THE TOWN OF
Windermere

DEVELOPMENT REVIEW BOARD

Chair: Frank Chase
Peter Fleck
Stephen Withers
Molly Rose
Chris Rucki
Mike Swatkowski
Council Liaison: Andy Williams

Agenda ***Agenda***

March 17, 2026
6:30 PM

TOWN HALL
520 MAIN STREET
WINDERMERE, FL 34786

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 Development Review Board:

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 Development Review Board meeting is to harass, annoy, or otherwise disturb any other person in the room.

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

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

2. NEW BUSINESS

a. MINUTES (Attachments)

i. February 17, 2026, meeting minutes to be approved.

b. Case No. Z26-04 – 323 E 4th Avenue, George and Paige Couros (Property Owners) - Variance to permit the placement of a sport court in the front yard of a single-family residence where the Land Development Code requires sport courts to be located within the side or rear yard

3. OTHER ITEMS FOR CONSIDERATION

4. ADJOURN

TOWN OF WINDERMERE

Development Review Board **February 17, 2026**
Meeting Minutes

Present were Chair Frank Chase, Board Members Molly Rose, Chris Rucki and Peter Fleck. Town Manager Robert Smith, Town Council Liaison Andy Williams, and Town Clerk Dorothy Burkhalter were also present. Members Stephen Withers and Mike Swatkowski were absent. Mr. Brad Cornelius was also absent.

1. MEETING CALLED TO ORDER BY THE CHAIR

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

2. OPEN FORUM/PUBLIC COMMENTS:

There were no public comments.

3. NEW BUSINESS:

a. MINUTES

i. Meeting Minutes of January 20, 2026

Member Rose made a motion to approve minutes as presented. Member Rucki seconded the motion. All were in favor.

b. Variance Request – Case Z26-03 – 603 Main Street, Live Holdings One/Magnifica Holdings/Magnifica Chef's Table – Shared Parking Agreement

Chair Chase introduced this item. He then turned the floor over to Town Manager Smith. Manager Smith commented on the shared use parking request. He explained that there are forty parking spaces and thirty-six will be needed. Manager Smith stated that the requestor could do what's needed other than the parking approval. He then stated that staff recommends that the tasting hours be 6:00pm – 10:00pm and that approval is for this business only. Should there be an ownership/name/business etc change, a new request will be needed. Some discussions followed regarding shared parking agreement, number of spaces, and hours. Member Rose made a motion to approve. Member Rucki seconded the motion. All were in favor. Manger Smith requested a more detailed motion. Member Rose amended the motion to include placing the conditions of hours of 6:00pm – 10:00pm, only twenty seats, and approval is for this specific business. If the business is sold, changes names, etc, this must come back for approval. Member Rucki was amenable to the amendment. All were in favor.

4. ADJOURN:

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

The meeting adjourned at 6:40pm.

_____ _____

Dorothy Burkhalter, Town Clerk Frank Chase, Chair

DRAFT

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
March 17, 2026

Town Council
April 14, 2026

Case Number:	Z26-04
Property Owners:	George and Paige Couros (Property Owners)
Requested Action:	Variance to permit the placement of a sport court in the front yard of a single-family residence where the Land Development Code requires sport courts to be located within the side or rear yard.
Property Address:	323 East 4th Avenue
Legal Description:	PLAT OF WINDERMERE G/36 LOT 356 (LESS W 75 FT) & THAT PT OF OCCUPIED PLATTED LAKE
Future Land Use:	Single Family Residential and Recreation
Zoning:	Single Family Residential and Recreation
Existing Use:	Received Permit for New Single-Family Residence

Surrounding Future Land Use and Zoning

North: Single Family Residential and Recreation/Single Family Residential and Recreation
East: Water Bodies (Lake Down)
South: East 4th Avenue Right of Way and Recreation/East 4th Avenue Right of Way and Recreation
West: Single Family Residential/Single Family Residential

CASE SUMMARY

George and Paige Couros, owners of the property located at 323 East 4th Avenue, 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 basketball court within the front yard of the subject property, where the Town's Land Development Code prohibits sport courts from being located forward of a front building line. The aerial map provided below shows the location of the subject property, which has been highlighted in pink. The property is situated east of the intersection of East 4th Avenue and Magnolia Street and has direct waterfront access to Lake Down.



