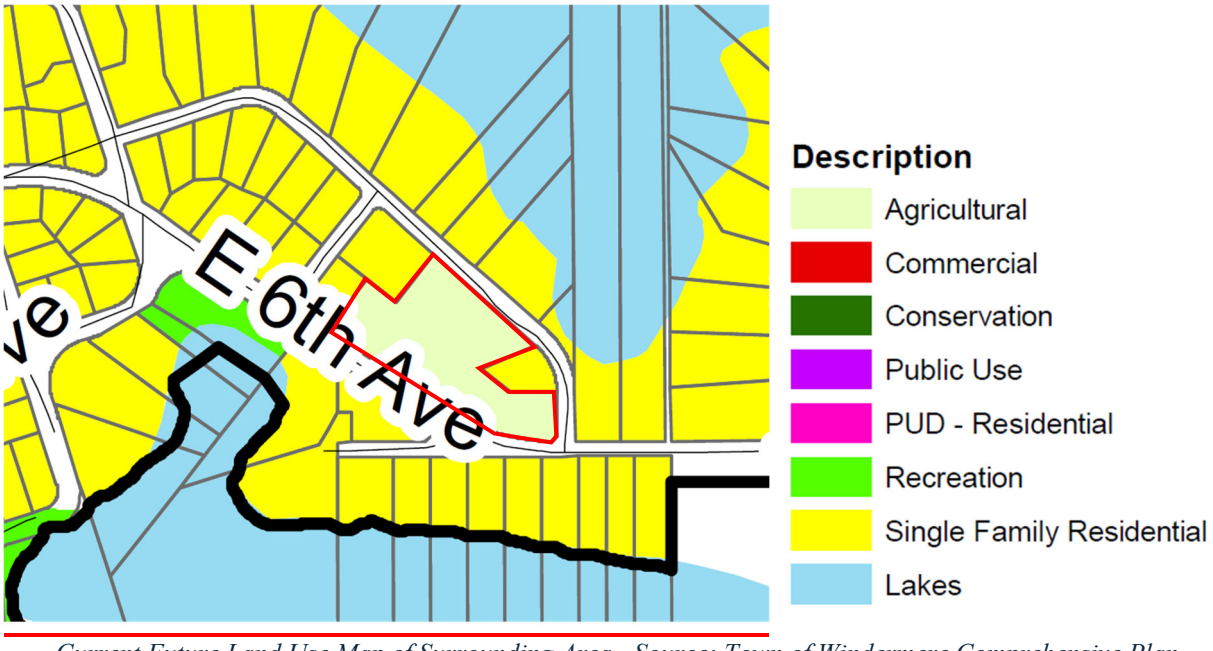
Case Number:	Z26-01
Property Owners:	Robert Mathieson (Property Owner)
Requested Action:	Amend the Future Land Use Classification and Zoning District from Agriculture to Residential
Property Address:	618 Ridgewood Drive
Legal Description:	REPLAT OF TOWN OF WINDERMERE Q/39 LOTS E18 THROUGH E23 & E28 THROUGH E30 IN SEC 8-23-28 SE1/4
Future Land Use:	Agriculture
Zoning:	Agriculture
Existing Use:	Vacant

Surrounding Future Land Use and Zoning

North: Single Family Residential/Single Family Residential
East: Single Family Residential/Single Family Residential
South: Single Family Residential/Single Family Residential
West: Single Family Residential/Single Family Residential



Current Zoning Map of Surrounding Area - Source: Orange County Property Appraiser



Current Future Land Use Map of Surrounding Area - Source: Town of Windermere Comprehensive Plan

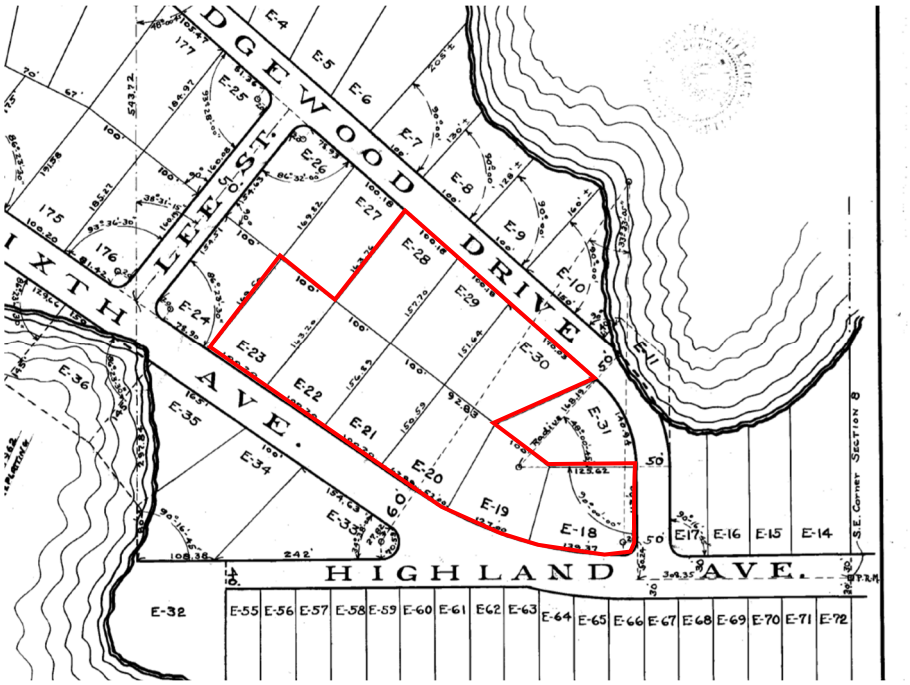
CASE SUMMARY

The owner of the subject property, Robert Mathieson, has applied to amend the future land use map (FLUM) classification and rezone the approximately 3.37-acre property located at 618 Ridgewood Drive. The proposed future land use amendment changes the property's FLUM classification from Agriculture to Single Family Residential, with the companion rezoning from Agriculture to Single Family Residential. The applicant's analysis and justification for the proposed future land use amendment and rezoning have been provided as an attachment.



Aerial Imagery of Subject Property - Source: Orange County Property Appraiser

The purpose of these requests is to enable the subdivision of the subject property into nine (9) individual parcels. The proposed subdivision plan, which has been attached to this report, would return the property to the underlying lot configuration and dimensions depicted in the property's original plat (document number 1935P00Q039, Plat Book Q, Page 39, recorded 1/29/1935). See the image below for reference, which overlays the current boundary of the subject property over the original plat document.



CASE ANALYSIS:

Future Land Use Amendment & Rezoning

The following analysis is for both the proposed FLUM classification amendment to Single Family Residential and the rezoning to Single Family Residential for the parent parcel. This combined analysis is appropriate due to the fact the future land use amendment and rezoning are requested to facilitate the subdivision and potential redevelopment of the property.

Transportation Impacts

Currently, the proposal under review is limited to subdividing the parent parcel at 618 Ridgewood Drive into nine (9) separate single-family residential parcels, in accordance with the property's original platted dimensions. The parent parcel is surrounded by public right of way, and each of the proposed lots would also have direct access to the surrounding right of way. No additional development has been proposed nor was reviewed as a part of this item. Considering the proposed number of lots, densities, and use types allowed under the requested FLUM classification and zoning district, the site is expected to generate nine (9) PM Peak Hour trips equivalent to nine (9) additional single-family homes relative to the existing parcel's vacant condition.

Other Facilities and Services

Orange County Public Schools (OCPS)

Like all municipalities in Orange County, the Town of Windermere is part of the Orange County School Interlocal Agreement, which assures that school facilities are adequate and that school impact fees are

paid. Each potential development must participate in concurrency management that involves preliminary and final concurrency calculations for school capacity and collection of corresponding school impact fees.

Environmental

The subdivision proposed by the applicant consists solely of subdividing of the parent parcel and does not include any proposed development or vertical construction. According to the US Fish and Wildlife Service National Wetlands Inventory map, there are no wetlands present on the subject property. There are no environmental constraints on the subject property.

Consistency with the Comprehensive Plan and Land Development Code

Section 3.02.00 of the Land Development Code outlines the standards for infill development within the Town. It is the intent of this section to provide for compatibility in the construction of new residential units in areas approved for development prior to enactment of the LDC.

This section outlines the following regarding minimum lot dimensions for infill properties:

- *This section [pertaining to minimum lot size standards for infill development] shall not be construed to prevent the use of any platted lot having less than the minimum frontage and area hereinabove provided if:*
    - *Such lot was platted or conveyed of record prior to June 10, 1975.*

The proposed subdivision restores the property to its originally platted dimensions established in 1935. As such, the resulting subdivision pattern is consistent with applicable infill development standards and complies with the Town's Land Development Code.

Additionally, Table 1.1 of the Town of Windermere Comprehensive Plan permits one (1) dwelling unit per lot platted or created by record prior to the adoption of the Comprehensive Plan. Because the subject property's original lot dimensions were established in 1935, the proposed FLUM amendment and rezoning to Single-Family Residential are consistent with the intent of the Comprehensive Plan by facilitating single-family development on previously platted lots.

The proposed subdivision of the property located at 618 Ridgewood Drive and corresponding FLUM amendment and rezoning are consistent with the primarily single-family character of the surrounding properties and establishes a compatible continuity of land use patterns by aligning with the existing land use designations and zoning districts within the surrounding block.

The applicant submitted a proposed subdivision plan and written narrative in support of the FLUM amendment and rezoning. Please see the 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 July 1, 2026, six (6) responses have been received in support and seven (7) in opposition to the small-scale future land use map amendment and rezoning.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The proposed small scale future land use map amendment and rezoning was heard at the June 16, 2026, meeting of the Development Review Board (DRB). Based on the information provided in the staff report and input from the applicant and public, the DRB found the subject case compliant with the Town of Windermere Comprehensive Plan and LDC and recommended approval of the small-scale future land use map amendment and rezoning as submitted. The DRB vote was 5-0 to recommend approval.

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT OF THE COMPREHENSIVE PLAN FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL, FOR CERTAIN REAL PROPERTY OWNED BY THE MATHEISON FAMILY LIMITED PARTNERSHIP, LOCATED AT THE FOLLOWING ADDRESS: 618 RIDGEWOOD DRIVE, AS MORE PARTICULARILY DESCRIBED HEREIN, WITH AN APPROXIMATE SIZE OF 3.37 ACRES; MAKING FINDINGS OF FACT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Matheison Family Limited Partnership is hereby determined to be the fee simple title owner(s) of the real property described below; and

WHEREAS, the real property which is the subject of this ordinance is located in the Town of Windermere, Florida, containing approximately 3.37 acres, and is located at 618 Ridgewood Drive; and

WHEREAS, the Property Appraiser has assigned Tax Parcel Identification Number 07-23-28-9332-05-180; to such real property; and

WHEREAS, the owner of the property, Matheison Family Limited Partnership, has applied to the Town of Windermere, pursuant to the controlling provisions of State Law and the Code of Ordinances of the Town of Windermere, to have the Future Land Use Map of the Future Land Use Element of the Town of Windermere Comprehensive Plan, changed from the assignment of Agricultural to Single Family Residential for the subject property; and

WHEREAS, the Town of Windermere Development Review Board held a public hearing on June 16, 2026, to consider amending the Future Land Use Map of the Future Land Use Element of the Town of Windermere Comprehensive Plan from Agriculture to Single Family Residential of the subject property and recommended approval of the proposed Future Land Use Map amendment to the Comprehensive Plan for the subject property as requested by the property owner; and

WHEREAS, Section 163.3187, Florida Statutes, relates to the small-scale amendment of adopted local government comprehensive plans and sets forth certain requirements relating to proposed amendments to local government comprehensive plans and relates to processes and actions relating thereto; and

WHEREAS, the Town has conducted a thorough review and analysis of the demands upon public

facilities and general planning and land development issues should the subject application be approved and has otherwise reviewed and evaluated the application to determine whether it comports with sound and generally accepted land use planning practices and principles as well as whether the application is consistent with the goals, objectives and policies set forth in the Town's Comprehensive Plan and determined that the proposed amendment of the Town's Comprehensive Plan relative to this subject property as set forth in this Ordinance is internally consistent with the Comprehensive Plan of the Town of Windermere and the controlling provisions of State law; and

WHEREAS, the Town of Windermere has complied with all requirements and procedures of Florida law in processing this amendment to the Town of Windermere Comprehensive Plan including, but not limited to, Section 163.3187, Florida Statutes.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA:

Section 1. Legislative findings and intent.

(a) The Town Council of the Town of Windermere hereby adopts and incorporates into this Ordinance the Town staff report and Town Council agenda memorandum relating to the application relating to the proposed amendment to the Town of Windermere Comprehensive Plan pertaining to the subject property.

(b) The Town of Windermere has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c) This Ordinance is internally consistent with the goals, objectives and policies of the Town of Windermere Comprehensive Plan.

(d) The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

Section 2. Amendment to Future Land Use Map.

(a) The Future Land Use Plan Element of the Town of Windermere Comprehensive Plan and the Town's Future Land Use Map are hereby amended by assigning the Single Family Residential future land use designation to the real property that is the subject of this Ordinance as set forth herein.

(b) The property which is the subject of this Comprehensive Plan amendment is described in Exhibit "A".

Section 3. Implementing Administrative Actions.

The Town Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

Section 4. Ratification of Prior Actions.

The prior actions of the Town Council and its agencies in enacting and causing amendments to the

Comprehensive Plan of the Town of Windermere, as well as the implementation thereof, are hereby ratified and affirmed.

Section 6. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity of the ordinance or effect of any other action or part of this Ordinance.

Section 7. Effective Date.

This Ordinance shall take effective 31 days after adoption if no challenge is filed.

If challenged within 30 days after adoption, the small scale amendment will not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance.

PASSED AND ADOPTED THIS DAY OF_____, 2026.

FIRST READING: _____

SECOND READING: _____

TOWN OF WINDERMERE

_____

LOREN "ANDY" WILLIAMS, MAYOR

ATTEST:

_____

DOROTHY BURKHALTER, TOWN CLERK

APPROVED AS TO FORM:

_____

Attorney
Heather M. Ramos, Esq.
GrayRobinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801

Exhibit "A"
Legal Description

LOTS E-18 THROUGH E-23 AND E-28 THROUGH E-30 IN SECTION 8, TOWNSHIP 23 SOUTH, RANGE 28 EAST, AS RECORDED IN A REPLAT OF TOWN OF WINDERMERE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK Q, PAGE 39, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, ADOPTING A TOWN OFFICIAL ZONING MAP AMENDMENT FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL FOR CERTAIN REAL PROPERTY OWNED BY THE MATHEISON FAMILY LIMITED PARTNERSHIP, LOCATED AT THE FOLLOWING ADDRESS: 618 RIDGEWOOD DRIVE, AS MORE PARTICULARILY DESCRIBED HEREIN, WITH AN APPROXIMATE SIZE OF 3.37 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND OR AN EFFECTIVE DATE.

WHEREAS, The Matheison Family Limited Partnership is hereby determined to be the fee simple title owner(s) of the real property described below; and

WHEREAS, the real property which is the subject of this ordinance is located in the Town of Windermere, Florida, approximately 3.37 acres, and is located at 618 Ridgewood Drive; and

WHEREAS, the Property Appraiser has assigned Tax Parcel Identification Number 07-23-28-9332-05-180; to such real property; and

WHEREAS, The Matheison Family Limited Partnership applied to the Town of Windermere pursuant to the controlling provisions of State law and the Code of Ordinances of the Town of Windermere, to have the subject property rezoned to amend the Town of Windermere Zoning Map from Agricultural to Single Family Residential; and

WHEREAS, the Town has conducted a thorough review and analysis of the rezoning to determine whether it is consistent with sound and generally accepted land use planning practices and principles and whether the application is consistent with the goals, objectives and policies set forth in the Town's Comprehensive Plan; and

WHEREAS, on June 16, 2026, the Development Review Board of the Town of Windermere recommended that the Town Council approve the subject rezoning as set forth in this Ordinance; and

WHEREAS, the Town Council of the Town of Windermere, Florida has taken, as implemented by Town staff, all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA:

Section 1. Legislative Findings and Intent.

(a) The Town Council of the Town of Windermere hereby adopts and incorporates into this Ordinance the Town staff report and Town Council agenda memorandum relating to the application relating to the proposed rezoning of the subject property as well as the recitals (whereas clauses) to this Ordinance.
(b) The subject property is approximately 3.37 acres and is located at 618 Ridgewood Drive.
(c) The Town of Windermere has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

Section 2. Rezoning of Real Property/Implementing Actions.

(a) Upon enactment of this Ordinance the following described property, totaling approximately 3.37 acres in size, shall be rezoned to Single Family Residential.

(b) The Town Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the Town of Windermere as may be appropriate to accomplish the action taken in this Ordinance.

(c) Conditions of development relating to the subject property may be incorporated into the subsequent pertinent development orders and such development orders and/or agreements may be subject to public hearing requirements in accordance with the provisions of controlling law.

Section 3. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 6. Non-codification.

This Ordinance shall not be codified in the Town Code of the Town of Windermere or the Land Development Code of the Town of Windermere; provided, however, that the actions taken herein shall be depicted on the zoning maps of the Town of Windermere by the Town Manager, or designee.

Section 7. Effective Date

This Ordinance shall become effective immediately following the effective date of Ordinance No. 2026-02, which adopts the companion Small Scale Future Land Use Map amendment reclassifying

the subject property from Agricultural to Single Family Residential on the Town of Windermere Future Land Use Map.

PASSED AND ADOPTED THIS ____ DAY OF_____, 2026.

FIRST READING: _____

SECOND READING: _____

TOWN OF WINDERMERE

_____
LOREN "ANDY" WILLIAMS, MAYOR

ATTEST:

_____
DOROTHY BURKHALTER, TOWN CLERK

APPROVED AS TO FORM:

_____
Attorney
Heather M. Ramos, Esq.
GrayRobinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801

Exhibit "A"
Legal Description

LOTS E-18 THROUGH E-23 AND E-28 THROUGH E-30 IN SECTION 8, TOWNSHIP 23 SOUTH, RANGE 28 EAST, AS RECORDED IN A REPLAT OF TOWN OF WINDERMERE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK Q, PAGE 39, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Comprehensive Future Land Use Plan

Item 3. Response to “how your request for rezoning is consistent with the Town’s Comprehensive Land use and land development code.”

Our parents Bob and Kathy Matheison moved to Windermere in 1970. Three generations of family members continue to make Windermere their home. Our father purchased the grove property around 1990 as a working grove, but with the intention of creating a legacy for his family with the ability to utilize the nine platted lots (established in the original Town of Windermere Plat) as single family lots, to use as they saw fit to support the family. Due to the effects of greening, the property is no longer viable in producing oranges. We respectfully request the Town change the land use designation from Agricultural to Residential. Single family residences are consistent with the surrounding area and the majority of land within the Town. We are not asking for exceptions or modifications to the lots as originally platted. Our father, Bob Matheison died in 2020, and we simply wish to settle the remains of his estate.

We, the surviving children of Bob and Kathy Matheison, deeply value the character and beauty of the Town of Windermere in which we were fortunate to be raised, educated and continue to enjoy. To that end, if our request for rezoning is approved, we intend to sell 7 of the 9 individual platts of land to individual new owners over the course of time. Our family members will remain abutters to the grove property currently listed at 618 Ridgewood Drive. Robert and Sandy Matheison remain owners and residents of 610 Ridgewood Drive and Cindy Matheison and Paul Schubert own the home at 605 E. 6th Avenue. Our family has benefited from and contributed to the unique, special character of Windermere. We feel it is now time to share this opportunity with other families hoping to create a home within the exceptional character, community and beauty of the Town of Windermere.

Chapter 1. To paraphrase Goal 1 of the Future Land Use Goals, Objectives and Policies seeks “retention of the quaint distinctive residential character of the Town by promotion of safe, high quality residential development and a low level; commercial activity,” we believe making the fallow land available for individual owners to purchase and build their own uniquely designed houses, in keeping with Town building requirements, serves this goal.

Chapter 1. Table 1.1: Future Land Use and Density lists the Maximum Potential Gross Density for residential land use as “Maximum density of 1 dwelling unit per acre or for waterfront lots or 1 dwelling unit per 0.75 acres for interior lots or **1 dwelling unit per lot platted or created by record prior to the adoption of this comprehensive plan.**” The Windermere replat of 1935 shows nine parcels of land which predates the adoption of the comprehensive plan.

Chapter 3. Housing Goals, Objectives and Policies, Goal 1 requires “The provision of safe, adequate, sanitary housing to meet the needs of the present and future residents of the Town while encouraging retention of historically significant structures.” Objective 1.1 states “The Town shall maintain its housing implementation program to require safe, adequate, sanitary and affordable housing for the existing population and by 2035 for the anticipated population growth…” Making the currently vacant land available for residential use, based on its originally platted structure, clearly serves these goals and objectives.

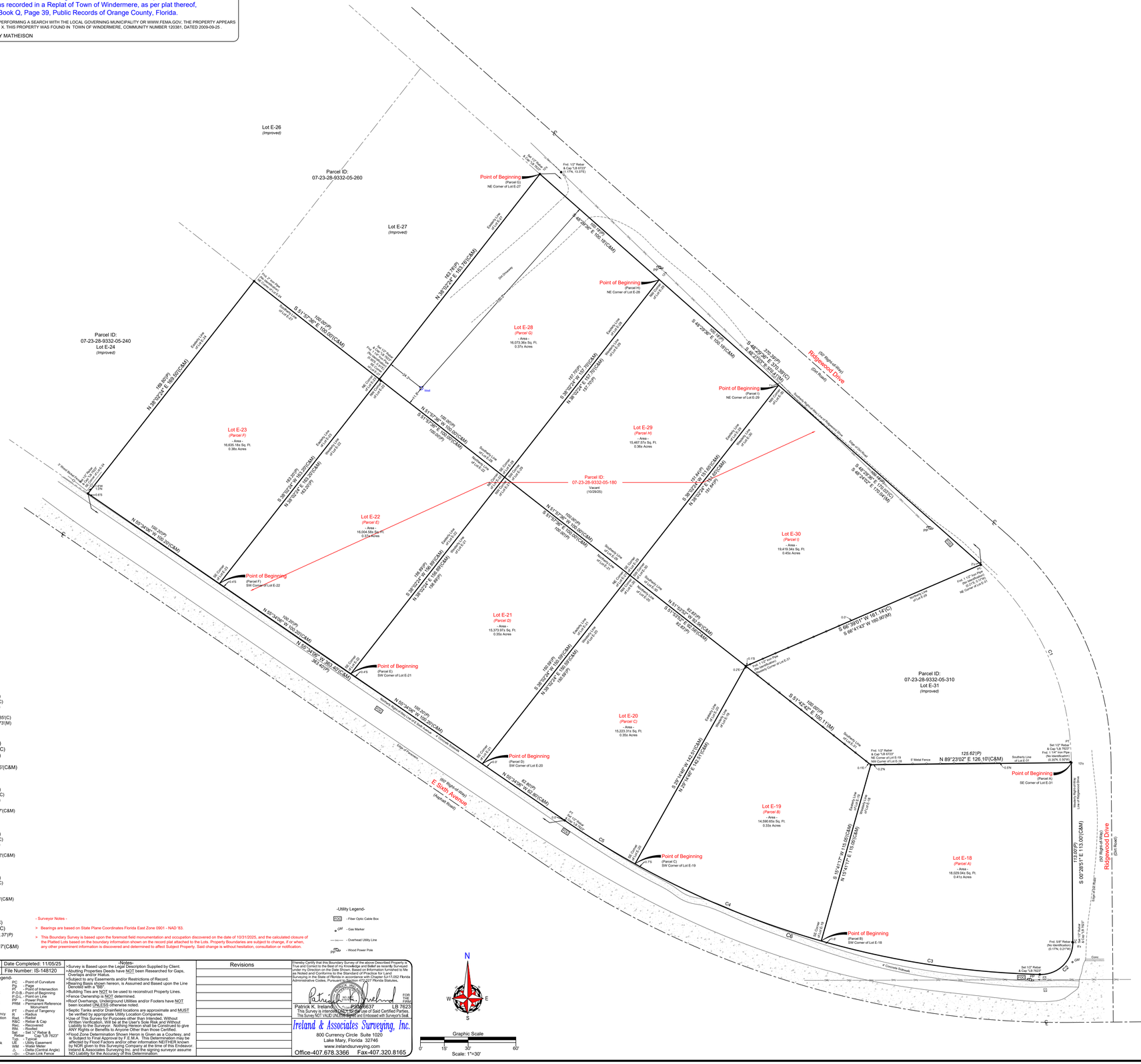
Boundary Survey

Legal Description:

Lots E-18 through E-23 and E-28 through E-30 in Section 8, Township 23 South, Range 28 East, as recorded in a Replat of Town of Windermere, as per plat thereof, recorded in Plat Book Q, Page 39, 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. THIS PROPERTY WAS FOUND IN TOWN OF WINDERMERE, COMMUNITY NUMBER 120381, DATED 2009-09-25 .

CERTIFIED TO: CINDY MATHEISON


Lot E-26 (Improved)
Parcel ID: 07-23-28-9332-05-260
Lot E-27 (Improved)
Parcel ID: 07-23-28-9332-05-240 Lot E-24 (Improved)
Point of Beginning (Parcel G) NE Corner of Lot E-27
Point of Beginning (Parcel H) NE Corner of Lot E-28
Point of Beginning (Parcel I) NE Corner of Lot E-29
Point of Beginning (Parcel F) SW Corner of Lot E-22
Point of Beginning (Parcel E) SW Corner of Lot E-21
Point of Beginning (Parcel D) SW Corner of Lot E-20
Point of Beginning (Parcel C) SW Corner of Lot E-19
Point of Beginning (Parcel B) NE Corner of Lot E-18
Point of Beginning (Parcel A) SE Corner of Lot E-31
Lot E-23 (Parcel F) - Area - 16,635.18± Sq. Ft. 0.38± Acres
Lot E-28 (Parcel G) - Area - 16,073.36± Sq. Ft. 0.37± Acres
Lot E-29 (Parcel H) - Area - 15,467.37± Sq. Ft. 0.36± Acres
Lot E-30 (Parcel I) - Area - 19,419.34± Sq. Ft. 0.45± Acres
Lot E-22 (Parcel E) - Area - 16,004.58± Sq. Ft. 0.37± Acres
Lot E-21 (Parcel D) - Area - 15,373.97± Sq. Ft. 0.35± Acres
Lot E-20 (Parcel C) - Area - 15,223.31± Sq. Ft. 0.35± Acres
Lot E-19 (Parcel B) - Area - 14,590.65± Sq. Ft. 0.33± Acres
Lot E-18 (Parcel A) - Area - 18,029.04± Sq. Ft. 0.41± Acres
Parcel ID: 07-23-28-9332-05-180 Vacant (10/29/25)
Parcel ID: 07-23-28-9332-05-310 Lot E-31 (Improved)
E Sixth Avenue (Asphalt Road)
Ridgewood Drive (Dirt Road)
Edge of Pavement
Edge of Asphalt
4" Concrete Sidewalk
Set 1/2" Rebar & Cap "LB 7623"
Found 1/2" Rebar & Cap "LB 6723" (0.17N, 0.37E)
Found 1" Iron Pipe (No Identification) (0.07N, 0.37W)
Found 1/2" Rebar & Cap "LB 6723"
Found 1/2" Iron Pipe (No Identification)
Found 1/2" Rebar (No Identification) (0.17N, 0.27W)
Found 5/8" Rebar (No Identification) (0.17N, 0.27W)
Found 1/2" Rebar & Cap "LB 7623"
Found 1/2" Rebar & Cap "LB 6723" (0.17N, 0.27W)
Found 1" Iron Pipe (No Identification) (0.07N, 0.37W)
Found 1/2" Rebar & Cap "LB 6723"
Found 1/2" Rebar & Cap "LB 6723"
Found 1/2" Rebar & Cap "LB 6723"

State of Florida,
County of Orange.

December 26, 1933

Personally appeared before me H.C. LUFF who being duly sworn deposes and says that the plat hereon is a true and correct representation of the survey and replat of the lands described in the caption and that permanent reference monuments have been placed as shown

H.C. Luff
Surveyor

Witness:
Frederick Hopenwasser
E. L. Woodcock

(Mrs) Minnie Kline
Notary Public State of Florida at large
My commission expires April 11 - 1934

State of Florida, County of Orange.

Dec. 26, 1933

Personally appeared before me P.A. Geier and Mary M.C. Geier his wife J.C. Palmer and Kate Palmer his wife, Frank B. Ufer and Lorna L. Ufer his wife and J.H. Johnson President of The Windermere Improvement Co. who being duly sworn depose and say that they are the owners of the lands described in the caption and have authorized and accepted the survey and replat as shown hereon; dedicating to the Town of Windermere all streets shown within their respective boundaries.

P.A. Geier — Mary M.C. Geier
Kate Palmer — Frank B. Ufer
J.C. Palmer — Lorna L. Ufer
The Windermere Improvement Co.
By J.H. Johnson President

(Mrs) Minnie Kline
Notary Public State of Florida at large. My commission expires April 11 - 1934

This RE-PLAT was submitted to the Town Council of Windermere, Fla., at a regular meeting held the 5th day of September 1934; said RE-PLAT was approved, accepted and Resolutions were passed covering all necessary vacations and dedications of streets.

J.C. Palmer
President of Council

James E. Price
Clerk of Council

Filed in the office of the Clerk of the Circuit Court of Orange County, Florida
on the 29 day
of Jan. A.D. 1935
at 3:30 o'clock P. M. and recorded in
Plat Book No. 2
on page 39 and record verified.
C.M. Gay Clerk
D.S. Banner D.C.

FIFTH AVE.
SIXTH AVE.
SEVENTH AVE.
EIGHTH AVE.
LAKE DOWN RIDGEWOOD DRIVE
LAKE BESSIE
BESSIE ST.
LAKE ST.
SIXTH AVE.
HIGHLAND AVE.
BLOCK-B-
BLOCK-G
253 254 255 256 257 258 259 E-1 E-2 E-3 E-4 E-5 E-6 E-7 E-8 E-9 E-10 E-11
179 180 181 182 178 177 173 174 175 176 171 169 170
E-25 E-26 E-27 E-28 E-29 E-30 E-31 E-24 E-23 E-22 E-21 E-20 E-19 E-18 E-17 E-16 E-15 E-14
E-36 E-35 E-34 E-33 E-32
E-55 E-56 E-57 E-58 E-59 E-60 E-61 E-62 E-63 E-64 E-65 E-66 E-67 E-68 E-69 E-70 E-71 E-72
S.E. Corner Section 8
P.R.M.

See "Jasmine Woods" filed July 3, 1962 in Plat Book Y, Page 147, Replatting Block G

See Ordinance Town of Windermere recorded Dec. 28, 1962, in O.R. Book 1143, Page 371; abandoning that part of the intersection of 7th Ave. & Bessie St. lying Lots 169, 170, & 171 and described as follows: Beg at a PC on W line of Lot 170 Run N 63.4 Ft. to new PC with Radius of 118 Ft th NELY along SD curve to a pt 63.4 Ft., W. of Old Pt on N line of Lot 171, th E. 63.4 Ft to SD old Pt. th SWLY along curve to left with Radius of 18 X 4 Ft to POB.

See resolution Town of Windermere recorded Sept. 19, 1963, in OR Book 1247, Page 649, closing that part of Seventh Ave. lying Sely of a straight line between the NW & NE corners of Lot 171.

