



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
Meredith Pickens, Vice Chair
Kelly Blume
Darrell Murray
Tara Salmieri
Solange Dao
Dena Wild

AGENDA ■ SEPTEMBER 26, 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, October 30, 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 **5:00 p.m., October 3, 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 August 22, 2006 minutes

CONSENT AGENDA

1. VAR2006-00130 (Formally Case # VAR2006-00080) 5520 Gatlin Avenue

Applicant/Owner: David Lamm, 968 Lake Baldwin Lane, Orlando, FL 32803

District: 1

Project Planner: Greg Morand

A. Variance to increase on-site parking by 46 spaces, where 134 spaces are allowed and 180 spaces are proposed.

Recommended Action: *Approval of the variance based on the finding that it meets the six standards for variance approval; additionally, staff recommended 5 ft. variance to the rear yard setback of 20 ft. to place the principal structure 15 ft. from the rear property line.*

2. VAR2006-00116 2014 Stanley Sreet

Applicant/Owner: Bruce Hartman, 1209 Formosa Avenue, Winter Park, FL 32789

District: 4

Project Planner: Greg Morand

Variance to reduce 7.5 ft. minimum side yard setback by 2.78 ft. to allow a principal structure to remain 4.72 ft. from the east 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.*

3. VAR2006-001118 904 E. Pine Street

Applicant/Owner: Ada Robertson, 1821 Mahogany Dr., Orlando, FL 32825

District: 4

Project Planner: Karl Wielecki

Variance reduce the 5 ft. side yard setback by 1.2 ft. to allow an existing accessory structure to remain 3.8 ft. from the (east) 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)

4. VAR2006-00120 1632 S. Osceola Avenue

Applicant/Owner: Linda Wade, 1632 S. Osceola Avenue, Orlando, FL 32806

District: 1

Project Planner: Jennifer Moreau

A. Variance to reduce the 15 ft. minimum rear yard setback by 10 ft. to allow an accessory structure 5 ft. from the rear property line.

Recommended Action: Approval of a lesser variance to allow the accessory structure 6 ft. from the rear property line.

B. Variance to reduce the 15 ft. minimum street side yard setback by 5 ft. to allow an accessory structure 10 ft. from the south street side property line.

Recommended Action: Approval of a lesser variance to allow the accessory structure 11 ft. from the street side property line.

C. Variance to allow the existing A/C unit 3 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, subject to the conditions contained in the staff report.

D. Variance to increase the maximum 0.35 rear yard ISR by 0.29 to allow a maximum 0.64 ISR rear yard ISR.

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.

E. Variance to reduce the 6 ft. minimum side yard setback by 1 ft. to allow the existing principal structure to remain 5 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.

F. Design variance to permit a garage to project 10 ft. beyond the principal façade of the principal structure.

Recommended Action: Approval of a lesser variance of a 9 ft. projection.

5. VAR2006-00122 1005 N. Forest Avenue

Applicant/Owner: Karen Didea, 1005 N. Forest Avenue, Orlando, FL 32803

District: 4

Project Planner: Karl Wielecki

A. Variance to reduce the 7.5 ft. minimum side yard setback by 2.5 ft. to allow the newly expanded principal structure to remain 5 ft. from the north side property line.

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

CONSENT AGENDA (CONTINUED)

B. Variance to reduce the 7.5 ft. minimum side yard setback by 2.7 ft. to allow an existing principle structure to remain 4.8 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.*

C. Variance to reduce the 7.5 ft. minimum side yard setback by 2.4 ft. to allow an existing principle structure to remain 5.1 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.*

6. VAR2006-00123 610 Dartmouth Street

Applicant/Owner: Jane Callahan, 610 Dartmouth Street, Orlando, FL 32804

District: 3

Project Planner: Erin Hartigan

Variance to reduce the 6 ft. minimum side yard setback by 2.7 ft. to allow existing accessory structure to remain 3.3 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. VAR2006-00124 2000 Gerda Terrace

Applicant/Owner: Kenneth Paquin

District: 3

Project Planner: Jennifer Moreau

A. Variance to reduce the 6 ft. minimum side yard setback by 2.7 ft. to allow an existing structure to remain 5.2 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, subject to the conditions contained in the staff report.*

B. Variance to reduce the 15 ft. minimum street side yard setback by 6.6 ft. to allow an existing structure to remain 8.4 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.*

C. Variance to increase the maximum 18 ft. driveway width by 20 ft. to allow an existing driveway width of 38 ft.

Recommended Action: *Denial of the variance requested. Approval of a lesser variance to allow a 24 ft. driveway.*

CONSENT AGENDA (CONTINUED)

D. Variance of 6.6 ft. to the minimum 15 ft. street side property line, to allow the existing A/C unit 8.4 ft. from the street side property line and to allow the existing A/C unit to be located between the principal façade of the principal building and the street.

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

8. VAR2006-00125 1057 Lake Weldona Drive

Applicant/Owner: Maurice Ahrens, 3500 Aloma Ave., Winter Park, FL 32792

District: 1

Project Planner: Erin Hartigan

Design variance to allow a new projecting garage in the Traditional City Overlay District.

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. VAR2006-00126 5135 Curry Ford Road

Applicant/Owner: Yvette Iturrino, 5135 Curry Ford Rd. Orlando, FL 32812

District: 2

Project Planner: Greg Morand

Variance to the sign code to allow signage for a legal non-conforming office (32 square ft. sign on a 16 ft. pole)

Recommended Action: *Approval of a lesser variance to allow a 6 ft. tall monument sign, with 9 ft. of message area.*

REGULAR AGENDA

10. VAR2006-00121 441 Park Lake Circle

Applicant/Owner: Chris Mack

District: 3

Project Planner: Karl Wielecki

Variance of 3 ft. to the minimum required building separation of 5 ft. to allow an existing accessory structure 2 ft. from the newly expanded principal structure.

Recommended Action: *Denial of the variance request based on the finding that it meets none of the six standards for variance approval.*

ADJOURNMENT