



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
Kelly Blume
June Farrell
Andrew Powell
Darrell Murray
Meredith Pickens
Juan Lynum
Tara Salmieri

AGENDA ■ SEPTEMBER 27, 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 October 24, 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 pleased 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. ROBERT'S 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

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., October 4, 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 August 23, 2005 minutes.

CONSENT AGENDA

1. VAR2005-00013 3609 MIDIRON DRIVE—EXTENSION

Applicant/Owner: Harry P. Whittaker, 3609 Midiron Drive, Orlando, FL 32789

District: 3

Project Planner: Heather Middleton

Request for a variance extension for a variance of 5.0 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.

Recommended Action: Approval of the variance extension requested.

2. VAR2005-00080 1511 E. ROBINSON STREET

Applicant/Owner: Laurence Heisler, 1913 E. Washington Street, Orlando, FL 32803

District: 4

Project Planner: Lillian Scott

A. Variance to permit 3 parking spaces for a 3,600 sq. ft. office in lieu of the minimum required 9 parking spaces.

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 to the minimum required 10 ft. bufferyard to permit a 5 ft. bufferyard along a portion of the northern 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.

C. Variance of 7 ft. to the minimum required 30 ft. rear yard setback to permit the structure to remain 23 ft. from the rear property line.

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

3. VAR2005-00103 2623 E. SOUTH STREET

Applicant/Owner: Ana M. Garcia, 2623 E. South Street, Orlando, FL 32803

District: 4

Project Planner: Heather Middleton

CONSENT AGENDA (CONTINUED)

A. Variance of 18.8 ft. to the maximum permitted front yard setback of 15 ft. to allow an existing building to remain 33.8 ft. from the southern front property line.

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

B. Variance of 2 spaces to the minimum number of parking spaces required to allow 4 spaces, in lieu of 6 on-site spaces.

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

C. Variance to the permitted location of parking to allow a handicapped parking space to be located in the front yard of the subject site.

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

4. VAR2005-00108 825 W. SMITH STREET

Applicant: James Keith Gossett, 825 W. Smith Street, Orlando, FL 32804

District: 3

Project Planner: Anita McNamara

A. Variance of 5 ft. to the minimum required lot width of 55 ft. in the R-1/T zoning district to allow a 100-ft. wide building site to be separated into two 50-ft. wide lots as originally platted.

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

B. Variance of 1.10 ft. to the minimum required side yard setback of 6 ft. to allow an existing structure to remain 4.9 ft. from the western side yard property line.

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

5. VAR2005-00110 1805 W. COLONIAL DRIVE

Applicant: George Fong, 1221 E. Robinson Street, Orlando, FL 32801

Owner: Winnie Pang, 1225 E Colonial Drive, Orlando, FL 32803

District: 3

Project Planner: Heather Middleton

A. Variance of 5 ft. to the minimum required width of the landscape area of 10 ft. to allow the property to be developed with a 5 ft. wide landscape buffer along the northern property line.

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

CONSENT AGENDA (CONTINUED)

B. Variance of 2 ft. to the maximum permitted wall height of 6 ft. to allow a masonry wall to remain at 8 ft. in height along the rear property line.

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

6. VAR2005-00112 1521 W. IVANHOE BOULEVARD

Applicant/Owner: Roy C. Brand, 1521 W. Ivanhoe Blvd., Orlando, FL 32808

District: 3

Project Planner: Karl Wielecki

A. Variance of 16.5 ft. to the minimum required front yard of 25 ft. to allow a second story addition to a principal structure and to allow a principal structure 8.5 ft. from the front property line.

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

B. Variance of 0.8 ft. to the minimum required side yard of 6 ft. to allow a second story addition to a principal structure and to allow a principal structure 5.2 ft. from the side property line

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

C. Variance of 20.2 ft. to the minimum required rear yard of 25 ft. to allow a second story addition to a principal structure and to allow a principal structure 4.8 ft. from the rear property line.

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

D. Variance to the prohibition of accessory structures in the required front yard to allow a pool 0 ft. from the front property line.