Aerial Imagery of 323 E. 4th Avenue (Outlined in Pink) - Source: Orange County Property Appraiser

Section 7.02.09 outlines the locational restrictions pertaining to the placement of sport courts:

[Sport courts must be] *Located behind the front of the principal building, meet the required side yard setbacks, placed no closer than ten feet to a rear property line. If a building permit is required (foundation, electric, plumbing), then for waterfront properties it is placed no closer than 50 feet from the normal high-water elevation. However, if contained within a primary or accessory building, then it shall be located within the building envelope but behind the front of the principal building.*

The applicant proposes to construct an approximately 1,083-square-foot basketball court in the south front yard of the property, positioned in front of the existing home along East 4th Avenue. However, the Town's Land Development Code prohibits sport courts from being located forward of a principal building. As a result, the proposed basketball court does not comply with the applicable regulations.

The applicant's proposed sport court would add approximately 1,083 square feet of impervious surface to the property, which is more than the 125 square feet that requires the applicant to provide a grading and drainage plan to display on-site retention for the first inch of stormwater runoff in accordance with the Town's Land Development Code. The proposed addition of the sport court results in a total impervious

surface area of 9,196 square feet, or approximately 44.1% of the total project area, which is less than the 45% permitted for residential properties. These measurements would be reviewed for compliance during the Town's permitting process.

The following review considerations would also be applicable to the proposed sport court at 323 East 4th Avenue, in accordance with Section 7.02.09 of the Town's Land Development Code:

There shall be no direct glare visible from any adjacent property from any unshielded or other sources of lighting.

As indicated in the applicant's provided narrative letter, there will be no lighting proposed to be included as part of the construction of the sport court. If this were to change in the future, any lighting would be reviewed through the permitting process to ensure that it is fully compliant with the standards of the Town's Land Development Code.

The property's single-family residence, which received a building permit in June of 2025 (permit number 25-05-024), was approved with the following building setbacks:

- North (Side Yard) – 15'
- East (Lakefront) – 51' to pool deck, 58'-9" to residence (distance to normal high-water elevation)
- South (Front Yard) – 25'
- West (Side Yard) – 26'-6"

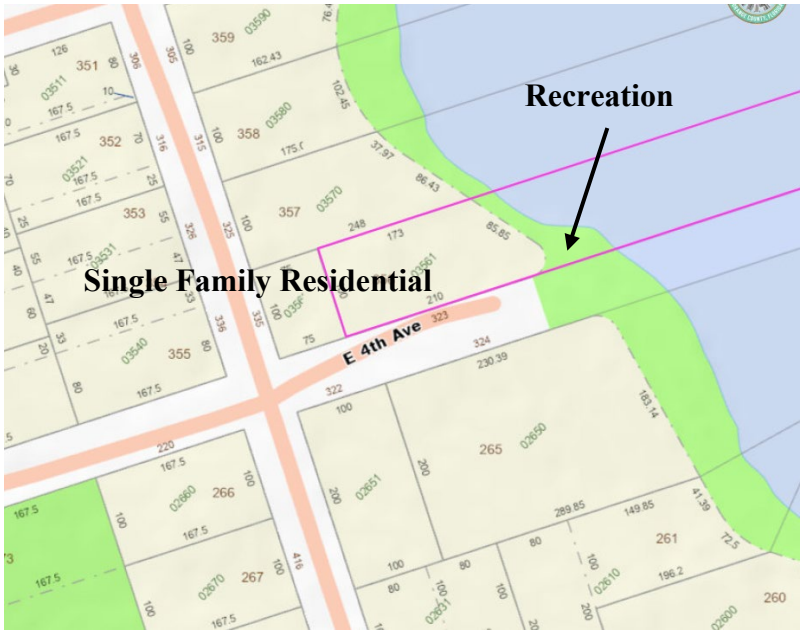
In accordance with the locational requirements outlined in Section 7.02.09 of the Land Development Code, sport courts are required to adhere to applicable side yard setbacks and be built no closer than 10 feet from rear property lines.

The north side of the single-family residence was approved to utilize the maximum build to line afforded by the property's required side setbacks (i.e., 15 feet for the side yard), leaving no additional room for the placement of improvements such as a sport court.

The western side yard, which abuts the vacant parcel of land located at 335 Magnolia Street, was approved at 26 feet, 6 inches from the property line. Adhering to the minimum required 15-foot side yard setback would leave only 11 feet, 6 inches available for the placement of a sport court. The presence of the residence's mechanical equipment, the property's drain field, septic system, and previously approved driveway further restrict the ability for additional improvements to be made to the property's west side yard without significant revisions being made to the property's layout.

