



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 ■ NOVEMBER 5, 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 **NOVEMBER 18, 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

Variations 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, NOVEMBER 12, 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 October 1, 2002 Minutes

CONSENT AGENDA

1. VAR2002-00110 617 EAST HARWOOD STREET

Applicant/Owner: David Peel and Jim Glickeson, 617 East Harwood Street, Orlando, FL 32803

District: 4

Request for the following variance to permit an addition in-line with the north wall of the accessory structure at 617 East Harwood Street:

- a. Variance of 12.5 feet to the minimum required rear yard setback of 15 feet for accessory structures greater than 12 feet in height to permit an addition 2.5 feet from the north property line (Chapter 58, Figure 1, LDC).

Staff Recommendation: Approval of the variance request based on the finding that it meets the six standards for variance approval subject to the condition that the applicants obtain approval of the proposed improvements from the Historic Preservation Board.

2. VAR2002-00112 948 NORTH SHINE AVENUE

Applicant/Owner: Leslie E. Kinnaird, 948 North Shine Avenue, Orlando, FL, 32803

District: 4

Request for the following variance to permit an addition in-line with the south wall of the existing house at 948 North Shine Avenue:

- a. Variance of 0.6 feet to the minimum required side yard setback of 5 feet to permit an addition, including a partially roofed deck, 4.4 feet from the south property line (Chapter 58, Figure 1, and Section 58.970, LDC).

Staff Recommendation: Approval of the variance requests based on the finding that it meets the six standards for variance approval subject to the following conditions from the Transportation Engineering Bureau:

1. *Parking is currently provided within the garage. If the garage is enclosed into living space, the on-site parking will overhang the Weber Street right-of-way and future sidewalk location, which is not permitted. The garage shown on the survey shall remain as a garage (with a paved curb cut and driveway) or the driveway shall be removed, the parkway restored and a new driveway and parking area shall be constructed in a new location that meets City Code.*
2. *If the proposed improvement is a substantial enlargement/improvement, City Code requires the applicant to upgrade the site access to City standards, including the driveway and construction of a public sidewalk adjacent to the property line for the length of the property on Shine Avenue.*

CONSENT AGENDA (CONTINUED)

3. **VAR2002-00113** **1115 WEST YALE STREET**

Applicant/Owner: William and Pamela Craven, 1115 West Yale Street, Orlando, Florida 32804

District: 3

Request for the following variances to permit renovation of the existing house at 1115 West Yale Street:

- a. Variance of 4 feet to the minimum required street side yard setback of 15 feet to allow construction of an addition in-line with the western wall of the existing building (Chapter 58, Figure 1, LDC).
- b. Variance of 6 feet to the minimum required street side yard setback of 15 feet to allow construction of a new entry stoop 9 feet from the street side yard property line (Chapter 58, Figure 1, LDC)

Staff Recommendation: Approval of the variance requests based on the finding that they meet the six standards for variance approval.

OTHER BUSINESS

- General Appearance by Mr. William Murphy
- Presentation from Seth King, Assistant City Attorney, on Lobbying Ordinance