

**ORANGE COUNTY BOARD OF ZONING ADJUSTMENT
MEETING OF SEPTEMBER 5, 2019**

The Orange County Board of Zoning Adjustment meeting met at 9:00 a.m. on **September 5, 2019** in the Orange County Commission Chambers on the 1st Floor of the Orange County Administration Building, 201 South Rosalind Avenue, Orlando, Florida 32801.

BOARD MEMBERS PRESENT: Gregory A. Jackson - Chairman
Carolyn C. Karraker - Vice Chair
Juan Velez – District #3
Deborah Moskowitz – District #4
Roberta Walton – At Large

BOARD MEMBERS ABSENT: Wes A. Hodge – District #5
Charles J. Hawkins, II – District #6

STAFF PRESENT: Nicholas Balevich, Planner II, Zoning Division
David Nearing, AICP, Planner II, Zoning Division
Taylor Jones, Planner III, Zoning Division
Nate Wicke, Planner I and Jason H. Sorensen, AICP, Assistant Project Manager, Planning Division
Debra Phelps, Recording Secretary, FOS Division
Shamaka Daniels, Development Specialist, FOS Division

The Chairman called the meeting to order at 9:05 a.m.

Following the Pledge of Allegiance to the Flag, the following applications, as advertised, were called up for public hearing.

APPROVAL OF MINUTES:

The Chairman requested a motion approving the minutes of the August 1, 2019, Board of Zoning Adjustment meeting.

A motion was made by Carolyn C. Karraker, seconded by Roberta Walton, and unanimously carried to **APPROVE** the minutes of the August 1, 2019 Board of Zoning Adjustment meeting.

PUBLIC COMMENT: The Chairman opened the floor to public comment, seeing none; the Chairman closed the hearing for public comment and continued with the regularly scheduled agenda.

EDGARD RODRIGUEZ - VA-19-09-090

REQUEST: Variances in the A-2 zoning district for a new single family home as follows:
1) To construct on a lot with .24 ac. of lot area in lieu of .5 ac.
2) To construct on a lot with 75 ft. of frontage in lieu of 100 ft.

ADDRESS: 1669 Sherman Street, Orlando FL 32828

LOCATION: East side of Sherman St., approximately 150 ft. south of E. Colonial Dr.

TRACT SIZE: 75 ft. x 141 ft./ .24 acres

DISTRICT#: 4

LEGAL: PELL ESTATES U/109 LOT 2 BLK B

PARCEL ID#: 19-22-32-6796-02-020

NO. OF NOTICES: 35

Commentaries: None

Staff Recommendation: Staff noted that while the lot was created through a properly recorded plat, which predated the introduction of zoning in Orange County, the applicant was not able to provide definitive evidence that the lot had not been owned in conjunction with any abutting property. For that reason, the applicant was pursuing a variance to validate the lot for construction. Further, staff recommended approval subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): The applicant waived the right to speak and agreed with the staff recommendation. There being no one present to speak in favor or opposition to the application, the public hearing was closed.

BZA Discussion: The BZA found the request to be straightforward. Therefore, the Board concurred with the staff recommendation.

BZA Action: A motion was made by Deborah Moskowitz, seconded by Juan Velez and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

2. Any future construction must comply with the building setbacks in effect at that time, or obtain a variance from the BZA to modify them.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

NOEMI MENENDEZ - VA-19-09-093

REQUEST: **Variances** in the R-T-1 zoning district as follows:
1) To allow an existing above ground pool located 4 ft. from the rear (east) property line in lieu of 5 ft.
2) To allow a screen enclosure and pool decking 2 ft. from the rear (east) property line in lieu of 5 ft.

ADDRESS: 4903 Pierce Arrow Drive, Apopka FL 32712

LOCATION: East side of Pierce Arrow Dr., approximately 600 ft. south of W. Kelly Park Rd.

