



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
Stephanie Gallagher

AGENDA ■ SEPTEMBER 23, 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, OCTOBER 13, 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, SEPTEMBER 30, 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 August 26, 2003 Minutes

CONSENT AGENDA

1. VAR2003-00108 1617 PARK LAKE STREET

Applicant/Owner: Charles & Anne Maus, 1617 Park Lake Street, Orlando, FL 32803

District: 4

- A. Variance of ±3 ft. to the minimum required side yard setback of 5 ft. for accessory structures over 12 ft. in height to allow the construction of a garage ±2 ft. from the side property line (Section 58.901, LDC).

Recommended Action: Approval based upon the finding that it meets the six standards for variance approval subject to the following condition:

- 1. *The garage shall be designed and constructed so as to prevent rainwater run-off from the gable roof impacting the neighboring property to the east.*

- B. Variance of ±13 ft. to the minimum required rear yard setback of 15 ft. for accessory structures over 12 ft. in height to allow the construction of a garage ±2 ft. from the rear property line (Section 58.901, LDC).

Recommended Action: Approval based upon the finding that it meets the six standards for variance approval.

2. VAR2003-00112 516 W. PRINCETON STREET

Applicant/Owner: Jordan Miller, 516 & 518 Princeton Street, Orlando, FL 32804

District: 3

- A. Design Variance to the requirement that garages not project in front of the living area of the principal structure to allow the enclosure of two existing attached carports into garages in front of the principal structure (Section 62.600, LDC).

Recommended Action: Approval based upon the finding that it meets the six standards for variance approval subject to the following condition:

- 1. *Appearance Review shall be required prior to issuance of a building permit to ensure that design of the garage is consistent with the architectural style of the principal structure.*

- B. Variance to the maximum mean parking area width of 16 feet for one and two-family dwelling development lots between 46.68 feet and 53.55 feet in width to allow a 20-foot wide driveway to remain on a 50-foot wide lot (Sec. 61.302, LDC).

2. VAR2003-00112 516 W. PRINCETON STREET—CONTINUED

Recommended Action: Approval based upon the finding that the request meet the six standards for variance approval subject to the following condition:

1. Stepping stones shall be installed to provide a pedestrian connection between the sidewalk and the entry doors to each dwelling unit.

3. VAR2003-00113 1007 LAKE EMERALD DRIVE

Applicant/Owner: Denise Hostetler, 1007 Lake Emerald Drive, Orlando, FL 32806

District: 1

- A. Variance to the requirement that garages and carports be located flush with or behind the living area of the home to allow the conversion of a carport into a garage that projects 8 feet in front of the living space (Section 62.600, LDC).
- B. Variance of 2.5 ft. to the minimum required side yard setback of 7.5 ft. to allow the conversion of a carport into a garage 5 ft. from the side property line (Chapter 58, Figure 1, LDC).
- C. Variance of 1.5 ft. to the minimum required side yard setback of 7.5 ft. to allow an existing shed to remain 6 ft. from the side property line (Section 58.901, LDC).
- D. Variance of 3 ft. to the minimum distance requirement between accessory structures of 5 ft. to allow two existing sheds to remain 2 ft. apart (Section 58.901, LDC).

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

4. VAR2003-00114 1425 PHILADELPHIA AVENUE

Applicant/Owner: Paul & Mary Shafer, 1024 Terrace Boulevard, Orlando, FL 32803

District: 3

- A. Variance to Footnote 4 of the Zoning District Regulations (Figure 1, Chapter 58, LDC) to allow the subject property to be developed under R-2A/T zoning district standards in lieu of zero-lot-line development.
- B. Variance to the side yard setback to allow side yard setbacks of 5 ft. in lieu of 0 ft. and 10 ft. (zero-lot-line standards) to allow principal structures to be constructed at 5 ft. side yard setbacks.
- C. Variance of 5 ft. to the minimum required rear yard setback of 30 ft. to allow principal structures to be constructed at a rear yard setback of 25 ft. (Figure 1, Chapter 58, LDC).

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

5. VAR2003-00116 12 S. LAWSONA BOULEVARD

Applicant/Owner: Lida & Bryan Coffman, 12 S. Lawsona Boulevard, Orlando, FL 32801

District: 4

- A. Variance of 11.5 feet to the minimum required rear yard setback of 25 feet for principal structures to permit additions as close as 13.5 feet from the rear lot line (Section 58.110, LDC).

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

5. VAR2003-00116 12 S. LAWSONA BOULEVARD—CONTINUED

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

6. VAR2003-00118 116 E. CONCORD STREET

Applicant/Owner: Kim Goehring, 835 N. Magnolia Avenue, Orlando, FL 32803

District: 4

- A. Variance of 17.5 feet to the minimum required 20-foot rear yard setback to allow the existing office building to be renovated and wheelchair ramp to be replaced in its current location, 2.5 feet from the rear (south) property line (Chapter 58, Figure 1).

Recommended Action: Approval based on the finding that it meets the six standards for variance approval subject to the following condition:

- 1. The existing wheelchair ramp and handicap parking shall be designed to meet ADA standards and the requirements found in Part 4 of the LDC and comply with the Florida Building Code.

7. VAR2003-00115 220, 222 & 224 W. MICHIGAN STREET

Applicant/Owner: Patrick Hunter II, M. D. & Axel Anderson IV, M.D./Florida Urology Group/AC Development Group, Inc. , 100 W. Gore Street, Suite 405, Orlando, FL 32806

District: 4

The applicant is requesting variances to the minimum required front yard, rear yard, and street side yard setbacks, and to the minimum required landscape bufferyard width to allow construction of two new medical offices.

Recommended Action: Withdrawal at the request of the applicant.

REGULAR AGENDA

8. VAR2003-000111 3511 PELICAN LANE

Applicant/Owner: Michael & Glenda Sylvia, 3511 Pelican Avenue, Orlando, FL 32803

District: 3

- A. Variance of 8 ft. to the minimum required street-side yard setback of 15 ft. to allow an addition in-line with the existing structure, 17 ft. from the street side yard property line.

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

- B. Variance to the requirement that one legal parking space be provided behind the front yard setback of a principal structure to allow the legal parking space in the required front yard setback (Chapter 58, Figure 1, LDC).

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

8. VAR2003-000111 3511 PELICAN LANE—CONTINUED

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

- C. Variance of 6.5 feet to the minimum required side yard setback of 7.5 feet for accessory structures to allow an accessory structure (shed) to remain 1 foot from the side property line.

Recommended Action: *Denial of the variance request based on the finding that the request does not meet any of the six standards for variance approval.*

- D. Variance of 2 feet to the minimum distance between the principal structure and accessory structure of 5 feet to allow an accessory structure (shed) to remain 3 feet from the west wall of the principal structure.

Recommended Action: *Denial of the variance request based on the finding that the request does not meet any of the six standards for variance approval.*