



# BOARD OF ZONING ADJUSTMENT

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## MEETING INFORMATION

### *Location*

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

### *Time*

2:00 p.m.

### *Board Members*

Picton Warlow, Chairman  
Myra Monreal, Vice Chair  
James Lussier  
Marc Black  
June Farrell  
Andrew Powell  
Jed Prest  
Craig Ustler  
Juan Lynum

## AGENDA ■ FEBRUARY 22, 2005

### 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 March 28, 2005**, 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 please to hear all non-repetitive comments. However, since a general time limit of (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) 246-3365 at least 24 hours in advance of the meeting.

### APPEALS

Variances 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., March 1 2005**. There is a **\$250** fee for this appeal. The BZA Recording Secretary is located in the City Planning Division on the sixth 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

- Determination of a quorum
- Call to Order 2:00 p.m. or as soon thereafter as possible
- Pledge of Allegiance
- Introduction of members
- Consideration of January 25, 2005 minutes.

## CONSENT AGENDA

**1. VAR2004-00066 117 E. AMELIA STREET—EXTENSION**

Applicant/Owner: Daniel Gracia, 117 E. Amelia Street, Orlando, Florida

District: 4

Project Planner: Anita McNamara

Variance extension of a previously approved variance to the minimum number of parking spaces to provide 4 spaces in lieu of the minimum required 8 spaces for conversion to office use.

***Recommended Action:*** Approval of the variance extension request based on the finding that it meets the six standards for variance approval, subject to conditions contained in the staff report.

**2. VAR2005-00002 1809 BRIERCLIFF DRIVE**

Applicant/Owner: Keith & Maureen Zeitler, 1809 Briercliff Dr., Orlando, Florida 32806

District: 1

Project Planner: Heather Middleton

Variance of 2.5 feet to the minimum required side yard setback of 7.5 ft. to allow an in-line addition to be constructed 5 ft. from the side yard property line.

***Recommended Action:*** Approval of the variance request based on the finding that it meets the six standards for variance approval, subject to the condition contained in the staff report.

**3. VAR2005-00004 3301 ROGERS DRIVE**

Applicant/Owner: Ansel Smith, 3301 Rogers Dr., Orlando, Florida 32805

District: 6

Project Planner: Lillian Scott

Variance of 13 ft. to the minimum required 25 ft. rear yard setback to permit a two-story addition 12 ft. from the rear property line.

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

CONSENT AGENDA (CONTINUED)

4. VAR2005-00006 1040 LAKE WELDONA DRIVE

Applicant: Michael Sawyer, 2110 Tangerine Street, Orlando, Florida 32803

District: 1

Project Planner: Anita McNamara

Variance of 10 ft. to the minimum required rear yard setback of 15 ft. to allow an accessory structure (detached two-car garage with second-story living space) 5 ft. from the rear property line in order to protect an oak tree.

**Recommended Action:** *Approval of the variance request based on the finding that it meets the six standards for variance approval, subject to the conditions contained in the staff report.*

5. VAR2005-00007 5895 CARRIER DRIVE

Applicant: Victor N. Igbo-Nwoke, 1156-D Calle Del Norte, Casselberry, Florida 32707

Owner: Palmer Trust, 11410 Swift Water Circle, Orlando, Florida 32817

District: 6

Project Planner: Heather Middleton

Variance of 25 parking spaces to the maximum number of spaces permitted (15 spaces) for office/call center use to allow an existing parking lot to remain with 40 parking spaces.

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

6. VAR2005-00008 3001 L B MCLEOD ROAD

Applicant/Owner: Mastercraft, LLC, 7550 Hinson Street, #9-A, Orlando, Florida 32819

District: 6

Project Planner: Lillian Scott

A. Variance of 5 ft. to the minimum required 25 ft. front yard setback to permit the construction of the principal structure 20 ft. from the front property line.

**Recommended Action:** *Approval of the variance request based on the finding that it meets the six standards for variance approval, subject to the condition contained in the staff report.*

B. Variance of 2.5 ft. to the minimum required 7.5 ft. side yard setback to permit the construction of the principal structure 5 ft. from the side (south) property line.

**Recommended Action:** *Approval of the variance request based on the finding that it meets the six standards for variance approval, subject to the condition contained in the staff report.*

CONSENT AGENDA (CONTINUED)

C. Variance of 2.5 ft. to the minimum required 7.5 ft. side yard setback to permit the construction of the principal structure 5 ft. from the side (north) property line.

*Recommended Action: Approval of the variance request based on the finding that it meets the six standards for variance approval, subject to the condition contained in the staff report.*

D. Variance of 15 ft. to the minimum required 25 ft. rear yard setback to permit the construction of the principal structure 10 ft. from the rear property line.

*Recommended Action: Approval of the variance request based on the findings that it meets the six standards for variance approval, subject to the condition contained in the staff report.*

***ADJOURNMENT***