TRACT SIZE: 75 ft. x 125 ft./ .215 acres

DISTRICT#: 2

LEGAL: KELLY PARK HILLS SOUTH PHASE 3 34/82 LOT 15

PARCEL ID#: 17-20-28-4119-00-150

NO. OF NOTICES: 89

Commentaries: Fifteen (15) in favor and none in opposition

Staff Recommendation: Staff noted that the pool had been properly permitted. However, while the required five (5) foot setback had been referenced, staff had overlooked the 7.5 foot utility

easement extending across the rear property line. While the pool contractor installed the pool .7 foot to close to the rear property line, the pool also sat over 2.5 feet into the easement. The applicant provided letters from all utility providers in the area noting that they had no utilities in the easement. Lastly, staff recommended approval subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Iris Garcia (daughter on behalf of the applicant)

The owner's daughter noted that the applicant could not appear in front of the BZA due to health issues; however, the abandonment process had been commenced and was moving forward. There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA concluded that the pool had been properly permitted, an error had occurred, and the granting of the requested variances would correct the situation. Thus, the Board concurred with the staff recommendation.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Carolyn Karraker and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 2, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. Prior to issuance of a permit for construction of the screen enclosure, the applicant shall obtain approval of a vacation of the easement along the rear (east) property line.
5. Prior to final inspection of the screen enclosure, the applicant shall obtain permits for all unpermitted work, including an concrete slabs, pergolas, and spas.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

AMIR KHAN - VA-19-09-109

REQUEST:	Variance in the R-1AA zoning district to allow a 20 ft. x 50 ft. addition 30 ft. from the rear (east) property line in lieu of 35 ft. Applicant Refunded Application Fee: The applicant did not need to apply for a variance from the rear property line setback because the lot frontage is located on Lucerne Terrece and they are able to meet the 35 ft. setback.
ADDRESS:	8025 Oak Park Road, Orlando FL 32819
LOCATION:	Southwest corner of Sunset Dr. and Lucerne Ter.
TRACT SIZE:	94 ft. x 157 ft./34 acres
DISTRICT#:	1
LEGAL:	WINDERMERE HEIGHTS 3RD SECTION M/18 BEG NE COR LOT 1 S

94 FT N 90 DEG W 157.68 FT N 94 FT N 90 DEG E 157.82 FT TO POB
BLK R (PT LOTS 1 2 & 3)

PARCEL ID#: 15-23-28-9348-18-010

NO. OF NOTICES: 48

This Case # VA-19-09-109; Amir Khan was cancelled by Staff on Friday, August 23, 2019, prior to the September 5, 2019 BZA Meeting.

CANDICE GREER - VA-19-09-097

REQUEST: **Variance** in the R-1AA zoning district to allow an existing addition located 24 ft. from the rear (south) property line in lieu of 35 ft.
This is the result of Code Enforcement action.

ADDRESS: 9304 Woodbreeze Blvd., Windermere FL 34786

LOCATION: southeast of the intersection of Woodbreeze Blvd. and Palm Breeze Ln.

TRACT SIZE: 86 ft. x 121 ft./ .24 acres

DISTRICT#: 1

LEGAL: SILVER WOODS PHASE TWO 14/147 LOT 83

PARCEL ID#: 16-23-28-8065-00-830

NO. OF NOTICES: 115

Commentaries: One (1) in favor and two (2) in opposition

Staff Recommendation: Staff summarized the request for a variance to allow for a reduced rear setback of twenty-four (24) feet in lieu of thirty-five (35) feet. It was noted the request was a result of Code Enforcement action (CE#543310), which cited the subject property for the construction of an unpermitted addition within the rear setback. Staff indicated that several properties within the existing neighborhood had received setback variances in the past, and as such, the request was consistent with the character of the neighborhood. Based on the foregoing, staff recommended approval subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Barry Greer (husband on behalf of the applicant)

Gregg Yawuru (neighbor opposed)

One member of the public was present to speak in opposition of the request. They identified as the resident adjacent to the south of the subject property and noted their opposition was due to intrusiveness of the addition, the retroactive nature of the variance, and the devaluation of their property.

The applicant explained the reason permits were not applied for prior to construction was due to the deteriorating condition of the house, but that they did plan to obtain permits. It was also clarified the roofline is consistent with what was previously existing.

