



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

James Lussier, Chairman
Picton Warlow, Vice Chairman
Marc Black
June Farrell
Myra Monreal
Andrew Powell
Jed Prest
Wayne Sorrell
Craig Ustler

AGENDA ■ FEBRUARY 24, 2004

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, MARCH 22, 2004** 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 five (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. ROBERTS 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) 246-3416 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., TUESDAY, MARCH 2, 2004**. 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 January 27, 2004 minutes

CONSENT AGENDA

1. VAR2004-00004 2315 DOULTON DRIVE

Owner/Applicant: Norman Lindas, 2515 Doulton Drive, Orlando, Florida 32806
District: 1
Project Planner: Lillian Scott

Variance of \pm 8 ft. to the minimum required rear yard setback of 25 ft to allow construction of a screen room \pm 17 feet from the rear property line.

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

2. VAR2004-00005 705 TERRACE BOULEVARD

Applicant: Karen Kassik, Lucia Custom Home Designers, Inc., 1650 Lee Rd, Winter Park, Florida 32789
Owner: Duke & Coleen Woodson, 705 Terrace Boulevard, Orlando, Florida 32808
District: 3
Project Planner: Anita McNamara

A. Variance of 1.5 feet to the minimum required side yard setback of 7.5 feet to permit a new accessory structure 6 feet from the east property line.

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

B. Variance to the maximum allowed fence/wall height to allow a 6-foot fence to be installed on top of a proposed retaining wall along the west side yard property line.

Recommended Action: Approval of the request based on the finding that the request meets the six standards for variance approval subject to the following condition:

1. The fence sections must be open lattice-type. No opaque fence sections shall be allowed.

VAR2004-00005 705 TERRACE BOULEVARD (CONTINUED)

C. Variance of 45 feet to the minimum setback from the normal high water elevation of 50 feet to allow a guest cottage (accessory structure) 5 feet from the normal high water elevation of Lake Highland.

Recommended Action: Approval of the variance request based on the finding that the request meets the six standards for variance approval subject to the following condition:

1. The applicant shall enter into an agreement with the city, holding the city harmless from any water damage that may occur as a result of a flood. This agreement shall be recorded in the public records of Orange County and shall be binding to all successors and assigns.

D. Variance of 5 feet to the minimum rear yard setback of 15 feet for accessory structures greater than 12 feet in height to allow an accessory structure 10 feet from the rear property line.

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

3. VAR2004-00001 901 & 909 EAST MICHIGAN ST

Applicant: Robert G. Murrell, 1 North Rosalind Avenue, Orlando, Florida 32801
Owner: Michael Sperling, D.D.S., P.A., 2877 Delaney Street, Orlando, Florida 32806
District: 1
Project Planner: Heather Middleton

Variances to the maximum side yard setback and maximum parking requirements for a proposed new office building.

Recommended Action: Withdrawal at the request of the applicant.

REGULAR AGENDA

4. VAR2004-00003 2521 ELIZABETH AVENUE

Applicant: Keith Wheaton, P.O. Box 784013, Winter Garden, Florida 34778
Owner: Don & Cardel Inman, 2521 Elizabeth Avenue, Orlando, Florida 32804
District: 3
Project Planner: Lillian Scott

Design Variance to the requirement that garages be set back from the front lot line a distance at least equal to that of the principal living space.

Recommended Action: Denial based on the finding that the requested variance does not meet all of the standards for design variance approval.

ADJOURNMENT