



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
Darrell Murray, Vice Chair
Kelly Blume
Tara Salmieri
Dena Wild
Angela Ward
Edward Bergman
Jason Searl
Nick Nguyen

AGENDA ■ JUNE 26, 2007

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, July 23, 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., July 3, 2007**. 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 at 2:00 p.m. or as soon thereafter as possible
- Pledge of Allegiance
- Introduction of members
- Consideration of May 22, 2007 minutes

CONSENT AGENDA

1. VAR2007-00066 832 Chichester Street

Applicant/Owner: Donald Newton, 832 Chichester Street, Orlando, FL 32803

District: 3

Project Planner: Jennifer Moreau

A) Variance to reduce the 7.5 ft minimum side yard setback by 3.9 ft. to allow an existing nonconforming principal structure to remain 3.6 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.

B) Variance to reduce 7.5 ft. minimum side yard setback by 1.5 ft. to allow an existing nonconforming principal structure to remain 6 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.

C) Design Variance to permit an existing garage to project 6.6 ft. beyond the principal structure in 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.

D) Variance to reduce the 25 ft. minimum rear yard setback by 4.2 ft. to allow an addition 20.8 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.

E) Variance to reduce the 7.5 ft. minimum side yard setback by 2.2 ft. to allow a 16.7 ft. in-line addition 5.3 ft. from the east side yard property line.

Recommended Action: Approval of a lesser variance of 1.5 ft. to allow a 2.7 ft. in-line addition 6 ft. from the east side property line.

2. VAR2007-00067 2918 Carl Terrace

Applicant/Owner: Thomas Moore, 2715 Middlesex Rd., Orlando, FL 32803

District: 3

Project Planner: Jonathan Ippel

CONSENT AGENDA (CONTINUED)

Variance to reduce the 25 ft. minimum rear yard setback by 14 ft. to allow an enclosure of an existing porch 11 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.*

3. VAR2007-00068 1025 W. Anderson Street

Applicant/Owner: Bryan Booth, 400 S. Orange Ave., Orlando, FL 32802

District: 5

Project Planner: Erin Hartigan

Variance to reduce the 15 ft. minimum street side yard setback by 5 ft. to allow a porch 10 ft. from the street 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.*

4. VAR2007-00069 222 Thornton Lane

Applicant/Owner: Jonathan Chamberlin, 222 Thornton Lane, Orlando, FL 32801

District: 4

Project Planner: Erin Hartigan

A. Variance to reduce the 15 ft. minimum rear yard setback by 10 ft. to allow a two-story accessory structure 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 the 25 ft. minimum front yard setback by 16.1 ft. to allow a principal structure to remain 8.9 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, subject to the conditions contained in the staff report.*

C. Variance to permit a second story rear-facing window on a new accessory structure where prohibited by Code.

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. VAR2007-00070 11 S. Lawsona Boulevard

Applicant/Owner: David Diperna, 11 S. Lawsona Blvd., Orlando, FL 32801

District: 4

Project Planner: Jonathan Ippel

CONSENT AGENDA (CONTINUED)

A) Variance to reduce the 25 ft. minimum front yard setback by 6.1 ft. to allow an existing structure to remain 18.9 ft. from the 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 5 ft. minimum side yard setback by 0.2 ft. to allow an existing 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 5 ft. minimum side yard setback by 0.1 ft. to allow an existing structure to remain 4.9 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. VAR2007-00076 526 E. Gore Street

Applicant/Owner: Jim Ross, 615 N. Magnolia Ave., Orlando, FL 32801

District: 1

Project Planner: Jennifer Moreau

A) Design Variance to permit an existing garage to comprise 61% of the front façade in 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) Design Variance to permit an existing garage to project 14 ft. beyond the principal façade in 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.

REGULAR AGENDA

7. VAR2007-00063 340 Mashie Lane

Applicant/Owner: Margaret Fedorchak, 340 Mashie Lane, Orlando, FL 32804

District: 3

Project Planner: Leo Cruz

Variance to reduce the 5 ft. minimum side yard setback by 2.7 ft. to allow an A/C Pad to remain 2.3 ft. from the west 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.

REGULAR AGENDA (CONTINUED)

8. VAR2007-00065 1302 Heron Drive

Applicant/Owner: James Hall, 1302 Heron Dr., Orlando, FL 32803

District: 3

Project Planner: Jim Burnett

Variance to reduce the 25 ft. minimum side yard setback on a property that has a shoreline frontage exceeding 75 ft. by 8 ft. to allow a boat dock 17 ft. from the west 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.

ADJOURNMENT