There being no one present to speak in favor to the request, the public hearing was closed.

BZA Discussion: After a brief discussion among the BZA regarding if the request met the Variance Criteria, the roof of the structure, and similar variances in the area, a motion was made to recommend approval subject to the four (4) conditions listed in the staff report. The vote carried on a three (3) in favor and two (2) opposed vote.

BZA Action: A motion was made by Carolyn Karraker, seconded by Juan Velez and carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 15, 2019 and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance

of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. A permit for the addition shall be obtained within 180 days of this approval.

AYE (voice vote): Carolyn C. Karraker, Juan Velez, and Roberta Walton

NAY (voice vote): Deborah Moskowitz and Gregory A. Jackson

Absent: Wes A. Hodge and Charles J. Hawkins, II

WILLIAM K MIGNAULT - SE-19-09-088

REQUEST: **Special Exception and Variance** in the R-1A zoning district as follows:
1) Special Exception to allow a guest house.
2) Variance to allow a cumulative total of 1,194 sq. ft. in lieu of 703 sq. ft. for detached accessory structures.
This is the result of Code Enforcement action.

ADDRESS: 5376 E. Grant Street, Orlando FL 32812

LOCATION: South side of E. Grant Street, west of S. Semoran Blvd., north of E. Michigan St.

TRACT SIZE: 197 ft. x 140 ft./ .633 acres

DISTRICT#: 3

LEGAL: PINEHURST FARMS K/68 THE E 140 FT OF W 493 FT OF LOT 1 (LESS N 5 FT RD R/W)

PARCEL ID#: 04-23-30-7084-00-014

NO. OF NOTICES: 143

Commentaries: Two (2) in favor and none in opposition

Staff Recommendation: Staff gave a presentation of the case covering the location of the property, site plan, and photographs of the site. Further, staff recommended approval subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): The applicant waived the right to speak and agreed with the staff recommendation. There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA discussed the criteria for the variance and staff clarified that the applicant has met the criteria of not self-created. Further, the BZA agreed with the staff recommendation to include an additional condition regarding a prohibition on renting out the guesthouse.

BZA Action: A motion was made by Juan Velez, seconded by Carolyn Karraker and carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; and, to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions as amended (4 in favor, 1 opposed and 2 absent):

1. Development in accordance with the site plan dated June 25, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. The exterior of the guest house shall match the exterior of the existing residence with respect to color.

5. A permit shall be issued within 180 days of this approval.

6. No separate electric or water meters shall be installed on the guesthouse.

7. The guesthouse shall be prohibited from being used as a rental.

AYE (voice vote): Carolyn C. Karraker, Juan Velez, Deborah Moskowitz, and Roberta Walton

NAY (voice vote): Gregory A. Jackson

Absent: Wes A. Hodge and Charles J. Hawkins, II

GUILLERMO BLANCO - VA-19-09-101

REQUEST: **Variances** in the A-2 zoning district to allow a lot split creating two lots as follows:

- 1) To allow a minimum lot width of 79 ft. in lieu of 100 ft.
- 2) To allow a minimum lot width of 79 ft. in lieu of 100 ft.

ADDRESS: 4705 Old Goldenrod Road, Orlando FL 32822

LOCATION: Between Old Goldenrod Rd. and Wakulla St., north of Hoffner Avenue and east of S. Goldenrod Rd.

TRACT SIZE: 79 ft. x 1,245 ft./2.27 acres

DISTRICT#: 3

LEGAL: LOS TERRANOS P/87 THE S1/8 OF LOTS 1 2 3 & 4 (LESS RD ON W LOT 1) BLK 25

PARCEL ID#: 14-23-30-5240-25-011

NO. OF NOTICES: 108

Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Furthermore, staff recommended approval subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): The applicant waived the right to speak and agreed with the staff recommendation. There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA discussed the case and concurred with the staff recommendation.

