



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 ■ JANUARY 7, 2003

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 **MONDAY, JANUARY 27, 2003** 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, JANUARY 14, 2003**. 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 December 3, 2002 Minutes

CONSENT AGENDA

1. **VAR2002-00140 117 NORTH SUMMERLIN AVENUE**

Applicant/Owner: Beatti Family, Limited Partnership, 401 N. Mills Avenue, Orlando, FL 32803

District: 4

Request to retract condition (i) of the previously approved variance, VAR2000-00053, which required the second story enclosed porch to be reopened.

Staff Recommendation: Approval of the request subject to the conditions listed below:

- a. *The applicant shall provide a remote parking agreement for perpetual parking for the required parking spaces within 300 feet.*
- b. *The windows on the second story porch shall be replaced with windows that are appropriate to the style and period of the building in accordance with Chapter 62.704 of the LDC.*

2. **VAR2002-00134 112 PASADENA PLACE**

Applicant: R. L. Booth Construction, 1312 Palmetto Avenue, Winter Park, FL 32789

Owner: We Care Crisis Center, Inc., C/O Life Line of Central Florida, P. O. Box 149083, Orlando, FL 32814;

District: 3

Request for variances to parking and driveway width requirements to allow the demolition of an existing office building, and construction of a new mixed use building and two bedroom apartments.

Staff Recommendation: Withdrawal at the request of the applicant.

3. **VAR2002-00144 1001 WEST NEW HAMPSHIRE**

Applicant/Owner: Francis T. & Susan B. O'Reardon, 1001 New Hampshire Street, Orlando, FL 32804

District: 3

Request for a variance of 4.3 feet to the minimum required front yard setback of 25 feet to allow construction of an addition in-line with the projection from the eastern wall of the existing building (Chapter 58, Figure 1, LDC).

Staff Recommendation: Approval of the variance request based on the finding that the request meets the six standards for variance approval.

4. VAR2002-00148 128 WISTERIA AVENUE

Applicant/Owner: Barry and Debra Botwin, 128 Wisteria Avenue, Orlando, FL 32806-2121

District: 4

Request for a variance of 1.1 feet to the minimum required side yard of 6 feet to allow construction of a second story addition in-line with the existing building 4.9 ft. from the side property line (Chapter 58, Figure 1, LDC).

Staff Recommendation: Approval of the variance request based on the finding that the request meets the six standards for variance approval.

5. VAR2002-000150 2421 NORTHUMBERLAND AVENUE

Applicant: Tom Zedick, Agent, 311 E. Harvard Street, Orlando, FL 32804-5526

Owner: Sara & Herman Clark, 2421 Northumberland Avenue, Orlando, FL 32804-5526

District: 3

Request for the following variances to permit the applicant to renovate the existing home by demolishing a room on the east side of the structure and building an addition onto the rear of the home in-line with the north and south walls of the existing structure:

- a. Variance to allow an existing garage to project 5.4 feet in front of the principal structure in the Traditional City overlay district (Section 62.600).
- b. Variance to the minimum required side yard setback of 6 feet to allow an addition in-line with the existing structure at a 5.3 foot side yard setback on the south property line (Chapter 58, Figure 1).
- c. Variance to the minimum required side yard setback of 6 feet to allow an addition in-line with the existing structure at a 5.03 foot side yard setback on the north property line (Chapter 58, Figure 1)

Staff Recommendation: Approval of the variance requests based on the finding that the requests meet the six standards for variance approval subject to the following conditions:

1. *The proposed driveway shall not be widened on the north side. Only the south side of the driveway shall be allowed to be widened.*
2. *To minimize the visual impact of the garage projection, the applicant shall build a porch onto the front of the house, similar to the elevation referenced in the staff report.*

6. VAR2002-00151 514 LAKEVIEW STREET

Applicant/Owner: Robert & Sally Ward, 514 Lakeview Street, Orlando, FL 32804

District: 3

Request for the following variances to allow the construction of an accessory structure (garage/carriage house) between the principal structure and the street:

- a. Variance to allow the garage to be constructed in front of the principal structure (Section 62.600, LDC).
- b. Variance to allow an accessory structure to be constructed between the street and principal building (Section 58.901 (a), LDC).

- c. Variance to the requirement that air conditioning units not be located within the front yard to allow an air conditioning unit between the building and the north property line (Section 58.1207, LDC).

Staff Recommendation: Approval of variance a based on the finding that it meets the requirements for design variance approval and approval of variances b and c based on the finding that they meet the six standards for variance approval subject to the following condition:

- 1. *An opaque landscape buffer shall be planted on the north and west side of the air conditioning unit to screen it from view.*

OTHER BUSINESS

- 2003 Board Schedule