



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 ■ MARCH 23, 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, APRIL 19, 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, MARCH 30, 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 February 24, 2004 minutes

CONSENT AGENDA

1. VAR2004-00012 1214 WILKINSON STREET

Owner/Applicant: John Percy & Dale Shiver, 1214 Wilkinson Street, Orlando, Florida 32801

District: 3

Project Planner: Heather Middleton

Variance of ± 2.3 ft to the minimum required side yard setback of 7.5 feet to allow construction of an in-line addition ± 5.2 feet from the east side property line.

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

2. VAR2004-00015 1536 BRIERCLIFF DRIVE

Applicant: Stillwater Homes Construction, LLC, P.O. Box 560183, Orlando, Florida 32856

Owner: Alfred L. Frith & Friederike Fischer-Frith, 1524 Briercliff Drive, Orlando, Florida 32806

District: 1

Project Planner: Lillian Scott

Variance of 14 feet to the minimum required 50 feet setback to allow the proposed structure to be built 36 ft. from the Normal High Water elevation on Lake Lancaster.

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 conditions:

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.
2. The applicant shall remove the existing shed which is located along the western property line within the side yard setback.

CONSENT AGENDA (CONTINUED)

3. VAR2004-00016 1500 LANCASTER DRIVE

Applicant: William Kinzer Hurt, Jr., 1414 Lancaster Drive, Orlando, Florida 32806
Owner: Willam Kinzer Hurt, 1500 Lancaster Drive, Orlando, Florida 32806
District: 1
Project Planner: Lillian Scott

- A. Variance of 2.7 feet to the minimum required 7.5 foot side yard setback to allow a proposed ±267 square foot addition to the principal structure to be constructed 4.8 feet from the east property line.
- B. Variance of 5 feet to the minimum required 25 foot rear yard setback to allow the existing workshop/garage to remain 20 feet from the rear property line. The workshop/garage is attached to the principal structure by a carport.

Recommended Action: Approval of the variances requested based on the finding that the requests meet the six standards for variance approval, subject to the following condition:

- 1. *The construction of the two additions on the north side of the property will be consistent with the construction of the original house in that the floor is raised with a crawl space thus inflicting the least amount of impact to the existing oak tree on the north side of the property.*

ADJOURNMENT