BZA Action: A motion was made by Juan Velez, seconded by Roberta Walton and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 16, 2019, and all other applicable

regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

MARK BRENCHLEY - VA-19-08-085

REQUEST: **Variances** in the C-2 zoning district (Tourist Commercial Signage Overlay) to allow signage as follows:
1) To allow a cumulative total of 146 sq. ft. of wall signage in lieu of 31 sq. ft.
2) To allow two (2) signs on a building face in lieu of one (1) sign.
3) To allow a projecting sign to extend above the roof line.

ADDRESS: 7623 International Drive, Orlando FL 32819

LOCATION: East side of International Drive, approximately 825 ft. north of W. Sand Lake Rd.

TRACT SIZE: 100 ft. x 370 ft./ .849 acres

DISTRICT#: 6

LEGAL: BEG 940.88 FT N & 30 FT E OF SW COR OF SE1/4 OF SW1/4 RUN E 370 FT S 100 FT W 370 FT N 100 FT TO POB IN SEC 25-23-28

PARCEL ID#: 25-23-28-0000-00-058

NO. OF NOTICES: 259

Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan and elevation drawings of the proposed signs, and photographs of the site. Additionally, staff recommended approval subject to the conditions as described in the staff report.

The following person(s) addressed the Board:

Speaker(s): Jim Neidlinger (Applicant's representative)

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA noted that while the percentage variance for wall signage was large, the fact that they were removing the larger pole signs, makes the proposed signs a reduction in overall copy area. As such, the Board agreed with the staff recommendation.

BZA Action: A motion was made by Roberta Walton, seconded by Juan Velez and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 19, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of

Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. The applicant shall remove the two (2) existing pole signs on site prior to permits being issued for the proposed wall signs.

5. No new freestanding or pole signs shall be installed.

AYE (voice vote): All members present

Abstained: Deborah Moskowitz (due to a Conflict of Interest)

Absent: Wes A. Hodge and Charles J. Hawkins, II

FELIBERTO IBARRA - SE-19-09-089

REQUEST: **Special Exception and Variances** in the R-CE zoning district as follows:
1) Special Exception to allow an Accessory Dwelling Unit (ADU) in an existing detached accessory building.
2) Variance to allow an existing building separation of 4 ft.in lieu of 10 ft. (ADU to accessory building).
3) Variance to allow an existing accessory structure building separation of 3.3 ft.in lieu of 10 ft.
4) Variance to allow an existing accessory structure building separation of 2.4 ft.in lieu of 10 ft.
This is the result of Code Enforcement action.

ADDRESS: 6233 Lakeville Road, Orlando FL 32818

LOCATION: East side of Lakeville Rd., approximately 660 ft. south of Beggs Rd.

TRACT SIZE: 260 ft. x 421 ft./2.52 acres

DISTRICT#: 2

LEGAL: BLUE RIDGE ACRES 7/24 LOT 5

PARCEL ID#: 35-21-28-0750-00-050

NO. OF NOTICES: 72

Commentaries: Five (5) in favor and none in opposition

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, the site plan, and photos of the site. Further, staff recommended approval subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Isaac Igarra (Son on behalf of the applicant)

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA discussed moving the middle shed. Further, the BZA recommended to approve the Special Exception request #1 and Variance #2 and deny Variances #3 and #4.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Special Exception request #1, in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general

public interest; further, to **APPROVE** the Variance request **#2**, in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions: and, to **DENY** the Variance requests **#3** and **#4**, in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3).

- 1. Development in accordance with the site plan dated April 28, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
- 2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
- 3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
- 4. Building permits shall be obtained for the ADU and all unpermitted accessory structures within 180 days of the final County approval, or this approval becomes null and void.
- 5. The exterior of the ADU shall have similar colors and design materials as the primary residence.
- 6. Approval of this request does not constitute approval of the use of septic tanks and wells. The use of septic tanks and wells shall be in accordance with all applicable regulations.
- 7. The applicant shall be responsible for payment of all applicable fees and assessments including, but not limited to, impact fees.

AYE (voice vote): All members present
Absent: Wes A. Hodge and Charles J. Hawkins, II

RICHARD WILSON - SE-19-09-094

REQUEST: **Special Exception and Variance** in the R-3 zoning district for the following:
1) Special Exception for a 168 seat religious institution.
2) Variance to allow grassed parking stalls in lieu of paved stalls.

