



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
Martha Hartley, Vice Chair
Marc Black
Myra Monreal
Carol Phifer
Jed Prest
Craig Ustler
Picton Warlow
Andrew Powell

AGENDA ■ JUNE 24, 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, JULY 14, 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 1, 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 May 27, 2003 Minutes

CONSENT AGENDA

1. VAR2003-00070 1020 LANCASTER DRIVE

Owner: Donovan Dean, 740 N. Magnolia Avenue, Orlando, FL 32804

Applicant: Bobby Simpson, 1020 Lancaster Drive, Orlando, FL 32806

District: 1

- A. Variance of 33.22 feet to the required 50 foot setback from the normal high water elevation of an adjacent waterbody to construct an addition 16.78 feet from the seawall (Chapter 58, Figure 1, Footnote 10, LDC).
- B. Variance of 7.23 feet to the minimum required front yard setback of 25 feet to permit construction of an addition 17.77 feet from the east property line (Chapter 58, Figure 1, LDC).

Recommended Action: Approval of the variances requested based upon the finding that the requests meet the six standards for variance approval subject to the following conditions:

- 1. *The applicant will need to obtain a right-of-way encroachment agreement to allow the fence to remain projecting into the right-of-way along the east property line.*
- 2. *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 a flood. This agreement shall be recorded in the public records of Orange County and shall be binding to all successors and assigns.*

2. VAR2003-00073 1115 W. YALE STREET

Applicants/Owners: William & Pamela Craven, 1115 W. Yale Street, Orlando, FL 32804

District: 3

Request for approval for a six-month extension of previously approved variances to the minimum required street side yard setback.

Recommended Action: Approval of a six-month extension.

3. VAR2003-00074 3215 LAKE SHORE COURT

Applicant/Owner: Mitchell D. Gamble, 3215 Lake Shore Court, Orlando, FL 32803

District: 4

- A. Variance of 11 feet to the minimum required rear yard setback of 25 feet to allow construction of a new master bedroom, closet, and bathroom 14 feet from the north 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.

REGULAR AGENDA

4. VAR2003-00051 EMMA LOU SCOTT

Applicant/Owner: Emma Lou Scott, 2952 Cumler Street, Orlando, FL 32811

District: 6

- A. Variance of 18.2 ft. to the minimum required front yard setback of 25 ft. to allow an existing accessory structure (carport) to remain 6.8 ft. from the east property line (Chapter 58, Figure 1, LDC).
- B. Variance of 2 ft. to the minimum required side yard setback of 6 ft. to allow an existing accessory structure (carport) to remain 4 ft. from the east property line (Section 58.901, LDC).
- C. Variance to allow an accessory structure (carport) between the principal structure and the street (Section 58.901, LDC).
- D. Variance of 3.4 ft. to the minimum required building separation of 5 ft. to allow an existing structure (carport) to remain 1.6 ft. from the house (Section 58.901, LDC).
- E. Variance of 2 ft. to the minimum required side yard setback of 6 ft. to allow an existing air conditioning unit to remain 4 ft. from the south property line (Section 58.1207, LDC).
- F. Variance of 3 ft. to the minimum required rear yard setback of 5 ft. for accessory structures to allow an existing canopy structure to remain 2 ft. from the west property line (Section 58.901, LDC).
- G. Variance of 4.2 ft. to the minimum required building separation of 5 ft. to allow an existing shed to remain 0.8 ft. from another shed (Section 58.901, LDC).
- H. Variance of 16 ft. to the maximum mean parking area width of 20 ft. to allow the existing driveway/parking area to remain at a mean width of 36 ft. (Section 61.302, LDC).
- I. Variance of 0.23 to the maximum permitted impervious surface ratio of 0.40 within the required front yard to allow an impervious surface ratio of 0.63 in the required front yard (Section 61.302, LDC).
- J. Variance of 0.03 to the maximum impervious surface ratio (ISR) of 0.55 permitted on lots within the R-1 zoning district to allow 0.58 ISR on the property (Chapter 58, Figure 1, LDC).

Recommended Action: Approval of variance E, F and G, and denial of variances A, B, C, D, H, I, and J based on the findings contained in the staff report .

Other Business