



BOARD OF ZONING ADJUSTMENT

MEETING INFORMATION

Location

City Council Chambers
2nd Floor, City Hall
One City Commons
400 South Orange Avenue

Time

1:00 p.m.

Board Members

James Lussier, Chair
Martha Hartley, Vice Chair
Marc Black
Myra Monreal
Pastor Billy Newton
Carol Phifer
Jed Prest
Craig Ustler
Picton Warlow

AGENDA ■ OCTOBER 1, 2002

WELCOME!

We are very glad you have joined us for today's meeting. The Board of Zoning Adjustment (BZA) is an advisory board to City Council composed of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All BZA recommendations are subject to final action by City Council. The minutes of today's meeting will be presented at the City Council meeting on OCTOBER 14, 2002 for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below.

CAUTION: Untimely filing by any appellant shall result in an automatic denial of the appeal.

GENERAL RULES OF ORDER

The Board is pleased to hear all non-repetitive comments. However, since a general time limit of five (5) minutes is allotted to the proponents/opponents of an issue, large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request/Lobbyist Registration Form and give it to the Recording Secretary. When you are recognized by the Chairman, state your name and address and speak directly into the microphone. ROBERTS RULES OF ORDER govern the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the BZA Recording Secretary at (407) 246-3416 at least 24 hours in advance of the meeting.

APPEALS

Variances are quasi-judicial matters (implementing actions) and hearings are to be conducted subject to the Florida Supreme Court ruling in Board of County Commissioners of Brevard County v. Snyder. The Board's decision must be supported by "competent substantial evidence." Persons dissatisfied with a board recommendation in such matters may be entitled to a de novo (new) hearing before an independent Hearing Officer in accordance with the provisions of Chapter 2, Article XXXII, of the City Code. A request for a new hearing (appeal) must be filed with the Board of Zoning Adjustment Recording Secretary by 5:00 p.m., TUESDAY, OCTOBER 8, 2002. There is a \$250 fee for this appeal. The BZA Recording Secretary is located in the Land Development Division on the first floor of City Hall.

Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is made.

Thank you for participating in your government and making Orlando truly "The City Beautiful."

OPENING SESSION

- Call to Order at 1:00 p.m. or as soon thereafter as possible
- Pledge of Allegiance
- Introduction of Members
- Consideration of September 10, 2002 Minutes

CONSENT AGENDA

1. VAR2002-00104 315 NORTH FERN CREEK AVENUE
Applicant/Owner: Robert Sears, 315 North Fern Creek Avenue, Orlando, Florida 32803
District: 4

Request for the following variances to permit renovation of an existing office building at 315 North Fern Creek Avenue:

- a. Variance of 5 feet to the minimum required lot width of 55 feet required for non-residential uses in the O-1/T zoning district (Chapter 58, Figure 1, LDC).
- b. Variance of 5 feet to the minimum required side yard setback of 10 feet in the O-1/T zoning district to permit an addition in-line with the south wall of the existing building (Chapter 58, Figure 1, LDC).
- c. Variance to the requirement that air conditioning units not be located within required side yard setbacks to allow an air conditioning unit between the building and south property line (Section 58.1207, LDC).
- d. Variance of 12 feet to the minimum required driveway width of 24 feet to permit a 12 foot wide driveway along the north property line to access the rear parking lot (Section 61.240, LDC).
- e. Variance to the requirements for parking lot landscaping adjacent to contiguous properties to reduce the landscape area from 5 feet to 3 feet along the north property line and to eliminate the requirement for canopy trees along the north, south and east property lines (Section 60.253, LDC).
- f. Variance to the requirement that a 10-foot wide landscape bufferyard with 5-foot masonry wall or durable landscape screen, trees and shrubs be provided along the east property line to allow the applicant to install a six-foot high vinyl fence along the east property line in a two-foot wide landscape buffer area (Chapter 60, Part 2F).

Staff Recommendation: *Approval of the variance requests subject to the conditions contained in the staff report based on the finding that the requests meet the six standards for variance approval.*

OTHER BUSINESS

- General Appearance by Mr. William Murphy
- Board Workshop in Conference Room "U," Second Floor City Hall