



# 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 ■ JUNE 28, 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 July 25, 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., July 6, 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 May 24, 2005 minutes.

## CONSENT AGENDA

### 1. VAR2005-00045 1007 GOLDEN OAK COURT

Applicant: Gregory D. Vandergrift, 1409 Magna Court, Orlando, FL 32804

District: 4

Project Planner: Heather Middleton

A. Variance of 9.2 ft. to the minimum required side yard setback of 10 ft. to allow an existing garage apartment to remain 0.8 ft. from the southern side yard property line.

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

B. Variance of 15 ft. to the minimum required rear yard setback for accessory structures more than 12 ft. in height to allow the garage apartment to remain 0 ft. from the eastern rear yard property lined.

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

C. Variance to Section 62.604, which prohibits parking between the principal structure and the street, to allow the applicant to install a parking lot consisting of 7 parking spaces (including 1 handicap space) between the principal structure and Annie Street.

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

### 2. VAR2005-00055 2260 SOUTH SEMORAN BOULEVARD

Applicant: Kimberly Brown, 108 N. Wymore Road, Winter Park, FL 32789

Owner: Antonio Portigliatti, c/o AIP, 108 N. Wymore Road, Winter Park, FL 32789

District: 1

Project Planner: Heather Middleton

Variance of 15 ft. to the minimum required building site frontage of 50 ft. to allow an existing flag lot to be developed with 35 ft. of building site frontage on a public street

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

CONSENT AGENDA (CONTINUED)

3. VAR2005-00058 737 SPRINGDALE ROAD

Applicant: Chris Schafer, 2295 S. Hiawasse Road, Orlando, FL 32835

Owner: David & Kimberly Corso, 737 Springdale Rd, Orlando, FL

District: 3

Project Planner: Karl Wielecki

A. Variance of 7.9 ft. to the minimum required street side yard setback requirement of 15 ft. to allow a principal structure to remain in its existing location.

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

B. Variance of 4.7 ft. to the minimum required rear yard setback requirement of 25 ft. to allow an expanded principal structure (house and garage) to be located 20.3 ft. from the rear lot line.

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

REGULAR AGENDA

4. VAR2005-00047 6425 KEARCE STREET

Applicant/Owner: John Ewen, 6425 Kearce Street, Orlando, FL 32807

District: 2

Project Planner: Lillian Scott

Variance of 2.5 ft. to the minimum required 7.5 ft. side yard setback to permit expansion of the carport 5.0 ft. from the side property line.

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

5. VAR2005-00051 6013 WABASH ROAD

Applicant/Owner: Zaragoza Maldonado, 6013 Wabash Road, Orlando, FL 32807

District: 2

Project Planner: Lillian Scott

Variance of 19.4 ft. to the minimum required 25 ft. rear yard setback to permit an addition to the principal structure 5.6 ft. from the rear property line.

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

REGULAR AGENDA (CONTINUED)

6. VAR2005-00053 1151 OVERBROOK DRIVE

Applicant/Owner: James W. McCall

District: 3

Project Planner: Heather Middleton

A Variance to the requirement that garages and carports be flush with, or recessed from, the ground floor principal façade of the principal structure.

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

B Variance of ±5 feet to the minimum required front yard setback of 30 feet to allow an attached garage to be constructed ±25 feet from the front yard property line.

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

7. VAR2005-00054 5026 QUALITY TRAIL

Applicant/Owner Mike Nickless, 5026 Quality Trail, Orlando, FL 32829

District: 1

Project Planner: Karl Wielecki

Variance of 5 ft. to the minimum required rear yard setback requirement of 5 ft. to allow a pool deck and slide to be installed up to the rear property line.

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

8. VAR2005-00056 915 EAST WASHINGTON STREET

Applicant: Eric L. Morgan, 806 E. Anderson St, Orlando, FL 32801

Owner: George Gramatikis, 911 E. Washington St, Orlando, FL 32801

District: 4

Project Planner: Anita McNamara

Variance of ±8.17 ft. to the minimum required 15 ft. street side yard setback to permit the construction of a side entry porch addition ±6.83 ft. from the street side (east) lot line.

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

REGULAR AGENDA (CONTINUED)

9. VAR2005-00057 717 DELANEY PARK DRIVE

Applicant: Matthew & Natalie Gentile, 717 Delaney Park Drive, Orlando, FL 32806

District: 4

Project Planner: Anita McNamara

A. Variance of 21 ft. to the minimum required rear yard setback of 25 ft. to allow an addition 4 ft. from the rear property line.

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

B. Variance of 6.4 ft. to the minimum required side yard setback of 7.5 ft. to allow construction of an addition 1.1 ft. from the side property line.

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

10. VAR2005-00060 620 STETSON STREET

Applicant/Owner: Timothy J. & Timothy Lemp, 620 Stetson St, Orlando, FL 32804

District: 3

Project Planner: Lillian Scott

Variance of 5 ft. to the minimum required lot width of 55 ft. in the R-1/T zoning district to allow a 100-foot wide building site to be separated into two separate 50-foot wide lots (Minimum Lot Width)

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

ADJOURNMENT