



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

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

AGENDA ■ MAY 24, 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 June 13, 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., June 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 April 26, 2005 minutes.

CONSENT AGENDA

1. VAR2004-00129 517 SHADY LANE DRIVE (EXTENSION)

Applicant/Owner: Matthew Lonman, 517 Shady Lane Drive, Orlando, Florida

District: 3

Project Planner: Anita McNamara

A. Variance extension of a previously approved variance of 0.7 foot to the minimum required 6-foot side yard setback to allow a proposed in-line addition to be located 5.3 ft. from the side property line.

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

B. Variance extension of a previously approved variance of 5 ft. to the minimum required 25-foot rear yard setback to allow a proposed in-line addition to be located 20 ft. from the rear property line.

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

2. VAR2005-00038 1718 HACKNEY AVENUE

Applicant/Owner: Bill & Michele Fluke 1718 Hackney Avenue, Orlando, FL 32806

District: 1

Project Planner: Lillian Scott

Variance of 8 ft. to the minimum required 15 ft. street side yard setback to permit the construction of an open-air porch 7 ft. from the eastern 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.

3. VAR2005-00041 1005 EDGEWATER DRIVE

Applicant/Owner: Dennis K. Benbow, 1005 Edgewater Drive, Orlando, FL 32804

District: 3

Project Planner: Anita McNamara

Variance of 20 ft. to the minimum setback from normal high water elevation of 50 ft. to allow an addition to a principal structure 30 ft. from the normal high water elevation of Lake Concord.

CONSENT AGENDA (CONTINUED)

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

4. VAR2005-00043 3304 N WESTMORELAND DRIVE

Applicant/Owner: Bill & Nancy Robinson, 3304 N. Westmoreland Drive, Orlando, FL 32804

District: 3

Project Planner: Lillian Scott

Variance of 3.5 ft. to the minimum required 7.5 ft. side yard setback to permit an in-line addition 4.0 ft. from the side property line.

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

REGULAR AGENDA

5. VAR2005-00039 705 TERRACE BOULEVARD

Applicant/Owner Colleen & Duke Woodson, 705 Terrace Boulevard, Orlando, FL 32803

District: 3

Project Planner: Heather Middleton

Variance of ± 3 ft. to the minimum required side yard setback requirement for air conditioning units of 5 ft. to allow an air conditioning condenser unit to be installed ± 2 ft. from the side 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.*

6. VAR2005-00040 111 FOREST CIRCLE

Applicant: Darel Taylor, 110 Springside Court, Longwood FL 32779

Owner: Joseph Goodrich, 111 Forest Circle, Orlando, FL 32803

District: 4

Project Planner: Heather Middleton

A. Variance of no more than 11.3 ft. to the minimum required rear yard setback requirement of 25 ft. to allow an existing detached garage to be attached to the principal structure by an enclosed addition no closer than 13.7 ft. from the rear yard property line.

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

B. Variance of no more than 2 ft. to the minimum required side yard setback of 5 ft. to allow an existing air conditioning unit to remain no closer than 3 ft. from the southern side yard property line.

REGULAR AGENDA (CONTINUED)

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

C. Variance of no more than 1.3 ft. to the minimum required rear yard setback for accessory structures more than 12 ft. in height of 15 ft. to allow an existing detached two-story garage/carport to remain 13.7 feet from the rear yard property line.

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

D. Variance of no more than 1.9 ft. to the minimum required side yard setback requirement of 7.5 ft. to allow an existing second story addition to remain no closer than 5.6 ft. from the southern side yard property line.

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

7. VAR2005-00042 1005 RIDGEWOOD STREET

Applicant/Owner: Gavin Sandells, 1005 E. Ridgewood Street, Orlando, FL 32803

District: 4

Project Planner: Anita McNamara

A. Variance of 10 ft. to the minimum required rear yard setback of 15 ft. for accessory structures over 12 ft. in height to permit the construction of a two-story garage apartment with a two-car garage on the ground floor 5 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, subject to the conditions contained in the staff report.

B. Variance of 10 ft. to the minimum required rear yard setback of 25 ft. for principal structures to permit the construction of a two-story house 15 ft. from the rear property line.

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

ADJOURNMENT