The eastern front yard fronts Lake Down, and as a result, any sport courts must be located at least 50 feet landward of the normal high-water elevation, in accordance with Land Development Code Section 7.02.09. The eastern yard, located behind the front façade of the single-family residence, meets the required 50-feet setback and has already been approved as the location for the residence's swimming pool through permit 25-08-024.

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 sport court it its current size and configuration could practically be placed. However, the Town's code does not allow sport courts to be located in a front yard.



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

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 March 9, 2026, one (1) response was received via voicemail in support of the variance, and no responses were received in opposition.

323 E 4th Ave. Windermere, FL 34786
Variance Request

Request: The property owners, George and Paige Couros, along with their 3 children, Kallea, Georgia, and Marino, are seeking a variance for the placement of a sport court at the above-mentioned property address.

This lot has a very unique configuration as there is ROW between the property and lakeside ownership. Due to this configuration the lot has two front yards and two side yards.

- The proposed sport court does not fit on the lot in the side yards; it is not wide enough to place the court on the side yards.
- If the location of the 'front of the lot" is where the driveway intersects the street, then this proposed court does not fit.

Therefore, only leaving one side to fit proposed sport court. We are submitting this request because there is not a "rear" yard.

The *hardship* is that there is not a "rear" yard.
The proposed sport court meets rear yard setbacks.

To avoid any possibility of the court being seen from any adjacent property, there is an existing hedge, this will reduce any noise from the court. The hedges surrounding proposed sport court will block the court from being seen from any adjacent property. There will not be lighting installed on the court so cast light is not on to any neighbors or public spaces.
The proposed sport court nearest neighbor has provided a written approval for the proposed Sport Court.
The use of proposed sport court by private residence does not impact the public specifically ROW in any way.

The proposed sport court is complaint with all other requirements *(meets setback requirements, impervious area and stormwater runoff accounted for within the permit for the new single-family home)*.
A hardscape plan is provided to show drainage will be retained on property and not contaminating the lakes.

AREA TABULATION	
LOT AREA: (EXCLUDES ROW)	20,825 SF
MAX IMPERVIOUS SURFACE ALLOWED = 45% OF LOT AREA:	9,371 SF
IMPERVIOUS (1st FLOOR HOUSE, GARAGE, A/C PADS, SPORT COURT POOL AND ALL PAVING):	9,196 SF = 44.1%
PERVIOUS:	121,629 SF = 55.9 %
FLOOR AREA RATIO(F.A.R.)	
TOTAL A/C AREA:	5,769 SF
TOTAL NON A/C AREA:	1,921 SF
TOTAL F.A.R AREA UNDER ROOF:	7,690 SF = 36.9%
ALLOWABLE F.A.R	7,914 SF = 38.0%

Impervious calculations are provided including the proposed Sport Court.

To: Windermere Town Council

As a nearby resident, I am writing to express my support for the variance request related to the construction of a basketball court at 323 East 4th Avenue.

I understand the purpose and location of the proposed court as the Couros family took us to view the proposed location and I am comfortable with it being built. We do not anticipate any disruption to the neighborhood and believe it aligns with the family oriented nature of our community.

I appreciate the Town Council's role in carefully reviewing requests like this and respectfully ask that you consider this letter as a statement of neighborhood support.

Thank you for your time and service.

Sincerely,

Frank and Heather Watters
324 EAST 4TH AVE
1/30/24

Sample photos:





HARDSCAPE KEY NOTES

1. CONCRETE PAVER - FIELD: 4" x 8" HERRINGBONE PATTERN @ 45* ANGLE. . COLOR: BY OWNER. REFER TO PLAN FOR DIRECTION. PAVER - 4" X 8" - PERIMETER/ACCENT BANDS - DOUBLE SOLDIER COURSE ON DRIVE. COLOR: BY OWNER. (SEE DETAIL 1B).
2. CONCRETE APRON, 6" THICK, 3000 PSI.: BROOM FINISH. (SEE DETAIL 2-F, 2- A, B, C.)
3. 2 - 2" SLEEVES FOR IRRIGATION/SLEEVES FOR LOW VOLT. LANDSCAPE LIGHTING.
4. CONCRETE PAVER - FIELD: 24" X 24" @ 45* ANGLE . COLOR: BY OWNER. REFER TO PLAN FOR DIRECTION. CONCRETE PAVER - " PERIMETER/ACCENT BANDS - 12" X 24" SAILER COURSE. COLOR: BY OWNER (SEE DETAIL 1B).
5. POOL COPING - BULL NOSE, COLOR BY OWNER/POOL BUILDER.
6. STEPS: 6' RISER/12" BULL NOSE TREAD.