LEGAL DESCRIPTION OF LAND REPLATTED

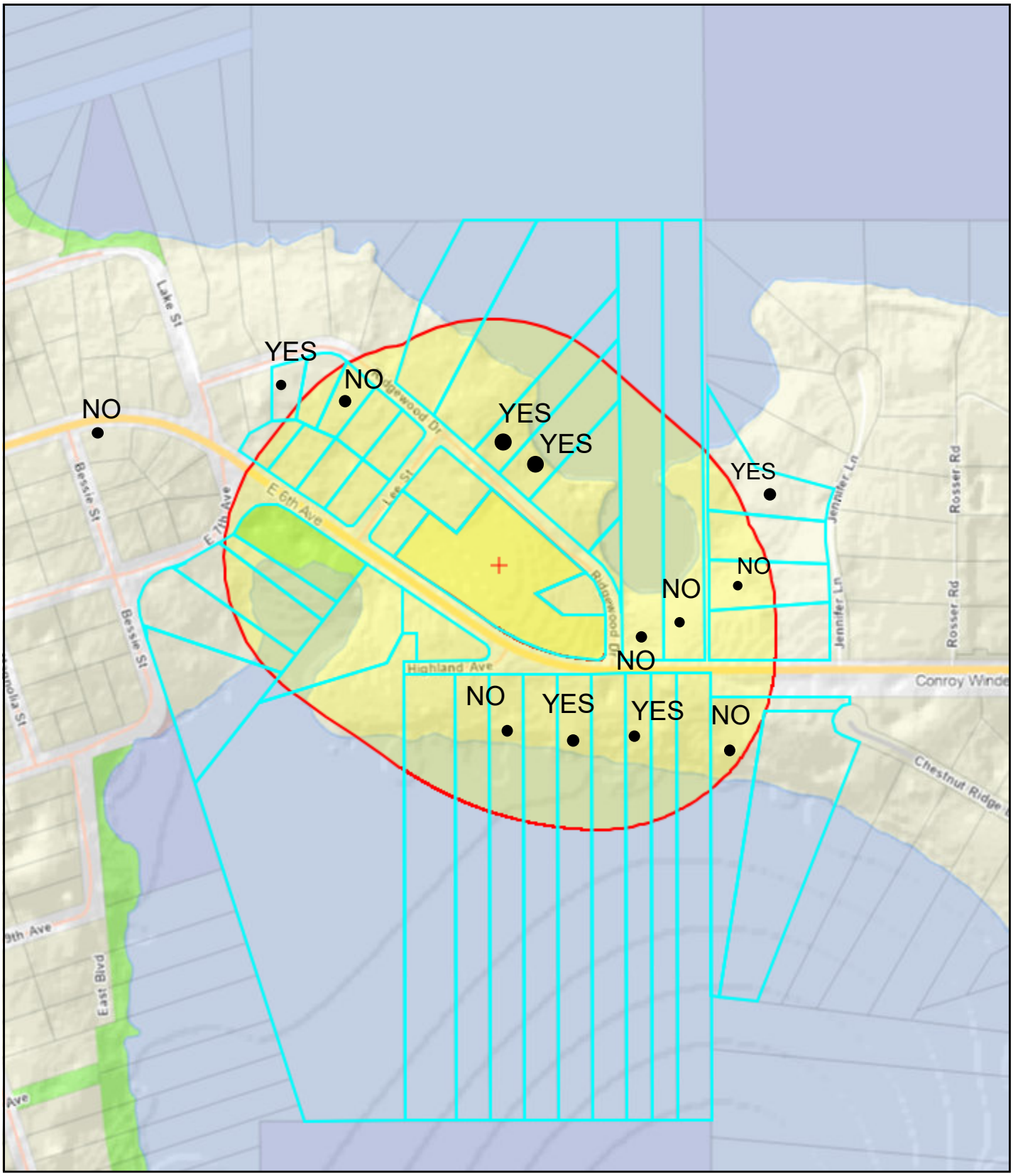
Lots referred to in title are shown on plat of Windermere recorded in Plat Book G, Pages 36 to 39, Public Records of Orange County, Florida.

RE-PLAT
OF
LOTS E-7 TO E-18, E-18 TO E-54 AND
LOTS 169 TO 190 ALL INCLUSIVE
OF
TOWN OF WINDERMERE

N S

SCALE - 1 INCH = 100 FEET

Z26-01 Public Notice Responses



Updated 6/23/26

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 28, 2026

GROOME GLORIA G 1/10 INT
ORANGE COUNTY BCC 2/10
416 E 6TH AVE
WINDERMERE, FL 34786

RE: Public Notice of Public Hearings for a Small Scale Future Land Use Map Amendment and Rezoning for 618 Ridgewood Drive – Z26-01

Robert Matheison, owner of the property located at 618 Ridgewood Drive, has requested approval of a Small Scale Future Land Use Map Amendment and Rezoning for the subject property. The request proposes to amend the Future Land Use designation from Agriculture to Residential and to rezone the property from Agriculture to Residential. These requests are intended to facilitate the subdivision of the parent parcel into 11 lots, restoring the underlying lot dimensions established by the original plat, and permitting the construction of a single-family residence on each subdivided lot.

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 **Friday, June 12, 2026.**

This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m**. Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, at 6:00 p.m.** for first reading of the associated ordinances. 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

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL:_____ **DISAPPROVAL:** X

COMMENTS: Do not want any further increases in traffic along E 6th Ave. Please keep it an open greenspace. (See attached email to Mr. Cornelius)

SIGNATURE: Gloria G. Groome **DATE:** 6/9/26

GROOME GLORIA G 1/10 INT
ORANGE COUNTY BCC 2/10
416 E 6TH AVE
WINDERMERE, FL 34786

Hague, Taylor

From: Gloria Groome <ggroome@cfl.rr.com>
Sent: Monday, June 8, 2026 4:50 PM
To: Town of Windermere
Subject: Public Notice of Public Hearings for a Small Scale Future Land Use Map Amendment and Rezoning for 618 Ridgewood Drive--Z26-01

This message originated outside of Wade Trim.

Dear Mr. Cornelius:

Thank you for your letters regarding the Robert Matheison request for the approval of a Small Scale Future Land Use Map Amendment and Rezoning for the subject property.

I vehemently object to this request. Please keep this property zoned for agriculture purposes. The addition of 9 lots, once developed, will only serve to increase traffic along an already maxed out E 6th Ave. It is not unusual for traffic to be backed up along E 6th Ave from Main Street all the way to Apopka-Vineland Road, often making it almost impossible for me enter/exit my own property. It is very frustrating to me and the addition of 9 new single family homes will only make it worse.

I encourage the Development Review Board to recommend that Mr. Matheison's request be denied. I repeat my request that this property remained zoned for agricultural purposes. The Town of Windermere should be working on solutions to reduce traffic not make choices that will only continue to add to the already stressed and maximized use of E 6th Ave.

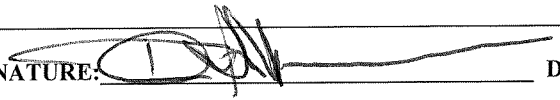
Please let me know if you have any questions. Thank you for allowing me to express my opinion and desires.

Gloria Groome
416 E 6th Ave
Windermere, FL 34786
Cell: 407-921-7296

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL:_____ **DISAPPROVAL:** X

COMMENTS: would worsen traffic

SIGNATURE:  **DATE:** 6/4/2026

FLORIDA LAND TRUST AGREEMENT
CTTN: RAQUEL SANTIAGO | 4700 MILLENIA
BLVD STE 400
ORLANDO, FL 32839

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 28, 2026

HILL NATHAN B JR
HARRY EUDENE K
PO BOX 620
WINDERMERE, FL 34786

RE: Public Notice of Public Hearings for a Small Scale Future Land Use Map Amendment and Rezoning for 618 Ridgewood Drive – Z26-01

Robert Matheison, owner of the property located at 618 Ridgewood Drive, has requested approval of a Small Scale Future Land Use Map Amendment and Rezoning for the subject property. The request proposes to amend the Future Land Use designation from Agriculture to Residential and to rezone the property from Agriculture to Residential. These requests are intended to facilitate the subdivision of the parent parcel into 11 lots, restoring the underlying lot dimensions established by the original plat, and permitting the construction of a single-family residence on each subdivided lot.

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This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m**. Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, at 6:00 p.m.** for first reading of the associated ordinances. 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

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL:_____ **DISAPPROVAL:** ✓

COMMENTS:_____

_____

_____

SIGNATURE: E Harry / NBH **DATE:** June 8, 2026

HILL NATHAN B JR
HARRY EUDENE K
PO BOX 620
WINDERMERE, FL 34786

To the Town of Windermere Development Review Board and Town Council:

I am writing regarding the request to change the land use designation of the grove property on or near Ridgewood Drive from Agricultural to Residential.

I understand from the applicants' letter that this property has been in their family for many years, and I respect that they are trying to settle an estate. After reviewing the materials and looking at the Town's stated goals, I have concerns about the broader implications of changing this land from agricultural/grove to residential use, particularly if that change would allow multiple small lots to be sold and developed over time.

Historic Plat Versus Present-Day Buildability

The applicants' letter refers to the original 1935 Windermere plat and suggests that the property should be treated as nine separate residential lots because those lots existed before the current Comprehensive Plan.

That history may certainly be relevant. However, I ask the Town to consider whether a historic plat in and of itself answers the present-day question of buildability.

Current Setbacks and Building Envelope

I ask that the review look at what can be built on each lot after current setback requirements are applied.

The lots appear to be significantly smaller than would generally be expected for new residential development in this area. If the lots are approximately one-third of an acre, the required front, rear, and side setbacks could substantially reduce the usable building area.

That does not account for driveways, drainage, septic placement, trees, grading, and other site constraints.

My concern is whether each lot would have realistic and code-compliant building envelope today.

Common Ownership of Adjacent Lots

My understanding is that older, undersized lots are sometimes treated differently when they are isolated and cannot reasonably be combined with other land. But when several adjacent undersized lots are owned by the same party, the analysis may be different because the lots may be capable of being combined in a way that reduces the nonconformity.

Since these lots are owned by same entity, this lends directly to whether the property could be configured in a way that better aligns with current standards and the surrounding neighborhood.

Cumulative Impact on the Neighborhood

The applicants have stated that they intend to sell seven of the nine lots over time to individual families. I appreciate that stated intent. However, once the land use designation is changed, future ownership and future development decisions may not remain within the control of the current family.

This request is not simply about one home or one family residence. It could open the door to multiple separate residential properties, each with its own clearing, construction, driveway, traffic, drainage, septic system, lighting, and long-term impact.

Even if each home was individually well-designed, the cumulative change to this part of Windermere could be significant.

Consistency With Windermere's Character

Windermere has long distinguished itself by protecting its small-town, low-intensity residential character, including its tree canopy, dirt roads, open space, and quiet streets. They are part of the character that residents have relied on and the Town has worked to preserve.

I understand that communities evolve, and I am not suggesting that land can never change. But in a town like Windermere, where the remaining open and agricultural parcels are limited, these decisions carry long-term consequences.

The current application appears to treat the 1935 plat as the central issue, while leaving several present-day questions unresolved — including common ownership of adjacent lots, current setback requirements, septic feasibility, stormwater and drainage, access, tree preservation, and consistency with the Town's long-term character.

I respectfully ask that this request not be approved as currently presented.

Thank you for your time, service, and careful consideration of this matter.

Respectfully,

Eudene Harry/Nathan Hill

713 E 6th Ave, Windermere

Hague, Taylor

From: Dennis Brabec <dennis.b520@gmail.com>
Sent: Tuesday, June 9, 2026 2:15 PM
To: Cornelius, Brad
Cc: Warner, Amanda; Hague, Taylor; Baird, Connor
Subject: Re: Fw: 6-16-26 Development Review Board Agenda Items

This message originated outside of Wade Trim.

Brad,
Thank you for the information. We have reviewed it and agree with their request to Amend the Future Land Use Classification and Zoning District from Agriculture to Residential.
Dennis & Leslie Brabec 520 Ridgewood Dr., Windermere FL. 34786

On Mon, Jun 8, 2026 at 1:25 PM Cornelius, Brad <bcornelius@wadetrim.com> wrote:

> Dennis,
>
> As requested, attached is the information regarding the future land use amendment and rezoning at 618 Ridgewood.
>
> As we discussed, the request is to change the future land use and zoning from Agriculture to Residential to allow the previously platted 9 lots to be split back out to 9 individual lots for the construction of 1 home on each lot.
>
> Let me know if you have any questions or wish to provide your support or opposition to this zoning case.
>
> Take care,
> Brad Cornelius, AICP
> Contracted Town of Windermere Town Planner
>
> **Bradley T. Cornelius, AICP, CPM, CFM,** Vice President
> 201 N Franklin Street, Suite 1350, Tampa, FL 33602
> 813.882.4373 office
> 813.415.4952 cell
> *Employee Owner since 2013*

F

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL:_____ **DISAPPROVAL:** ✓

COMMENTS: See attached Paper for Reasons why we think individual parcels should be combined.

SIGNATURE: Elizabeth Pagane Joseph Pagane **DATE:** 6/10/26

PAGANE JOSEPH
PAGANE ELIZABETH
703 E 6TH AVE
WINDERMERE, FL 34786

Hello Brad Cornelius,

We respectfully express our disapproval of the rezoning proposal for 618 Ridgewood Dr. We also concur with the letter authored by Nathen and Eugene Hill.

Upon reviewing the statement from the landowners, we have formulated additional statements that align with the Hill letter.

If the objective is to preserve the aesthetic and character of Windermere, we believe it is imperative to adhere to the established regulations rather than attempting to circumvent them. We perceive that the landowners are attempting to avoid triggering aggregation rules.

Aggregation is enforced when a substandard, "grandfathered" lot is **contiguous** with another undeveloped lot, and **both are owned by the same individual, family, or legal entity**. This regulation is implemented for various reasons, as outlined in the Hill letter. These reasons are instrumental in maintaining the unique characteristics of Windermere and ensuring its continued relevance in the contemporary world.

These are merely a few of the reasons why substandard lot sizes are not permitted in today's context.

> To mitigate the proliferation of diminutive, high-density homes, the town employs aggregation to **compel adjacent properties to "heal" the non-conformity**. By consolidating the lots, the total number of buildable home sites is reduced, and the resulting combined property is positioned closer to modern density and size benchmarks.

In 1935, land in Windermere was frequently platted prior to the implementation of modern zoning laws. Consequently, a single 1935 plot may fail to meet the Town's current zoning standards for minimum lot size, width, or depth required for obtaining a building permit. By aggregating (combining) multiple substandard or fractional 1930s-era plots into a single entity, a landowner can attain the necessary footprint to construct legally.

Contemporary construction in Windermere is subject to stringent regulations aimed at safeguarding property values and privacy. An unaggregated 1935 lot may lack zero-lot lines or be excessively narrow to accommodate the mandated Floor Area Ratios (FAR) and building height restrictions. Aggregation enables developers to design a home that complies with the required easements and bulk regulations.

Windermere places a strong emphasis on the protection of its natural resources and water quality. The development of isolated, older plots in densely populated lakefront or marshy areas is strictly prohibited. Instead, aggregating smaller plots provides the necessary space to implement

mandatory stormwater runoff containment measures, safeguard tree canopies, and prevent construction within designated buffer zones.

In Florida, merging undersized or contiguous lots often resolves fragmented title records, fractional ownership, and "grandfathered" non-conformities. The Town frequently utilizes Lot Aggregation Procedure guidelines to ensure that property lines accurately reflect contiguous legal parcels rather than arbitrary paper lots drawn nearly a century ago.

The aggregation rules were established for specific reasons, and we believe that attempting to circumvent these rules is not in the best interest of Windermere. Even if the by-law does not explicitly trigger the aggregation, the underlying principles and the integrity of Windermere remain paramount.

Respectfully

Joe and Beth Pagane



Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 28, 2026

FRAHM ANTON PHIL
FRAHM LARAINE
512 JENNIFER LN
WINDERMERE, FL 34786

RE: Public Notice of Public Hearings for a Small Scale Future Land Use Map Amendment and Rezoning for 618 Ridgewood Drive – Z26-01

Robert Matheison, owner of the property located at 618 Ridgewood Drive, has requested approval of a Small Scale Future Land Use Map Amendment and Rezoning for the subject property. The request proposes to amend the Future Land Use designation from Agriculture to Residential and to rezone the property from Agriculture to Residential. These requests are intended to facilitate the subdivision of the parent parcel into 11 lots, restoring the underlying lot dimensions established by the original plat, and permitting the construction of a single-family residence on each subdivided lot.

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 **Friday, June 12, 2026.**

This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m**. Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, at 6:00 p.m.** for first reading of the associated ordinances. 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

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL:_____ **DISAPPROVAL:** X

COMMENTS: TOO DENSE, CARS would cause even more traffic issues.

SIGNATURE: x [signature] **DATE:** 06-04-2026

x A. Phil Frahm

FRAHM ANTON PHIL
FRAHM LARAINE
512 JENNIFER LN
WINDERMERE, FL 34786

Hague, Taylor

From: Town of Windermere
Sent: Friday, June 12, 2026 9:49 AM
To: Hague, Taylor
Cc: Cornelius, Brad; Warner, Amanda
Subject: Fw: 618 Ridgewood Drive

FYI

From: Stephen Ivey <stephenivey@lloyds-glass-services.com>
Sent: Friday, June 12, 2026 6:30 AM
To: Town of Windermere <tow@wadetrim.com>
Subject: 618 Ridgewood Drive

This message originated outside of Wade Trim.

To whom it may concern,
I live at 540 Ridgewood drive and totally disagree with this request.No way there should be nine lots in that small area which will only ruin our small town feel but also
Impact Ridgewood dr with the cut thru traffic that already exist and construction vehicles that will be constantly going up and down our street.I do think if this does pass
On any scale there has to be a solution to the existing traffic problem on our street.I believe along with most of Ridgewood dr. residence that the corner of Lake st. and Ridgewood Dr needs to be shut off to thru traffic as it has in other parts of town.
FYI,There was no enclosed information regarding this request in this notice so it would be nice to have that info before this rezoning is reviewed.
Stephen Ivey

Lloyd's Glass Services, LLC
4502 35th Street
STE 400
Orlando, FL 32811

stephenivey@lloyds-glass-services.com

407-468-1776 (cell)
407-313-4455 (office)
407-313-4499 (fax)

618 Ridgewood Drive Z26-01 Concerns

High-Traffic Borders: The subject property is tightly bound by Lee St, Ridgewood Dr, and E 6th Ave. Adding nine residential driveways to this specific triangle could create traffic friction points, especially near the intersections and curves.

Runoff Impact: Subdividing this into nine high-density residential lots will increase impervious surfaces (roofs, driveways). Will this impact neighboring properties across E 6th Ave or Lee St?

Proximity to Water: Would proper environmental setbacks and wetland buffers be maintained?

Access and Right-of-Way: Are any active utility corridors (water, sewer, electric) being built over or relocated?

I would recommend a layout incorporating a single-point access system. Here is an overlay drawing that replaces the nine individual lots with a centralized cul-de-sac and a single combined entrance and exit. Similar to this, but with E18 as a wetland mitigation area.


PROPOSED ALTERNATIVE: SINGLE-ACCESS CONSOLIDATION & PERIMETER MITIGATION PLAN
LEGEND
EXISTING RESIDENCE (BLUE)
PROPOSED NEW RESIDENCE
SHARED INTERNAL ACCESS DRIVE
CENTRAL HAMMERHEAD (T)
LANDSCAPE BUFFER (HEDGE & TREES)
STORM WATER WETLAND ZONE
HABITAT ZONE
LEE ST (RESIDENTIAL COLLECTOR)
RIDGEWOOD DR (QUIET COLLECTOR)
E 6TH AVE (HIGH-VOLUME ARTERIAL)
PERIMETER LANDSCAPE BUFFER (NO ACCESS)
E26 House 1
E27 House 3
E28 House 3
E29 House 4
E29 House 5
House 4 E23
House 5 E20
House 6 E19
House 7 E18
E30
E1
E11
E7
E8
E9
SINGLE ACCESS
quiet street
WETLAND & DRAINAGE MITIGATION ZONE (F)
Fire Truck Turnaround
School Bus Loading Zone
high speed
SHARED DRIVEWAY (A2)
Ridgewood Dr
PERIMETER LANDSCAPE BUFFER (F)
Tall Hedge
Preserved Trees
MULTI-LAYER SOUND & VISUAL BARRIER
Sound Berm
WETLAND MITIGATION ZONE (G)
Swale
ON-SITE STORM WATER RETENTION AND FILTRATION
WETLAND PRESERVE (F)
AREA (NO CONSTRUCTION)
PLAN RECOMMENDATION:
KEY FINDINGS:
• Eliminates 6 driveway conflict points on High-Volume 6th Ave.
• Concentrates traffic on Quiet Street.
• Preserves 2.1 Acres of Habitat & Wetland.
• Provides superior sound/visual buffer for all residents.
N

Hague, Taylor

From: Town of Windermere
Sent: Friday, June 12, 2026 4:16 PM
To: Hague, Taylor
Cc: Cornelius, Brad; Warner, Amanda
Subject: Fw: changes to 618 Ridgewood Drive Windermere

See below.

Best,

Connor

Connor Baird, AICP | **Professional Planner**
One Tampa City Center, 201 N. Franklin St.
Suite 1350 Tampa, FL 33602
813.882.4373 office

Employee Owner since 2022

From: Terri Capps <terricapps@hotmail.com>
Sent: Friday, June 12, 2026 3:53 PM
To: Town of Windermere <tow@wadetrim.com>
Cc: Terri Capps <terricapps@hotmail.com>
Subject: changes to 618 Ridgewood Drive Windermere

This message originated outside of Wade Trim.

Our approvals for the changes of both the Future Land Use designation and Rezoning from Agricultural to Residential for 618 Ridgewood Drive are contingent upon the information as presented in your certified letter from May/June 5, 2026.

As long as all of the information in the letter is factual, we both recommend

APPROVAL.

Terri Capps
Al Schlundt
702 E. 6 Ave
Windermere, FL 34786

"The second half of a man's life is made up of nothing but the habits he has acquired during the first half."
Russian author Fyodor Dostoyevsky, "The Possessed"

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL: 4 **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: John Prawlocki Jr. **DATE:** 6/10/26

PRAWLOCKI JOHN J
PRAWLOCKI REBECCA E
508 JENNIFER LN
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 28, 2026

LONDEREE ROBERT D
LONDEREE NANCY A
PO BOX 1077
WINDERMERE, FL 34786

RE: Public Notice of Public Hearings for a Small Scale Future Land Use Map Amendment and Rezoning for 618 Ridgewood Drive – Z26-01

Robert Matheison, owner of the property located at 618 Ridgewood Drive, has requested approval of a Small Scale Future Land Use Map Amendment and Rezoning for the subject property. The request proposes to amend the Future Land Use designation from Agriculture to Residential and to rezone the property from Agriculture to Residential. These requests are intended to facilitate the subdivision of the parent parcel into 11 lots, restoring the underlying lot dimensions established by the original plat, and permitting the construction of a single-family residence on each subdivided lot.

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 **Friday, June 12, 2026.**

This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m**. Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, at 6:00 p.m.** for first reading of the associated ordinances. 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

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: I KNEW THE GROVE WOULD NOT LAST FOREVER. JUST NO SETBACK VARIANCES.

SIGNATURE: Robert Londree **DATE:** 6/6/26

LONDEREE ROBERT D
LONDEREE NANCY A
PO BOX 1077
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 28, 2026

MARTINI WILLIAM LIFE ESTATE
MARTINI PAMELA G LIFE ESTATE
627 RIDGEWOOD DR
WINDERMERE, FL 34786

RE: Public Notice of Public Hearings for a Small Scale Future Land Use Map Amendment and Rezoning for 618 Ridgewood Drive – Z26-01

Robert Matheison, owner of the property located at 618 Ridgewood Drive, has requested approval of a Small Scale Future Land Use Map Amendment and Rezoning for the subject property. The request proposes to amend the Future Land Use designation from Agriculture to Residential and to rezone the property from Agriculture to Residential. These requests are intended to facilitate the subdivision of the parent parcel into 14 lots, restoring the underlying lot dimensions established by the original plat, and permitting the construction of a single-family residence on each subdivided lot.

9/

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 **Friday, June 12, 2026.**

This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m**. Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, at 6:00 p.m.** for first reading of the associated ordinances. 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

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: Approve of rezoning. Please also address impacts of traffic, noise, water/sewer/septic, length of construction, etc.

SIGNATURE: _____ **DATE:** 6-14-26

MARTINI WILLIAM LIFE ESTATE
MARTINI PAMELA G LIFE ESTATE
627 RIDGEWOOD DR
WINDERMERE, FL 34786

own of Windermere
4 Main Street Windermere, FL 34786
O: (407) 876-2563 Fax: (407) 876-0103

Mayo
ANDY WILLS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 28, 2026

KARR SUZI LIFE ESTATE
REM: THOMAS JAMES KARR JR
PO BOX 667
WINDERMERE, FL 34786

RE: Public Notice of Public Hearings for Small Scale Future Land Use Map Amendment and Rezoning for 618 Ridgewood Drive – Z26-01

Robert Matheison, owner of the property located at 618 Ridgewood Drive, has requested approval of a Small Scale Future Land Use Map Amendment and Rezoning for the subject property. The request proposes to amend the Future Land Use designation from Agriculture to Residential and to rezone the property from Agriculture to Residential. These requests are intended to facilitate the subdivision of the parent parcel into 11 lots, restoring the underlying lot dimensions established by the original plat, and permitting the construction of a single-family residence on each subdivided lot.

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 **Friday, June 12, 2026.**

This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, at 6:00 p.m.** for first reading of the associated ordinances. 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

RECOMMEND – Z26-01 (618 Ridgewood Drive)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: Should be grandfathered in by plat.

SIGNATURE: _____ **DATE:** 6/18/26

KARR SUZI LIFE ESTATE
REM: THOMAS JAMES KARR JR
PO BOX 667
WINDERMERE, FL 34786

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT OF THE COMPREHENSIVE PLAN FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL, FOR CERTAIN REAL PROPERTY OWNED BY THE MATHEISON FAMILY LIMITED PARTNERSHIP, LOCATED AT THE FOLLOWING ADDRESS: 618 RIDGEWOOD DRIVE, AS MORE PARTICULARILY DESCRIBED HEREIN, WITH AN APPROXIMATE SIZE OF 3.37 ACRES; MAKING FINDINGS OF FACT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Matheison Family Limited Partnership is hereby determined to be the fee simple title owner(s) of the real property described below; and

WHEREAS, the real property which is the subject of this ordinance is located in the Town of Windermere, Florida, containing approximately 3.37 acres, and is located at 618 Ridgewood Drive; and

WHEREAS, the Property Appraiser has assigned Tax Parcel Identification Number 07-23-28-9332-05-180; to such real property; and

WHEREAS, the owner of the property, Matheison Family Limited Partnership, has applied to the Town of Windermere, pursuant to the controlling provisions of State Law and the Code of Ordinances of the Town of Windermere, to have the Future Land Use Map of the Future Land Use Element of the Town of Windermere Comprehensive Plan, changed from the assignment of Agricultural to Single Family Residential for the subject property; and

WHEREAS, the Town of Windermere Development Review Board held a public hearing on June 16, 2026, to consider amending the Future Land Use Map of the Future Land Use Element of the Town of Windermere Comprehensive Plan from Agriculture to Single Family Residential of the subject property and recommended approval of the proposed Future Land Use Map amendment to the Comprehensive Plan for the subject property as requested by the property owner; and

WHEREAS, Section 163.3187, Florida Statutes, relates to the small-scale amendment of adopted local government comprehensive plans and sets forth certain requirements relating to proposed amendments to local government comprehensive plans and relates to processes and actions relating thereto; and

WHEREAS, the Town has conducted a thorough review and analysis of the demands upon public

facilities and general planning and land development issues should the subject application be approved and has otherwise reviewed and evaluated the application to determine whether it comports with sound and generally accepted land use planning practices and principles as well as whether the application is consistent with the goals, objectives and policies set forth in the Town's Comprehensive Plan and determined that the proposed amendment of the Town's Comprehensive Plan relative to this subject property as set forth in this Ordinance is internally consistent with the Comprehensive Plan of the Town of Windermere and the controlling provisions of State law; and

WHEREAS, the Town of Windermere has complied with all requirements and procedures of Florida law in processing this amendment to the Town of Windermere Comprehensive Plan including, but not limited to, Section 163.3187, Florida Statutes.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA:

Section 1. Legislative findings and intent.

(a) The Town Council of the Town of Windermere hereby adopts and incorporates into this Ordinance the Town staff report and Town Council agenda memorandum relating to the application relating to the proposed amendment to the Town of Windermere Comprehensive Plan pertaining to the subject property.

(b) The Town of Windermere has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c) This Ordinance is internally consistent with the goals, objectives and policies of the Town of Windermere Comprehensive Plan.

(d) The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

Section 2. Amendment to Future Land Use Map.

(a) The Future Land Use Plan Element of the Town of Windermere Comprehensive Plan and the Town's Future Land Use Map are hereby amended by assigning the Single Family Residential future land use designation to the real property that is the subject of this Ordinance as set forth herein.

(b) The property which is the subject of this Comprehensive Plan amendment is described in Exhibit "A".

Section 3. Implementing Administrative Actions.

The Town Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

Section 4. Ratification of Prior Actions.

The prior actions of the Town Council and its agencies in enacting and causing amendments to the

Comprehensive Plan of the Town of Windermere, as well as the implementation thereof, are hereby ratified and affirmed.

Section 6. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity of the ordinance or effect of any other action or part of this Ordinance.

Section 7. Effective Date.

This Ordinance shall take effective 31 days after adoption if no challenge is filed.

If challenged within 30 days after adoption, the small scale amendment will not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance.

PASSED AND ADOPTED THIS DAY OF_____, 2026.

FIRST READING: _____

SECOND READING: _____

TOWN OF WINDERMERE

_____

LOREN "ANDY" WILLIAMS, MAYOR

ATTEST:

_____

DOROTHY BURKHALTER, TOWN CLERK

APPROVED AS TO FORM:

_____

Attorney
Heather M. Ramos, Esq.
GrayRobinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801

Exhibit "A"
Legal Description

LOTS E-18 THROUGH E-23 AND E-28 THROUGH E-30 IN SECTION 8, TOWNSHIP 23 SOUTH, RANGE 28 EAST, AS RECORDED IN A REPLAT OF TOWN OF WINDERMERE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK Q, PAGE 39, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, ADOPTING A TOWN OFFICIAL ZONING MAP AMENDMENT FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL FOR CERTAIN REAL PROPERTY OWNED BY THE MATHEISON FAMILY LIMITED PARTNERSHIP, LOCATED AT THE FOLLOWING ADDRESS: 618 RIDGEWOOD DRIVE, AS MORE PARTICULARILY DESCRIBED HEREIN, WITH AN APPROXIMATE SIZE OF 3.37 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND OR AN EFFECTIVE DATE.

WHEREAS, The Matheison Family Limited Partnership is hereby determined to be the fee simple title owner(s) of the real property described below; and

WHEREAS, the real property which is the subject of this ordinance is located in the Town of Windermere, Florida, approximately 3.37 acres, and is located at 618 Ridgewood Drive; and

WHEREAS, the Property Appraiser has assigned Tax Parcel Identification Number 07-23-28-9332-05-180; to such real property; and

WHEREAS, The Matheison Family Limited Partnership applied to the Town of Windermere pursuant to the controlling provisions of State law and the Code of Ordinances of the Town of Windermere, to have the subject property rezoned to amend the Town of Windermere Zoning Map from Agricultural to Single Family Residential; and

WHEREAS, the Town has conducted a thorough review and analysis of the rezoning to determine whether it is consistent with sound and generally accepted land use planning practices and principles and whether the application is consistent with the goals, objectives and policies set forth in the Town's Comprehensive Plan; and

WHEREAS, on June 16, 2026, the Development Review Board of the Town of Windermere recommended that the Town Council approve the subject rezoning as set forth in this Ordinance; and

WHEREAS, the Town Council of the Town of Windermere, Florida has taken, as implemented by Town staff, all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA:

Section 1. Legislative Findings and Intent.

(a) The Town Council of the Town of Windermere hereby adopts and incorporates into this Ordinance the Town staff report and Town Council agenda memorandum relating to the application relating to the proposed rezoning of the subject property as well as the recitals (whereas clauses) to this Ordinance.
(b) The subject property is approximately 3.37 acres and is located at 618 Ridgewood Drive.
(c) The Town of Windermere has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

Section 2. Rezoning of Real Property/Implementing Actions.

(a) Upon enactment of this Ordinance the following described property, totaling approximately 3.37 acres in size, shall be rezoned to Single Family Residential.

(b) The Town Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the Town of Windermere as may be appropriate to accomplish the action taken in this Ordinance.

(c) Conditions of development relating to the subject property may be incorporated into the subsequent pertinent development orders and such development orders and/or agreements may be subject to public hearing requirements in accordance with the provisions of controlling law.

Section 3. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 6. Non-codification.

This Ordinance shall not be codified in the Town Code of the Town of Windermere or the Land Development Code of the Town of Windermere; provided, however, that the actions taken herein shall be depicted on the zoning maps of the Town of Windermere by the Town Manager, or designee.

Section 7. Effective Date

This Ordinance shall become effective immediately following the effective date of Ordinance No. 2026-02, which adopts the companion Small Scale Future Land Use Map amendment reclassifying

the subject property from Agricultural to Single Family Residential on the Town of Windermere Future Land Use Map.

PASSED AND ADOPTED THIS ____ DAY OF_____, 2026.

