



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

Andrew Powell, Chairman
Solange Dao, Vice Chairman
Kelly Blume
Darrell Murray
Tara Salmieri
Dena Wild
Angela Ward
Edward Bergman

AGENDA ■ NOVEMBER 28, 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, January 8, 2007** 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

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., December 5, 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 October 24, 2006 minutes

CONSENT AGENDA

1. VAR2006-00138 1233 Minnesota Street

Applicant/Owner: Jonathan McGrath Construction, 1681 Powell St., Longwood, FL 32750

District: 4

Project Planner: Jason Burton

A. Variance to increase the maximum ISR from .55 to .59 to allow the expansion of an existing residence.

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

B. Variance to reduce 5 ft. minimum side yard setback by 5 ft. to allow an existing accessory structure to remain 0 ft. from the side property line.

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

C. Variance to reduce the 5 ft. minimum rear yard setback by 5 ft. to allow an existing accessory structure (one story) to remain 0 ft. from the rear property line.

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

D. Variance to reduce 25 ft. minimum front yard setback by 5.5 ft. to allow existing principal structure to remain 19.5 ft. from the front property line.

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

2. VAR2006-00139 647 19th Street

Applicant/Owner: Vincent Mount, 647 19th Street, Orlando, FL 32805

District: 6

Project Planner: Jonathan Ippel

Variance to 55 ft. minimum lot width to split 107 ft. wide building site into one 57 ft. wide lot and one 50 ft. wide 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.*

CONSENT AGENDA (CONTINUED)

3. VAR2006-00140 1023 E. Livingston Street

Applicant/Owner: Josette Weibel, 1023 E. Livingston St., Orlando FL 32803

District: 4

Project Planner: Jennifer Moreau

A. Variance to reduce 15 ft. minimum rear yard setback by 10 ft. to allow an accessory structure (greater than 12 ft. in height) 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 to reduce 15 ft. minimum rear yard setback by 10 ft. to allow a garage apartment 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.

C. Variance to permit a garage apartment to occupy more than 35% of the required rear yard.

Recommended Action: It has been determined that this variance is no longer needed.

4. VAR2006-00142 515 Highland Avenue

Applicant/Owner: Blaine Pierce, 515 Highland Ave., Orlando, FL 32801

District: 4

Project Planner: Karl Wielecki

Variance to reduce 15 ft. minimum rear yard setback by 10 ft. to allow a detached (two-story garage) apartment 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.

5. VAR2006-00145 3701 Virginia Drive

Applicant/Owner: John Pittman, 6376 Greengate Dr., Orlando, FL 32822

District: 3

Project Planner: Mark Cechman

A. Variance to reduce 25 ft. minimum rear yard setback by 20.2 ft. to allow an existing accessory structure 4.8 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 to reduce 7.5 ft. minimum side yard setback by 4.3 ft. to allow an existing accessory structure 3.2 ft. from the west side property line.

CONSENT 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.*

6. VAR2006-00146 417 Avalon Blvd.

Applicant/Owner: Peter Sechler, 417 Avalon Blvd., Orlando, FL 32806

District: 1

Project Planner: Jonathan Ippel

Variance to reduce 6 ft. minimum side yard setback by 1.5 ft. to allow an in-line addition 4.5 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.*

7. VAR2006-00149 1510 Woodland Street

Applicant/Owner: John Friend, 1510 Woodland St., Orlando, FL 32806

District: 1

Project Planner: Karl Wielecki

Variance to reduce 15 ft. minimum rear yard setback by 7.5 ft. to allow a detached garage 7.5 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.*

8. VAR2006-00150 505 E. Ridgewood Street

Applicant/Owner: Sandy Strobel, 505 Ridgewood St. Orlando FL 32803

District: 4

Project Planner: Erin Hartigan

Variance to reduce 15 ft. minimum street side yard setbacks by 15 ft. to allow sky shades 0 ft. from the east and west street side yard property lines.

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)

9. VAR2006-00151 640 S. Lake Formosa Dr.

Applicant/Owner: Michael Jungen, 640 S. Lake Formosa Dr., Orlando, FL 32803

District: 3

Project Planner: Erin Hartigan

Variance to reduce 15 ft. minimum rear yard setback by 10 ft. to allow a garage apartment (over 12 ft. in height) 5 ft. from the rear yard property line.

Recommended Action: Denial of the requested variance and approval of a lesser variance, subject to the conditions contained in the staff report.

10. VAR2006-00152 1002 Edgewater Ct.

Applicant/Owner: David Runnels, 328 N. Park Ave., Ste. F, Winter Park, FL 32789

District: 3

Project Planner: Jennifer Moreau

A. Variance to reduce 7.5 ft. minimum side yard setback by 2.85 ft. to allow an existing non-conforming carport to be converted into a garage 4.65 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.

B. Variance to reduce 7.5 ft. minimum side yard setback by 1.5 ft. to allow an addition 6 ft. from the south 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.

C. Variance to reduce 7.5 ft. minimum side yard setback by 2.2 ft. to allow an existing non-conforming principal structure to remain 5.3 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, subject to the conditions contained in the staff report.

11. VAR2006-00153 600 W. Harvard Street

Applicant/Owner: Kimberly Fox, 26 Vanderbilt St., Orlando, FL 32804

District: 3

Project Planner: Jonathan Ippel

Variance to minimum lot width to split a 100 ft. wide building site into two 50 ft. wide lots.

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.

REGULAR AGENDA

12. VAR2006-00154 500 Florida Street

Applicant/Owner: Todd Pittenger, 500 Florida St., Orlando, FL 32806

District: 1

Project Planner: Mark Cechman

A. Variance to reduce 5 ft. minimum side yard setback by 4.5 ft. to allow decking 6 inches from east 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.

B. Variance to reduce 5 ft. minimum rear yard setback by 4.5 ft. to allow decking 6 inches 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.

C. Variance to increase maximum 6 ft. tall fence height by 2 ft. to allow an 8 ft. fence along the west side and the rear property lines.

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

ADJOURNMENT