NOTES:

- ALL PAVERS TO HAVE COMPACTED 6" MIN. CRUSHED CONC. FINES WITH 1" SAND LEVELLING ON TOP OF 95% COMPACTED BASE, OR 4" CONC SLAB BASE. SEAL ALL PAVERS, STONE AND COLOR CONCRETE.
- COMPACT SOIL TO 95% FOR PAVER BASE AND AROUND POOL SHELL PRIOR TO CONSTRUCTING DECK/COPING.

DRAINAGE LEGEND:

+84.0 INDICATES PROPOSED SPOT ELEVATIONS

INDICATES DRAINAGE FLOW. DRAIN AWAY FROM HOUSE & GARAGE TO STREET, SWALES, COMMON AREAS, AND PONDS. **DRAINING ONTO NEIGHBORS PROPERTY IS PROHIBITED.**

INDICATES SIDE SWALES

DS ● INDICATES DOWNSPOUTS

INDICATES DOWNSPOUT CONNECTED TO STORM DRAIN - 6" HDPE PIPE @ 1% MIN. SLOPE TO 18" X 18" NSD CATCH BASIN TO OUTFALL BOX (OR EQUAL). OUTFALL BOX 10' MIN. FROM PUBLIC ROW.PROVIDE CLEAN OUTS @ EACH DS LOCATIONS.

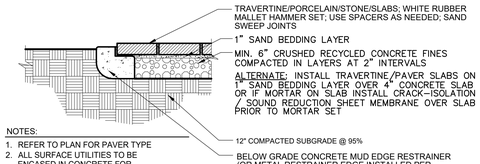
INDICATES OUTFALL BUBBLER

TYPE ' C ' DRAINAGE LOT

NOTE: FENCE, POOL, DOCK PERMITTED SEPARATELY

DRAINAGE NOTES:

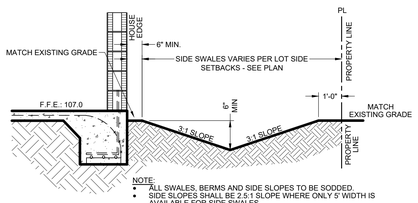
- ALL ROOF GUTTER DOWNSPOUTS TO DIRECT THE WATER AWAY FROM THE BUILDING INTO SIDE SWALES, PONDS AND NOT TO ADJACENT LOTS. DOWNSPOUT: DS O '
- FILL CANNOT BE BROUGHT ON SITE TO ADVERSELY IMPACT ADJACENT PROPERTIES. REFER TO THIS GRADING-DRAINAGE PLAN FOR FINAL GRADES & DRAINAGE.



NOTES:
1. REFER TO PLAN FOR PAVER TYPE
2. ALL SURFACE UTILITIES TO BE ENCASED IN CONCRETE FOR HARDEDGE FOR PAVER TO BUTT

1b TRAVERTINE / STONE / PORCELAIN PAVER SLAB DETAIL

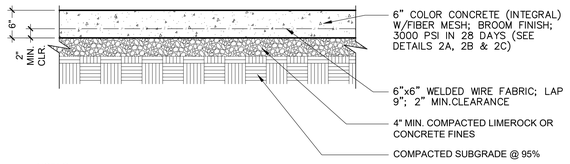
N.T.S.



NOTE:
- ALL SWALES, BERMS AND SIDE SLOPES TO BE SODDED.
- SIDE SLOPES SHALL BE 2.5:1 SLOPE WHERE ONLY 5' WIDTH IS AVAILABLE FOR SIDE SWALES
- SITE DRAINAGE TO REMAIN ON PERMITTED LOT AND DRAIN IN DIRECTION OF SWALE FLOW ARROWS (TYP).
- SWALE CENTER SHALL HAVE A 0.2% MINIMUM GRADE DRAINING PER THE DIRECTION ON PLAN OF THE FLOW ARROWS TO LOW POINT AND DISCHARGE TO STREET, ALLEY, OPEN SPACE PER LOT DRAINAGE TYPE.
- DRAINING ONTO NEIGHBORS PROPERTY IS PROHIBITED.

TYPICAL SIDE SWALE SECTION

N.T.S



NOTES:
1. CONCRETE ENTRY APRON TO BE 6" THICK AND INTEGRAL COLOR
2. ADD CONTROL JOINTS EQUALLY SPACED, MAX OF 15' @ A MIN. DEPTH OF 1/4"

2f CONCRETE DRIVE AND/OR DRIVE APRON

N.T.S.