FIRST READING: _____

SECOND READING: _____

TOWN OF WINDERMERE

_____

LOREN "ANDY" WILLIAMS, MAYOR

ATTEST:

_____

DOROTHY BURKHALTER, TOWN CLERK

APPROVED AS TO FORM:

_____

Attorney
Heather M. Ramos, Esq.
GrayRobinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801

Exhibit "A"
Legal Description

LOTS E-18 THROUGH E-23 AND E-28 THROUGH E-30 IN SECTION 8, TOWNSHIP 23 SOUTH, RANGE 28 EAST, AS RECORDED IN A REPLAT OF TOWN OF WINDERMERE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK Q, PAGE 39, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board
June 16, 2026

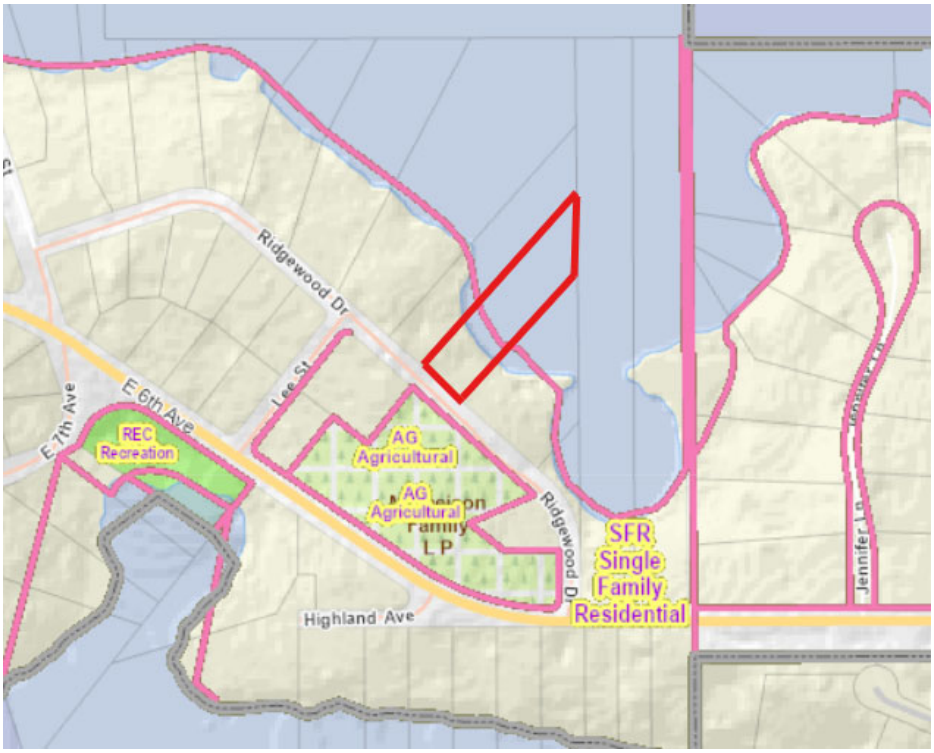
Town Council
July 14, 2026

Case Number:	Z26-06
Property Owners:	TJ and Caitlin Karr
Requested Action:	Variance request to reduce the front yard setback from 25 feet as required to 15 feet as proposed, and to reduce the Normal High-Water Elevation (NHWE) setback from 50 feet as required to a minimum of 25 feet as proposed to construct a new single-family residence and swimming pool.
Property Address:	637 Ridgewood Drive
Legal Description:	REPLAT OF TOWN OF WINDERMERE Q/39 LOT E 8 & NLY 20 FT OF LOT E9 & ADJACENT LAND INTO LAKE
Future Land Use:	Single Family Residential
Zoning:	Single Family Residential
Existing Use:	Single-Family Residence

Surrounding Future Land Use and Zoning

North: Water Body (Lake Down)
East: Single Family Residential/Single Family Residential
South: Agricultural/Agricultural

West: Single Family Residential/Single Family Residential

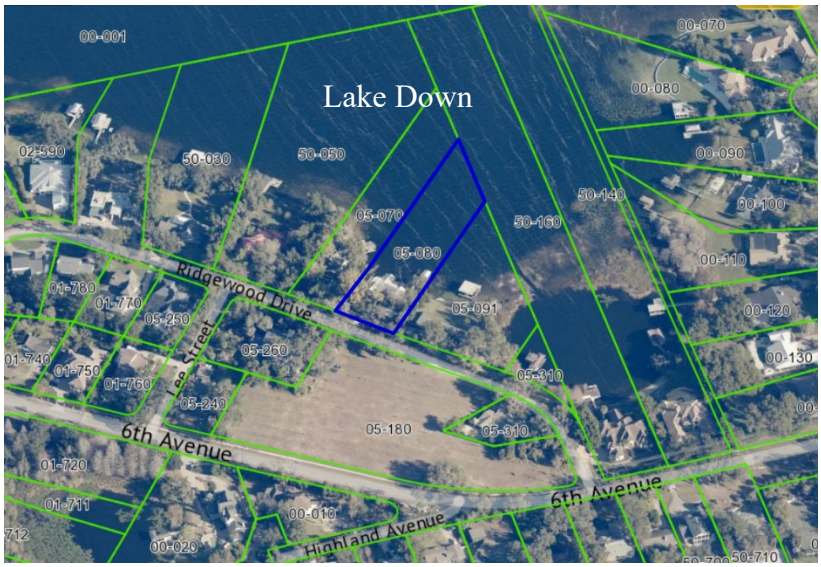


Zoning Map of Surrounding Area - Source: Orange County Property Appraiser

CASE SUMMARY

TJ and Caitlin Karr, owners of the property located at 637 Ridgewood Drive, have requested approval of a variance in accordance with Section 10.02.00 of the Town of Windermere Land Development Code (LDC). The requested variance would permit the construction of a new single-family residence to be located 15 feet from the front property line and 40 feet from the Normal High-Water Elevation (NHWE) of Lake Down, whereas the Town's LDC requires principal buildings to have a minimum front yard setback of 25 feet and a minimum NHWE setback of 50 feet.

Additionally, the requested variance would allow for the construction of a swimming pool 25 feet from the NHWE of Lake Down, whereas swimming pools are otherwise required to comply with the previously noted minimum NHWE setback of 50 feet. The aerial map provided below shows the location of the subject property, which has been outlined in blue. The property is situated northwest of the intersection of Ridgewood Drive and East 6th Avenue and has direct waterfront access to Lake Down.



Aerial Imagery of 637 Ridgewood Drive (Outlined in Blue) - Source: Orange County Property Appraiser

The setbacks defining the permitted placement of development on the subject property are regulated by the following sections of the Town's LDC:

*Section 3.02.02.(4).c – Residential [setbacks]. **The front yard setback shall be 25 feet**, the side yard setback shall be not less than ten feet or 12½ percent of the lot width, whichever is greater, with a maximum of 15 feet, and the rear yard setback shall be 35 feet; **however, no structure other than a boathouse or dock shall be less than 50 feet from the normal high-water elevation on lake or canal lots**. Width of the lot for determining the 12½ percent shall be measured at the widest portion of the structure, to include wing or other walls. See section 6.07.06(k) on eaves and cornices in yards and see section 5.05.03.*

*Section 5.05.03 – **No structure to include accessory buildings and structures shall be erected or placed within 50 feet of the normal high-water elevation**, unless otherwise provided within the Land Development Code, and no fill shall be permitted below that normal high-water elevation. In addition, as required in section 16-69 of the Code of Ordinances and this division, residential finished floor construction of Lake Down or its canals, Lake Butler and Wauseon Bay shall be no lower than 104-foot MSL and/or Lake Bessie no lower than 105-foot MSL.*

*Section 7.02.03(a)(3) – **For waterfront lots, all swimming pools, etc. and pool decks, shall be located no closer than 50 feet to the normal high water elevation of the water body**;. . .*

In summary, the Town of Windermere's current LDC requires the following minimum setbacks for principal buildings:

- South (front yard) – 25 feet
- East (side yard) – 15 feet
- West (side yard) – 15 feet
- North (rear yard)– 50 feet from the NHWE

The applicant proposes to construct a 5,360-square-foot new single-family residence (i.e., principal building), including 3,900 square feet of living area, to be located 15 feet from the front property line, which abuts Ridgewood Drive. The residence is also proposed to be located 40 feet from the NHWE of Lake Down. However, the Town's LDC establishes a required 25-foot front yard setback for residential principal buildings, and for structures requires a 50-foot setback from the NHWE of water bodies. As a result, the proposed placement of the single-family residence does not comply with applicable regulations.

The Town of Windermere's current LDC requires the following minimum setbacks for swimming pools and related features:

- South (front yard) – N/A (pools and related features must be located in a side or rear yard)
- East (side yard) – 10 feet (pool)/5 feet (deck)
- West (side yard) – 10 feet (pool)/5 feet (deck)
- North (rear yard) – 50 feet from the NHWE

Additionally, the applicant proposes to construct a new swimming pool to be located 25 feet from the NHWE of Lake Down in the rear yard of the proposed new single-family residence. The LDC also requires swimming pools and their associated decks to be located 50 feet from the NHWE, meaning that the proposed swimming pool's location does not comply with applicable regulations.

The existing single-family residence located at 637 Ridgewood Drive was constructed in 1943, per information sourced from the Orange County Property Appraiser. In its existing configuration, the residence is nonconforming, since the existing single-family residence is located within the 50-foot NHWE setback. Please see the attached property survey and existing conditions site plan for reference.

Review of available historic aerial imagery confirms that the residence has existed in its current configuration since at least the early 1990s. The property located at 637 Ridgewood Drive presents unique development constraints due to its proximity to Lake Down. In consideration of the required setbacks for principal buildings, the 50-foot setback from the NHWE combined with the 25-foot front yard setback and 15-foot side yard setback yield a buildable area measuring approximately 90 feet in width and 42 feet in depth. The existing single-family residence and associated accessory structures extend beyond this permissible buildable area and encroach into the required setback. As such, these structures are considered legal nonconformities in accordance with the Town's Land Development Code due to their placement within the 50-foot NHWE setback.

Nonconforming structures may remain in use in their nonconforming states and may only be modified consistent with the requirements within the LDC. However, per Section 10.01.03, if a nonconforming structure is voluntarily fully or partially demolished, any reconstruction must meet all requirements of the LDC. Accordingly, the proposed demolition and reconstruction of the single-family residence and new swimming pool, as depicted on the architectural site plan within the 50-foot NHWE setback, together with the requested reduction to the front yard setback, necessitate approval of the variances requested herein.

The scope of the requested variance is limited to the reduction of required setbacks from the NHWE for both the new single-family residence and swimming pool, as well as a reduction to the required front yard setback for the new single-family residence. All other applicable development standards, including but

not limited to site drainage and retention requirements, impervious surface and floor area ratio limitations, building height restrictions, and all remaining setback provisions outlined in the Town's LDC, must be met and will be reviewed for compliance during the building permitting process.

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 survey, site plans, elevation concepts, and written narratives in support of the variance request. Please see the 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 July 1, 2026, eight (8) responses have been received in support of the proposed variance, zero (0) in opposition, and one (1) response conditioning their support on the 15-foot front yard setback *not* being approved as part of the variance request.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The proposed variance for 637 Ridgewood Drive was reviewed at the June 16, 2026, meeting of the Development Review Board (DRB). Based on the information provided in the staff report and input from the applicant and public, the DRB found the proposed variance compliant with the requirements for the approval of a variance in accordance with Section 10.02.02 of the LDC and recommended approval of the variance as submitted. The DRB vote was 4-1 to recommend approval.

To : DOROTHY BURKHALTER, TOWN CLERK TOWN OF WINDERMERE -WINDERMERE, FL 34786
c/o DRB

Our home is located at 637 Ridgewood Drive, Windermere, FL 32786
This is a unique lot with a very shallow depth. The existing lot size is approx. 120' wide x 117' deep. This allows us a usable building pad of approx. 90' wide x 42' deep.
There is an existing home on the property, which is all non-confirming, and set over the rear seawall and extends into the lake boundary. Even though we were granted a previous variance for a side/ rear setback for a pool, this location is not functional, nor safe for viewing our children in the pool from the main house. It would be required to be isolated and blocked off from view and unsafe.

Based on this and many other reasons, we have decided to construct a new home due to there being no other available options to improve the existing home in its current location. Note: the entire home is located withing the required 50' lake side rear setback. For our new design, we are also keeping the rear existing structure (located over the water) to limit any disruption of the existing shoreline, as well as to maintain the " nostalgia" and "iconic quality of this unique property.
The final design improvements, will become a mix of the "old" character of the shoreline, and in character with the surrounding lake front homes, and also allow for an updated home that meets today's building standards in quality and function and to enjoy the property for many years to come based on our family's needs.

We are requesting a 25' rear setback variance to be able to construct a new home design
As you can see from the available building footprint with allowable setbacks. There is no possible room to have a " normal" home design w/ front entry, living space, rear covered porch and pool on the lake side without a rear variance. Allowing a 25' rear setback variance is the only way possible for us to design and build a functional home we are planning for our family now and for years to come.

We are keeping the large oak trees on the street side, and removing a couple of other trees, which have been deemed to be unhealthy as well, as per the attached Arborist report.

Without this variance, we would be forced to build a home that is not functional: with a normal 2-car garage, front entry, living spaces, rear porch, a functional pool area and location that is safe for our children, and several other elements, which the current available setbacks do not allow.

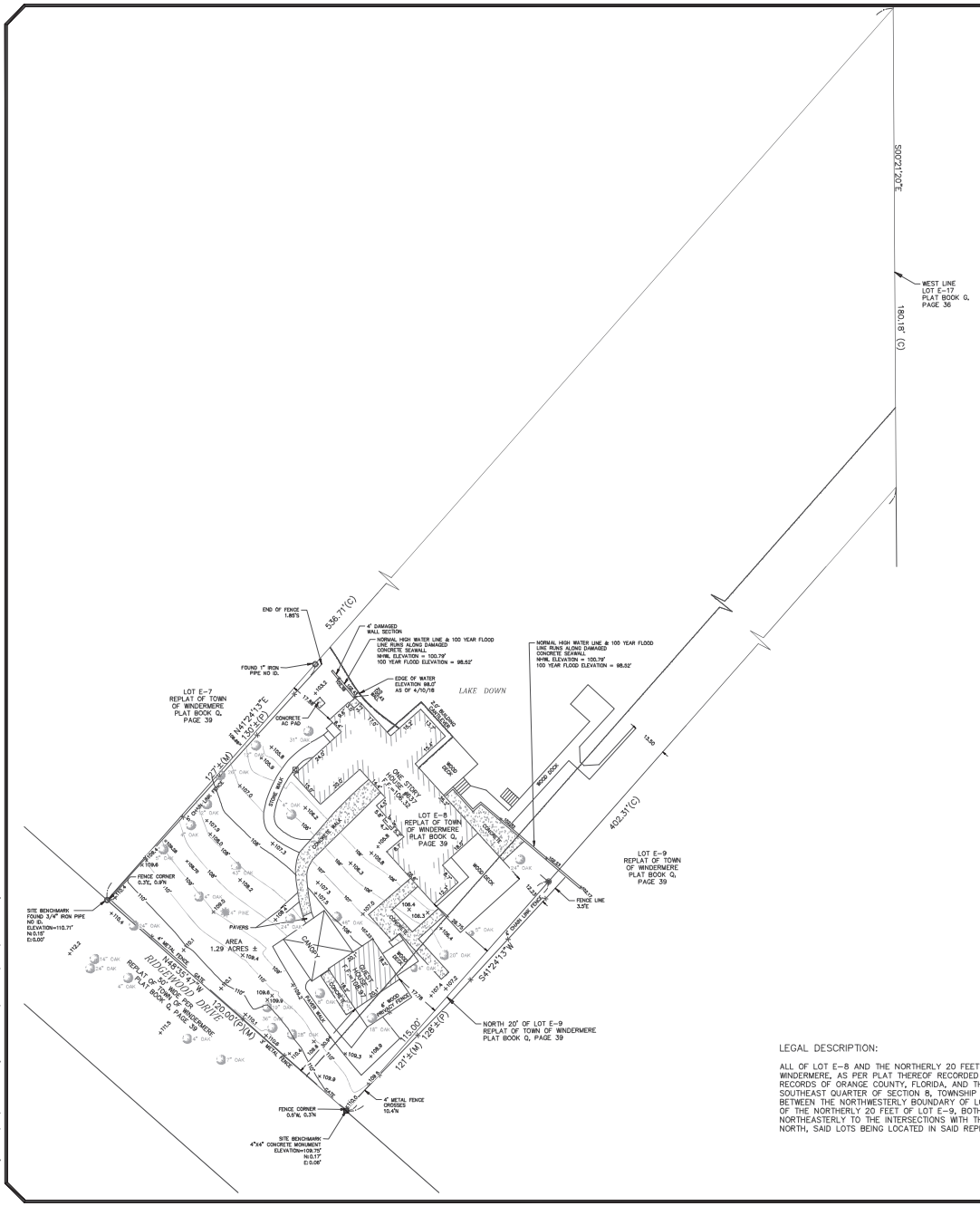
We will have the sea wall continuous, protect the water's edge, keep the existing portion of the home (on the water) and create a swale on the lake side to protect any runoff. Currently all water runs to the lake, and there is no solution for retention available, and as you can see from the grading plan, all water retention / run off issues have been worked out and there will be no impact from the stormwater. We meet all FAR and ISR and height requirements as well.

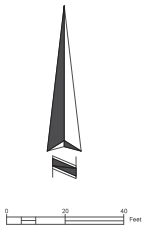
We also have several letters from our neighbors that are all in favor of this variance request with no objections.
As mentioned, this is a unique lot and specifically the shallow depth. There are several homes that are not confirming on other uniquely configured lots that do have a rear pool and home located much closer than the 50' required rear setback.

The approval of this variance will not grant any special privileges to us, in fact match the character of street, and be a welcome part of the Windermere style and fabric, and most importantly allow us the same rights and privileges enjoyed by other homeowners on similar lots.

Also, we welcome a meeting on site with any and all board members and our design team to better explain the challenges we are facing due to the existing lot conditions, and current available building setbacks.

Thank you for your consideration and your vote for approval of our variance request.
Your fellow resident,
TJ and Caitlin Karr





LEGEND & ABBREVIATIONS

⊠	GAS METER
—×—	FENCE LINE (AS NOTED)
■	FOUND 4"X 4" CONCRETE MONUMENT NUMBERED AS SHOWN
◉	SET 1/2" IRON ROD W/CAP OR NAIL WITH DISC STAMPED LB#6723
○	FOUND IRON ROD OR IRON PIPE AS SHOWN
LB	LICENSED BUSINESS
PSM	PROFESSIONAL SURVEYOR & MAPPER
LS	LICENSED SURVEYOR
X100.00	SPOT ELEVATION
(M)	MEASURED
(P)	PLAT
(C)	CALCULATED
NAVD	NORTH AMERICAN VERTICAL DATUM
F.F.	FINISHED FLOOR

SURVEYOR'S NOTES:

BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (0901), NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT, WHICH DERIVES A BEARING FOR THE NORTH RIGHT-OF-WAY LINE OF RIDGEWOOD DRIVE AS BEING N48°35'47"W

THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORD AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR OR SHOWN ON THIS BOUNDARY SURVEY THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE SUBJECT PROPERTY.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN INSURANCE TITLE COMMITMENT.

THERE MAY BE ENVIRONMENTAL ISSUES AND/OR OTHER MATTERS REGULATED BY VARIOUS DEPARTMENTS OF FEDERAL, STATE OR LOCAL GOVERNMENTS AFFECTING THE SUBJECT PROPERTY NOT SHOWN ON THIS SURVEY.

THIS SURVEY WAS PERFORMED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES LISTED HEREON AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER OR AN ELECTRONIC SIGNATURE THAT IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE 5J-17.062.

UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR VISIBLE UNOBSTRUCTED, ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS, SUCH AS FOUNDATIONS AND UTILITIES, WERE NOT LOCATED.

UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND PROFESSIONAL PURVIEW AND SUBJECT TO LEGAL INTERPRETATION.

SUBJECT PROPERTY SHOWN HEREON IS IN ZONE AE, WITH A BASE FLOOD ELEVATION OF 100.7, AND ZONE X ACCORDING TO FLOOD INSURANCE RATE MAP PANEL NUMBER 12095C0385F, MAP DATE 9/25/2009.

ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY BENCHMARK DESIGNATION "L1533009", PUBLISHED ELEVATION BEING 103.71'. NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

LAST DATE IN FIELD: FEBRUARY 26TH, 2025.

LEGAL DESCRIPTION:

ALL OF LOT E-8 AND THE NORTHERLY 20 FEET OF LOT E-9, OF REPLAT OF TOWN OF WINDERMERE, AS PER PLAT THEREOF RECORDED IN PLAT BOOK Q, PAGE 39, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND THAT PART OF THE SOUTHEAST QUARTER OF SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 23 SOUTH, RANGE 28 EAST, LYING BETWEEN THE NORTHWESTERLY BOUNDARY OF LOT E-8 AND THE SOUTHERLY BOUNDARY OF THE NORTHERLY 20 FEET OF LOT E-9, BOTH OF SAID BOUNDARIES EXTENDING NORTHEASTERLY TO THE INTERSECTIONS WITH THE WEST BOUNDARY OF LOT 17, EXTENDING NORTH, SAID LOTS BEING LOCATED IN SAID REPLAT OF THE TOWN OF WINDERMERE.

ALLEN & COMPANY
Professional Surveyors & Mappers
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
407 654-5355 *FAX 407 654-5356
admin@allen-company.com

BOUNDARY & TOPOGRAPHIC SURVEY
OF
637 RIDGEWOOD DRIVE
SECTION 8, TOWNSHIP 23 SOUTH, RANGE 28 EAST
CITY OF WINDERMERE, ORANGE COUNTY, FLORIDA

FOR: SUZI KARR

FOR THE LICENSED BUSINESS #6627 BY:
MARK A. FOLLIS, P.S.M. #6000
Digitally signed by Mark A Follis
DN: c=US, o=ALLEN AND COMPANY INC., cn=Mark A Follis, email=mafollis@allen-company.com
Date: 2025.03.05 14:20:59-05'00'
Adobe Acrobat version: 2024.005.20421

DATE	REVISIONS
03/10/25	ADDED TOPO & ADDED STREET

JOB # 20220182
DATE: 03/05/2025
SCALE: 1"=20'
CALC BY: BRH
FIELD BY: MH/EL
DRAWN BY: BRH/MC/JG
CHECKED BY: MF

SHEET 1 OF 1

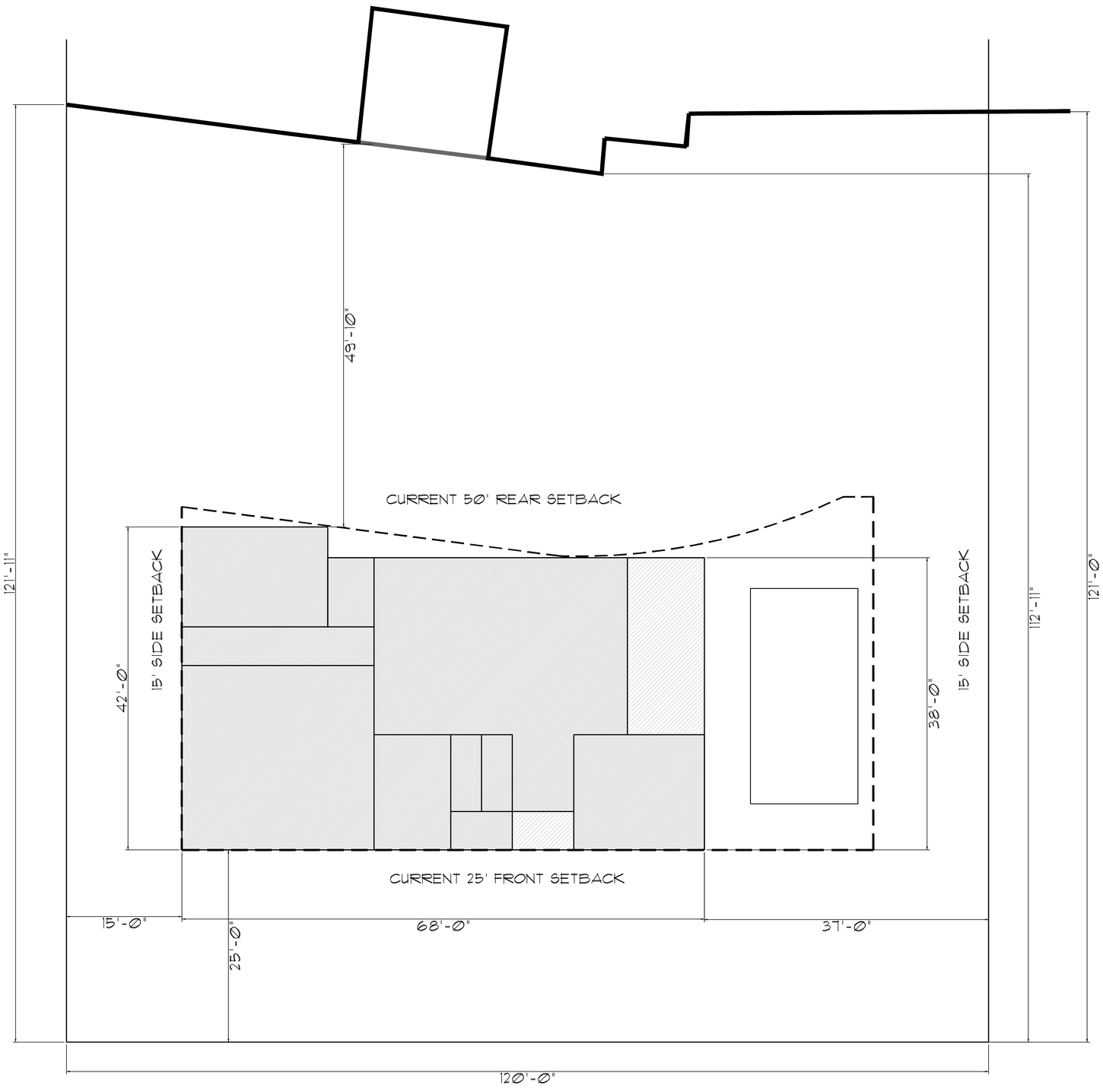
Drawing name: G:\JAN\2022\0182-637 Ridgewood Drive-Lk Ivan\ACD Civil Files\Xref\20220182 Boundary Sheet 1

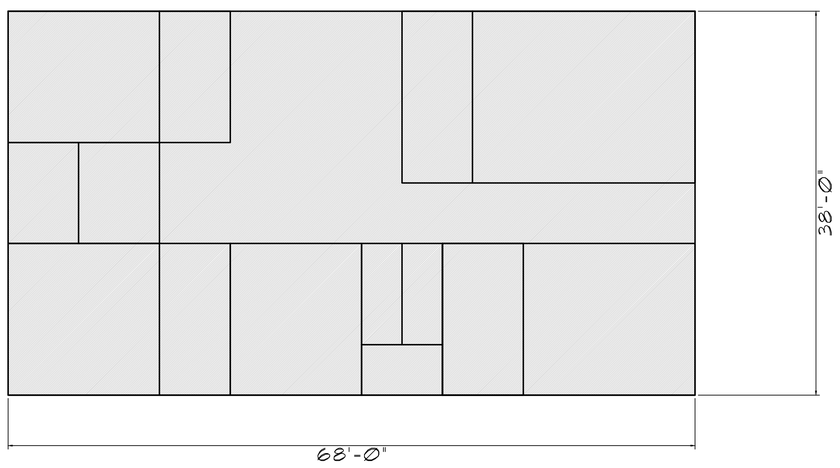


CURRENT HOME CONCEPT

1/4" = 1'-0"

ENTIRE HOME IS IN THE
REAR SETBACK
WATER / DRAINAGE ISSUES
NUMEROUS ISSUES FOR REPAIR / EXPANSION



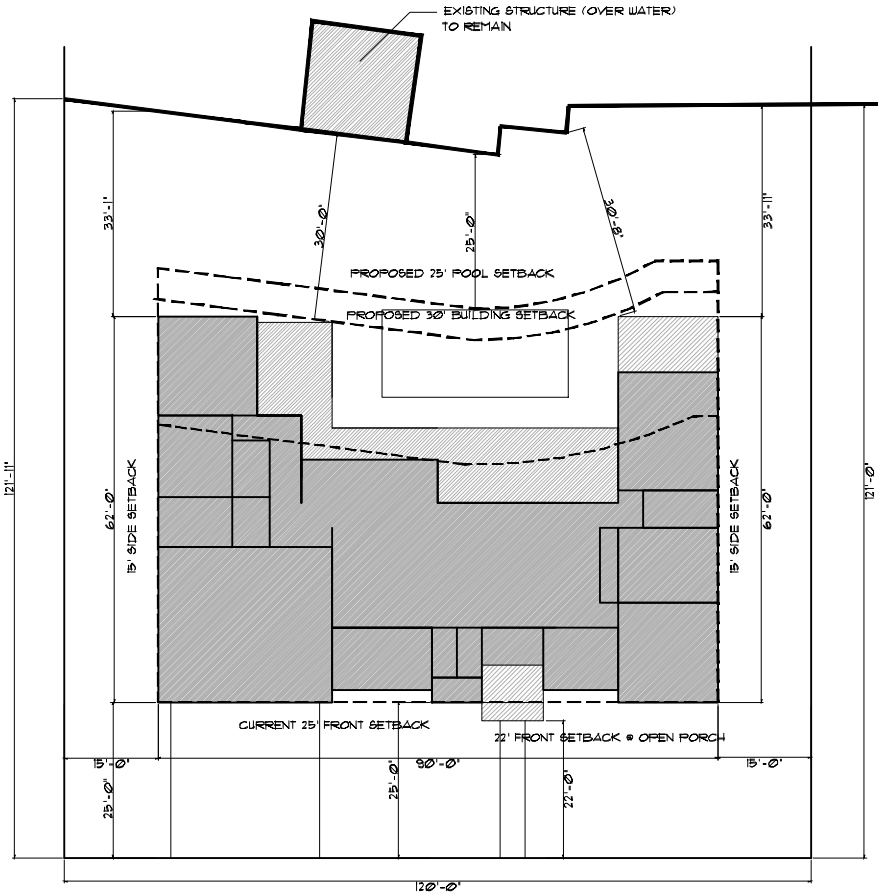


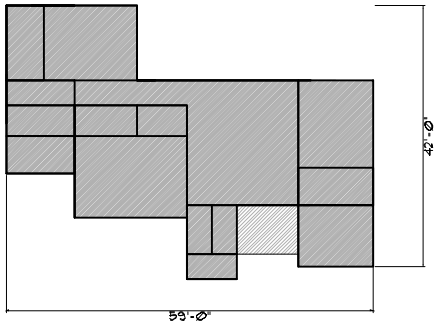
PLAN CONCEPT

1/4" = 1'-0"

CURRENT SETBACKS

38' DEEP HOME ALLOWABLE
NO MASTER DOWNSTAIRS
SIDE POOL LOCATION
2-STORY "BOX" DESIGN WOULD BE REQUIRED





SQ. FT. TABULATIONS:	SQ. FT.
FIRST FLOOR:	2,700
SECOND FLOOR:	1,200
TOTAL LIVING:	3,900
2 1/2-CAR GARAGE:	690
COVERED ENTRY:	90
COVERED PORCH:	680
TOTAL UNDER ROOF:	5,360
LOT AREA:	±14,225
ALLOWABLE FAR: (38%)	5,405
PROPOSED FAR: (37.7%)	5,360
ALLOWABLE ISR: (45%)	6,401
PROPOSED ISR: (44.8%)	6,380

VARIANCE REQUEST:

SETBACKS:

FRONT: 22' (OPEN FRONT ENTRY)
REAR: 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES: 15' (NO CHANGE)
BUILDING HEIGHT 35' (NO CHANGE)

PLAN CONCEPT

1/4" = 1'-0"

PROPOSED SETBACKS

W/ 25' REAR POOL SETBACK
W/ 30' REAR BUILDING SETBACK
W/ 22' FRONT OPEN PORCH SETBACK

MASTER DOWNSTAIRS
REAR POOL W/ COVERED PORCH
TRADITIONAL ELEVATION DESIGN AVAILABLE
DESIGN WOULD BE ABLE TO MATCH THE CHARACTER AND HARMONY OF THE NEIGHBORHOOD AND TOWN.