ADDRESS: 1726 Wakulla Way, Orlando FL 32839

LOCATION: South side of Wakulla Way, approximately 300 ft. west of S. Rio Grande Ave.

TRACT SIZE: 171 ft. x 317 ft./1.24 acres

DISTRICT#: 6

LEGAL: PLAN OF BLK 1 PROSPER COLONY D/109 THE N1/2 LOT 39 (LESS W 162 FT) & (LESS N 5 FT RD R/W)

PARCEL ID#: 22-23-29-7268-39-001

NO. OF NOTICES: 145

Commentaries: None

Staff Recommendation: Staff explained the history of the property, and why, though a permitted use in the R-3 zoning district, the use still needed a Special Exception due to the inconsistency between the Future Land Use Designation and the Zoning (R-3/LDR). Staff also discussed the

past BZA action, which included two (2) prior Special Exception for religious institutions, each for 5,000 sq. ft., while the current proposal was for 4,000 sq. ft. Lastly, staff recommended approval subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Rick Wilson (Applicant)

The project engineer explained what the exterior of the building would look like in appearance to include showing examples from the manufacturer.

Material was submitted to the Board by the applicant to be entered into the record prior to the close of the public hearing.

There being no one present to speak for or against the application, the public hearing was closed.

BZA Discussion: The BZA concurred that the use was appropriate for the location, and discussed the exterior finish of the building. Staff provided language which did not speak to a specific finish, but required that the final product not appear as an all metal building. Finally, the BZA concurred with the staff recommendation as amended.

BZA Action: A motion was made by Roberta Walton, seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; and, to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions as amended:

1. Development in accordance with the site plan dated July 2, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. No more than four (4) advertised outdoor special events open to the general public per calendar year, and the hours of such events shall be limited from 8:00 a.m. to 9:00 p.m. Noise from all outdoor events will be subject to applicable county noise and nuisance restrictions. All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of 30 days prior to the date of each event.
5. The applicant shall make every effort to preserve the existing trees located along the perimeter of the site, between the location of the sanctuary and the retention pond, and in the southwest corner of the site. If possible, the shape of the pond should be altered to save additional trees.
6. The exterior of the sanctuary shall be earth toned and treated architecturally such that it is not a plain metal building.
7. Construction plans shall be submitted within three (3) years or this approval becomes null and void.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

A change of sequential order was motioned by the Deborah Moskowitz, seconded by Carolyn Karraker, for Public Hearing #VA-19-09-096; Maritza Marty to be heard next on the Agenda, and unanimously carried to **APPROVE** the change in sequence of this Agenda item.

MARITZA MARTY - VA-19-09-096

REQUEST: Variance in the A-1 zoning district to permit a mobile home on a parcel with .167 ac. of land area in lieu of 2 ac.
ADDRESS: 6155 Terrell Road, Mount Dora FL 32757
LOCATION: East side of Terrell Rd., approximately .16 miles north of Wadsworth Rd.
TRACT SIZE: 50 ft. x 145 ft. (avg.)/0.17 acres
DISTRICT#: 2
LEGAL: N 50 FT OF S 265 FT OF W 150 FT OF NE1/4 OF SE1/4 OF SW1/4 OF SEC 04-20-27 (LESS RD R/W ON W)
PARCEL ID#: 04-20-27-0000-00-041
NO. OF NOTICES: 39

Commentaries: One (1) in favor and two (2) in opposition

Staff Recommendation: Staff noted that a variance had been granted in 1989, to allow construction of a single family home on the property, which today would include a modular home. Since a mobile home will not meet the approval, the applicant had to apply for the requested variance. Staff noted that in this section of Terrell Road, single family homes do make up the majority of units. Staff also noted that a variance was granted in 2018, to allow a mobile home on a one (1) acre parcel 200 feet to the south. Finally, staff recommended denial of the request; however, should the BZA find that the applicant satisfied the Variance Criteria; staff recommended approval subject to the conditions in the staff report.