CONCRETE SIDEWALK & CONCRETE DRIVEWAY NOTES / SPECS

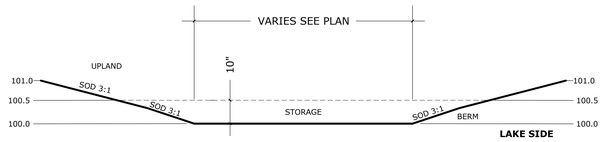
- CONCRETE STRENGTH TO BE 3000 PSI @ 28 DAYS
- FRICTION COEFFICIENT .05 MIN.
- REFER TO SAW CUT JT. & EXP. JT. DETAIL
- SIDEWALK CROSS SLOPE OR CROWN @ 2% FOR DRAIN
- REFER TO SITE PLAN FOR DRIVEWAY SLOPES
- MAXIMUM RUNNING SLOPE OF SIDEWALK NOT TO EXCEED 5%
- SLOPE SIDEWALK @ CROSSWALK TO MEET FLUSH WITH MIAMI CURB (WHERE IT APPLIES)
- SIDEWALK TO BE NO CLOSER THAN 3'-6" FROM BACK OF CURB EXCEPT AT CROSSWALKS (WHERE IT APPLIES)



NOTES:
SEE PLAN FOR CONCRETE FINISH
SIDEWALK TO BE 6" THICK IN DRIVEWAY APRON WHEN DRIVEWAY APRON IS CONCRETE

2a CONCRETE SIDEWALK / SLAB SECTION

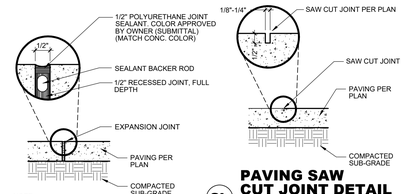
N.T.S.



TYPICAL RETENTION SWALE SECTION

CONTRACTOR TO VERIFY

N.T.S.



2c PAVING EXP. JOINT DETAIL

N.T.S.

2b PAVING SAW CUT JOINT DETAIL

N.T.S.

AREA TABULATION	
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TOTAL NON A/C AREA:	1,921 SF
TOTAL F.A.R AREA UNDER ROOF:	7,690 SF = 36.9%
ALLOWABLE F.A.R	7,914 SF = 38.0%

PER CITY NOTES: IMPERVIOUS SURFACE RATIO (ISR) "The total area of impervious surfaces divided by the net area (excluding right-of- way) of the lot."

LOT AREA: LOT 356 (LESS THE WEST 75 FEET THERE OF), PLAT OF WINDERMERE, ACCORDING TO THE MAP OR PLAT THERE OF, AS RECORDED IN PLAT BOOK G, PAGE(S) 36 THROUGH 39, INCLUSIVE OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

TYPE C DRAINAGE

TOPO SURVEY & FF BASED ON VERTICAL DATUM = NAVD 88

FRONT SETBACK: 25'
REAR SETBACK: 50'(FROM NHWL)
SIDE SETBACK: 15'

RETENTION CALCULATIONS

CIA = Q - REFER TO AREA TABULATION
Q: TOTAL RETENTION VOLUME REQUIRED
C: .9 RUNOFF COEFFICIENT
I: .083 RAINFALL

LOT AREA :
IMPERVIOUS: 0.9 x 0.083 x 8,113 = Q: 606.04
+ PERVIOUS: 0.3 x 0.083 x 12,712 = Q: 316.52 = 922.56 CF required