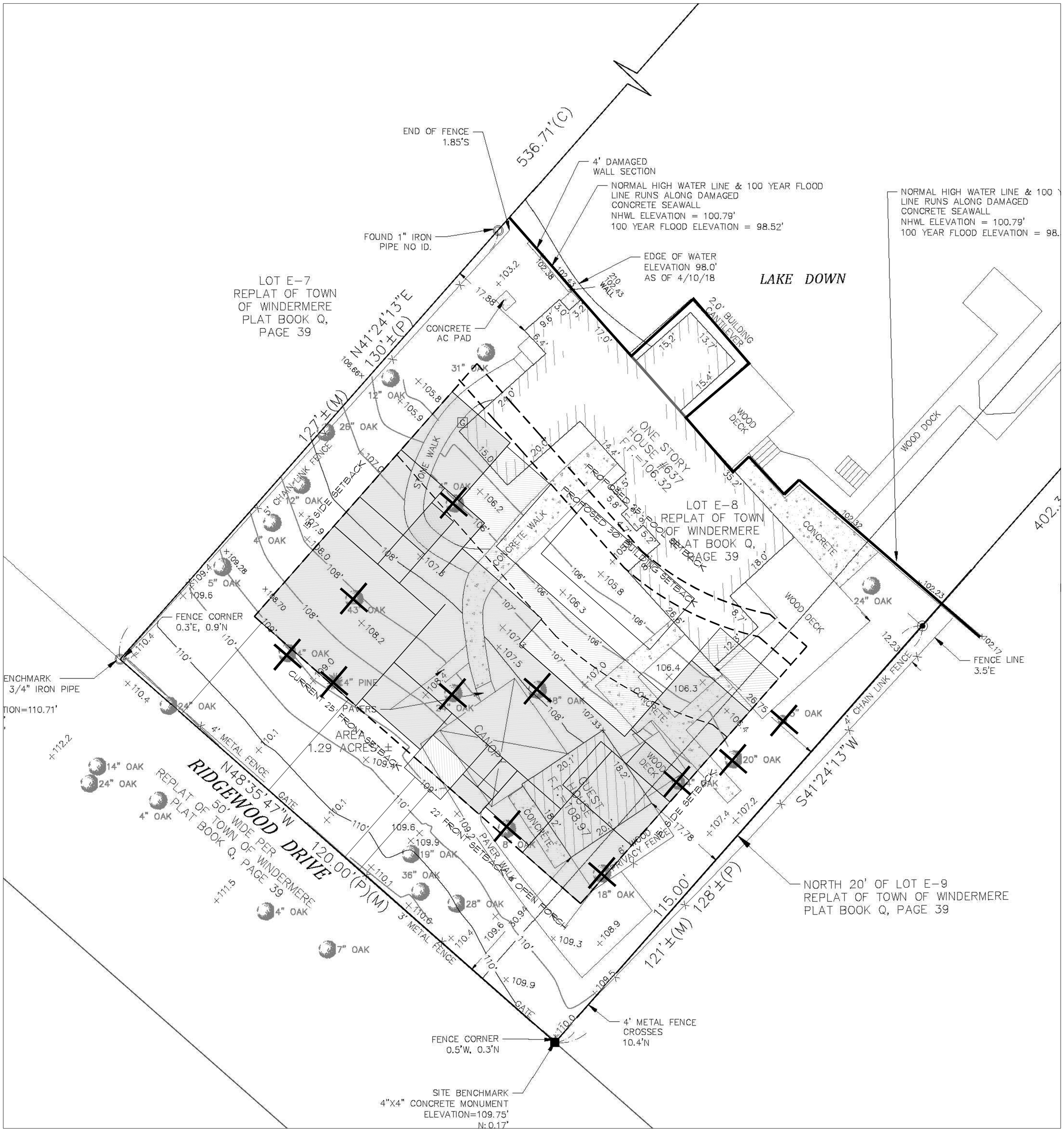
ELEVATION CONCEPTS







EXAMPLES



TREES TO BE REMOVED

1/4" = 1'-0"

VERIFY

Arborist Report

Jeff Washeck, Certified Arborist (ISA Certified Arborist FL-9429A)
MGR, Sigma Tree Consulting LLC
Blue Jay Ln, Satellite Beach, FL, 32937 407-990-2070

For Karr Residence, 637 Ridgewood Dr, Windermere, FL, 34786
Date April 3, 2026

Overview and Objective

A site visit was conducted to perform a visual health and structural assessment of 12 trees located on a residential property at 637 Ridgewood Dr. The assessment was requested in connection with a planned demolition and new construction project at the site. The primary objective was to accurately identify each tree on the lot, assign a corresponding condition rating, and document any observable defects or risk factors relevant to the development process. This report aims to provide a comprehensive inventory of the trees identified as likely to be impacted by construction-related activities at the site and offer professional recommendations based on the observed conditions.

Methodology

This evaluation was conducted using industry-accepted arboricultural practices for visual tree assessment, in alignment with the ISA Best Management Practices for basic site inspections. All diameter measurements were recorded at 4 ½ feet above ground level (DBH) using a standard forestry tape unless otherwise noted. Each tree was visually inspected from the ground with emphasis on crown condition, trunk structure, and root flare visibility. Tree condition ratings were assigned using appraisal criteria adapted from Purdue University's Forestry and Natural Resources Extension, informed by standards set forth in the Guide for Plant Appraisal, 10th Edition by the Council of Tree and Landscape Appraisers. General observations regarding health, structure, and site factors were recorded to support professional judgment. While this assessment did not constitute a formal Level 2 TRAQ risk evaluation, basic risk factors including likelihood of failure, likelihood of target impact, and potential consequences were considered on an observational basis for each tree, consistent with the scope of a Level 1 Limited Visual Assessment. This analysis does not include resistance drilling, advanced decay detection, or invasive root investigation.

Site Context

The property at 637 Ridgewood Dr is a lakefront residential lot with an existing single-family structure slated for complete demolition and replacement. The lot sits on a gentle slope descending from the street down to the waterline, with the existing structure extending over the water's edge. The overall condition of the property and landscape reflects a period of neglect, with no documented pruning history or active tree management program in evidence.

Observations made during this assessment are based solely on current site conditions, as no formal maintenance records were available for reference.

Notably, evidence of prior large-scale tree failures was observed at the site. The specific weather conditions or load factors that contributed to those failures are unknown, but their occurrence is relevant for evaluating the current tree stock and establishing appropriate forward guidance for the remaining specimens on the lot in the context of future construction-related activities.

Observation and Tree Specifics

The subject property contains a mix of mature canopy trees consistent with an unmanaged lakefront residential lot. The inventory includes four (4) Live Oaks (*Quercus virginiana/geminata*), four (4) Pignut Hickories (*Carya glabra*), one (1) Laurel Oak (*Quercus laurifolia*), one (1) Shumard Oak (*Quercus shumardii*), one (1) Norfolk Island Pine (*Araucaria heterophylla*), and one (1) American Holly (*Ilex opaca*), for a total of twelve (12) trees evaluated.

The majority of the specimens assessed are in fair overall condition, with individual trees ranging from good to poor. A number of health and structural concerns were identified across the inventory, including branch dieback, epicormic sprouting, weak branch attachments, overextended scaffold branches, directional leans, and various decay indicators. The frequency and severity of these findings vary by specimen and are documented individually in the attached inventory. The absence of any documented pruning history is reflected in the overall condition of the tree stock, and the pattern of concerns observed is consistent with a canopy that has developed without active management over an extended period of time.

All twelve specimens evaluated are situated within or in close proximity to the anticipated construction footprint and associated workspace. Individual tree measurements, condition ratings, and supporting commentary are provided in the attached inventory for reference.

Discussion

The twelve trees evaluated at this site present a mixed but generally concerning inventory, with the majority rated Fair and several rated Poor. No trees were assigned an Excellent condition rating, and only two specimens (Trees #7 and #11) were found to be in Good overall condition at the time of inspection. The findings are consistent with a canopy that has developed without active management and has a documented history of structural failures at the site.

The four Pignut Hickories warrant particular attention in the context of the planned construction. Hickories are notably sensitive to root disturbance and typically respond poorly to the compaction, trenching, and grade changes associated with construction activity. Even specimens in fair condition can decline rapidly when their root zones are compromised, and the hickories evaluated here are not starting from a position of strength. Trees #5, #6, #8, and #12 collectively exhibit dieback, decay, prior branch failures, codominant structure with bark inclusion, and leans with no corrective growth. Said conditions would be difficult to manage under normal circumstances, let alone in the context of active construction. Meaningful preservation of any of

the hickories on this site is unlikely to be a realistic outcome given the scope of the planned development.

The two largest Live Oaks on site, Trees #1 and #2, are notable for their size but carry their own concerns; specifically heavy leans, trunk curvature, and evidence of prior cluster failures. Tree #10 presents additional concerns in the form of significant trunk bulging and vine infestation. Tree #9 is in poor condition with trunk deformity from girdling alongside excess epicormic growth, and represents minimal preservation value. Trees #3 and #4 are both in poor condition and are unlikely candidates for retention under any circumstances.

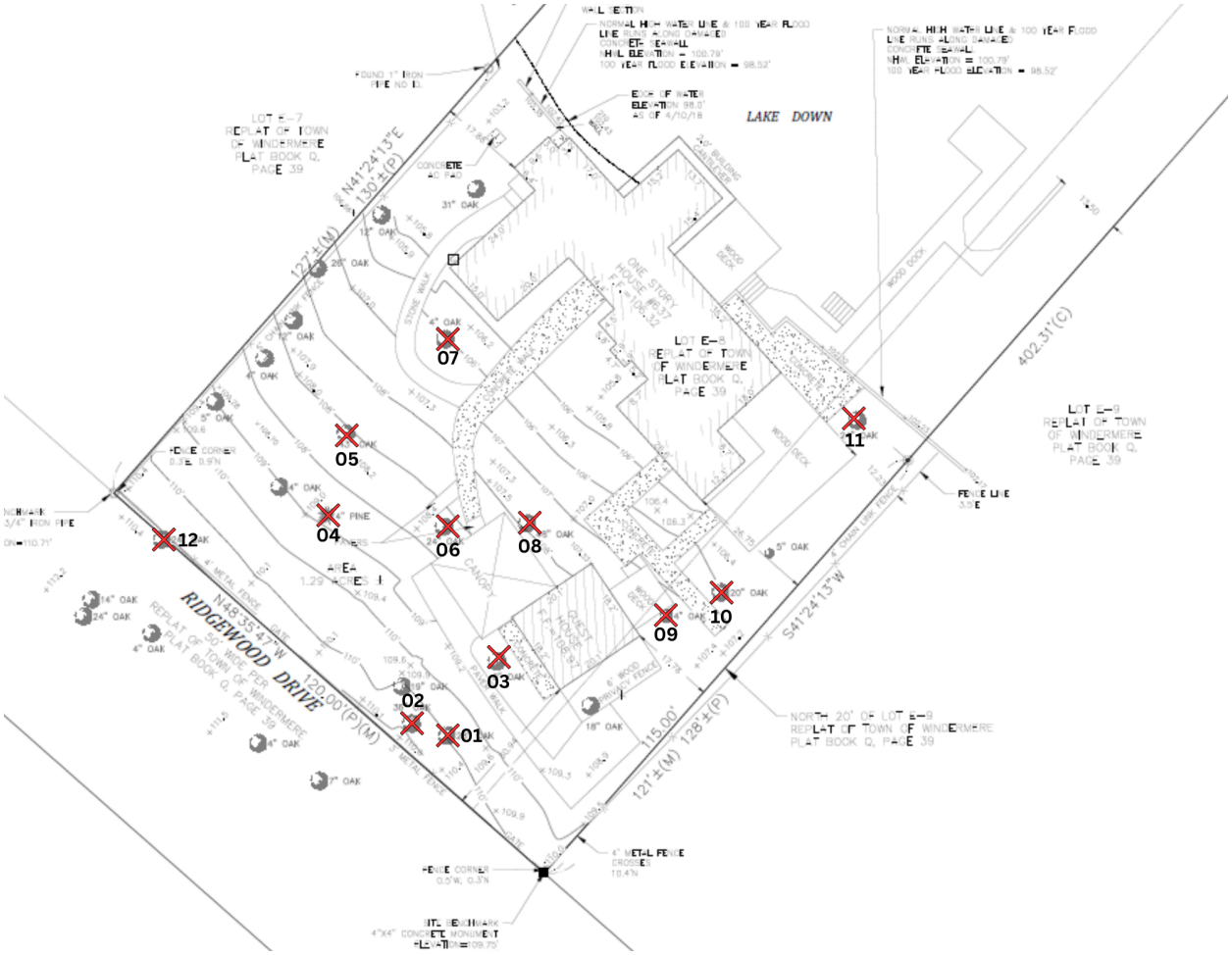
Given the scope of the planned demolition and reconstruction, the proximity of all evaluated specimens to the construction footprint, and the overall condition of the tree stock, removal of the majority of trees on this inventory is a reasonable and expected outcome of the development process. Of the twelve trees evaluated, Trees #7 and #11 represent the strongest specimens on site from a health and structural standpoint, and are noted as such for the record. All remaining specimens present condition ratings, structural concerns, or species-specific sensitivities that collectively reflect a tree stock in various stages of decline, with limited long-term viability regardless of the development timeline.

Inventory

Tree condition ratings in the attached inventory are categorized using the following criteria:

- **Excellent** — An ideal specimen exhibiting strong structure, full canopy density, and no evidence of disease, decay, dieback, or pest activity. Strong candidate for preservation.
- **Good** — Generally healthy with only minor defects such as small amounts of deadwood, slight crown imbalance, or early localized signs of stress. Likely suitable for preservation with routine maintenance.
- **Fair** — Exhibits notable structural or physiological concerns such as canopy imbalance, dieback, bole defects, or pest activity. Preservation may be viable in low-target settings, but long-term health and structural integrity are uncertain.
- **Poor** — Severely stressed, diseased, or structurally compromised with advanced decay or irreversible defects. Limited potential for recovery. Strong candidate for removal.

Tree ID	Species	DBH	Condition	Notes
01	Live Oak	29”	Fair	Heavy lean, unbalanced, prior failure in cluster
02	Live Oak	34”	Fair	Lean, trunk curvature, prior failure in cluster
03	Holly	7”	Poor	Dieback, heavy epicormic growth, vine-choked
04	Norfolk Pine	7”	Poor	Browning needles, suckering at root flare
05	Hickory	32”	Fair	Dieback, suckers on trunk, prior branch failures
06	Hickory	22”	Poor	Widespread dieback, decay around root collar
07	Shumard Oak	7”	Good	Healthy crown, slight lean, some sucker growth on trunk
08	Hickory	47”	Fair	Defoliated, co-dom with bark inclusion, decay around union
09	Laurel	9”	Poor	Stunted canopy, excess epicormic growth, trunk deformity
10	Live Oak	25”	Fair	Lopsided crown, vine-choked, significant trunk bulging
11	Live Oak	22”	Good	Lean w/ corrective growth in roots, healthy crown
12	Hickory	21”	Fair	Lean towards road and power lines w/ no corrective growth



Site map showing the approximate location of the subject trees.

Gallery

		
Tree 01 - Live Oak	**Tree 02 - Live Oak**	**Tree 03 - Holly**

		
Tree 04 - Norfolk Pine	**Tree 05 - Hickory**	**Tree 06 - Hickory**

No Image		
Tree 07 - Shumard Oak	**Tree 08 - Hickory**	**Tree 09 - Laurel**

		
Tree 10 - Live Oak	**Tree 11 - Live Oak**	**Tree 12 - Hickory**

Arborist Disclosure Statement

ISA certified arborists are tree care specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the health and beauty of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within the trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, the efficacy of any remedial treatments, such as pruning, fertilization, or medicine, also cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Disclaimer and Acknowledgment of FL Statute 163.045

My observations made at the site were true and factual to the best of my ability. The methodologies used were in accordance with the code of ethics and tree assessment guidelines laid out by the International Society of Arboriculture (ISA) as well as the ANSI A300 standards. Arboriculture is not a perfect science, and subjectivity is inevitable as different arborists will often have different opinions based on their own personal experiences. My opinions and recommendations are based purely on my education and over a decade of experience actively climbing and working in trees.

Trees can be managed but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to remove all trees. There are no certainties when ascertaining the structural integrity of trees, only qualitative likelihoods. The tree owner's personal risk tolerance is, and always should be, the ultimate deciding factor when moving forward with any recommended procedures.



STORMWATER S U M M A R Y

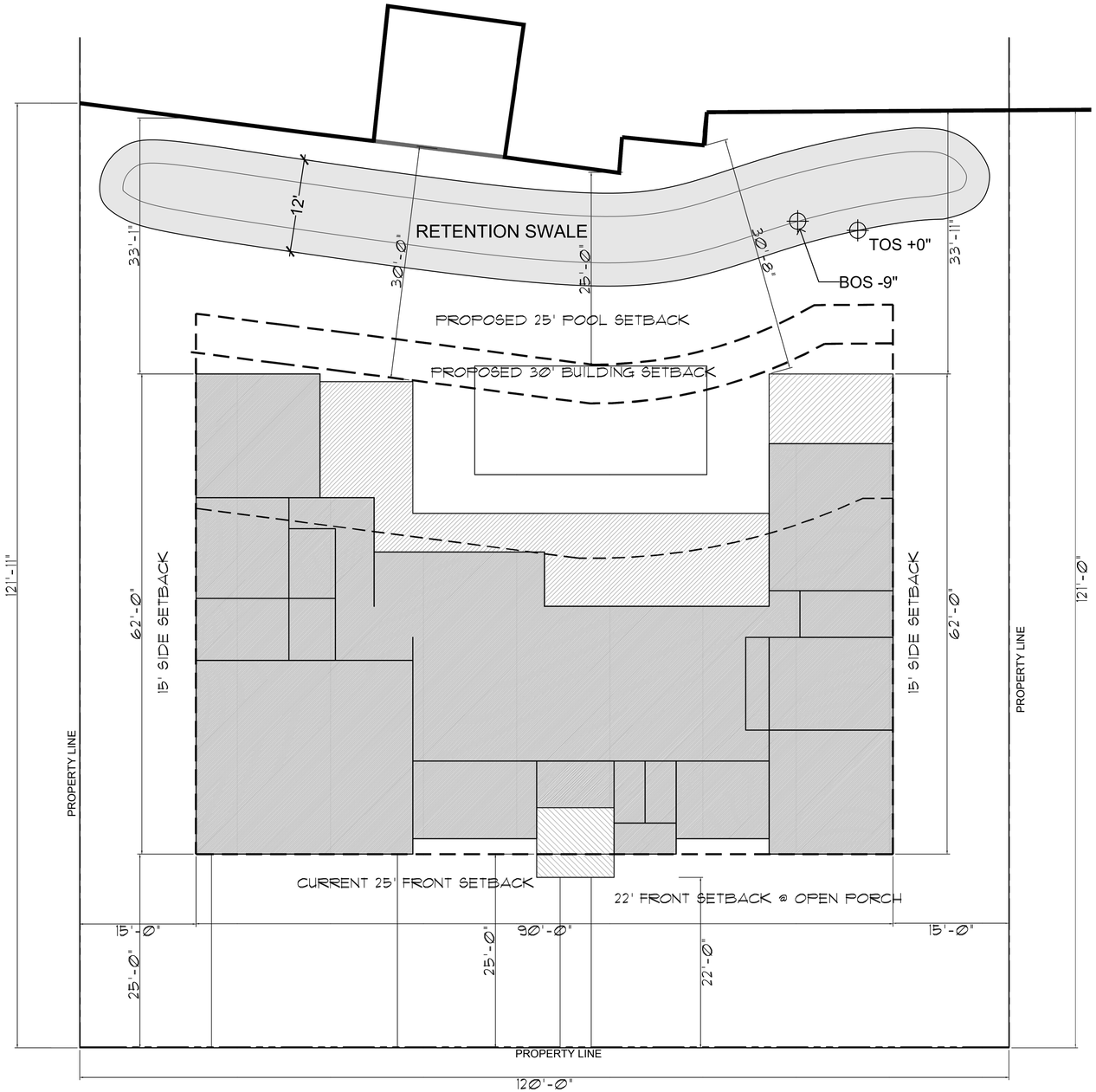
PROPERTY AREA = 14,225 SQ FT
45% IMPERVIOUS COVERAGE = 6,401 SQ FT

C (coefficeint of friction) = (6,401 / 14,225) X .9 =.40 PAVED AREA
C (coefficeint of friction) = (7,824 / 14,225) X .3 = .17 UNPAVED AREA
C (coefficeint of friction) = .40 + .17 = .57
I = .083 (intensity)
Q = .57 X .083 X 14,225 = 672 CUBIC FEET REQUIRED

ENVIRONMENTAL SWALE NO. 1 =
AREA @ TOP OF RETENTION = 1,352 SQ FT
AREA @ BOTTOM = 645 SQ FT
1,352 + 645 / 2 = 998 X .75' (9") (depth) =

NO. 1 TOTAL = 748 CUBIC FEET PROVIDED

TOTAL = 748 CUBIC FEET PROVIDED



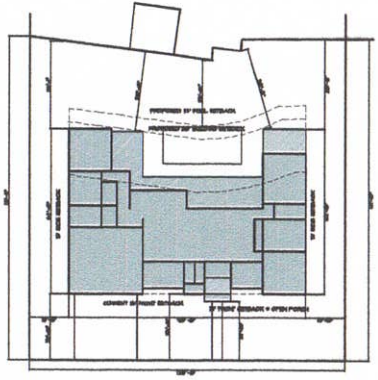
THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

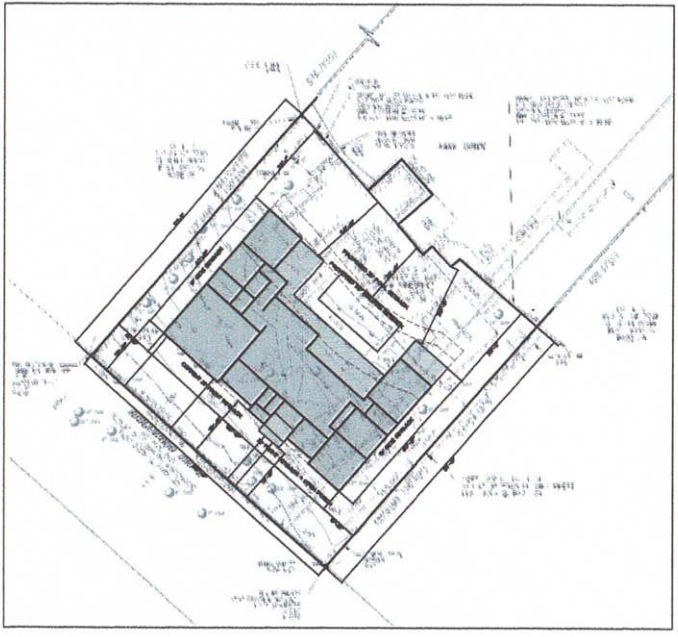
VARIANCE REQUEST:

SETBACKS:

FRONT. 22' (OPEN FRONT ENTRY)
REAR. 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES: 15' (NO CHANGE)

BUILDING HEIGHT 35' (NO CHANGE)





I, _____ WHOM RESIDE AT 516 Jennifer Ln WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) Mari Beaudrault SIGNATURE Mari Beaudrault

DATE 4/7/26

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

SORENSON CONSTRUCTION, INC.

alba ENGINEERING

ARACE DESIGNS, LLC

C-1

ARCHITECTURAL SITE PLAN

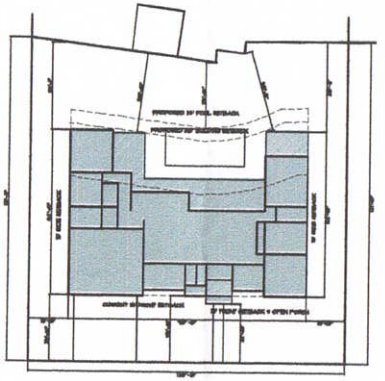
THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

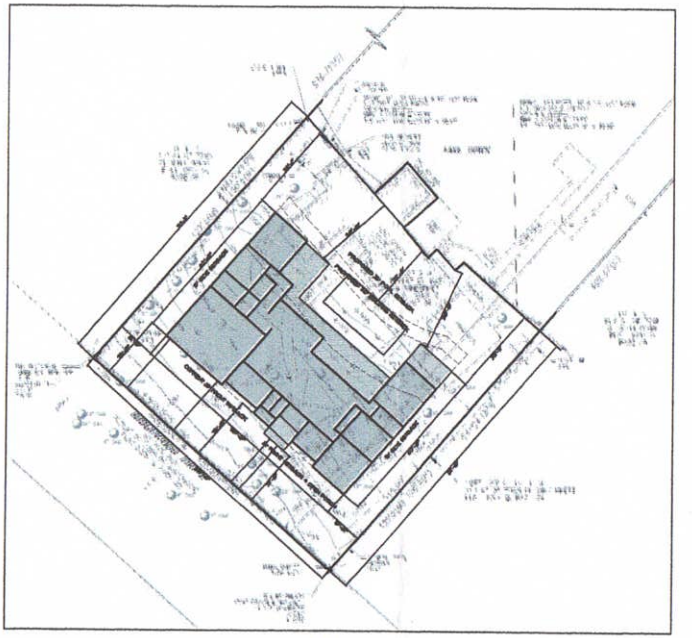
VARIANCE REQUEST:

SETBACKS:

FRONT. 22' (OPEN FRONT ENTRY)
REAR. 25' (P.O.O. SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES. 15' (NO CHANGE)

BUILDING HEIGHT 35' (NO CHANGE)





I, _____ WHOM RESIDE AT 535 Ridgewood WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) Frank Walters SIGNATURE _____

DATE 4/7/26

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

ROBERTSON CONSTRUCTION, INC.

alba

ARKE DESIGNS, LLC

C-1

ARCHITECTURAL SITE PLAN

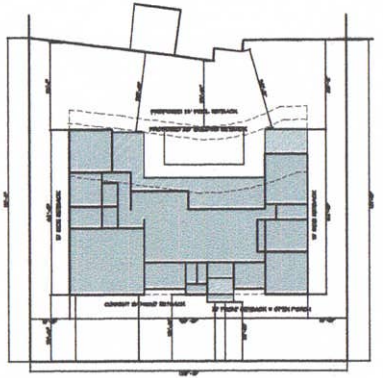
THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

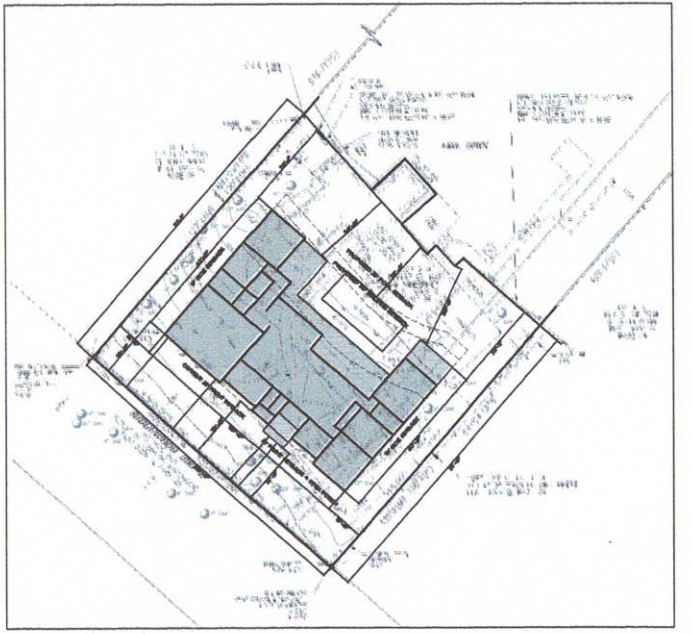
VARIANCE REQUEST:

SETBACKS:

FRONT. 22' (OPEN FRONT ENTRY)
REAR. 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES: 15' (NO CHANGE)

BUILDING HEIGHT 35' (NO CHANGE)





I, ROBERT CROUCH WHOM RESIDE AT 530 RIDGEWOOD WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) ROBERT CROUCH SIGNATURE B Crouch

DATE 4-7-2026

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

ROBERTSON CONSTRUCTION, INC.

alba

ARACE DESIGNS, LLC

JOB NUMBER
DATE 3/20/26
DRAWN B.A.A.
SHEET C-1

ARCHITECTURAL SITE PLAN

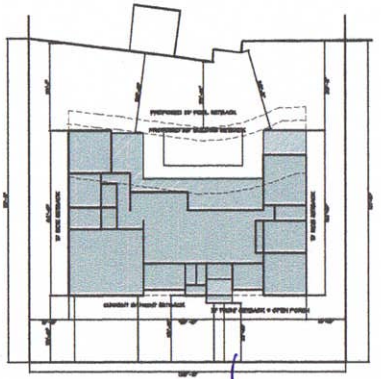
THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

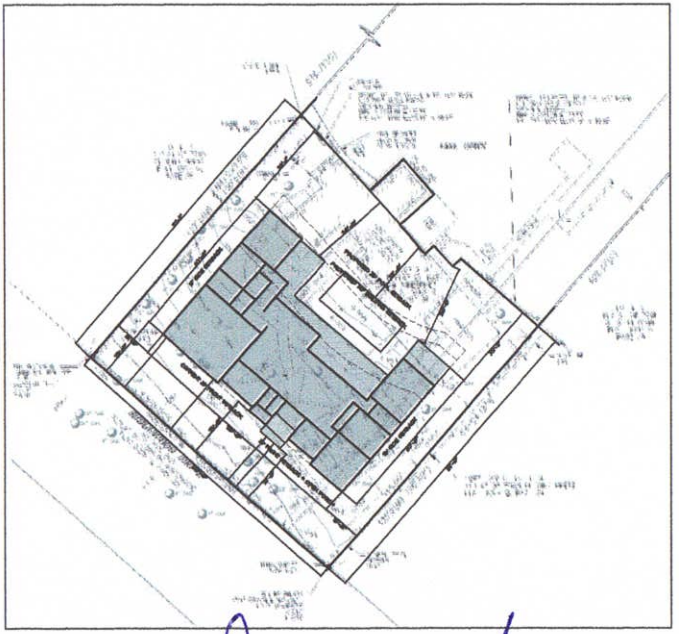
VARIANCE REQUEST:

SETBACKS:

FRONT. 22' (OPEN FRONT ENTRY)
REAR. 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES. 15' (NO CHANGE)

BUILDING HEIGHT 35' (NO CHANGE)





I, Stephen Ivey WHOM RESIDE AT 570 Ridgewood Dr WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) Stephen Ivey SIGNATURE Stephen Ivey

DATE 4/7/26

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

SORENSON CONSTRUCTION, INC.

alba

ARACE DESIGNS, LLC

JOB NUMBER
DATE 3/27/26
SCALE
DRAWN D.A.A.
CHECKED

C-1

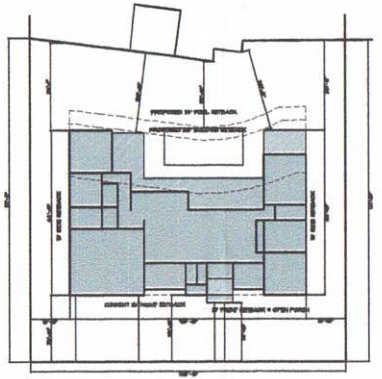
ARCHITECTURAL SITE PLAN

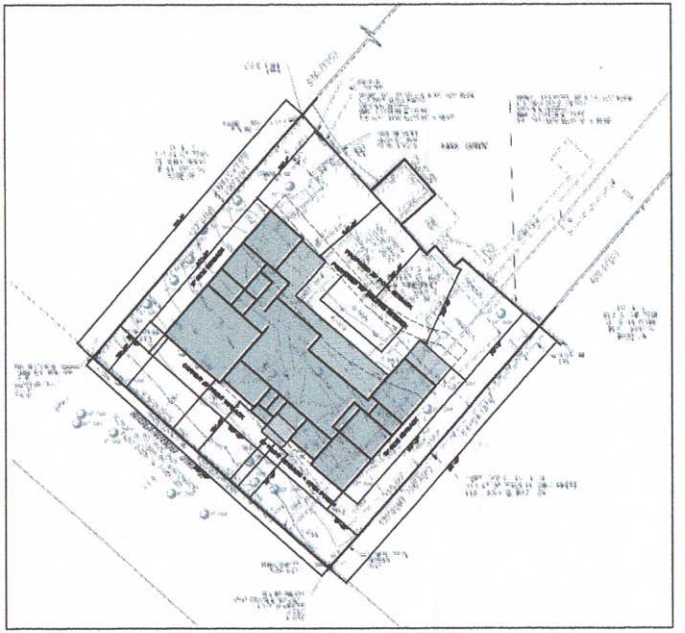
THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

VARIANCE REQUEST:

SETBACKS:

FRONT. 22' (OPEN FRONT ENTRY)
REAR. 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES. 15' (NO CHANGE)
BUILDING HEIGHT 35' (NO CHANGE)





I, _____ WHOM RESIDE AT 627 Ridgewood WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) WILLIAM MARTINI SIGNATURE _____

DATE 4-7-26

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

SORENSON CONSTRUCTION, INC.

alba

ARACE DESIGNS, LLC

C-1

ARCHITECTURAL SITE PLAN

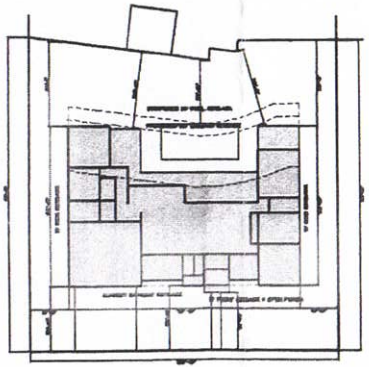
THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

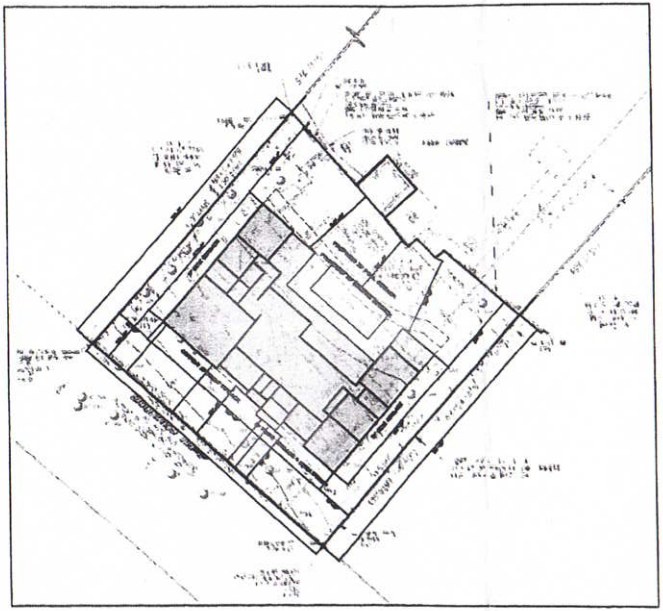
VARIANCE REQUEST:

SETBACKS:

FRONT. 22' (OPEN FRONT ENTRY)
REAR. 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES. 15' (NO CHANGE)

BUILDING HEIGHT 35' (NO CHANGE)





I, IRISH TRUE WHOM RESIDE AT 613 RIDGEWOOD WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) Irish True SIGNATURE Irish True

DATE 4-7-2024

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

ROBINSON CONSTRUCTION, INC.

alba

ARVAE DESIGNS, LLC

C-1

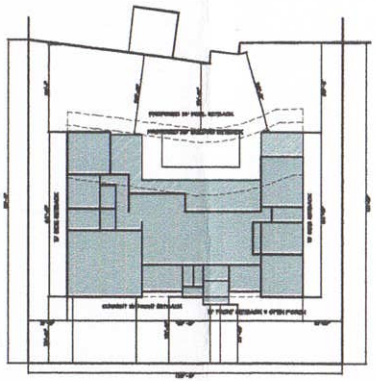
ARCHITECTURAL SITE PLAN

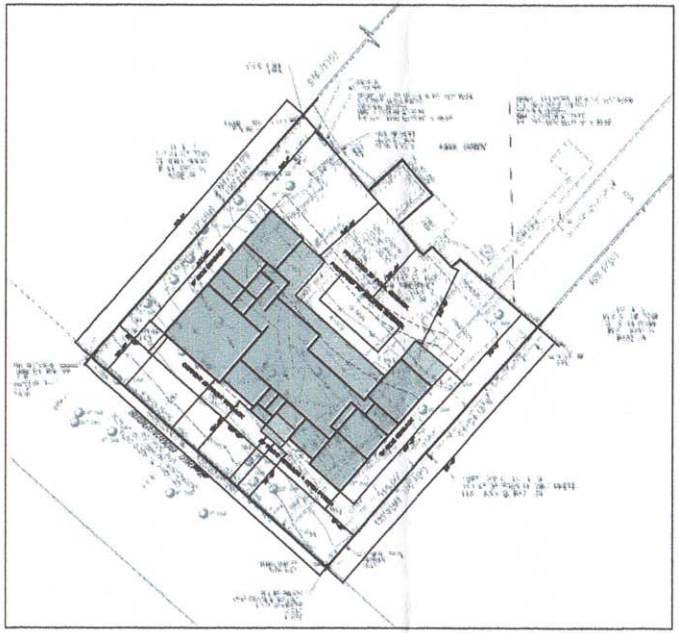
THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

VARIANCE REQUEST:

SETBACKS:

FRONT. 22' (OPEN FRONT ENTRY)
REAR. 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES: 15' (NO CHANGE)
BUILDING HEIGHT 35' (NO CHANGE)





I, George Roat WHOM RESIDE AT 525 Ridgewood Dr WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) George Roat

SIGNATURE George M Roat

DATE 4/1/2026

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

SOBERNSON CONSTRUCTION, INC.

alba engineering

ARACE DESIGNS, LLC
3952 TERRA OAKS COURT
LUTZ, FL 33779
(813) 727-1520
aracedesigns.com

C-1

ARCHITECTURAL SITE PLAN

"ARACE DESIGNS, LLC," HEREBY RESERVES ITS COMMON LAW COPYRIGHTS IN THESE PLANS, IDEAS, AND DESIGNS. THESE IDEAS, DESIGNS, AND PLANS ARE NOT TO BE COPIED OR CHANGED IN ANY MANNER OR FORM WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT THE EXPRESS WRITTEN PERMISSION FROM "ARACE DESIGNS, LLC."