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

E. Variance of ± 10 ft. to the minimum required rear yard air conditioning (a/c) unit setback of 15 ft. to allow an existing A/C unit ± 5 ft. from the rear property line.

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

F. 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 requested variance, based on the finding that it meets the standards for design variance approval, subject to the conditions contained in the staff report.*

CONSENT AGENDA (CONTINUED)

7. VAR2005-00118 603 STRATHMORE DRIVE

Applicant/Owner: Luigi Damiani, 603 Strathmore Drive, Orlando, FL 32803

District: 4

Project Planner: Karl Wielecki

A. Variance of 10.1 ft. to the required front yard of 25 ft. to allow a principal structure 14.9 ft. from the front lot line.

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

B. Variance of 7.8 ft. to the required rear yard of 25 ft. to allow a principal structure to remain 17.2 ft. from the rear lot line.

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

8. VAR2005-00070 523 LAKE AVENUE

Applicant/Owner: Mark Bagozzi, 523 Lake Avenue, Orlando, FL 32801

District: 4

Project Planner: Heather Middleton

Variance of 10 ft. to the minimum required rear yard setback of 15 for accessory structures over 12 ft. in height to allow an addition to the existing garage apartment.

Recommended Action: *Withdrawn at the request of the applicant.*

9. VAR2005-00072 2611 E. JEFFERSON STREET

Applicant/Owner: Henry H. Wahl, 2611 E. Jefferson Street, Orlando, FL 32803

District: 4

Project Planner: Heather Middleton

A. Variance of 3.6 ft. to the minimum required side yard setback of 10 ft. to allow duplex development 6.4 ft. from the eastern side yard property line.

Recommended Action: *Withdrawn at the request of the applicant.*

B. Variance of 3.6 ft. to the minimum required side yard setback of 10 ft. to allow duplex development 6.4 ft. from the western side yard property line.

Recommended Action: *Withdrawn at the request of the applicant.*

REGULAR AGENDA

10. VAR2005-00105 2015 ELIZABETH AVENUE

Applicant/Owner: Sandra Hoggarth, 2015 Elizabeth Avenue, Orlando, FL 32804

District: 3

Project Planner: Karl Wielecki

A. Variance of 4 ft. to the minimum required side yard of 6 ft. to allow a carport 2 ft. from the side property line.

Recommended Action: Denial of the variance requested based on the finding that it does not meet the six standards for variance approval. Recommended approval of lesser variance of 2 ft. to the minimum required side yard to allow the carport 4 ft. from the side property line, subject to the condition that the south side of the carport shall be open, and that no wall or enclosure shall be constructed at that location.

B. Variance of 1.1 ft. to the required side yard of 6 ft. to allow an enclosed porch in-line (4.9 ft.) from the side property line.

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

C. Variance of 0.3 ft. to the required rear yard setback of 5 ft. for accessory structures to allow the existing storage building to remain 4.7 ft. from the rear property line.

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

D. Variance of ± 3 ft. to the required side yard air conditioning (a/c) unit setback of 5 ft. to allow an existing A/C unit ± 2 ft. from the side property line.

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

11. VAR2005-00106 3048 BARRIOS AVENUE

Applicant/Owner: Milton J. Kelly

District: 4

Project Planner: Lillian Scott

Variance to permit the required parking within the minimum required front yard setback.

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

12. VAR2005-00113 3609 FINCH STREET

Applicant/Owner: Klaus Heesch, 3609 Finch Street, Orlando, FL 32803

District: 3

Project Planner: Lillian Scott

A. Variance of 2.1 ft. to the minimum required 7.5 ft. side yard setback to permit an in-line addition (garage) and a new carport 5.4 ft. from the side (western) property line.

REGULAR AGENDA (CONTINUED)

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 6.9 ft. to the minimum required 25 ft. front yard setback to permit the construction of an open porch 18.1 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.*

C. Variance of 4 ft. to the minimum required 24 ft. front yard setback to permit the construction of a carport 21 ft. from the front property line.

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

OTHER BUSINESS

- ELECTION OF CHAIRMAN & VICE CHAIRMAN

ADJOURNMENT