



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
Tara Salmieri

AGENDA ■ JANUARY 24, 2006

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, February 27, 2006** 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 **5:00p.m., January 31, 2006**. 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 November 22, 2005 and December 27, 2005 minutes.

CONSENT AGENDA

1. VAR2005-00058 737 Springdale Road

Applicant/Owner: David Corso, 737 Springdale Rd., Orlando, FL 32804

District: 3

Project Planner: Karl Wielecki

A. Extension of variance to street side yard setback to allow an addition to an existing principal structure.

Recommended Action: *Approval of the variance extension.*

B. Extension of variance to rear yard setback to allow an addition to an existing principal structure.

Recommended Action: *Approval of the variance extension.*

2. VAR2005-00066 12 W. Vanderbilt Street—Applicant Withdrew

Applicant/Owner: First City Realty and Development, Inc./Frank Anderson, 425 W. Colonial Dr, Orlando FL 32804

District: 3

Project Planner: Anita McNamara

Extension for a variance of 2.2 feet to the minimum required lot width of 55 feet in the R-1/T zoning district to allow a 100-foot wide building site to be separated into two 52.8 foot wide lots as originally platted. (Minimum Lot Width). The applicant has submitted an application for building permit and has therefore activated the variance and will not require an extension.

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

3. VAR2005-00173 711 Ridgewood Street

Applicant/Owner: Kevin Flankey, 711 Ridgewood Street, Orlando, FL 32803

District: 4

Project Planner: Anita McNamara

A. Variance of 5 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 three-car garage on the ground floor.

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.*

CONSENT AGENDA (CONTINUED)

B. Variance to the requirement that no accessory structure second story windows may face the rear property line to allow second story windows on the rear façade of the proposed garage apartment.

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.*

4. VAR2005-00181 2109 Stanley Street

Applicant/Owner: Scott Butts, 7130 Gondola Ave., Orlando, FL 32809

District: 4

Project Planner: Jason Burton

A. Design variance for a projecting carport in the Traditional City overlay district.

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 ft. to the minimum required front yard setback of 25 ft. to allow a carport 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.*

5. VAR2005-00184 1105 Stetson Street

Applicant/Owner: Patrick Kelly, 1105 Stetson Street, Orlando, FL 32804

District: 3

Project Planner: Karl Wielecki

A. Variance to allow continued parking in the front yard within the Traditional City.

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 1.1 ft. to the minimum required side yard of 6 ft. to allow the principal structure 4.9 ft. from the (west) side 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.*

6. VAR2005-00185 823 N. Hyer Ave.

Applicant/Owner: Rafael Santiago, 823 N. Hyer Ave. Orlando, FL 32812

District: 3

Project Planner: Anita Clancy

A. Variance of 1.5 ft. the minimum required lot width of 50 ft. to allow a 2-story accessory structure (garage apartment) on a lot 48.5 ft. in width.

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.*

CONSENT AGENDA (CONTINUED)

B. Variance to allow a 2nd-story rear window on an accessory structure 15 ft. from the rear yard setback.

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.*

7. VAR2005-00187 1910 Rock Lake Dr.

Applicant/Owner: Victor E. Walters, Sr., 1910 Rock Lake Dr., Orlando, FL 32805

District: 5

Project Planner: Anita Clancy

A. Design variance to allow the enclosure of a projecting carport.

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 ft. to the minimum required front yard setback of 30 ft. to allow the enclosure of a projecting carport 25 ft. from the front yard setback.

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

C. Variance of 10 ft. to the minimum required lot width of 85 ft. to allow the enclosure of a projecting carport and the construction of a rear addition on a lot 75 ft. in width.

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

D. Variance of 1,000 sq. ft. to the minimum required lot area of 10,000 sq. ft. to allow the enclosure of a projecting carport and the construction of a rear addition on a lot with an area of 9,000 sq. ft.

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

8. VAR2005-00188 511 South Eola Dr.

Applicant/Owner: Eric L. Morgan, 806 E. Anderson Street, Orlando, FL 32801

District: 4

Project Planner: Anita McNamara

A. Variance of 1.7 ft. to the minimum required side yard setback of 5 ft. to allow an existing house to remain 3.3 ft. from the north side property line.

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

B. Variance of 2.8 ft. to the minimum required side yard setback of 5 ft. for accessory structures to allow an existing accessory structure to remain 2.2 ft. from the north side 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)

C. Variance to requirement that one parking space be provided behind the front façade of the home to allow no on-site parking.

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.

D. Variance of 2.75 ft. to the minimum side yard setback for air conditioner units of 5 ft. to allow an existing air conditioner unit to remain 2.25 ft. from the south side 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.

9. VAR2005-00189 1044 Terrace Blvd.

Applicant/Owner: Andrew Schemerhorn, 1044 Terrace Blvd., Orlando, FL 32803

District: 3

Project Planner: Karl Wielecki

A. Variance of 4.3 ft. the minimum 7.5 ft. side yard to allow a principal structure 3.2 ft. from the (north) side property line.

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

B. Variance of 2.3 ft. the minimum 7.5 ft. side yard to allow a principal structure 5.2 ft. from the (south) side 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 ±18.2 ft. to the minimum required lot width of 70 ft. to allow single-family conventional dwelling to remain on a lot of ±51.8 ft. mean width.

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

10. VAR2005-00190 1710 E. Marks Street

Applicant/Owner: Stephen R. Cold, 2731 W. SR434, Longwood, FL 32779

District: 4

Project Planner: Anita Clancy

Variance of 18.5 ft. to the minimum required lot depth of 110 ft. to allow the construction of a duplex on a 91.5 ft. deep lot.

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.

11. VAR2006-00010 5903 Winchester Isle Road

Applicant/Owner: Peter Duspiva, 5903 Winchester Isle Road, Orlando, FL 32829

District: 1

CONSENT AGENDA (CONTINUED)

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

12. VAR2005-00160 17 S. Orange Blossom Trail — Applicant Withdrew

Applicant/Owner: Judson M. Durham

District: 5

Project Planner: Karl Wielecki

Traditional City variance from design gridlines for the parking lot location.

ADJOURNMENT