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL. 34786

LEGAL DESCRIPTION:

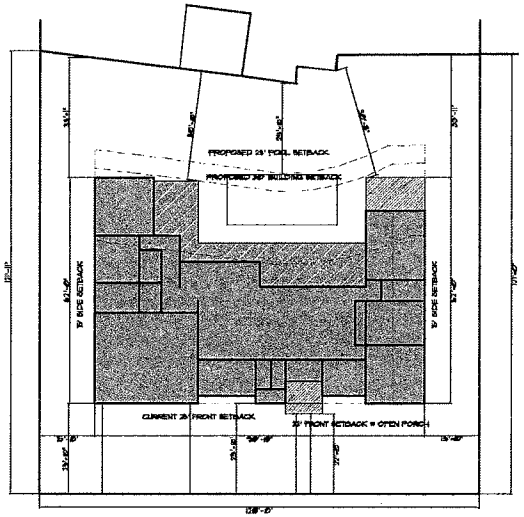
ALL OF LOTS 5 AND 6, BLOCK "B", WINDERMERE HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK G, PAGE 68, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND A PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 23 SOUTH, RANGE 28 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF LOT 6, BLOCK "B", WINDERMERE HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK G, PAGE 68, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND RUN THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 6 AND THE SOUTH BOUNDARY OF LOT 5 OF SAID BLOCK "B" OF SAID WINDERMERE HEIGHTS, NORTH 89°53'00" WEST 150.00 FEET TO THE INTERSECTION WITH THE WEST BOUNDARY OF LOT 5; THENCE ALONG SAID WEST BOUNDARY OF LOT 5, NORTH 00°07'00" EAST 150.00 FEET TO THE NORTHWEST CORNER OF LOT 5; THENCE ALONG THE NORTH BOUNDARY OF SAID LOT 5 AND LOT 6, SOUTH 89°53'00" EAST 150.00 FEET TO THE NORTHEAST CORNER OF LOT 6; THENCE ALONG THE EAST BOUNDARY OF LOT 6, SOUTH 00°07'00" WEST 150.00 FEET TO THE POINT OF BEGINNING.

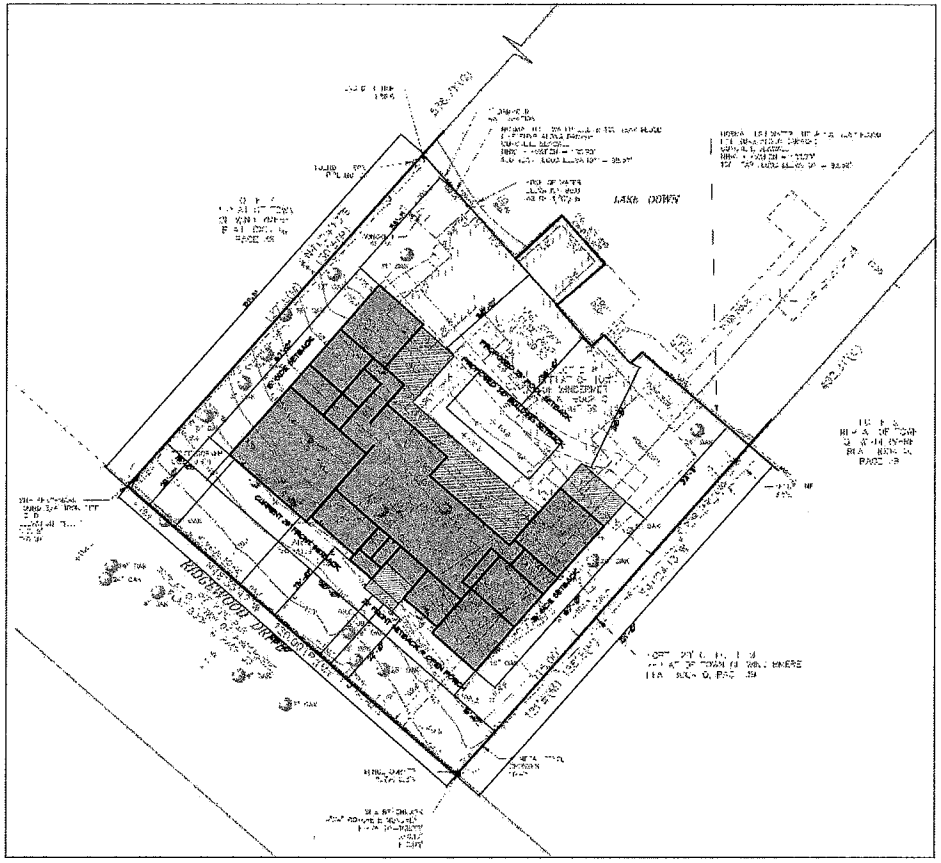
VARIANCE REQUEST:

SETBACKS:

FRONT: 22' (OPEN FRONT ENTRY)
REAR: 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES: 15' (NO CHANGE)

BUILDING HEIGHT 35' (NO CHANGE)





I, Mike Hargreaves WHOM RESIDE AT 565 Ridgewood Dr WINDERMERE, FL 34786, AM IN FAVOR OF THE PROPOSED SETBACK VARIANCE(S) AS REQUESTED TO ALLOW FOR A NEW HOME TO BE CONSTRUCTED ON THIS LOT AS SHOWN.

THANK YOU

NAME (PRINT) Mike Hargreaves

SIGNATURE

DATE 04/08/2026

REVISIONS:

THE KARR RESIDENCE
637 RIDGEWOOD DRIVE
WINDERMERE, FL 34786

SORENSON CONSTRUCTION, INC.

alba ENGINEERING

ARACE DESIGNS, LLC
3563 TERRA OAKS COURT
LONGWOOD, FL 32779
(407) 774-4662
AIA Associate Member
NCIDQ Certificate Holder

ARACE DESIGNS
aracedesigns.com

JOB NUMBER
DATE 3/26/26
DRAWN D.A.A.
SHEET C-1

ARCHITECTURAL SITE PLAN

SEAL

Daniel Gaston, P.E.
P.E. #52801

104

Jonathan and Hannah Yawman

647 Ridgewood Drive

Windermere, FL 34786

April 7, 2026

Town of Windermere Variance Review Board (DRC)

Re: Support for Variance Request – Neighboring Property

Karr Residence - 637 Ridgewood

Dear Members of the Board,

We are writing as neighboring property owners in Windermere to express our support for the variance request associated with the proposed redevelopment outlined in the attached architectural site plan at 637 Ridgewood Drive.

We have reviewed the proposed plan and have had the opportunity to discuss the project with the builder and homeowner. Based on this, we are comfortable that the design has been thoughtfully considered with respect to the surrounding properties and neighborhood character. The proposed improvements appear consistent with the scale and intent of development in our area and do not raise concerns regarding privacy, drainage, access, or overall impact on adjacent properties.

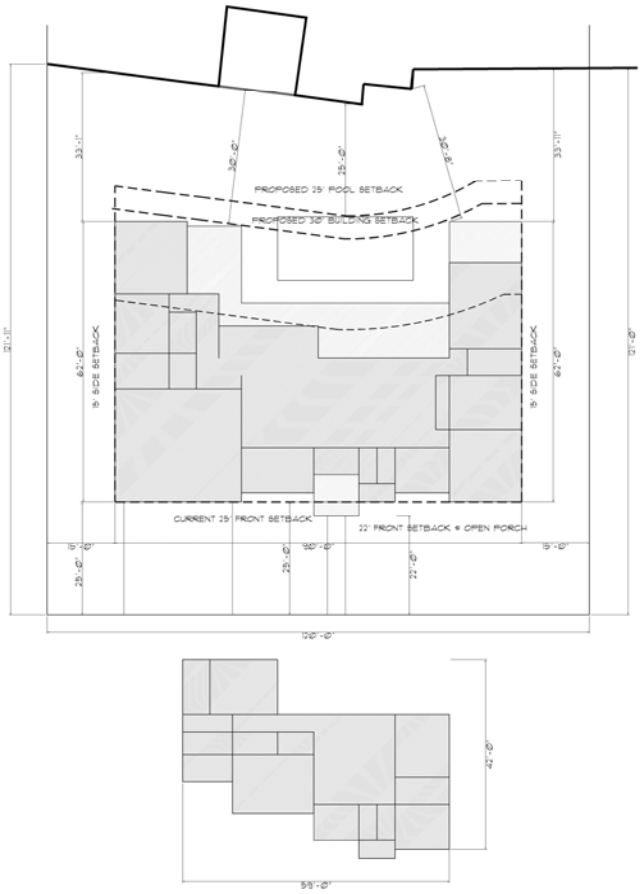
For these reasons, we respectfully support approval of the requested variance. Please feel free to contact us if any additional information would be helpful.

Sincerely,

Jonathan Yawman

Hannah Yawman

Attached Site Plan & Variance Request



SQ. FT. TABULATIONS:	SQ. FT.
FIRST FLOOR:	2,700
SECOND FLOOR:	1,200
TOTAL LIVING:	3,900
2 1/2-CAR GARAGE:	690
COVERED ENTRY:	90
COVERED PORCH:	680
TOTAL UNDER ROOF:	9,294
LOT AREA:	±14,225
ALLOWABLE FAR: (38%)	5,405
PROPOSED FAR: (37.7%)	5,360
ALLOWABLE ISR: (45%)	6,401
PROPOSED ISR: (44.8%)	6,380

VARIANCE REQUEST:

SETBACKS:

FRONT: 22' (OPEN FRONT ENTRY)
REAR: 25' (POOL SETBACK)
REAR: 30' (BUILDING SETBACK)
SIDES: 15' (NO CHANGE)
BUILDING HEIGHT 35' (NO CHANGE)

PLAN CONCEPT

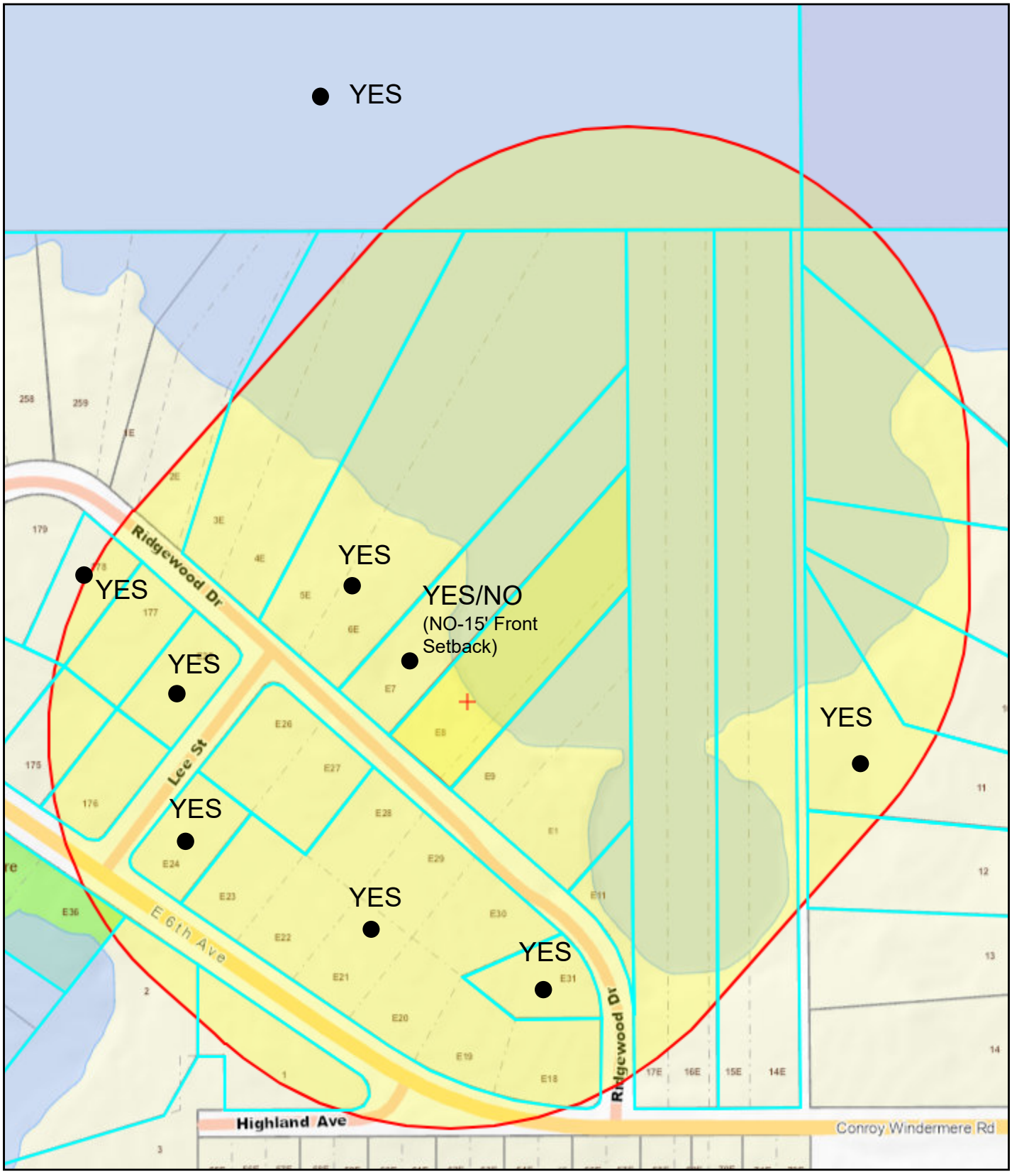
1/4" = 1'-0"

PROPOSED SETBACKS

W/ 25' REAR POOL SETBACK
W/ 30' REAR BUILDING SETBACK
W/ 22' FRONT OPEN PORCH SETBACK

MASTER DOWNSTAIRS
REAR POOL W/ COVERED PORCH
TRADITIONAL ELEVATION DESIGN AVAILABLE
DESIGN WOULD BE ABLE TO MATCH THE CHARACTER AND HARMONY OF THE NEIGHBORHOOD AND TOWN.

Z26-06 Public Notice Responses



Updated 6/16/26

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

June 1, 2026

IVEY STEPHEN LIFE ESTATE
IVEY LORI L LIFE ESTATE
540 RIDGEWOOD DR
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 637 Ridgewood Drive – Z26-06

TJ and Caitlin Karr, owners of the property located at 637 Ridgewood Drive, have requested approval of a variance in accordance with Section 10.02.00 of the Town of Windermere Land Development Code (LDC). The requested variance is to reduce the front yard setback from 25 feet as required to 15 feet as proposed, and to reduce the Normal High-Water Elevation (NHWE) setback from 50 feet as required to a minimum of 25 feet as proposed.

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Enclosed is additional information regarding this request.

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

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 6/4/2026

IVEY STEPHEN LIFE ESTATE
IVEY LORI L LIFE ESTATE
540 RIDGEWOOD DR
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

June 1, 2026

BONNETT TRAVIS SEAN LIFE ESTATE
BONNETT WENDY JEANINE LIFE ESTATE
620 RIDGEWOOD DR
WINDERMERE, FL 34786

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

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: LOOKS GREAT!

SIGNATURE: _____ **DATE:** 6.3.26

BONNETT TRAVIS SEAN LIFE ESTATE
BONNETT WENDY JEANINE LIFE ESTATE
620 RIDGEWOOD DR
WINDERMERE, FL 34786

tow@wadetrim.com
Encl.

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 6-7-26

ROAT GEORGE M
ROAT KATHLEEN W
579 RIDGEWOOD DR
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

June 1, 2026

FAKIOGLU HARUN
FAKIOGLU LOIS A
1 DOWN DR
WINDERMERE, FL 34786

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

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 06.04.2026

FAKIOGLU HARUN
FAKIOGLU LOIS A
1 DOWN DR
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

June 1, 2026

MURTHA WILLIAM B
MURTHA CYTNHIA L
105 LEE ST
WINDERMERE, FL 34786

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

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: All The Best Wishes For your New Home
Welcome To The Ridgewood Neighborhood!

SIGNATURE: William Murtha **DATE:** 6-7-2026

MURTHA WILLIAM B
MURTHA CYTNHIA L
105 LEE ST
WINDERMERE, FL 34786

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: V DISAPPROVAL: _____

COMMENTS: _____

SIGNATURE: Paul J Schubert DATE: 6/5/2026
CK Matheison

SCHUBERT PAUL J
MATHEISON CINDY K
155 SOHIER ST
COHASSET, MA 02025

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: X DISAPPROVAL: _____

COMMENTS: _____

SIGNATURE: John Crawford Jr. DATE: 6/10/26

PRAWLOCKI JOHN J

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

June 1, 2026

MATHEISON FAMILY L P
750 RANCH RD
CLYDE, NC 28721

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813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 6/5/26

MATHEISON FAMILY L P
750 RANCH RD
CLYDE, NC 28721

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

June 1, 2026

MARTINI WILLIAM LIFE ESTATE
MARTINI PAMELA G LIFE ESTATE
627 RIDGEWOOD DR
WINDERMERE, FL 34786

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

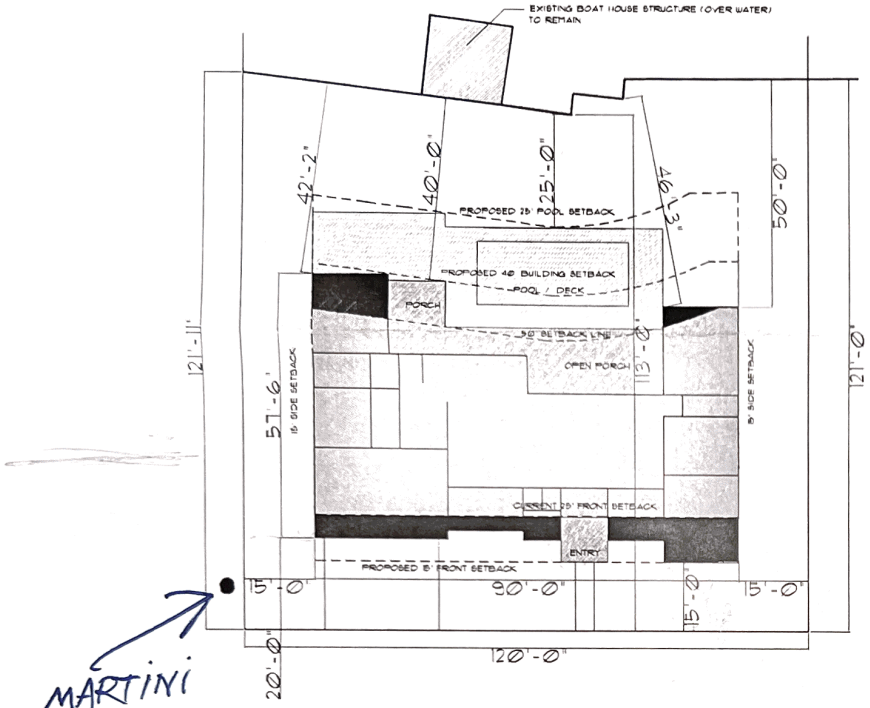
RECOMMEND – Z26-06 (637 Ridgewood Drive)

APPROVAL: X **DISAPPROVAL:** X (FRONT YARD 15-FOOT SETBACK)

COMMENTS: See attached letter.

SIGNATURE: [signature] **DATE:** 6-15-26

MARTINI WILLIAM LIFE ESTATE
MARTINI PAMELA G LIFE ESTATE
627 RIDGEWOOD DR
WINDERMERE, FL 34786



SQ. FT. TABULATIONS:	SQ. FT.
TOTAL LIVING:	3,900
LOT AREA:	±14,225
ALLOWABLE FAR: (38%)	5,405
PROPOSED FAR: (37.7%)	5,360
ALLOWABLE ISR: (45%)	6,401
PROPOSED ISR: (44.8%)	6,380

TOTAL BUILDING AREA INTO SETBACKS:
540 SQ. FT @ FRONT
360 SQ. FT @ REAR
900 SQ. FT TOTAL INTO SETBACKS
6.3% OF TOTAL LOT

VARIANCE REQUEST:

SETBACKS: (BUILDING SETBACK)

FRONT: 15' (BUILDING SETBACK)
REAR: 25' (POOL SETBACK)
REAR: 40' (BUILDING SETBACK)
SIDES: 15' (NO CHANGE)

BUILDING HEIGHT 35' (NO CHANGE)

PLAN CONCEPT
1/4" = 1'-0"

PROPOSED SETBACKS

15' FRONT SETBACK

40' REAR BUILDING SETBACK (MINIMAL IMPACT)

25' REAR POOL SETBACK

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board
June 16, 2026

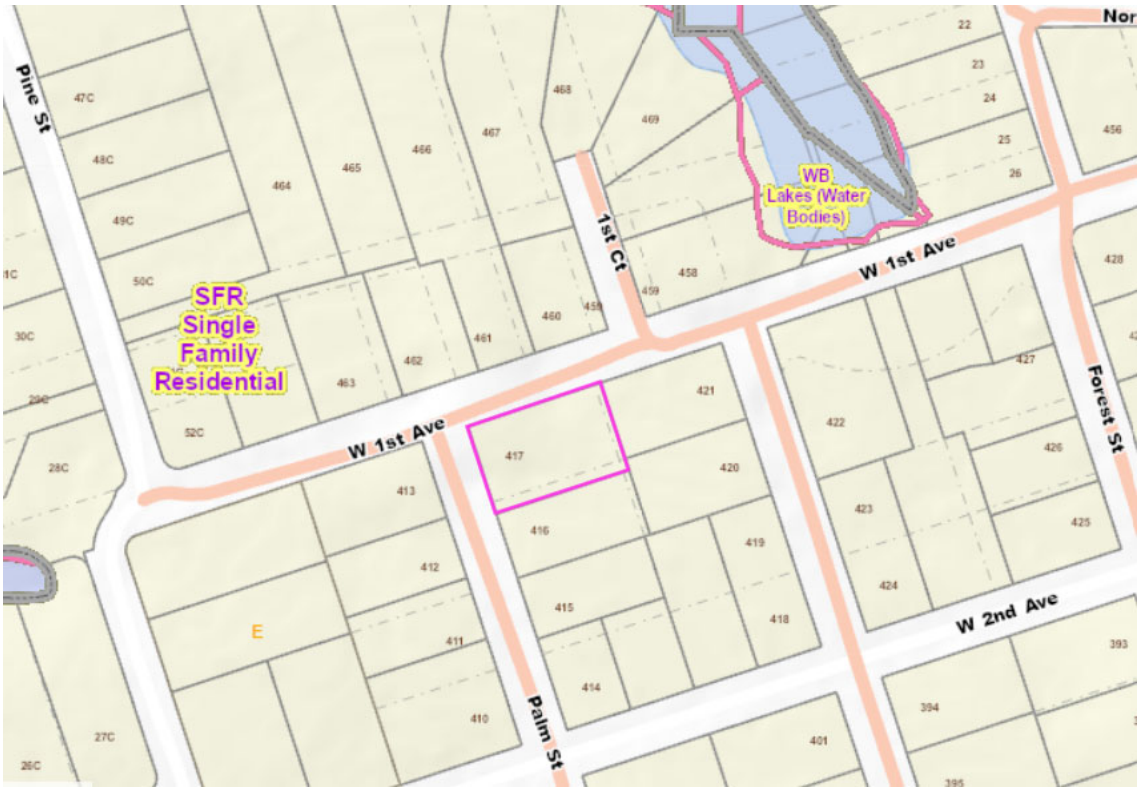
Town Council
July 14, 2026

Case Number:	Z26-07
Property Owners:	Courtney and David Eaves (Property Owners)
Requested Action:	Variance to permit the placement of a swimming pool within the front yard of the subject property, whereas the Land Development Code (LDC) limits the placement of swimming pools to side and rear yards.
Property Address:	105 Palm Street
Legal Description:	PLAT OF WINDERMERE G/36 LOTS 416 417 & W 7.5 FT OF LOTS 420 & 421 (LESS S 85 FT OF LOT 416 & W 71/2 FT OF S 85 FT OF LOT 420)
Future Land Use:	Single Family Residential
Zoning:	Single Family Residential
Existing Use:	Single-Family Residence

Surrounding Future Land Use and Zoning

North: W 1st Avenue Right of Way
East: Single Family Residential/Single Family Residential
South: Single Family Residential/Single Family Residential

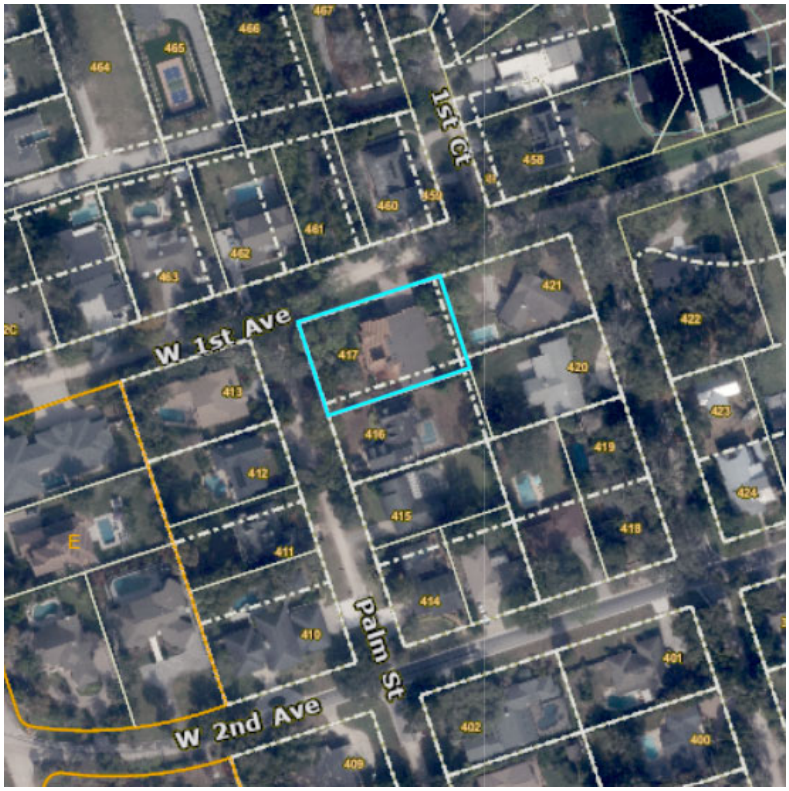
West: Palm Street Right of Way



Zoning Map of Surrounding Area - Source: Orange County Property Appraiser

CASE SUMMARY

Courtney and David Eaves, owners of the property located at 105 Palm Street, have requested approval of a variance in accordance with Section 10.02.00 of the Town of Windermere Land Development Code (LDC). The requested variance would permit the construction of a swimming pool and related pool decking within the front yard of the subject property, where the Town's LDC only permits swimming pools and related features to be located in side and rear yards. The aerial map provided below shows the location of the subject property, which has been highlighted in blue. The property is a corner lot located at the intersection of Palm Street and West 1st Avenue.



Aerial Imagery of 105 Palm Street (Outlined in Blue) - Source: Orange County Property Appraiser

Section 7.02.03 outlines the locational restrictions pertaining to the placement of swimming pools:

> *Swimming pools, etc., shall be permitted only in side and rear yards…*

The applicant proposes to construct a swimming pool in the west primary front yard of the property, extending beyond the front façade of the existing home along Palm Street. However, the Town's LDC prohibits swimming pools from being located within a front yard. As a result, the proposed swimming pool does not comply with the applicable regulations.

The applicant's proposed swimming pool and associated decking would result in an addition of at least 125 square feet of impervious surface to the property, meaning that the applicant would be required to provide a grading and drainage plan to demonstrate on-site retention for the first inch of stormwater runoff in accordance with the Town's LDC. The proposed addition of the swimming pool results in a total impervious surface area of 38% (approximately 7,655 square feet) of the total lot area, which is less than the 45% permitted for residential properties. These measurements would be verified and reviewed for compliance during the Town's permitting process.