The following person(s) addressed the Board:

Speaker(s): Maritza Marty (Applicant)

The applicant noted that this was their property, and they could not afford a site built, or even a modular home. She asked that the BZA take her limited means into consideration.

There being no one in attendance to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA concluded that given the variance granted to the south last year, granting a variance for this request would not confer any special privilege upon the applicant, and it would provide them with use of their property. Based on the foregoing, the Board recommended approval subject to the conditions as listed in the staff report.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Carolyn Karraker and carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 10, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

AYE (voice vote): Gregory A. Jackson; Carolyn C. Karraker; Juan Velez; and Roberta Walton

NAY (voice vote): Deborah Moskowitz

Absent: Wes A. Hodge and Charles J. Hawkins, II

RENTALS TODAY, INC. - VA-19-09-099

REQUEST: **Variances** in the P-O Zoning district as follows:
1) To allow a dumpster enclosure in front of the principal building.
2) To allow a rear setback of 15 ft. in lieu of 30 ft.
3) To allow development on a parcel with 67 ft. of frontage in lieu of 85 ft.
4) To permit parking spaces dimensioned at 9 ft. wide x 18 ft. deep in lieu of 9 ft. wide x 20 ft. deep.

ADDRESS: 31 S. Kirkman Road, Orlando FL 32811

LOCATION: East of S. Kirkman Rd. north of Old Winter Garden Rd.

TRACT SIZE: 300 ft. x 72 ft. (avg.) / .48 acres

DISTRICT#: 6

LEGAL: ORLO VISTA TERRACE ANNEX N/96 LOTS 8 THROUGH 13 BLK G (LESS PART ON W IN R/W) & (LESS PART TAKEN ON W FOR R/W PER 6287/5097)

PARCEL ID#: 30-22-29-6426-07-080

NO. OF NOTICES: 78

Commentaries: None

Staff Recommendation: Staff noted that the subject property actually consisted of the remnants of six (6) lots created through a plat in 1926. The other half of the lots had been used in the widening of South Kirkman Road. In 1985, a prior property owner obtained a rezoning from R-1 to P-O. The rezoning had two (2) conditions. The first condition required that the property be consolidated and developed as one (1) property, and the second limited the property to one (1) access point to and from South Kirkman Road. Staff noted that the applicant was proposing a plan that would satisfy these conditions. However, due to the constrained width of the lot, the applicant needed to shorten the depth of the parking stalls, and place the dumpster in front of the office. The actual entrance to the office would be from a ramp and porch on the South Kirkman Road side of the building. Lastly, staff recommended approval subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): William Weeks (Applicant's representative)

The applicant noted their agreement with the staff recommendation and conditions, and that these variances would allow development of the property, which would, otherwise, either sit vacant or be underutilized.

There being no one present to speak in support or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA concluded that due to the loss of land to road widening, there was no other option than to grant the requested variances. Further, the Board concurred with the staff recommendation.

BZA Action: A motion was made by Juan Velez, seconded by Carolyn Karraker and carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 15, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes

require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. The applicant shall install a six (6) ft. tall opaque buffer along the east property line up to a point 25 ft. from the front (south) property line, at which point it shall be reduced to four (4) ft. to the front property line.

AYE (voice vote): Gregory A. Jackson; Carolyn C. Karraker; Juan Velez; and Deborah Moskowitz

NAY (voice vote): Roberta Walton

Absent: Wes A. Hodge and Charles J. Hawkins, II

MICHAEL EVANS - VA-19-09-100

REQUEST: Variances in the R-CE zoning district as follows:
1) To allow a building height of 46 ft. in lieu of 35 ft.
2) To allow construction on a lot with 105 ft. of frontage in lieu of 130 ft.
3) To allow an existing pump house to remain with a 0 ft. setback in lieu of 5 ft.
4) To allow an existing shed to remain with a 0 ft. setback in lieu of 5 ft.

ADDRESS: 9215 Winter Garden Vineland Road, Orlando FL 32836

LOCATION: East side of Winter Garden Vineland Rd., south of Chase Rd.