POND A = (920+537)/2 X 0.83 DEPTH = 604.65 CF
POND B = (667+361)/2 X 0.83 DEPTH = 426.62 CF

TOTAL POND RETENTION A + B = 604.65 + 426.62 = 1,131.27 CF PROVIDED

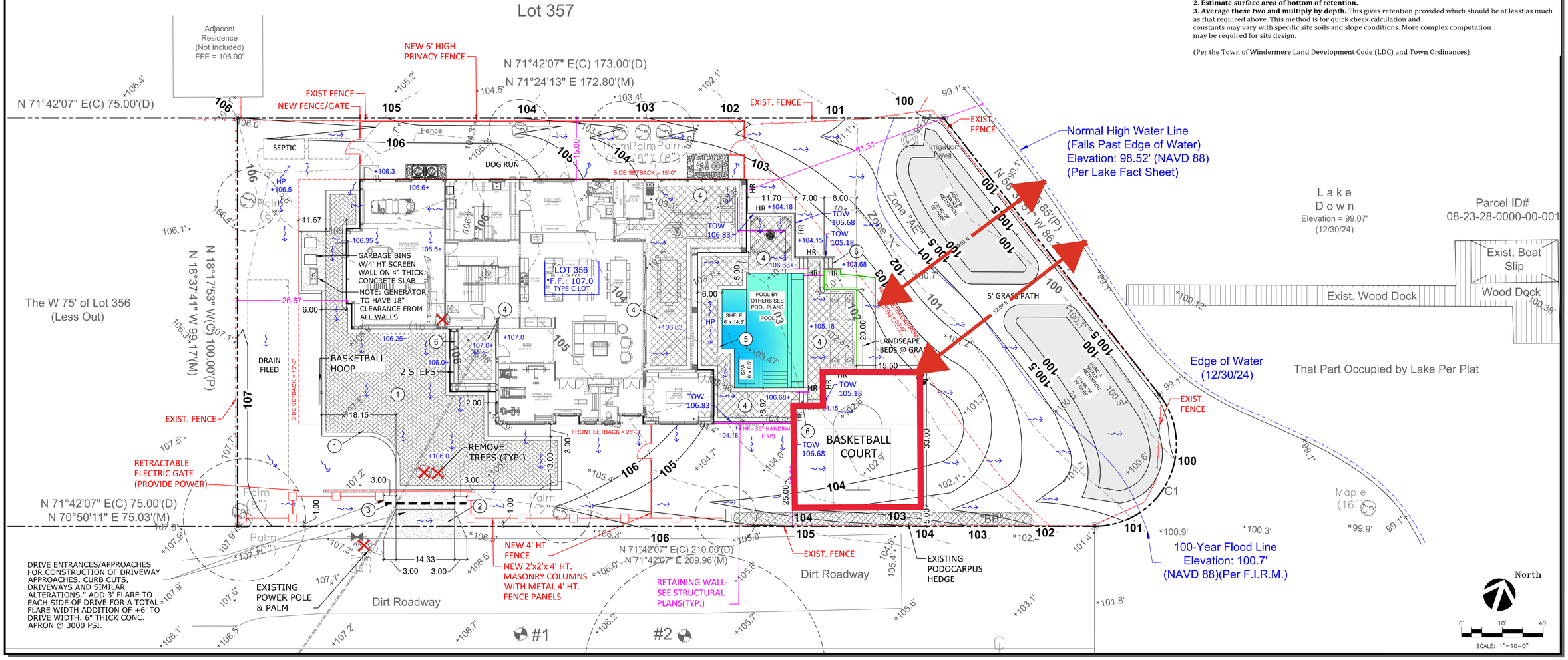
STORM WATER USE RATIONAL RUNOFF FORMULA
Q = C I A
Q = Required retention volume
C = Weight or runoff coefficient determined as follows:
Paved area square feet - divided by -
Impervious: Total site area square feet - times - 0.9 - plus –

Unpaved area square feet - divided by -
Pervious: Total site area square feet - times - 0.3

I = Rainfall = 1" divided by 12" = 0.083 feet
A = Area of site in square feet

To estimate retention provided:
1. Estimate surface area of top of retention.
2. Estimate surface area of bottom of retention.
3. Average these two and multiply by depth. This gives retention provided which should be at least as much as that required above. This method is for quick check calculation and constants may vary with specific site soils and slope conditions. More complex computation may be required for site design.

(Per the Town of Windermere Land Development Code (LDC) and Town Ordinances)



AGORA DESIGN
LANDSCAPE ARCHITECTURE ▲ PLANNING
CERTIFICATE OF AUTHORIZATION #LC26001462
600 South Dixie Avenue ● Orlando, Florida 32805 ● (407) 540-9228 ● LA #752

COURUS RESIDENCE
323 EAST 4TH AVENUE,
WINDERMERE, FLORIDA 34786

HARDSCAPE / DRAINAGE PLAN

REVISIONS
06-09-2025 REVISED PER TOWN COMMENTS
06-19-2025 REVISED PER TOWN COMMENTS
08-13-2025 REVISED PER OWNER
01-06-2026 ADD GEN PER OWNER
01-15-2026 REVISED DRIVE

DATE: 05-06-2025
SCALE: AS INDICATED
DRAWN: JMM
APPROVED: SHM
JOB NO: 2504
SHEET HS-1
OF 3 SHEETS

Z26-04 Public Notice Responses

