



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 ■ JANUARY 27, 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, FEBRUARY 23, 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

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., TUESDAY, FEBRUARY 3, 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 December 18, 2003 minutes

CONSENT AGENDA

1. VAR2003-00150 1012 WILKINSON AVENUE

Owner: Kathryn M. Miller, 1012 Wilkinson Avenue, Orlando, FL 32803
 Applicant: Marc Black, 810 N. Summerlin Avenue, Orlando, FL 32803
 District: 3
 Project Planner: Heather Middleton

Variance of ± 8 feet to the minimum required rear yard setback of 25 feet to allow construction of an in-line addition ± 17 feet from the rear property line (Chapter 58, Figure 1, LDC).

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

2. VAR2003-00152 1020 LANCASTER DRIVE

Applicant/Owner: Robert & Julie Simpson, 1020 Lancaster Drive, Orlando, FL 32806
 District: 1
 Project Planner: Anita McNamara

A. Variance of 33.22 feet to the required 50 foot setback from the normal high water level of an adjacent water-body to construct an addition 16.78 feet from the seawall (Chapter 58, Figure 1, Footnote 10, LDC).

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

B. Variance of 7.23 feet to the minimum required front yard setback of 25 feet to permit construction of an addition 17.77 feet from the east property line (Chapter 58, Figure 1, LDC).

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

3. VAR2003-00153 1227 GREENWOOD STREET

Applicant/Owner: Joseph M. Barnes, 511 E. Amelia Street, Orlando, FL 32803-5317
District: 4
Project Planner: Anita McNamara

- C. Variance of 19 feet to the minimum lot width requirement of 70-feet for three dwelling units in the R-2B/T zoning district to allow three dwelling units to remain on a 51-foot wide lot (Section 58.562, LDC).

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

- D. Variance of 0.5 feet to the minimum required rear yard setback of 15 feet for accessory structures greater than 12 feet in height to allow an existing accessory structure (garage apartment) to remain 14.5 feet from the rear yard property line (Section 58.901, LDC).

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

- E. Variance of \pm 3.5 feet to the minimum required rear yard setback of 15 feet for air conditioner units to allow an air conditioner unit to remain 11.5 feet from the rear property line (Section 58.1207, LDC).

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

4. VAR2003-00155 1122 CALANDA AVENUE

Applicant/Owner: William & Yadira Kitterman, 1122 Calanda Avenue, Orlando, FL 32807
District: 2
Project Planner: F.J. Flynn

- A. Variance of 3.3 feet to the maximum permitted driveway width of 12 feet to permit a driveway 15.3 feet in width on a 40-foot wide lot to remain.

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

- B. Variance of 13.2% to the maximum permitted front yard impervious surface ratio of 40% to allow an impervious surface ratio of 53.2% to remain in the front yard.

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

5. VAR2003-00156 1017 PARK LAKE STREET

Owner: Mary Jeanann Williams, 1525 Iowa Place, Orlando, FL 32803-0000
Applicant: The "L" Design Group, Inc., 300 S. Bumby Avenue, Orlando, FL 32803
District: 3
Project Planner: Heather Middleton

- A. Variance of \pm 6 feet to the minimum required driving aisle width of 16 feet to allow an existing driveway to remain at a width of \pm 10 feet wide (Section 61.240, LDC).

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

- B. Variance of \pm 5 feet to the minimum required landscaped bufferyard requirement of 5 feet to allow an existing driveway to remain with a bufferyard of 0 feet (Chapter 60, Figure 8, LDC).

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

6. VAR2003-00157 1216 EASTIN AVENUE

Applicant/Owner: Joseph Guernsey, 1216 Eastin Avenue, Orlando, FL 32804-0000
District: 3
Project Planner: Shaun Ferguson

- A. Variance of 145 square feet to the maximum required size for an accessory cottage dwelling unit (max. 40% of the living quarters of the principal structure = 855 square feet) to allow an \pm 621 square foot addition to an existing 379 square foot accessory cottage dwelling (a total of \pm 1,000 square feet) located in the rear yard (Chapter 58, Figure 1, Footnote 22b, LDC).

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

- B. Variance of 6.0 feet from the required 6.0 foot side yard setback to allow an existing one-story garage to remain 0 feet from the side property line (Chapter 58, Figure 1, LDC).

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

7. VAR2003-00158 1815 MONTEREY AVENUE

Owner: Robert Buonauro, 1815 Monterey Avenue, Orlando, FL 32804-7023
Applicant: Philip Kean, 1281 Woodmere Drive, Orlando, FL 32789
District: 3
Project Planner: Heather Middleton

Variance to the requirement that garages and carports be flush with or behind the living space of a home to allow a new attached two-car garage to project 18 ft. in front of the living space (Section 62.600, LDC).

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

REGULAR AGENDA

8. VAR2003-00147 2407 LAUDERDALE CT

Applicant/Owner: Lisa Trinh, 2407 Lauderdale Court, Orlando, FL 32805-5858

District: 6

Project Planner: Heather Middleton

- A. Variance of \pm 6.5 feet to the minimum required side yard setback of 7.5 feet to allow the carport and game room/addition to remain \pm 1 foot from the side property line (Chapter 58, Figure 1, LDC).

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

- B. Variance of \pm 5 feet to the minimum required separation distance of 5 feet to allow the shed to remain 0 ft. from the principal structure (Section 58.901, LDC).

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

ADJOURNMENT