The following considerations would also be applicable to the proposed swimming pool at 105 Palm Street, in accordance with Sections 3.02.02 and 7.02.03 of the Town's Land Development Code:

- *Swimming pools, etc., shall be permitted only in side and rear yards, and shall meet the following siting standards:…lots greater than 60 feet in width at the front setback line require a minimum side and rear setback of ten feet.*
- *Pool decks shall be located no closer to the side or rear lot line than 50 percent of the required setback for pools.*
- *For corner lots, the street side setback for all swimming pools and pool decks is the same as the principal structure.*
    - *Residential contiguous corner lots…*
      [Principal structure] Option B. The front yard setback shall be 25 feet, except a front yard that is contiguous with an adjacent corner lot shall have a front yard setback of 15 feet. The side yard setback for a side yard that is contiguous with an adjacent corner lot shall be 35 feet. All other side yard setbacks shall be not less than ten feet or 12½ percent of the lot width, whichever is greater, with a maximum of 15 feet.
- *As required by the Florida Building Code, all pools etc. shall be completely enclosed with an approved wall, fence or other substantial structure. The enclosure shall completely surround (to include the water front) the pool and shall be of sufficient density to prohibit unrestrained admittance to the enclosed area through the use of self-closing and self-latching doors.*

In summary, the Town of Windermere's LDC requires the following minimum setbacks for swimming pools on the subject property:

- South (side yard) – 10 feet (pool)/5 feet (deck)
- East (side yard) – 10 feet (pool)/5 feet (deck)
- West (front yard) – 25 feet (pool)/25 feet (deck)
- North (front yard)– 15 feet (pool)/15 feet (deck)

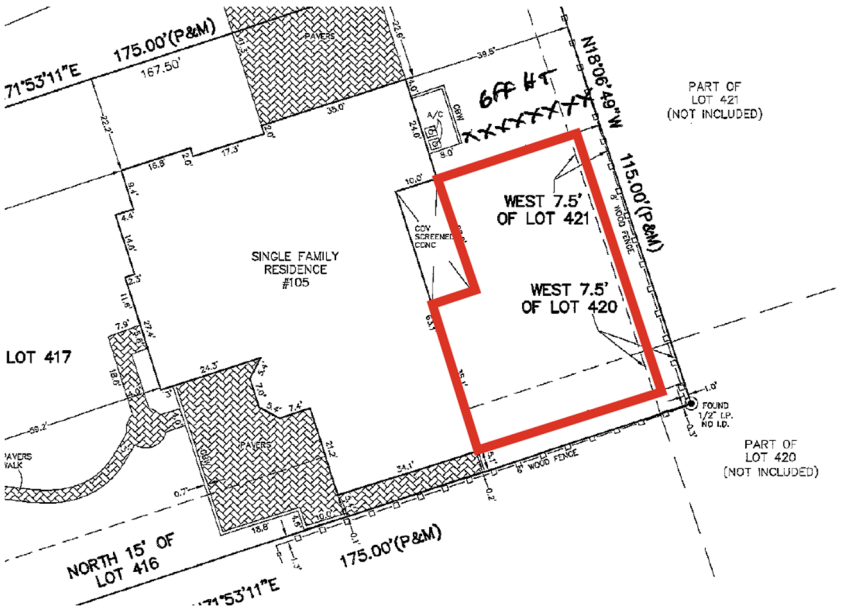
Based on the conceptual site plan provided, the proposed swimming pool and associated decking comply with the applicable side yard setback requirements (i.e., 10 feet (pool), 5 feet (deck)). All other applicable provisions of the Land Development Code (LDC), including but not limited to those identified above, will be reviewed for compliance during the building permit review process for the swimming pool.

The property's single-family residence, which was originally constructed in 1955, exists with the following building setbacks:

- South (side yard) – 5.1 feet
- East (side yard) – 39.5 feet
- West (front yard) – 59.2 feet
- North (front yard)– 22.2 feet

As a result of the property's as-built conditions, which feature a nonconforming principal building side yard setback that would not be permitted under the Town's current regulations, an approximately 3,100-

square-foot area is located within the East side yard that is not encumbered by existing structures or mechanical equipment, is not situated within the property's front yards, and can accommodate the construction of a swimming pool/pool decking in compliance with all applicable LDC setback requirements. See below for a rough approximation of this area.



However, an additional development constraint affecting the property is the presence of the existing septic tank and drainfield within the East side yard. To maintain proper functionality, this area must remain free of development, particularly impervious surfaces, thereby limiting its viability for the placement of a swimming pool or pool decking.

Consequently, the front yard location shown on the site plan submitted with the variance application is the only area on the property where the proposed swimming pool and pool decking at its current size and configuration could practically be placed. However, the Town's code does not allow swimming pools to be located in a front yard, necessitating the need for the requested 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 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 written narrative in support of the variance request. Please see the 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 July 1, 2026, seventeen (17) responses were received in support of this case, and zero (0) responses were received in opposition.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The proposed variance for 105 Palm Street was heard at the June 16, 2026, meeting of the Development Review Board (DRB). Based on the information provided in the staff report and input from the applicant and public, the DRB found the proposed variance compliant with the requirements for the approval of a variance in accordance with Section 10.02.02 of the LDC and recommended approval of the variance as submitted. The DRB vote was 5-0 to recommend approval.

Windermere Development Review Board
105 Palm St
Windermere, FL 34786

Subject: Variance Request – Front/Side Yard Pool Installation

Dear Members of the Development Review Board,

Our names are Courtney and David Eaves and we live at 105 Palm St which is a corner lot next to 1st Avenue. We respectfully request a variance to allow the installation of a residential swimming pool within the front side yard of our property.

As demonstrated in the submitted site plan and survey, the proposed pool complies with all applicable setback, coverage, and zoning requirements. The sole variance requested is for the location of the pool within the front yard.

This request is based on unique conditions specific to our property that create a practical hardship. The rear yard is substantially encumbered by an existing septic system, significantly limiting usable space and preventing reasonable placement of a pool without eliminating functional yard area. Additionally, the configuration and structure of the home restrict both exterior and interior access to the rear yard, such that locating the pool in the backyard would require significant structural modifications. These conditions are not self-created and are unique to this property.

We have lived in this home for five years and have two young children (ages 7 and 10). We have invested in this community with the intention of remaining here long-term as our children grow up. This improvement would allow our family to continue enjoying our home and this wonderful neighborhood in a way that is both practical and consistent with the character of the area.

The variance requested is the minimum necessary to allow reasonable use of the property. No additional deviations from the Land Development Code are being sought.

The proposed location has been carefully selected to remain consistent with the intent of the Town's regulations and to minimize any visual or neighborhood impact. The pool will be situated in an existing impervious area alongside our partially enclosed courtyard area that will naturally block the view of the pool from 1st Avenue. In addition, a 4-foot wall (to blend with current mediterranean aesthetic) and gate will be installed to ensure the pool is obscured from Palm Street or surrounding public rights-of-way, maintaining neighborhood aesthetics and privacy.

Approval of this variance will not adversely affect adjacent properties or the public welfare. The design maintains compatibility with the residential character of the area while addressing the unique physical constraints of the lot.

For clarity, we have outlined below how this request satisfies the Town's variance criteria:

Exhibit A – Variance Criteria Justification

Criteria	Summary	Project Justification
1. Practical difficulty or hardship	Strict application of the code creates a real hardship.	The rear yard is constrained by an existing septic system, significantly limiting usable space. Additionally, the home's layout restricts reasonable construction access, making backyard placement impractical without major structural modifications.
2. Not based solely on cost	Request is not just to save money.	While cost is a consideration, the request is driven by physical limitations of the lot and structural constraints, not financial preference.
3. No increased public risk	Must not create safety or congestion issues.	The pool is fully contained within a walled and gated courtyard and does not impact traffic, street access, or emergency services.
4. No negative impact on property values or neighborhood character	Must fit the surrounding area.	The pool is screened from Palm Street and 1st Avenue, minimizing visibility. The design is consistent with the residential character of the neighborhood and is expected to enhance overall property appeal, supporting and potentially increasing surrounding property values.
5. Consistent with intent of the Land Development Code	Must align with overall zoning goals.	The request maintains all setbacks and safety standards, with only the location adjusted due to site-specific constraints.
6. Does not set undesirable precedent	Should not encourage inappropriate future requests.	This request is based on unique conditions specific to this property and is not broadly applicable to other parcels.

Based on these factors, we believe this request satisfies the criteria for granting a variance and respectfully ask for your approval.

Thank you for your time and consideration.

Sincerely,
Courtney and David Eaves

Attachment 1 - Pool plan

Attachment 2 - Survey

BOUNDARY SURVEY

PROPERTY DESCRIPTION: LOTS 416, 417 AND THE WEST 7.5 FEET OF LOTS 420 AND 421 (LESS THE SOUTH 85 FEET OF LOT 416 AND LESS THE WEST 7.5 FEET OF THE SOUTH 85 FEET OF LOT 420) PLAT OF WINDERMERE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK G, PAGES 36 THROUGH 39, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

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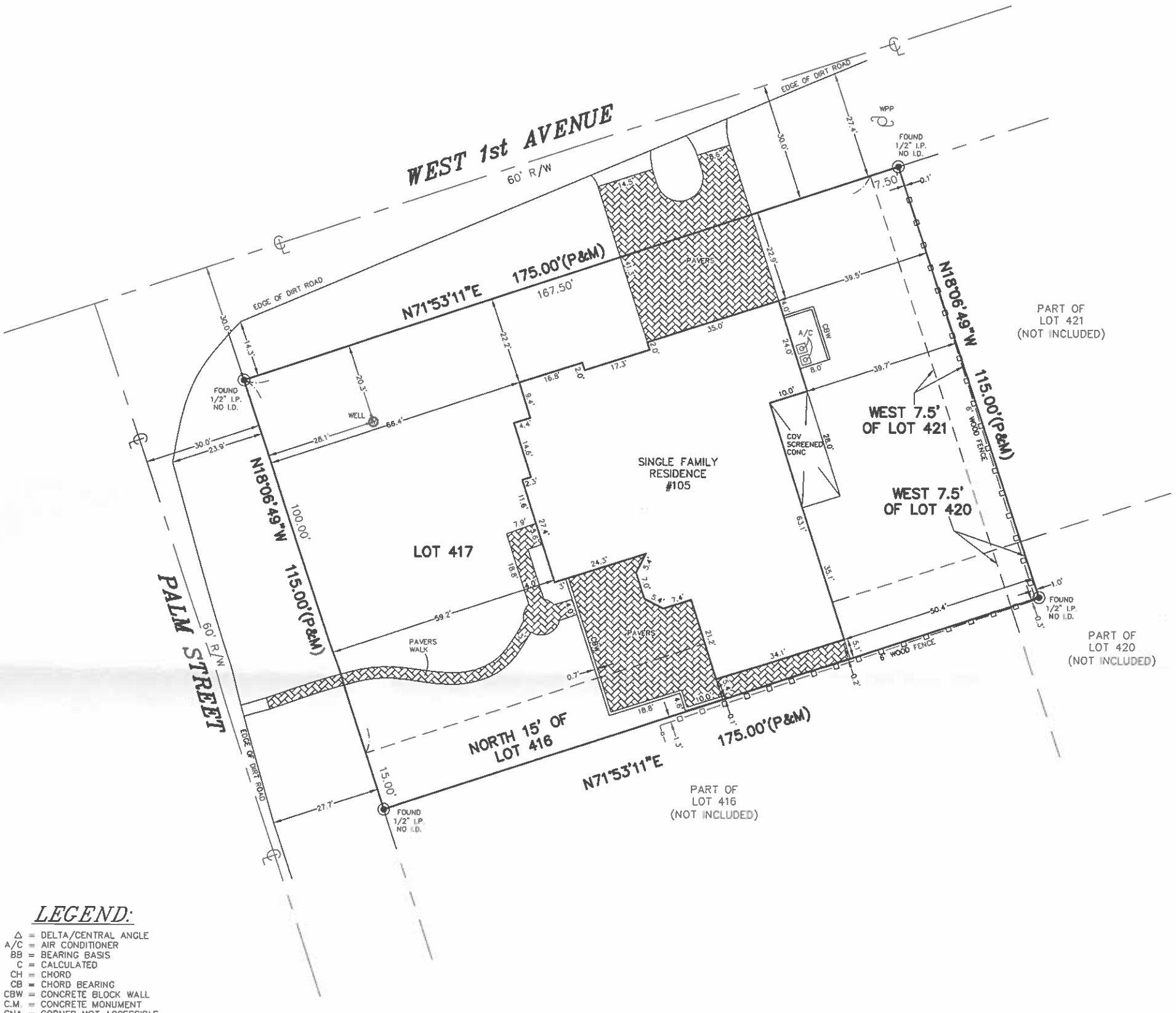
GRAPHIC SCALE
0 15 30



LEGEND:

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= LIGHT POLE
= FIRE HYDRANT

FLOOD ZONE INFORMATION:
MAP NUMBER: 12095C 0385 F
DATE: 09/25/2009
ZONE: X

CERTIFIED TO:
DAVID E. EAVES AND COURTNEY L. EAVES
QUICKEN LOANS, LLC, ISAOA
FIRST AMERICAN TITLE INSURANCE COMPANY

ADDRESS:
105 PALM STREET
WINDERMERE, FLORIDA 34786

Bradley Cox & Associates
Land Surveying
405 W. 25th Street
Sanford, Florida 32771
Phone (407) 323-9202
Fax (407) 324-9661
WWW.BRADLEYCOXSURVEYING.COM

JOB # BCA25434
DRAWN BY: CSD2
CHECKED BY: BC
FIELD BY: RF/MW
(FIELD DATE:) 08/24/20
REVISIONS:

NOTES:
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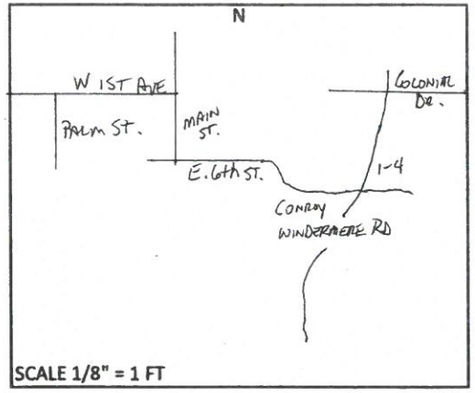
08/28/20
BRADLEY G. COX, PSM #5567 (DATE)
CERTIFICATE OF AUTHORIZATION LB #7020

This Drawing and it's principle design is the exclusive property of Artesian Pools, Inc. It cannot be copied, loaned, or reproduced without written consent from Artesian Pools Inc

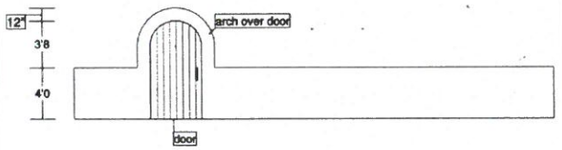


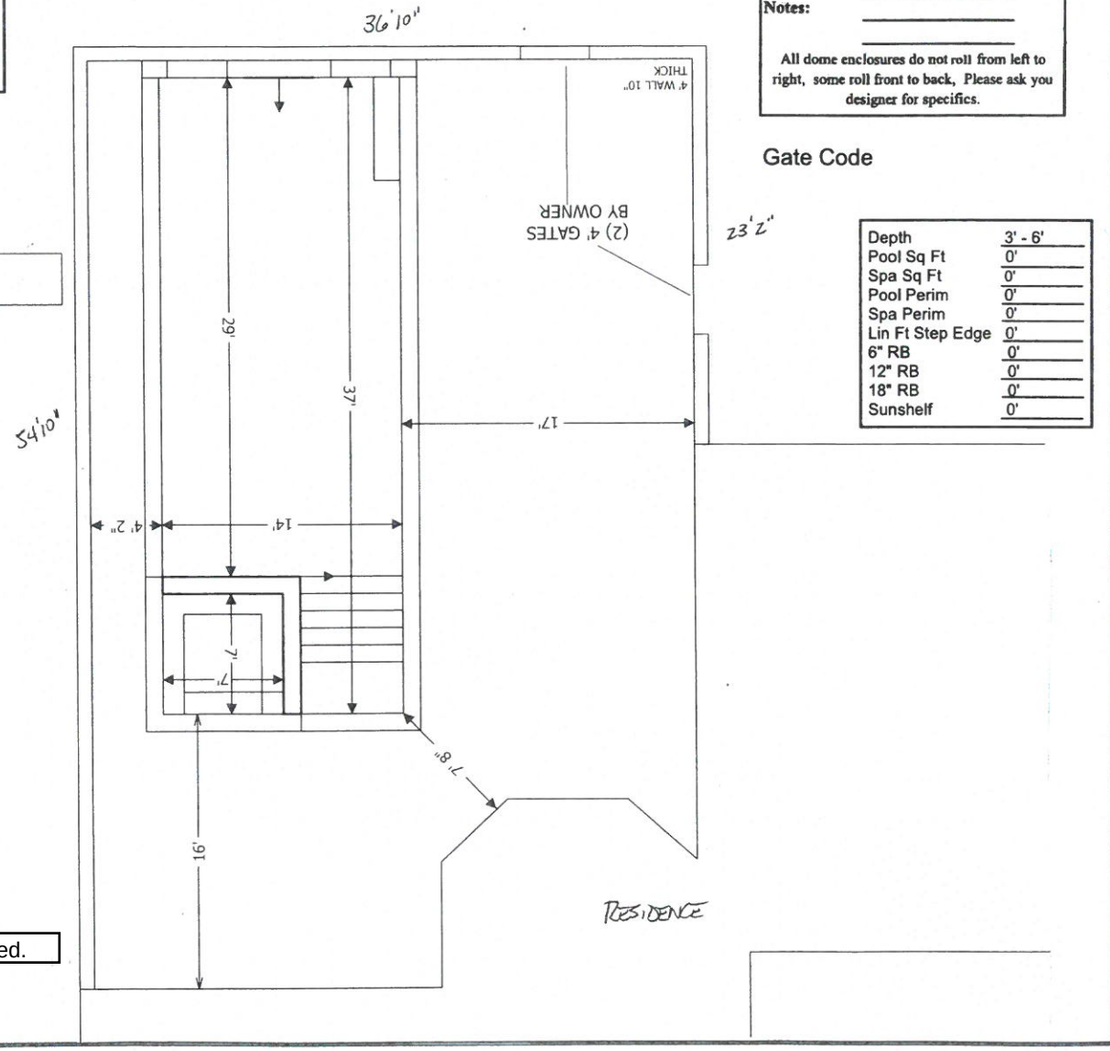
Termite	BY OWNER
Safety Fence / Alarms / Floater	FLOATERS
Solar	NO

Color	NO SCREEN
Roof Style	
Wall Height	
Doors	
Elite Roof	
Gutter	
Notes:	

All dome enclosures do not roll from left to right, some roll front to back, Please ask you designer for specifics.

Courtyard entryway detail





Gate Code

Depth	3' - 6'
Pool Sq Ft	0'
Spa Sq Ft	0'
Pool Perim	0'
Spa Perim	0'
Lin Ft Step Edge	0'
6" RB	0'
12" RB	0'
18" RB	0'
Sunshelf	0'

POOL SPECS		DEPTH	3'6" TO 6'
REFERENCE NO		EST GALLONS	16,525
WIDTH & LENGTH	14' x 37'	HAND/GRABRAIL	NO
SWIMOUT	YES	SUNSHELF	YES
BRICK COPING	NO	PAVER PATTERN	RANDOM
PAVER Deck Color	CHOICE	PAVER BORDER	YES
TRAV COPING	YES 12" x 24" CHOICE	TRAV PATTERN	NO
TRAV Deck Color	NO	TRAV BORDER	NO
CAPSTONE CANTILEVER	N/A	INTERIOR FINISH	QUARTZ S.BLUE
ACRYLIC DECK COLOR	TBA	TURNDOWN COLOR	N/A
TILE	CHOICE 6" x 6"	GROUT	CHOICE
STEP / MARKER	RIBBON 2 ROW GLASS	DECO TILE	NO
SPLIT FACE / LEDGESTONE	NO		
ROCKWORK	NO		
PUMP	3HP VARIABLE SPEED	FEATURE PUMP	1.5 HP VS
FILTER SIZE	CARTRIDGE 200 S.F.	LIGHTS	(3)LED
POOL RETURNS	(3) NO VAC LINE	CLEANER:	AQUA CLEAN ROBO
SALT CHLORINATOR	YES	UV SYSTEM	NO
OZONATOR	NO	TABLET	NO
SPA	7' x 7' NOT RAISED	SPA FOUNTAIN	YES
T-JETS	12		
GRANITE SPILL	NO	TILE SPILL	GLASS
BLOWER	YES	SPA LIGHT	LED
GAS HEATER	250,000 BTU NAT GAS	HEAT PUMP	NO
AUTOMATION	INTELICENTER LITE		
BOX WATERFALL	4' WIDE +36"	DECK JETS	NO
BUBBLERS	NO	LED BUBBLERS	NO
WATERBOWL	NO	FIREBOWLS	NO
SCUPPERS	NO	LAMINARS	NO
ACCESS APPROVAL	YES	DRIVEWAY APPROVAL	YES
CONCRETE REMOVAL	NO	DIRT REMOVAL	AS NEEDED
TREE REMOVAL	NO	STUMP REMOVAL	NO
FENCE REMOVAL	YES	FENCE RE-INSTALL	YES

OTHER OPTIONS
5 STEPS PER PLAN
4' WALL PER PLAN W/ TEXTURE AND PAINT
(2) GATES WITH ARCH CAP BY OWNER

Pool Perimeter - Spa - Fountain

NAME	DAVID EAVES		
ADDRESS	105 PALM ST.		
CITY	WINDERMERE	ZIP	34786
MR CELL	407-353-2213	MRS CELL	N/A
HOME PHONE	MR CELL		
LOT	416/417	BLOCK N/A	SUBDIVISION
DESIGNER	TONY ALLO	DATE	APRIL 16TH, 2026

JOB#

CUSTOMER SIGNATURE

Stormwater retention plan noted.

BOUNDARY SURVEY

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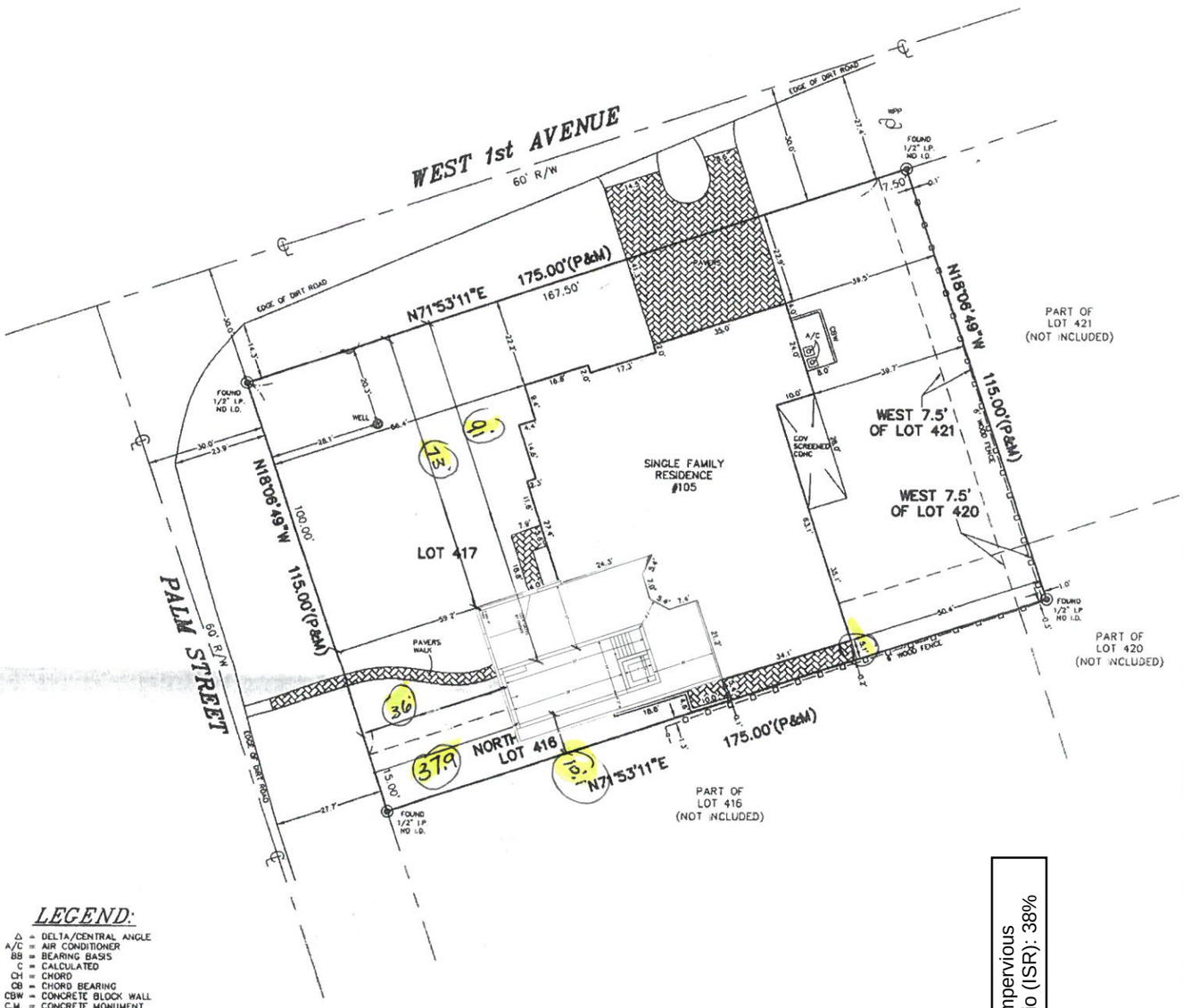

New Total Impervious Surface Ratio (ISR): 38%

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FLOOD ZONE INFORMATION:
MAP NUMBER: 12095C 0385 F
DATE: 09/25/2009
ZONE: X

CERTIFIED TO:
DAVID E. EAVES AND COURTNEY L. EAVES
QUICKEN LOANS, LLC, ISAOA
FIRST AMERICAN TITLE INSURANCE COMPANY

ADDRESS:
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WINDERMERE, FLORIDA 34786

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WWW.BRADLEYCOXSURVEYING.COM

JOB # BCA25434
DRAWN BY: CSD2
CHECKED BY: BC
FIELD BY: RF/MW
(FIELD DATE:) 08/24/20
REVISIONS:

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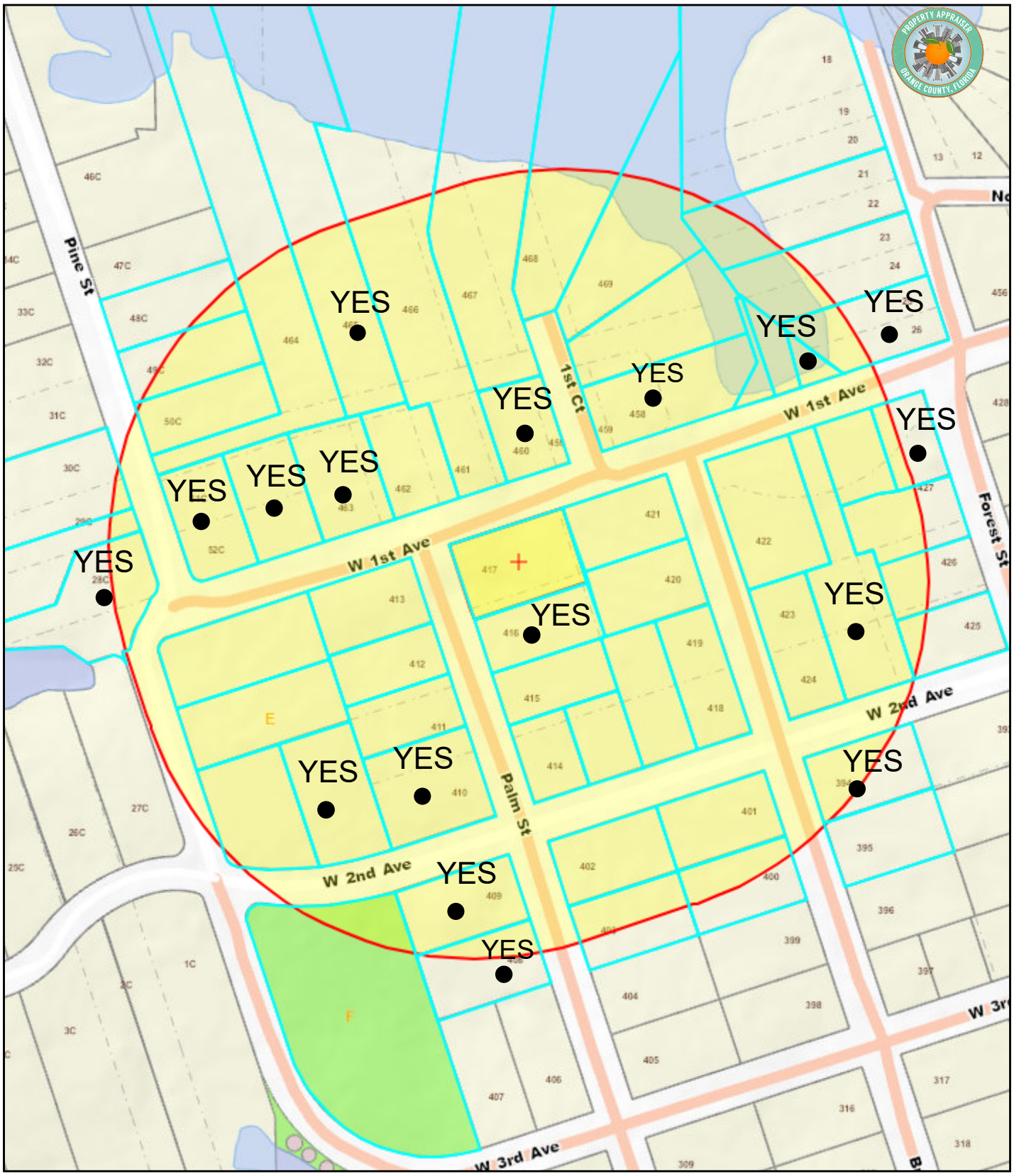
Z26-07 Public Notices Responses



Updated 6/23/26

Hague, Taylor

From: Town of Windermere
Sent: Thursday, May 28, 2026 4:26 PM
To: Hague, Taylor
Cc: Cornelius, Brad; Baird, Connor
Subject: FW: Variance 105 palm st

FYI – See variance response, below.

From: Susan Capone <ncsc1064@aol.com>
Sent: Thursday, May 28, 2026 4:21 PM
To: Town of Windermere <tow@wadetrim.com>
Subject: Variance 105 palm st

This message originated outside of Wade Trim.

We approve the variance request for 105 palm st, the Eaves property.
Nick and Susan Capone
65 pine st
Sent from my iPhone

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

AZPURUA FERNANDO
92 PINE ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 105 Palm Street – Z26-07

Courtney and David Eaves, owners of the property located at 105 Palm Street, have requested approval of a variance in accordance with Section 10.02.00 of the Town of Windermere Land Development Code (LDC). The applicant is requesting a variance to permit the placement of a swimming pool within the front yard of the subject property, whereas the LDC limits the placement of swimming pools to side and rear yards.

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 **Friday, June 12, 2026.**

This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m**. Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, 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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 5/28/2026

AZPURUA FERNANDO
92 PINE ST
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

CHAMBLISS ROBERT NEAL
CHAMBLISS KAREN RENEE
117 PALM ST
WINDERMERE, FL 34786

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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 5/29/26

CHAMBLISS ROBERT NEAL
CHAMBLISS KAREN RENEE
117 PALM ST
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
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Clerk
DOROTHY BURKHALTER

May 18, 2026

DROGOSCH FAMILY REVOCABLE
TRUST
57 OAKDALE ST
WINDERMERE, FL 34786

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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: Cheryl Drogosch **DATE:** 5/29/2026

DROGOSCH FAMILY REVOCABLE
TRUST
57 OAKDALE ST
WINDERMERE, FL 34786

Town of Windermere

614 Main Street Windermere, FL 34786
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Mayor
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DOROTHY BURKHALTER

May 18, 2026

COLE LINDA PARKER
204 W 2ND AVE
WINDERMERE, FL 34786

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Wade Trim, Inc.
813.882.4373
tow@wadetrim.com

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: Linda Parker cole **DATE:** 5-29-2026

COLE LINDA PARKER
204 W 2ND AVE
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

SZUKALSKI JEFFREY J
SZUKALSKI RACHELLE K
219 W 2ND AVE
WINDERMERE, FL 34786

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This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m**. Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, 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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: Yes, looks great. Swim hard!

SIGNATURE: Jeff Szukalski **DATE:** 5/29/2026

SZUKALSKI JEFFREY J
SZUKALSKI RACHELLE K
219 W 2ND AVE
WINDERMERE, FL 34786

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: Enjoy Your Pool

SIGNATURE: Anthony + Allison Pearce **DATE:** 28 May 2026

PEARCE ANTHONY
PEARCE ALLISON
78 FOREST ST
WINDERMERE, FL 34786

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

SIGNATURE: Laurie A Pal **DATE:** 5.28.26

WEST 2ND AVE HOLDINGS LLC
804 W 2ND AVE
WINDERMERE, FL 34786

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: IMMEDIATE NEIGHBORS ARE HAPPY, SO NO ISSUE.

SIGNATURE: _____ **DATE:** 29 MAY 26.