TRACT SIZE: 106 ft. x 983 ft./3.1 acres

DISTRICT#: 1

LEGAL: N 106 FT OF S 1495.7 FT OF W1/2 OF NE1/4 (LESS RD ON W) & (LESS PT ON W TAKEN FOR R/W PER OR 5111/3182) OF SEC 05-24-28

PARCEL ID#: 05-24-28-0000-00-012

NO. OF NOTICES: 79

Commentaries: One (1) in favor and none in opposition

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Furthermore, staff recommended denial of Variance #1; however, should the BZA recommend approval then staff recommended the conditions as outlined in the staff report; and, to approve Variances #2, #3, and #4, subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Michael Evans (Applicant)

The applicant stated that the lot was long and narrow, and they did not want to build a bowling alley style 1-story house. They also stated that most of the proposed height was due to the pitch of the roof, and that only the roofline exceeded thirty-five (35) feet. The applicant also noted that the house would be setback over 700 feet from the road, and that four (4) other homes in the area got similar variances.

Material was submitted to the Board by the applicant to be entered into the record prior to the close of the public hearing.

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA noted that the lot was next to a public park; and, the house would be setback over 700 feet from the road and would not be obtrusive. Therefore, the BZA approved all of the variances subject to the conditions as set forth in the staff report.

BZA Action: A motion was made by Carolyn Karraker, seconded by Deborah Moskowitz and carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 1, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

SEAN CURRY - VA-19-09-102

REQUEST: **Variances** in the P-D zoning district to allow a pool and screen enclosure as follows:

- 1) A northwest side setback of 2.5 ft. in lieu of 5 ft.
- 2) A southeast side setback of 3.5 ft. in lieu of 5 ft.

ADDRESS: 7438 Fairgrove Avenue, Windermere FL 34786

LOCATION: Northwest side of Fairgrove Ave., north of Tattant Blvd.

TRACT SIZE: 80 ft. x 150 ft. (avg.) / . 209 acres

DISTRICT#: 1

LEGAL: WINDERMERE SOUND PHASE 2 83/135 LOT 154

PARCEL ID#: 26-23-27-9165-01-540

NO. OF NOTICES: 91

Commentaries: Two (2) in favor and none in opposition

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Further, staff recommended denial; however, should the BZA recommend approval then staff recommended approval subject to the conditions in the staff report.

The following person(s) addressed the Board:

Speaker(s): Sean Curry (Applicant)

Erissa Mackaron (representative on behalf of the applicant)

The applicant stated they had an oddly shaped lot, which was tapered to the rear; and further, indicated that they originally had a rectangular plan and tapered the corners to require less of a variance. Additionally, they stated that they had received HOA approval.

Material was submitted to the Board by the applicant to be entered into the record prior to the close of the public hearing.

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA acknowledged that the property was pie shaped, and further, had no problem with the configuration to include the condition to get the easement situation approved. Thus, the BZA recommended approval subject to the conditions as outlined in the staff report.

BZA Action: A motion was made by Carolyn Karraker, seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated August 13, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. Prior to permitting, documentation shall be provided stating that the easement has been vacated or permission is granted to encroach into that portion of the easement.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

SHEILA CICHRA - VA-19-09-103

REQUEST:	Variances in the R-1AA zoning district as follows: 1) To allow a lanai and pool deck 32 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft. 2) To allow the existing house to remain at 30 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft.
ADDRESS:	1920 Lakeside Drive, Orlando FL 32803
LOCATION:	South side of Lakeside Dr., east of N. Mills Ave.
TRACT SIZE:	.452 acres
DISTRICT#:	5
LEGAL:	MERRITT PARK J/64 LOTS 136,137,138 & ELY 4 FT OF LOT 139 MEASURED ON S SIDE RUNNING TO PT AT NE COR
PARCEL ID#:	18-22-30-5596-01-360
NO. OF NOTICES:	76
Commentaries:	None

Staff Recommendation: Staff noted that when the house which was currently under construction was initially permitted, it met all setbacks. By default, all other proposed improvements would have met setbacks. However, when the owner obtained permits to rebuild the dock and seawall, five (5) feet of the shoreline collapsed into the lake. When the seawall was completed, the house was only 30 feet and the pool was 32 feet from the Normal High Water Elevation (NHWE). Finally, staff recommended approval subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Sheila Cichra (Applicant)

The applicant stated that due to the shoreline collapse, the seawall ended up five (5) feet closer, and since the top of the seawall is the NHWE that put the house and the proposed pool into the setback.

