



BOARD OF ZONING ADJUSTMENT

MEETING INFORMATION

Location

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

Time

2:00 p.m.

Board Members

James Lussier, Chair
Marc Black
Myra Monreal
Carol Phifer
Jed Prest
Craig Ustler
Picton Warlow
Andrew Powell

AMENDED AGENDA ■ JULY 22, 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, AUGUST 25, 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, JULY 29, 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 2:00 p.m. or as soon thereafter as possible
- Pledge of Allegiance
- Introduction of Members
- Consideration of June 24, 2003 Minutes

CONSENT AGENDA

1. VAR2003-00082 826 MENENDEZ COURT

Owner: Henry Wahl, 417 S. Summerlin Avenue, Orlando, FL 32801

District: 4

- A. Variance of 4 feet to the minimum required landscaping width of 5 feet between a vehicular use area and adjacent properties to permit a 1 ft. wide landscaping area along the south property line (Section 60.253, LDC).

Recommended Action: Approval based upon the finding that the request meet the six standards for variance approval.

2. VAR2003-00083 3509 N. WESTMORELAND DRIVE

Applicants/Owners: James Schinina, 3509 N. Westmoreland Drive, Orlando, FL 32804

District: 3

- A. Variance of 4.25 feet to the required front yard setback to construct a garage 20.75 feet from the front property line (Chapter 58, Figure 1, LDC).
- B. Variance of ±23 feet to the required 50 foot setback from the normal high water level of an adjacent waterbody to construct an addition (Chapter 58, Figure 1, Footnote 10, LDC).

Recommended Action: Approval of the variance request based on the finding that the request meets the six standards for variance approval subject to the following conditions:

1. *The applicant will need to obtain a permit to remove any trees before beginning construction.*
2. *The screened porch area shall remain open and shall not be enclosed into living space.*
3. *The applicant shall enter into an agreement with the City holding the City harmless from any water damage that may occur as a result of any future flood. This agreement shall be recorded in the Public Records and shall be binding to all successors and assigns.*

3. VAR2003-00086 711 TERRACE BOULEVARD

Applicant/Owner: Eric & Elizabeth Marks, 711 Terrace Boulevard, Orlando, FL 32803

District: 3

3. VAR2003-00086 711 TERRACE BOULEVARD—CONTINUED

- A. Variance of 2.5 feet to the minimum required side yard setback of 7.5 feet to permit a rear addition in-line with the east wall of the existing structure, 5 ft. from the east property line (Chapter 58, Figure 1).

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

- B. Variance of 2.5 feet to the minimum required side yard setback of 7.5 feet to permit a rear addition in-line with the west wall of the existing structure 5 feet from the west property line.

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

4. VAR2003-00087 1300 DELANEY AVENUE

Applicant: Florida Quality Homes, Inc., 130 S. Main Street, Winter Garden, FL 34787-3556

Owner: Trinh-Le To-Lan, 1300 Delaney Avenue, Orlando, FL 32806

District: 4

The applicant was proposing to construct a single-family house with a garage projecting in front of the living area. He has withdrawn the application and will redesign the project to meet the Traditional City standards.

Recommended Action: Approval of the withdrawal of the application.

REGULAR AGENDA

5. VAR2003-00085 1216 LANCASTER DRIVE

Applicant/Owner: Peter Partlow, 1216 Lancaster Drive, Orlando, FL 32806

District: 1

- A. Variance of 1.5 feet to the minimum required side yard setback of 7.5 feet to permit two air conditioning units 6 feet from the west property line (Section 58.1207, LDC).

Recommended Action: Denial of the variance request based on the finding that the request meets none of the six standards for variance approval.

6. VAR2003-00084 1808 ANTIGUA DRIVE

Applicant/Owner: Douglas & Stacey Guetzloe, 1808 Antigua Drive, Orlando, FL 32806

District: 1

- A. Variance of 16.0 feet to the minimum required rear yard setback of 25.0 feet to allow a proposed ±700 square foot addition to be constructed 9.0 feet from the south property line (Chapter 58, Figure 1).

Recommended Action: Denial of variance request (a) based on the finding that it does not meet the six standards for variance approval. Approval of an alternative lesser variance of 5 feet to the minimum required rear yard setback of 25 feet to allow a ±500 square foot addition to be constructed 20 feet from the south property line.

Other Business