CLARK ANTHONY J LIFE ESTATE
CLARK DIANNE S LIFE ESTATE
108 FOREST ST
WINDERMERE, FL 34786

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 5/31/2026

PANTOZZI PAUL M II
PANTOZZI TIFFANY
419 W 1ST AVE
WINDERMERE, FL 34786

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: Linnae Williams **DATE:** 5/30/26

WILLIAMS LINNAE D PARSONS
WILLIAMS PETER MICHAEL
415 W 2ND AVE
WINDERMERE, FL 34786

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: William Yeager **DATE:** 6/1/26

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

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

RYKA LLC
660 CELEBRATION AVE STE 170
KISSIMMEE, FL 34747

RE: Public Notice of Variance Public Hearing for 105 Palm Street – Z26-07

Courtney and David Eaves, owners of the property located at 105 Palm Street, have requested approval of a variance in accordance with Section 10.02.00 of the Town of Windermere Land Development Code (LDC). The applicant is requesting a variance to permit the placement of a swimming pool within the front yard of the subject property, whereas the LDC limits the placement of swimming pools to side and rear yards.

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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: I love the idea.

SIGNATURE: E Eaves **DATE:** 6/5/26

RYKA LLC
660 CELEBRATION AVE STE 170
KISSIMMEE, FL 34747

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

HOGAN MICHAEL J
HOGAN BARBARA W
PO BOX 1437
WINDERMERE, FL 34786

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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: Michael J Hogan **DATE:** 6/3/26

HOGAN MICHAEL J
HOGAN BARBARA W
PO BOX 1437
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

ROLAND FAMILY TRUST
1 1ST CT
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 105 Palm Street – Z26-07

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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: Every Home owner should Enjoy a Pool and the summer fun

SIGNATURE: _____ **DATE:** 6-7-26

ROLAND FAMILY TRUST
1 1ST CT
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

FOSTER TIMOTHY R
FOSTER VIRGINIA RAUB
83 PINE ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 105 Palm Street – Z26-07

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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: Just a thought, it is not hard to move septic. If moved, they may enjoy the pool in the backyard, since this is a permanent fixture!

SIGNATURE: Vr Foster **DATE:** 6/11/2026

FOSTER TIMOTHY R
FOSTER VIRGINIA RAUB
83 PINE ST
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 18, 2026

PRITZKER SHARON J
PO BOX 1328
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 105 Palm Street – Z26-07

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

RECOMMEND – Z26-07 (105 Palm Street)

APPROVAL: ✓ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: Sharon Pritzker **DATE:** 6/14/23

PRITZKER SHARON J
PO BOX 1328
WINDERMERE, FL 34786

Windermere Development Review Board
105 Palm St
Windermere, FL 34786

Subject: Variance Request – Front/Side Yard Pool Installation

Dear Members of the Development Review Board,

Our names are Courtney and David Eaves and we live at 105 Palm St which is a corner lot next to 1st Avenue. We respectfully request a variance to allow the installation of a residential swimming pool within the front side yard of our property.

As demonstrated in the submitted site plan and survey, the proposed pool complies with all applicable setback, coverage, and zoning requirements. The sole variance requested is for the location of the pool within the front yard.

This request is based on unique conditions specific to our property that create a practical hardship. The rear yard is substantially encumbered by an existing septic system, significantly limiting usable space and preventing reasonable placement of a pool without eliminating functional yard area. Additionally, the configuration and structure of the home restrict both exterior and interior access to the rear yard, such that locating the pool in the backyard would require significant structural modifications. These conditions are not self-created and are unique to this property.

We have lived in this home for five years and have two young children (ages 7 and 10). We have invested in this community with the intention of remaining here long-term as our children grow up. This improvement would allow our family to continue enjoying our home and this wonderful neighborhood in a way that is both practical and consistent with the character of the area.

The variance requested is the minimum necessary to allow reasonable use of the property. No additional deviations from the Land Development Code are being sought.

The proposed location has been carefully selected to remain consistent with the intent of the Town's regulations and to minimize any visual or neighborhood impact. The pool will be situated in an existing impervious area alongside our partially enclosed courtyard area that will naturally block the view of the pool from 1st Avenue. In addition, a 4-foot wall (to blend with current mediterranean aesthetic) and gate will be installed to ensure the pool is obscured from Palm Street or surrounding public rights-of-way, maintaining neighborhood aesthetics and privacy.

Approval of this variance will not adversely affect adjacent properties or the public welfare. The design maintains compatibility with the residential character of the area while addressing the unique physical constraints of the lot.

For clarity, we have outlined below how this request satisfies the Town's variance criteria:

Exhibit A – Variance Criteria Justification

Criteria	Summary	Project Justification
1. Practical difficulty or hardship	Strict application of the code creates a real hardship.	The rear yard is constrained by an existing septic system, significantly limiting usable space. Additionally, the home's layout restricts reasonable construction access, making backyard placement impractical without major structural modifications.
2. Not based solely on cost	Request is not just to save money.	While cost is a consideration, the request is driven by physical limitations of the lot and structural constraints, not financial preference.
3. No increased public risk	Must not create safety or congestion issues.	The pool is fully contained within a walled and gated courtyard and does not impact traffic, street access, or emergency services.
4. No negative impact on property values or neighborhood character	Must fit the surrounding area.	The pool is screened from Palm Street and 1st Avenue, minimizing visibility. The design is consistent with the residential character of the neighborhood and is expected to enhance overall property appeal, supporting and potentially increasing surrounding property values.
5. Consistent with intent of the Land Development Code	Must align with overall zoning goals.	The request maintains all setbacks and safety standards, with only the location adjusted due to site-specific constraints.
6. Does not set undesirable precedent	Should not encourage inappropriate future requests.	This request is based on unique conditions specific to this property and is not broadly applicable to other parcels.

Based on these factors, we believe this request satisfies the criteria for granting a variance and respectfully ask for your approval.

Thank you for your time and consideration.

Sincerely,
Courtney and David Eaves

Attachment 1 - Pool plan
Attachment 2 - Survey

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board
June 16, 2026

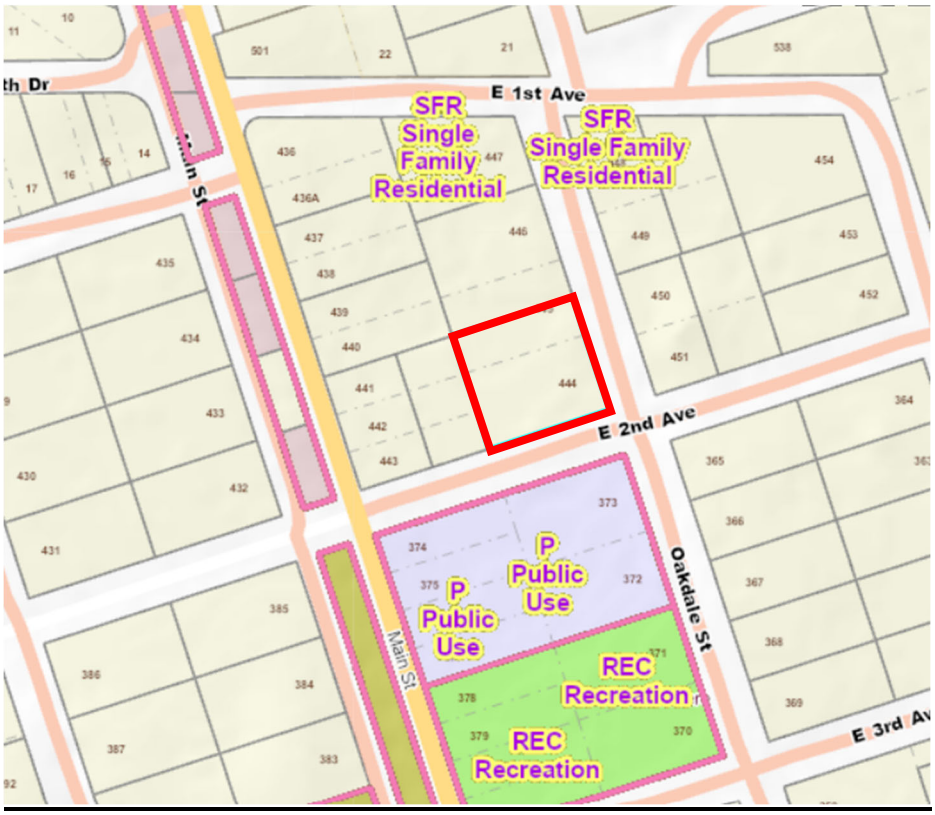
Town Council
July 14, 2026

Case Number:	Z26-08
Property Owner/Applicant:	James Pruitt (Property Owner)
Requested Actions:	Variance to allow a detached garage/accessory building to be located 13 feet from the front property line, whereas the LDC requires a minimum 25-foot front yard setback for accessory buildings on non-contiguous corner lots. Variance to allow a detached garage/accessory building with a maximum building height of 22 feet, 10 inches (22'-10"), whereas the LDC requires a maximum height of 18 feet for accessory buildings that do not meet the same setbacks as the principal building. Variance to allow the placement of a detached garage/accessory building within a front yard, whereas the LDC requires all accessory buildings to be located within a side or rear yard.
Property Address:	136 Oakdale Street
Legal Description:	PLAT OF WINDERMERE G/36 LOT 444 & S1/2 OF LOT 445
Future Land Use:	Single Family Residential
Zoning:	Single Family Residential

Existing Use: Single Family Residence

Surrounding Future Land Use and Zoning

- **North:** Single Family Residential/Single Family Residential
- **East:** Single Family Residential/Single Family Residential
- **South:** Public Use/Public Use (Telecommunications)
- **West:** Single Family Residential/Single Family Residential



136 Oakdale Street Zoning Map (Source: Orange County Property Appraiser)

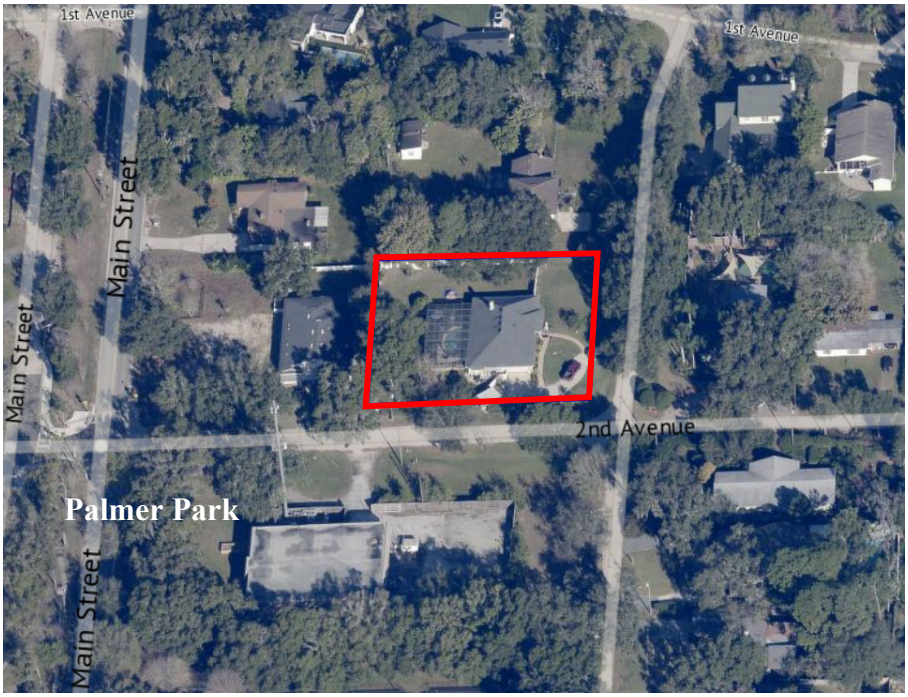
CASE SUMMARY

James Pruitt, owner of the property located at 136 Oakdale Street, has submitted a request for approval of a variance in accordance with Section 10.02.00 of the Town of Windermere Land Development Code (LDC). The following variances have been requested for the purpose of facilitating the construction of a detached garage/accessory building:

1. Variance to allow a detached garage/accessory building to be located 13 feet from the front property line, whereas the LDC requires a minimum 25-foot front yard setback for accessory buildings on non-contiguous corner lots.

2. Variance to allow a detached garage/accessory building with a maximum building height of 22 feet, 10 inches (22'-10"), whereas the LDC requires a maximum height of 18 feet for accessory buildings that do not meet the same setbacks as the principal building.
3. Variance to allow the placement of a detached garage/accessory building within a front yard, whereas the LDC requires all accessory buildings to be located within a side or rear yard.

The aerial map provided below shows the location of the subject property, which has been highlighted in red. The property is situated at the intersection of East 2nd Avenue and Oakdale Street and is directly north of a telecommunications tower site.



Aerial Imagery of 136 Oakdale Street (Source: Orange County Property Appraiser)

Sections 3.02.02.C.4 and 7.02.02.B of the LDC outline the following standards regulating the placement and form of accessory buildings:

- *Accessory buildings regulated by this section shall be permitted only in side and rear yards and shall meet the following setback and siting requirements:*
    - *Accessory buildings over 320 square feet: Same setbacks as principal structure;*
    - *For corner lots, the street side setback for all accessory buildings is the same as the principal structure;*
        - *Residential non-contiguous corner lots: [Principal structure] The front yard setback shall be 25 feet, the side yard setback shall be 15 feet and, if applicable, the rear yard setback shall be 35 feet..*

- *Height not to exceed 18 feet from existing grade to highest point of roof. Height may exceed 18 feet to a maximum of 35 feet, if accessory building meets the same setbacks as the principal structure;*
- *A minimum separation of five feet between accessory buildings and any other building.*
- *Accessory buildings regulated by this section shall be included in calculations for impervious surface, floor area ratio, or any other site design requirements applying to the principal use of the lot or parcel.*

The property at 136 Oakdale Avenue was constructed with and is regulated based on the non-contiguous corner lot setback requirements outlined above. As such, any accessory building greater than 320 square feet would be required to adhere to the same setback requirements as the principal structure.

The applicant proposes to construct a detached garage accessory building that is proposed be located 13 feet from the southern property line, whereas the LDC requires a 25-foot front yard setback. Please see attached conceptual site plan for reference. This placement would also result in the accessory garage building being located within the front yard abutting E. 2nd Ave., whereas the LDC restricts placement of accessory buildings to side or rear yards. As a result, the proposed garage does not comply with the LDC standards. This variance request seeks to permit the placement of an accessory building within a front yard and subsequently reduce the southern front yard setback from 25 feet to 13 feet.

Additionally, as can be seen on the provided architectural plans, the proposed accessory garage building is proposed to be constructed at a height of approximately 22 feet, 10 inches (22'-10"). Per the LDC, accessory buildings that do not adhere to the same standards as a property's principal structure may not exceed 18 feet in height. Because the proposed height does not adhere to the Town's requirements, the applicant has also requested a variance to increase the maximum permitted height for an accessory building from 18 feet to 22 feet, 10 inches (22'-10").

The applicant's proposed accessory building totals 864 square feet. This scope of work would introduce more than 125 square feet of new impervious surface to the property, which would require the applicant to provide a grading and drainage plan (i.e., stormwater retention plan) to display on-site retention for the first inch of stormwater runoff in accordance with the Town's Land Development Code. This would be reviewed for compliance during the permitting process for the subject detached garage/accessory building.

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 letter, site plan, and related exhibits in support of the variance request. Please see the 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 July 1, 2026, two (2) responses have been received in support and one (1) in opposition to this case.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

The proposed variance for 136 Oakdale Street was at the June 16, 2026, meeting of the Development Review Board (DRB). Based on the information provided in the staff report and input from the applicant and public, the DRB found the proposed variance compliant with the requirements for the approval of a variance in accordance with Section 10.02.02 of the LDC subject to the following two conditions. The DRB vote was 5-0 to recommend approval with these two conditions.

1. The height of the proposed detached garage/accessory building may not exceed 18 feet, consistent with current LDC requirements regarding the height of accessory buildings that do not meet the same setbacks as the principal building.

2. The existing carport located in the property's front yard along East 2nd Avenue must be removed prior to issuance of the building permit for the proposed detached garage/accessory building.

VARIANCE REQUEST PACKET

Proposed Detached Garage / Accessory Structure

136 Oakdale Street, Windermere, Florida 34786

Owner / Applicant: James Pruitt

Permit: #26-03-021

Date: May 15, 2026

Requested variance	Required / standard	Proposed	Summary reason
1. Second Avenue front-yard setback	25-foot front-yard setback along E. 2nd Avenue / Field 6th Avenue, platted as Second Avenue	13-foot setback from the Second Avenue property line; approximately 30 feet from the traveled road due to the road-to-property-line separation / easement / right-of-way condition	Corner lot and existing site improvements leave limited practical placement; proposal maintains meaningful physical separation from the road and preserves the required separation from the pool / deck area.
2. Accessory-structure height	18-foot maximum accessory-structure height	22'-10" proposed height	Height supports the proposed residential roof form and loft / storage configuration while preserving compatibility through design, materials, roof form, and landscape screening.
3. Accessory structure in second front yard	Accessory structures are generally reviewed for side / rear-yard placement; this corner lot has a second front yard along Second Avenue	Allow placement in the secondary front yard along Second Avenue	The Second Avenue side is the secondary frontage, not the primary Oakdale Street frontage; the frontage has unusual road separation and faces a commercial context, with no anticipated traffic or visibility impact.

This packet is intended to replace prior wording that described the request as limited to setback relief only. The current application includes the three variance items listed above.

Included exhibits: Exhibit A - building elevations / rendering sheet; Exhibit B - applicant material rendering; Exhibit C - setback drawing / site plan.

May 15, 2026

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

Re: Variance Request - Proposed Detached Garage / Accessory Structure
Property: 136 Oakdale Street, Windermere, FL 34786
Owner / Applicant: James Pruitt
Permit: #26-03-021

Dear Ms. Burkhalter:

I am the owner of 136 Oakdale Street, Windermere, Florida, and I respectfully submit this clean variance request for the proposed detached garage / accessory structure associated with Permit #26-03-021.

Based on feedback received from Windermere zoning staff, I understand that the application should clearly identify three separate variance items: (1) the proposed 13-foot setback from the Second Avenue property line, (2) the proposed accessory-structure height of 22 feet 10 inches where the accessory-structure height limit is 18 feet, and (3) the placement of the accessory structure in the property's second front yard along the Second Avenue side of this corner lot.

This submittal is intended to provide one consolidated request for those three items and to clarify the site-specific reasons supporting the request. To the extent any prior correspondence described the request as only a setback variance, that wording should be considered updated by this packet.

Requested Variances

No.	Variance item	Requested relief
1	Second Avenue / Field 6th Avenue front-yard setback	Variance from the required 25-foot front-yard setback to allow the proposed garage / accessory structure to be located 13 feet from the Second Avenue property line. The structure remains approximately 30 feet from the traveled road because the road-to-property-line separation / easement / right-of-way condition on this frontage is larger than typical.
2	Accessory-structure height	Variance from the 18-foot accessory-structure height limit to allow the proposed structure height of 22'-10", as shown on the submitted elevation / rendering sheet.
3	Second front yard location	Variance or zoning relief to allow the accessory structure to be located within the secondary front yard along Second Avenue on this non-contiguous corner lot.

Project Description

The proposed improvement is a detached residential garage / accessory structure that will serve the existing single-family residence. The design is residential in character and uses a traditional roof form, white siding, gray architectural shingles, conventional garage doors, residential-scale windows, and compatible exterior lighting. The materials and appearance are intended to be consistent with the surrounding residential setting and with the existing property.

The proposed structure is shown on the attached elevation / rendering sheet and on the setback drawing / site plan. The site plan shows the requested 13-foot setback along the Second Avenue side, the 15-foot west side-yard relationship, the proposed location adjacent to existing improvements, and the intended separation from the existing pool / deck area.

Site-Specific Basis for the Request

1. Unique corner-lot and second-front-yard condition. The property is a corner lot with a primary frontage on Oakdale Street and a second frontage along E. 2nd Avenue / Field 6th Avenue, platted as Second Avenue. The Second Avenue side functions as the second front yard. That second-front-yard designation creates a more restrictive development condition than an interior lot and materially limits the practical placement of an accessory structure.

2. Larger road-to-property-line separation on the Second Avenue side. The proposed setback is 13 feet from the property line, but the structure remains approximately 30 feet from the traveled road because of the larger-than-typical road-to-property-line separation / easement / right-of-way condition on this side. This is materially different from placing the building immediately adjacent to an active curb or travel lane.

3. Existing improvements limit practical placement. The existing residence, pool area, pool deck, screen enclosure, driveway improvements, and established yard layout limit the locations where a detached garage can be placed. Moving the structure farther into the lot to satisfy the full 25-foot setback would create practical conflicts with those existing improvements and the desired five-foot separation from the pool / deck area.

4. The proposed location remains orderly and compatible. The proposed location keeps the garage accessory to the existing home while maintaining meaningful physical separation from the Second Avenue roadway and avoiding adverse traffic or visibility impacts. The location also avoids moving the structure into a more disruptive interior-yard position.

5. The request is not based only on cost. The request is based on the property's physical configuration, two-front-yard condition, existing site improvements, larger road/easement separation, and the need to preserve functional site layout. It is not based exclusively on reducing construction cost.

Height Variance and Visual Compatibility

The proposed 22-foot 10-inch height is tied to the garage roof form and loft / storage configuration shown in the exhibits. The intent is not to create a visually incompatible structure, but to allow a functional roof and loft/storage design that remains residential in appearance.

To reduce the perceived vertical mass, I will use shrubs and landscape screening along visible sides of the structure, particularly where the building is viewed from the Second Avenue side. The landscaping will help soften the structure, break up the vertical appearance, and integrate the building with the existing yard. The attached rendering illustrates the intended residential character, roof form, siding, garage doors, windows, and landscape treatment.

Traffic, Visibility, Drainage, and Public Safety

Traffic and visibility. The requested 13-foot property-line setback should not create a traffic, visibility, driveway access, or pedestrian circulation issue. The proposed structure remains approximately 30 feet from the traveled road because of the larger road-to-property-line separation / easement / right-of-way condition on the Second Avenue frontage. The garage placement is not anticipated to block sight lines or interfere with traffic flow.

Stormwater retention commitment. If the variances are approved, I will provide a stormwater retention plan and any required drainage / impervious-surface calculations before or in connection with building permit issuance. The project will be designed so stormwater is retained or managed onsite as required and is not directed onto neighboring properties or the public right-of-way.

Construction and life-safety compliance. The project will continue to be designed, reviewed, and constructed in accordance with applicable building, drainage, stormwater, fire access, and life-safety requirements. The requested variances do not seek to waive those requirements.

Second Front Yard and Neighborhood Context

The requested second-front-yard relief is site-specific. The Second Avenue side is the property's secondary frontage, while Oakdale Street remains the primary frontage and principal residential presentation of the home. The Second Avenue side also faces a commercial space / commercial context, making this location less intrusive to the primary residential streetscape than placement that would dominate the Oakdale Street frontage.

Because the structure will be physically separated from the traveled road and softened with landscape screening, the requested placement should not alter the essential character of the surrounding area. The garage is residential in character, accessory to the existing home, and compatible with the existing property.

Variance Findings - Applicant Statement

Review factor	Applicant statement
Unique physical condition	The property is a corner lot with two front-yard conditions, a larger-than-typical road-to-property-line separation / easement condition along Second Avenue, and existing residence / pool / deck / driveway improvements that constrain practical placement.
Practical difficulty	Strict application of the full Second Avenue front-yard setback and the second-front-yard accessory-structure restriction would push the garage into a less practical location and create conflicts with existing improvements and separation requirements.
Not cost-based	The request is based on physical site constraints, not exclusively on reducing cost.
No public hazard	The project is not anticipated to increase traffic congestion, create a sight-line issue, increase fire danger, or create a public safety hazard. Stormwater will be addressed through a retention plan if approved.
Compatibility	The structure has residential materials and character, and shrubs / landscaping will be used to reduce perceived verticality and soften the view from Second Avenue.
No broad precedent	The request is tied to this property's specific corner-lot, second-front-yard, easement / right-of-way, and existing-improvement conditions, and should not be treated as a general waiver for other lots.

Minimum Relief Requested

This request is limited to the three items identified in this packet: the 13-foot Second Avenue property-line setback, the 22-foot 10-inch accessory-structure height, and the placement of the accessory structure in the Second Avenue second front yard. I am not requesting a general waiver of all setback, drainage, stormwater, building-code, or life-safety standards.

The proposed structure will otherwise be reviewed through the normal building and zoning process, including floor area, impervious surface, drainage, tree, and stormwater review as required. I will coordinate with Town staff and my design professionals to submit the stormwater retention plan and any other supporting documentation requested as part of the permitting process.

Conclusion

For the reasons stated above, I respectfully request approval of the three variances necessary to allow the proposed detached garage / accessory structure at 136 Oakdale Street: (1) a 13-foot setback from the Second Avenue property line, (2) an accessory-structure height of 22 feet 10 inches, and (3) placement of the accessory structure in the property's second front yard along Second Avenue.

The request is narrow, site-specific, and supported by the property's unique corner-lot condition, existing improvements, larger road-to-property-line separation, lack of traffic impact, stormwater commitment, and compatible residential design with added landscape screening.

Respectfully submitted,

James Pruitt
Owner / Applicant
136 Oakdale Street
Windermere, FL 34786

Exhibit Index

Exhibit	Description	Purpose
A	Building elevations / rendering sheet	Shows proposed exterior elevations, roof form, garage doors, windows, siding, roof material, and proposed height information.
B	Applicant material rendering	Shows the intended residential character, white siding, gray shingle roof, garage doors, side entry, exterior lighting, and landscaping concept that will soften the building mass.
C	Setback drawing / site plan	Shows the proposed garage footprint, 13-foot Second Avenue property-line setback, side-yard relationship, and placement relative to the existing residence, pool / deck area, driveway, and roadway edge.

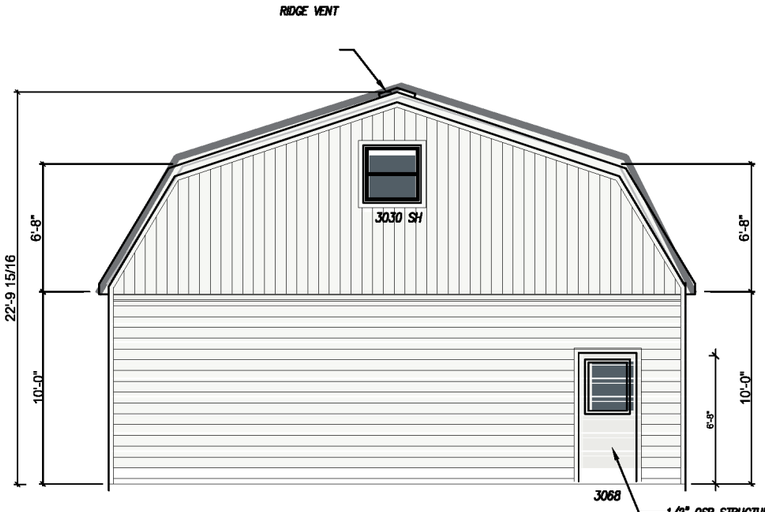
The attached exhibits are provided to support the variance request. Final construction drawings, engineering, stormwater retention details, impervious-area calculations, and other permit materials will be coordinated with Town staff and submitted as required.

EXHIBIT A

Building Elevations / Rendering Sheet

Purpose: document the proposed residential garage form, materials, roof configuration, openings, and height information referenced in the variance request.

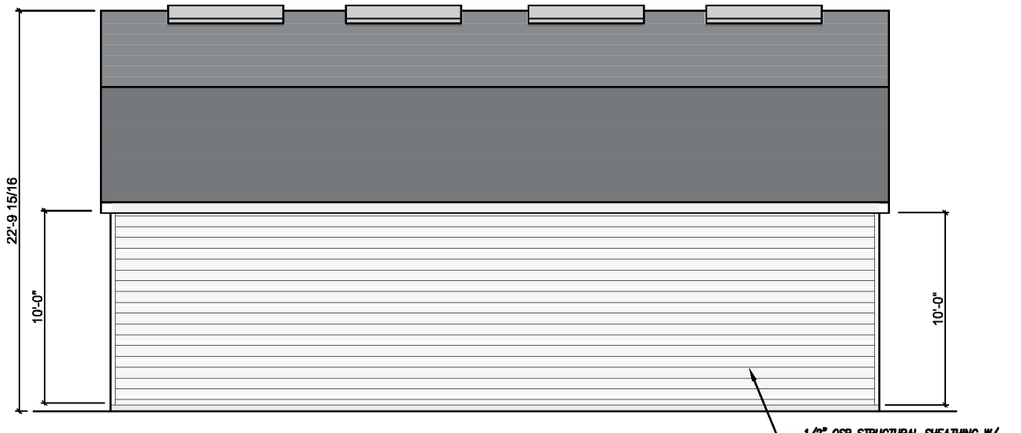
This exhibit supports the height variance and compatibility narrative.



C Rear Elevation

Scale : 1/8" = 1'-0"

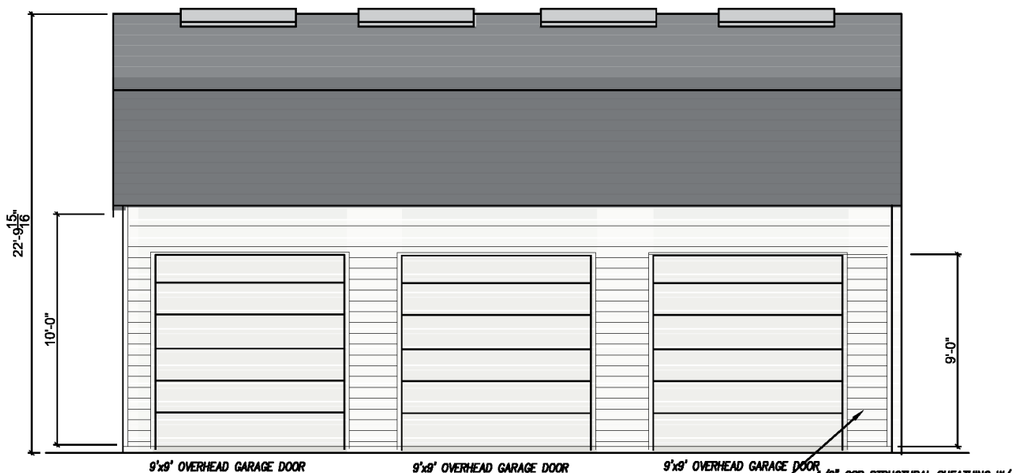
* NO ADDITIONAL TRUSS BRACING REQUIRED UNLESS SPECIFIED BY CERTIFIED TRUSS ENGINEER.



B Left Elevation

Scale : 1/8" = 1'-0"

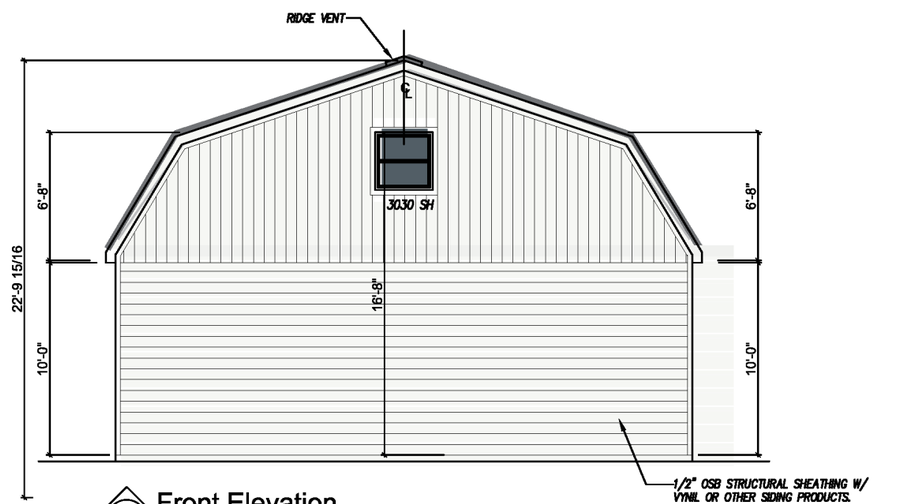
* NO ADDITIONAL TRUSS BRACING REQUIRED UNLESS SPECIFIED BY CERTIFIED TRUSS ENGINEER.



D Right Elevation

Scale : 1/8" = 1'-0"

* NO ADDITIONAL TRUSS BRACING REQUIRED UNLESS SPECIFIED BY CERTIFIED TRUSS ENGINEER.



A Front Elevation

Scale : 1/8" = 1'-0"

* NO ADDITIONAL TRUSS BRACING REQUIRED UNLESS SPECIFIED BY CERTIFIED TRUSS ENGINEER.

2026.01.26 17:49:46 -05'00'

STATE OF FLORIDA STEVEN HEPNER AR0010620 REGISTERED ARCHITECT

THIS SET OF PLANS MEETS OR EXCEEDS 150 MPH WINDLOADS AS PER THE FLORIDA BUILD CODE 2023, 8TH EDITION R-301

W D S DESIGNS LLC
DESIGNERS OF QUALITY HOMES
Residential * Light Commercial * Engineering
2512 Hazelton Dr. Orange Park, Fl. 32073
Phone: (904) 406-4070 Mobile: (407) 288-8849
e-mail: wshaffer8@cfl.rr.com

STEVEN HEPNER
AR. 0010620

Project Number: 08-012
Preliminary Issue:
Revision Dates:

DRAWING TYPES : Master Garage Builders Inc.

DRAWING TYPES : DETAILS

PRUITT RES.

JAN 2026

SHEET: 7 of 4

EXHIBIT B

Applicant Material Rendering

Purpose: show the intended exterior character, white siding, gray shingle roof, residential garage doors, side entry, lighting, and landscaping concept.

This exhibit supports the visual compatibility and landscape-screening narrative.

Exhibit B - Applicant Material Rendering

Rendering rotated upright for presentation. Shows residential materials, garage doors, roof form, and landscaping concept.

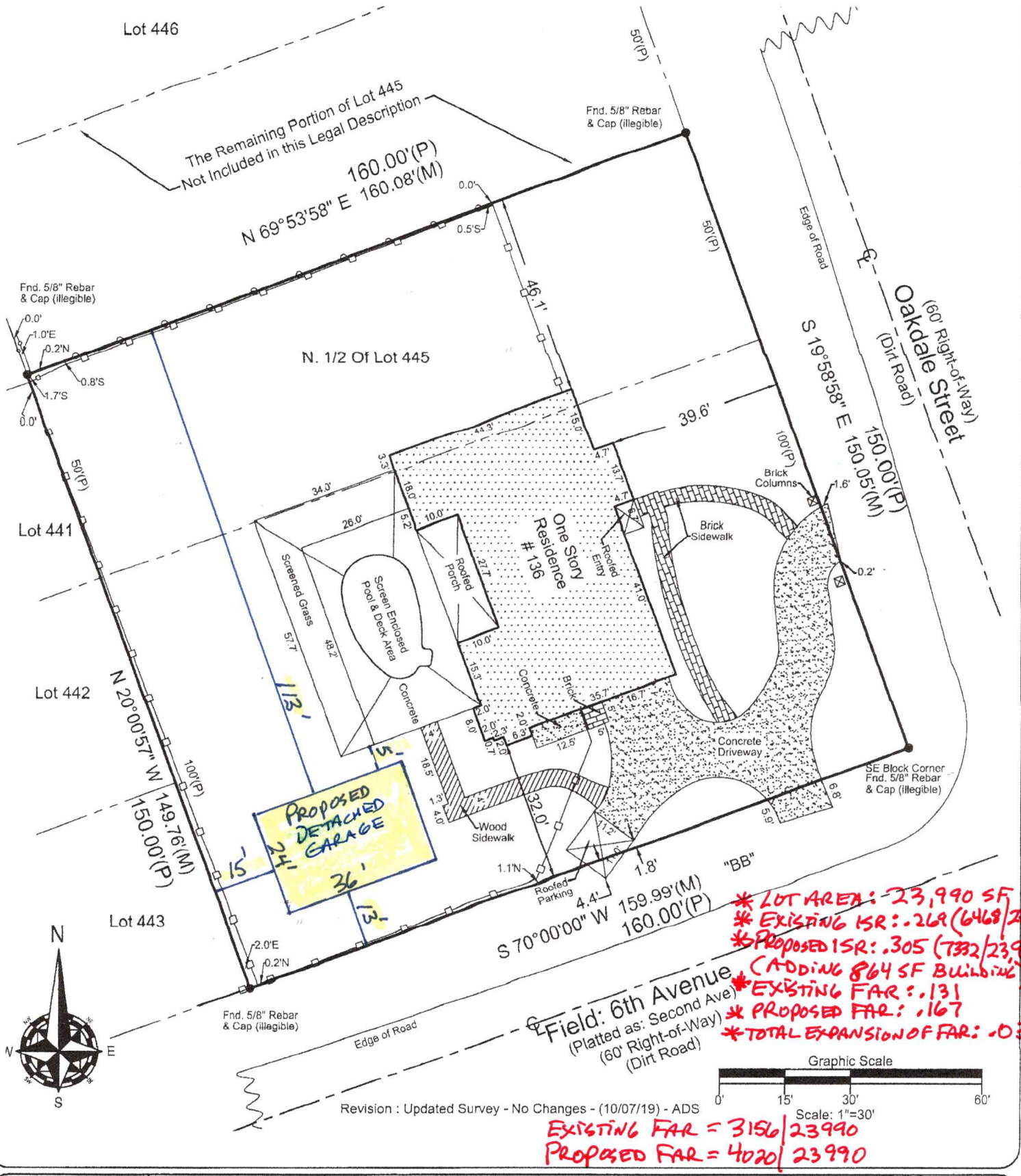


EXHIBIT C

Setback Drawing / Site Plan

Purpose: show the proposed location, 13-foot Second Avenue property-line setback, relationship to the existing residence, pool/deck area, driveway, and roadway edge.

This exhibit supports the setback, second-front-yard, and traffic/visibility narrative.



* LOT AREA: 23,990 SF
* EXISTING ISR: .269 (6468/23990)
* PROPOSED ISR: .305 (7332/23,990) (ADDING 864 SF BUILDING)
* EXISTING FAR: .131
* PROPOSED FAR: .167
* TOTAL EXPANSION OF FAR: .036%

EXISTING FAR = 3156/23990
PROPOSED FAR = 4020/23990

Field Date: 10/6/2019	Date Completed: 10/07/19
Drawn By: A.S.	File Number: IS-33517 U

-Legend-

C	- Calculated	PC	- Point of Curvature
℄	- Centerline	Pg.	- Page
CB	- Concrete Block	PI	- Point of Intersection
CM	- Concrete Monument	P.O.B.	- Point of Beginning
Conc.	- Concrete	P.O.L.	- Point on Line
D	- Description	PP	- Power Pole
DE	- Drainage Easement	PRM	- Permanent Reference Monument
Esmt.	- Easement		
F.E.M.A.	- Federal Emergency Management Agency	PT	- Point of Tangency
		R	- Radius
FFE	- Finished Floor Elevation	Rad.	- Radial
Fnd.	- Found	R&C	- Rebar & Cap
IP	- Iron Pipe	Rec.	- Recovered
L	- Length (Arc)	Rfd.	- Roofed
M	- Measured	Set	- Set ½" Rebar & Cap "LB 7623"
N&D	- Nail & Disk		
N.R.	- Non-Radial	Typ.	- Typical
ORB	- Official Records Book	UE	- Utility Easement
P	- Plat	WM	- Water Meter

-NOTES-

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

-POINTS OF INTEREST-

ROOFED PARKING OVERLAPS PROPERTY LINE. CONCRETE DRIVEWAY OVERLAPS PROPERTY LINE.

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

PATRICK IRELAND CERTIFICATE NO. 6637 STATE OF FLORIDA

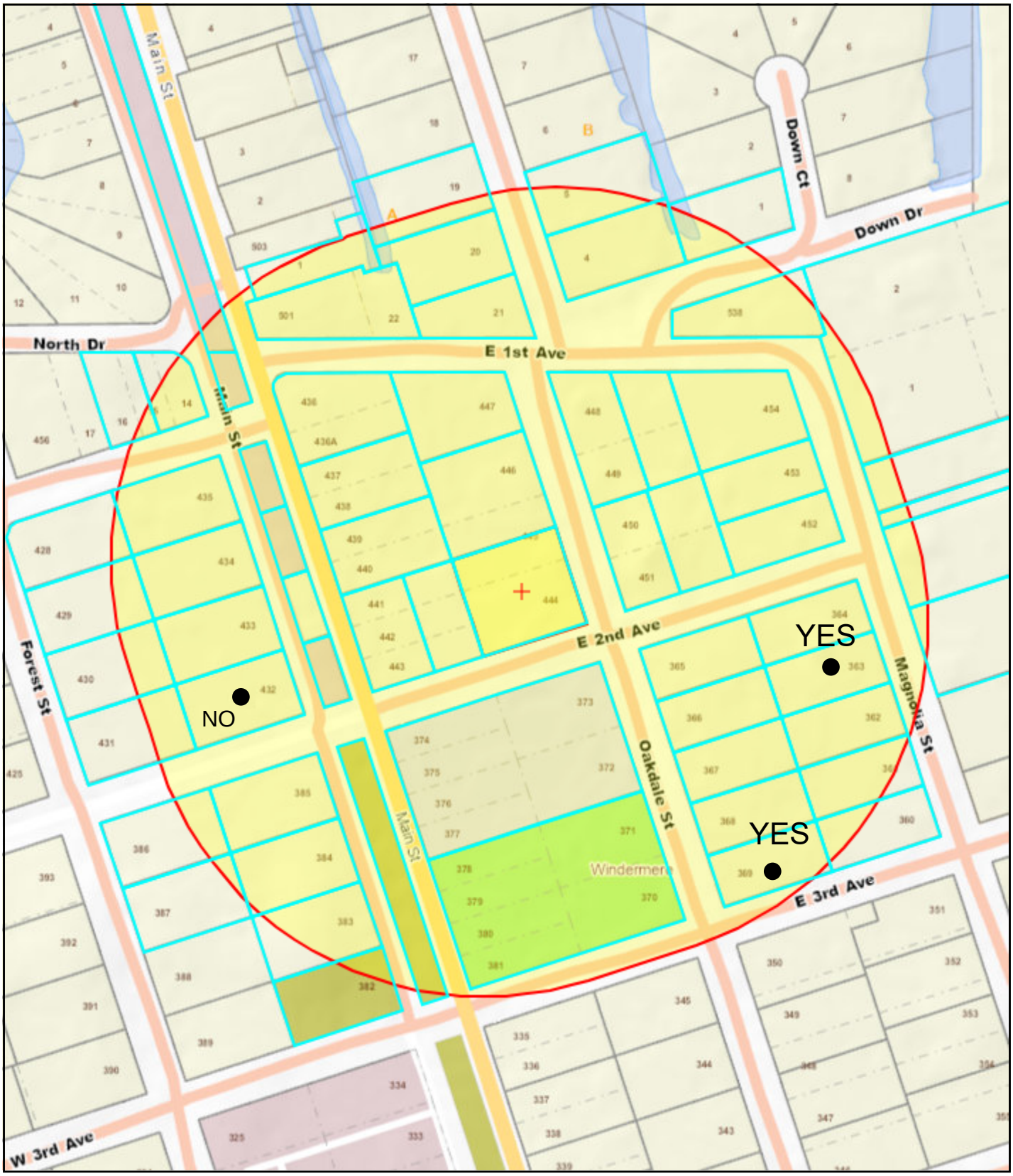
Patrick K. Ireland FOR THE FIRM

Patrick K. Ireland, PSM 6637 LB 7623

This Survey is intended ONLY for the use of Said Certified Parties.
This Survey NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.

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

Z26-08 Public Notice Responses



UPDATED 6/16/2026

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 21, 2026

MCNEALY NOLAN MATTHEW
216 MAGNOLIA ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 136 Oakdale Street – Z26-08

James Pruitt, owner of the property located at 136 Oakdale Street, has requested approval of several variances in accordance with Section 10.02.00 of the Town of Windermere Land Development Code (LDC). The applicant is requesting the following variances to allow the construction of a detached garage/accessory building on the subject lot:

1. Variance to allow a detached garage/accessory building to be located 13 feet from the front property line, whereas the LDC requires a minimum 25-foot front yard setback for accessory buildings on non-contiguous corner lots.
2. Variance to allow a detached garage/accessory building with a maximum building height of 22 feet, 10 inches (22'-10"), whereas the LDC requires a maximum height of 18 feet for accessory buildings that do not meet the same setbacks as the principal building.
3. Variance to allow the placement of a detached garage/accessory building within a front yard, whereas the LDC requires all accessory buildings to be located within a side or rear yard.

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 **Friday, June 12, 2026.**

This matter will be presented to the Development Review Board on **Tuesday, June 16, 2026, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, July 14, 2026, 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

RECOMMEND – Z26-08 (136 Oakdale Street)

APPROVAL: √ **DISAPPROVAL:** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 6/6/2026

MCNEALY NOLAN MATTHEW
216 MAGNOLIA ST
WINDERMERE, FL 34786

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 21, 2026

TRAINOTTI FAMILY TRUST 2013
8833 SHOSHONE AVE
NORTHRIDGE, CA 91325

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

RECOMMEND – Z26-08 (136 Oakdale Street)

APPROVAL: X **DISAPPROVAL:** _____

COMMENTS: Best of Luck !

SIGNATURE: [signature] **DATE:** June 2, 2026

TRAINOTTI FAMILY TRUST 2013
8833 SHOSHONE AVE
NORTHRIDGE, CA 91325

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

May 21, 2026

MASSEE JULES V
MASSEE KATHERINE M
101 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

RECOMMEND – Z26-08 (136 Oakdale Street)

APPROVAL:_____ **DISAPPROVAL:** X

COMMENTS:_____

SIGNATURE: [signature] **DATE:** 6-10-2026

MASSEE JULES V
MASSEE KATHERINE M
101 W 2ND AVE
WINDERMERE, FL 34786

TOWN OF WINDERMERE
EXECUTIVE SUMMARY

SUBJECT: **2025 Town Manager Evaluation**
REQUESTED ACTION:

☐ Work Session (Report Only) **DATE OF MEETING:** **07/14/2026**
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☐ N/A
Effective Date: _____
Managing Division / Dept: _____
Vendor/Entity: _____
Termination Date: _____

BUDGET IMPACT:
☐ Annual
☐ Capital
☒ N/A
FUNDING SOURCE: _____
EXPENDITURE ACCOUNT: _____

HISTORY/FACTS/ISSUES:

Mayor & Council,

The purpose of the annual Town Manager evaluation process is to provide the Town Council with an opportunity to formally review the Town Manager's performance, recognize accomplishments, identify areas for continued improvement, and establish expectations for the upcoming year. The evaluation process also provides a written record of Council feedback and supports accountability, transparency, and continued professional development.

For the 2025 evaluation period, performance evaluations were submitted by five members of the Town Council and the outgoing Mayor. The evaluations reflect an overall positive review, with an average score of **7.74 out of 10** across all scored categories.

Council members recognized the Town Manager's strong performance in several key areas, including implementation of Council direction, advancement of major infrastructure and capital projects, fiscal management, intergovernmental coordination, and day-to-day operational stability. Several evaluations specifically noted the progress made on important Town projects, including infrastructure improvements and long-range initiatives that will benefit the community for years to come.

The evaluations also identified areas for continued improvement. The most consistent themes included the need for stronger resident communication, greater transparency, more proactive reporting, continued staff development, improved public outreach, and careful planning for complex or sensitive issues before they come before Council.

Based on the overall positive evaluation and in accordance with the Town Manager's contract, "However, Smith shall receive at least a three percent (3%) increase annually if his evaluation is positive unless the Town Council determines that it is not financially feasible to provide a raise of any kind or of three percent (3%)."

Overall, the evaluations show confidence in the Town Manager's ability to manage Town operations and move key priorities forward, while also setting clear expectations for continued growth in communication, planning, staff development, and community engagement during the next review cycle.

2025 Town Manager Evaluation

Overall Numerical Summary

Prepared for inclusion with the Town Council agenda. Based on six submitted evaluations: five Council members and one outgoing Mayor. Numerical averages exclude one N/A response.

Overall Average

Overall Average Across All Scored Categories	**7.74 / 10**

Category Averages

Evaluation Category	Average Score	General Interpretation
Policy Execution	8.17	Highest-rated category; strong implementation of Council action, policies, ordinances, and adopted decisions.
Relations with Council	7.89	Generally positive; mixed comments on responsiveness, constructive criticism, and alignment with resident expectations.
Personal	7.83	Solid overall; most reviewers rated composure and executive demeanor favorably.
Professional Skills & Status	7.80	Strong respect and knowledge scores; lower marks from some reviewers on innovation and anticipating problems.
Fiscal Management	7.79	Positive overall; strengths in budget format and funding, with concerns about maintenance planning and financial reporting.
Supervision	7.78	Mostly solid; comments suggest more focus on staff development, support, and long-term readiness.
Citizen Relations	7.64	Mixed; cooperation scores were strong, but outreach, listening, and resident engagement were recurring concerns.
Reporting	7.29	One of the lowest categories; need for more proactive, accurate, comprehensive, and accessible reporting.
Staffing	7.22	Lowest category; need for stronger staff development, support, succession readiness, and internal systems.

Summary Observation

The numerical results show broadly solid performance, with the strongest scores connected to policy execution, Council relations, project implementation, and fiscal stewardship. The lower averages and written comments point to recurring

opportunities for improvement in resident communication, reporting, staff development, public outreach, and proactive planning around sensitive or complex issues.

Note: The scoring scale used by the evaluation form is 1 through 10, where 10 exceeds expectations, 5 fully meets expectations, and 1 is below expectations.

Sources reviewed include the Williams evaluation, which praised state and federal funding success while identifying communication/transparency as a continuing improvement area; the outgoing Mayor's evaluation, which praised major project progress and staff support but recommended staff development; and the Davit evaluation, which praised Ward Trail, 2nd Avenue, and stormwater execution while raising concerns about resident perception, lingering issues, and leadership presence.

Highest-Rated Areas / Perceived Strengths

1. Policy execution and implementation of Council direction

The highest category average was **Policy Execution at 8.17**. Reviewers generally rated the Town Manager strongly on implementing Council action, supporting Council decisions after adoption, enforcing policies, and understanding Town laws and ordinances. This aligns with the written comments praising execution of major projects, especially Ward Trail, 2nd Avenue, stormwater work, sidewalk/design/construction efforts, and continued capital project advancement.

2. Project execution, grant funding, and infrastructure progress

Several evaluations specifically identify project delivery as a major accomplishment. The Williams evaluation notes continued success securing state and federal funding that allowed the Town to advance infrastructure and capital projects without adding tax burden to residents. The outgoing Mayor wrote that 2025 was a "year of projects" and that projects continued to advance well, with good communication and solid execution. Davit also praised the execution of Ward Trail, 2nd Avenue, and stormwater projects as exemplary, particularly 2nd Avenue.

3. Cooperation with governmental partners and external relationships

Citizen Relations had mixed scores overall, but the sub-scores for cooperation with neighboring communities, town/state/federal governments, and Constitutional Officers were consistently strong. This ties directly to the comments about grant funding, outside agency coordination, and working relationships with Council, staff, consultants, and other government partners.

Lowest-Rated Areas / Causes Behind Lower Scores

1. Staffing and staff development

Staffing was the lowest category average at 7.22. The outgoing Mayor specifically recommended increased time spent on staff development and support to position the Town for the next five years. Haines also emphasized communication with committees and the need for the Town Manager to attend committee meetings periodically to stay informed and accessible. The lower scores appear tied less to a single staffing failure and more to a broader concern about organizational development, staff support, succession readiness, and stronger internal systems.

2. Reporting, agenda preparation, and proactive communication

Reporting averaged 7.29, one of the lowest categories. Several reviewers identified the need for better proactive communication, more comprehensive reports, improved agenda preparation, and more accessible public information. Williams specifically called for more proactive, consistent, and accessible communication, and recommended that complex or sensitive agenda items be fully

vetted and supported before Council consideration. Haines provided detailed recommendations for meeting notices, agendas, social media, website updates, bulletin-board postings, email/text updates, project updates, and better searchability of Town information.

3. Citizen relations, public outreach, and resident perception

While some citizen-relations scores were strong, the lower individual scores clustered around citizen complaints, listening, willingness to meet with residents, and public communication. Davit wrote that during several discussions the Town Manager was perceived as working on an agenda counter to the desires of residents and recommended more open forums, outreach, and resident discussions. Haines similarly noted decreased public outreach through social media and a lack of public input, recommending surveys and direct stakeholder communication.

8Town of Windermere
Town Manager Evaluation

This form may be used by each member of the Town Council to evaluate the Town Manager's performance in fulfilling each role he / she plays in the Town of Windermere's government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
5: Fully Meets Expectations	Employee regularly meets performance goals and achieves results within a fully acceptable range. Work is produced on time, and consistently meets quality standards. Consistently and successfully demonstrates competencies appropriate to job level.
1: Below Expectations	Employee does not consistently achieve goals and deadlines, or results are not consistently of expected quality. Quality of work is variable and employee may require frequent clarification of instructions or closer supervision than expected. Competencies may not always be demonstrated at the level expected for successful performance. A performance improvement plan to bring performance to a consistent level of achievement should be developed.

If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

__8_ Invests sufficient effort toward being diligent and thorough in the discharge of duties. As in previous years, I have remained strongly committed to the Town, participating in multiple weekly and weekend meetings, community events, calls, and related responsibilities both during and after hours. Over the past year, certain personal matters required additional attention, which is reflected in my self-assessment decreasing from a 10 in 2024 to an 8 this year. Nevertheless, my dedication and commitment remain steadfast.

__8_ Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

__8__ Knowledgeable of current developments affecting the management field.

__8__ Respected in management position.

__8_ Has a capacity for innovation.

__8_ Anticipates problems and develops effective approaches for solving them. On a daily basis, I work closely with residents, various governmental agencies, and staff to proactively address and resolve issues before they escalate to elected officials. In addition, once I am made aware of an issue, it is resolved or submitted to the correct agency/staff member.

_9__ Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

_5__ Carries out directives of the Town Council as a whole rather than those of any one Town Council member. This will always be a 5 since this is a directive I will carry out equally.

__8_ Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action. See 2-4 for same comment.

__8_ Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

__8_ Responds to requests for information or assistance by the Town Council. Regardless of the timing of the inquiry, I have worked with each councilmember on providing the information requested.

__7_ Informs the Town Council of administrative developments. Addressing administrative and personnel matters is always a sensitive responsibility requiring careful judgment and discretion. Once a decision is made, I have contacted Town Council to inform them of changes and reasoning behind them.

__9_ Receptive to constructive criticism and advice. I am always eager to learn more or understand ways to do things different.

4. **Policy Execution**

_5__ Implements Town Council action in accordance with the intent of the Town Council. This will always be a 5 since this is a directive.

_5__ Supports the actions of the Town Council after a decision has been reached. This will always be a 5 since this is a directive.

__5_ Enforces Town Council policies. This will always be a 5 since this is a directive.

_8__ Understands town laws and ordinances.

__7_ Reviews enforcement procedures periodically to improve effectiveness. With the everchanging statutory regulations we continue to adjust and adapt.

__7_ Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration. I continue to work with Wade Trim, KHA, Gray Robinson and Staff to figure out workable solutions to the changes in law and mandates.

5. **Reporting**

__7_ Provides the Town Council with reports concerning matters of importance to the town.

_6__ Reports are accurate and comprehensive. This is down from an 8 for 2024. With the amount of various public information workshops, ever changing report deadlines and late submittals it has been a challenge to provide Town Council with the most up to date reports passed an agenda deadline. I will work on this

_7_ Reports are generally produced through own initiative rather than when requested by the Town Council.

_6_ Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council. See 5-2. In addition, we have had some staff turnover and tech upgrades. However, I will continue to work on this and look to other departments to handle agendas.

6. **Citizen Relations**

_9_ Accommodates complaints from citizens. Regardless of the day or time, I have consistently made myself available to the community to address concerns, resolve issues, and provide the information needed to help residents make informed decisions

_10_ Dedicated to the community and to its citizens.

__9_ Skillful with the news media – avoiding political positions and partisanship. I have consistently made myself available to the media, whether in print or other formats. Over the years, I have also mentored several reporters on how to effectively work with stakeholders and communicate viewpoints accurately.

_9__ Has the capacity to listen to others and to recognize their interests. Works well with others. Regardless of the issue, I am always willing to listen and learn from others.

__10_ Willing to meet with members of the community and discuss their real concerns. I have never refused a meeting with a resident, elected official or another governmental body to discuss their respective concerns.

__9_ Cooperates with neighboring communities. Regardless of differing positions on various issues, I believe the West Orange jurisdictions have maintained consistent communication and have been aligned on most matters.

__9_ Cooperates with the town, state and federal governments.

__9_ Cooperates with the elected Constitutional Officers.

7. **Staffing**

__7_ Recruits and retains competent personnel for town positions. This has been an issue in 2025 with turnover and eligibility pool.

__8_ Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.

__5_ Impartially administers the merit system. This will always be a 5 since this is a directive.

8. **Supervision**

__9_ Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations. My role is to provide department heads and staff with the tools and information they need to make informed decisions. When issues arise, I am consistently available to offer guidance and support.

_9__ Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.

__7_ Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

__8_ Prepares a balanced budget to provide services at a level intended by the Town Council.

__8_ Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.

__8_ Prepared budget is in an intelligible format.

__8_ Reports the Town's financial position on a regular basis.

10. **What have been the finest accomplishments of the Town Manager this past year?**

Key efforts this year included working with the BOCC to postpone the one-cent sales tax and collaborating with our lobbyist to advocate with State Representatives regarding property tax reform. Several long-planned projects have advanced significantly and are now either under construction or in the design phase, including West Second Avenue, Ward Trail Phase 1, the Bessie and Butler stormwater projects, the Windermere Road/Main Street roundabout, Central Potable Water Phase design and construction, and North and South Potable Water Phase 1 design. Additionally, I have coordinated with JEJ to secure an additional appropriation for the 6th/Main roundabout.

I have also led and participated in various public, committee, and Town Council workshops, not only to gather input on key initiatives but also to ensure the public is well-informed and educated about these projects.

11. **What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?**

In retrospect, the past year included several personal matters that required my attention, resulting in a temporary shift in my work-life balance. However, my commitment to the Town and its staff remains strong, and I am focused on continued improvement. Moving forward, I will implement more structured meetings with Town Directors—both individually and collectively—to encourage greater input, strengthen collaboration, and generate ideas for ongoing organizational improvement.

12. **Goals for the upcoming year:**

My intent is to continue advancing the previously identified projects while maintaining a proactive approach in working with staff and residents to address issues before they reach the agenda stage. Additionally, I will remain focused on resolving the Boathouse litigation.

Signature – Town Manager

Signature – Reviewer

Date

Date

TOWN OF WINDERMERE
EXECUTIVE SUMMARY

SUBJECT: **First Amendment to the Urban County Interlocal Cooperation Agreement with Orange County for Participation in HUD Community Development Programs (CDBG, HOME, ESG)**

REQUESTED ACTION: **Approval**

☐ Work Session (Report Only) **DATE OF MEETING:** **July 14, 2026**
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☐ N/A Vendor/Entity:
Effective Date: Upon Council Approval Termination Date:
Managing Division / Dept: Public Works/Planning

BUDGET IMPACT:
☐ Annual **FUNDING SOURCE:** **N/A**
☐ Capital **EXPENDITURE ACCOUNT:** **N/A**
☒ N/A

HISTORY/FACTS/ISSUES:

Orange County has requested that participating municipalities execute a First Amendment to the existing Urban County Interlocal Cooperation Agreement in order to comply with updated U.S. Department of Housing and Urban Development (HUD) requirements contained in CPD Notice 26-08 for the FY 2027–2029 Urban County qualification period. The amendment updates the agreement language to reflect current federal requirements related to community development and housing assistance activities, fair housing obligations, civil rights compliance, accessibility requirements, relocation assistance, and other applicable federal regulations.

The Town Council previously indicated its intent to continue participating in Orange County's Urban County Program through a letter submitted on July 1, 2026, affirming the Town's participation in the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs for the 2027–2029 qualification period.

Approval of the amendment will allow the Town to remain eligible to participate in these federally funded programs through Orange County and ensure compliance with HUD's updated qualification requirements. Orange County has requested execution of the amendment no later than July 31, 2026.

REQUESTED ACTION:

Approve the First Amendment to the Interlocal Cooperation Agreement between Orange County and the Town of Windermere for participation in the Urban County Program and authorize the Mayor to execute the amendment.

Town of Windermere

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

Mayor
ANDY WILLIAMS

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

July 1, 2026

Mr. Mitchell Glasser, Manager
Orange County Government
Housing and Community Development Division
525 East South Street
Orlando, FL 32801

Dear Mr. Glasser,

In response to a letter received from the Orange County Housing and Community Development Division, The Town of Windermere will share in an Interlocal Agreement with Orange County. We understand that the agreement will involve the Community Block Grant (CDBG), Emergency Solutions Grant (ESG), and the Home Investment Partnerships (HOME) entitlement grants as part of the U.S. Department of Housing and Urban Development (HUD) Urban County Program.

It is understood that Orange County must re-qualify for the next three fiscal year periods, 2027, 2028 and 2029. Acknowledgement has also been sent to U.S. Department of Housing and Urban Development Community Planning and Development Division.

Respectfully,

Tonya Elliott Moore
Assistant Town Manager
Town of Windermere

FIRST AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN ORANGE COUNTY, FLORIDA AND TOWN OF WINDERMERE FOR COMMUNITY DEVELOPMENT PROGRAMS UNDER THE URBAN COUNTY PROGRAM

THIS FIRST AMENDMENT (**"First Amendment"**) is entered into by Orange County, Florida, a charter county and political subdivision of the State of Florida (the **"COUNTY"**) and the Town of Windermere, Florida, a municipal corporation created and existing under the laws of the State of Florida (the **"MUNICIPALITY"**).

RECITALS

WHEREAS, the Housing and Community Development Act of 1974, as amended, makes provisions whereby urban counties may enter into cooperation agreements with certain units of local government to undertake or assist in undertaking essential activities pursuant to Community Development Block Grants; and

WHEREAS, on August 8, 2023, the COUNTY executed the "Interlocal Cooperation Agreement between Orange County, Florida and Town of Windermere for Community Development Programs under the Urban County Program" (the **"Agreement"**); and

WHEREAS, the Agreement covered the Community Development Block Grant, HOME Investment Partnership Program, and Emergency Solutions Grant programs; and

WHEREAS, the Agreement was made pursuant to the Department of Housing and Urban Development's mandate that the agreement between the COUNTY and the MUNICIPALITY meets the requirements set forth in the Urban County Qualification Notice for the subsequent qualification period; and

WHEREAS, upon review of the Community Planning and Development Notice (CPD-26-08) published by HUD on May 15, 2026 (the **"Notice"**), it was determined that an amendment to the Agreement is necessary to ensure compliance with requirements of the Notice; and

NOW, THEREFORE, for and in consideration of the mutual premises and covenants contained herein, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

SECTION 1. RECITALS. The above recitals are true and correct and form a material part of this First Amendment upon which the parties have relied.

SECTION 2. INCORPORATION. The Agreement forms a material part of this First Amendment and is therefore incorporated by reference.

SECTION 3. EFFECTIVE DATE. The effective date of this First Amendment is the date of execution by the COUNTY.

SECTION 4. AMENDMENT TO SECTION 4 (MUTUAL COOPERATION). The text of Agreement, Section 4, is to be deleted and replaced with the following:

> "The COUNTY and the MUNICIPALITY agree to cooperate to undertake, or assist in undertaking, essential community development and housing assistance activities, as approved and authorized between the parties in the CDBG Agreements, including the Consolidated Plan."

SECTION 5. AMENDMENT TO SECTION 9 (APPLICABLE LAWS/COMPLIANCE). The text of Agreement, Section 9(a), as amended by the First Amendment, is to be deleted and replaced with the following:

> "The MUNICIPALITY and the COUNTY agree to take all actions necessary to assure compliance with the urban county's certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964, and the implementing regulations at 24 CFR Part 1; and the Fair Housing Act, and the implementing regulations at 24 CFR Part 100, and will comply with the obligation to affirmatively further fair housing. The MUNICIPALITY and the COUNTY also agree to comply with Section 109 of Title I of the Housing and Community Development Act of 1974 and the implementing regulations at 24 CFR Part 6, which incorporates: Section 504 of the Rehabilitation Act of 1973, and the implementing regulations at 24 CFR Part 8; Title II of the Americans with Disabilities Act of 1974, and the implementing regulations at 28 CFR Part 35; the Age Discrimination Act of 1975, and the implementing regulations at 24 CFR Part 146; Section 3 of the Housing and Urban Development Act of 1968; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the implementing regulations at 49 CFR Part 24; Section 104(d) of the Housing and Community Development Act of 1974, and the implementing regulations at 24 CFR Part 42, and all other applicable laws."

SECTION 6. EFFECT; CONFLICTS. Except as modified herein, all other terms and provisions of the Agreement are hereby ratified and confirmed and shall remain in full force and effect. In the event of any conflict between the provisions of this First Amendment and the provisions of the Agreement, the provisions of this First Amendment shall control.

SECTION 7. SIGNATURE AUTHORITY. Each of the persons executing this First Amendment represents and warrants to each party that he or she has the authority to execute and enter into this First Amendment for and on behalf of the party for which he or she is executing this First Amendment.

SECTION 8. COUNTERPARTS. This First Amendment may be executed in counterparts each of which shall be deemed an original.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed by their duly authorized officials.

ORANGE COUNTY, FLORIDA
By: Orange County Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk

Date: _____

TOWN OF WINDERMERE, FLORIDA
By: Town of Windermere Town Council

By: _____
Loren "Andy" Williams, Mayor

ATTEST:

By: _____
Dorothy Burkhalter, Town Clerk

Date:_____