There being no one in attendance to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA concluded that the cause for the variance was an act of nature, and not the result of the owner. Based on the foregoing, the Board concurred with the staff recommendation.

BZA Action: A motion was made by Deborah Moskowitz, seconded by Roberta Walton and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 17, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. Prior to the issuance of a building permit, the property owner shall record in the official records of Orange County an indemnification/Hold Harmless Agreement which indemnifies Orange County from any damages caused by flooding, and shall inform all interested parties that the residence is no closer than 30 feet and the pool and pool deck are no closer than 33 feet from the Normal High Water Elevation of Lake Rowena.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

STEVEN EARL - VA-19-09-104

REQUEST:	Variances in the R-CE zoning district as follows: 1) To allow an existing accessory building located in front of the principal building in lieu of beside or behind the principal building. 2) To allow an existing accessory building (wood shed) located 1 ft. from the side (north) property line in lieu of 5 ft.
ADDRESS:	9694 Kilgore Road, Orlando FL 32836
LOCATION:	Approximately 450 ft. west of Kilgore Rd., on the east side of Lake Sheen, approximately .4 miles north of Darlene Dr.
TRACT SIZE:	126 ft. x 629 ft./1.59 acres
DISTRICT#:	1
LEGAL:	BEG NW COR OF SW1/4 OF NE1/4 OF SE 1/4 E 185.12 FT SWLY TO PT E 89 FT FROM W LINE OF NE1/4 OF SE1/4 W 589 FT INTO LAKE SHEEN N 108 FT E 500 FT TO POB IN SEC 04-24-28
PARCEL ID#:	04-24-28-0000-00-021
NO. OF NOTICES:	31

Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the access easements, the location of the property, site plan, and photographs of the site. Lastly, staff recommended approval subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Steven Earl (Applicant)

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA indicated that the lot was in an isolated area and difficult to access, and that the neighbors cannot even see it. Further, the Board agreed with the staff recommendation.

BZA Action: A motion was made by Carolyn Karraker, seconded by Roberta Walton and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 17, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. The applicant shall obtain permits for the accessory structures within 1 year of the final County approval, or this approval becomes null and void.

5. The carport structure on the property adjacent to the existing accessory structure (storage shed/garage) shall be removed prior to issuance of permits for the accessory structures.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

FLORIDA ENGINEERING GROUP - SE-19-09-105

REQUEST:	Special Exception and Variance in the R-2 zoning district as follows: 1) Special Exception to allow two-story multi-family buildings within 100 ft. of the property line of any single-family dwelling district. 2) Variance to allow a 10 ft. side (east) setback in lieu of the required 30 ft. side setback where adjacent to a single family district.
ADDRESS:	10135 Buck Road, Orlando FL 32817
LOCATION:	North side of Buck Rd., east of N. Dean Rd.
TRACT SIZE:	266 ft. x 225 ft. / 1.37 acres
DISTRICT#:	5
LEGAL:	20180735598 - ERROR IN LEGAL - BEG SE COR OF SW1/4 OF NW1/4 RUN W 266 FT N 225 FT E 266 FT S 225 FT TO POB (LESS S 30 FT FOR RD R/W) IN SEC 08-22-31

PARCEL ID#: 08-22-31-0000-00-012

NO. OF NOTICES: 309

Commentaries: One (1) in favor and none in opposition

Staff Recommendation: Staff described the character of the neighborhood, noting that the planned development to the north and northwest of the property had a height limit of four (4) stories, with a setback requirement for buildings over 2-stories. Staff further explained that if the duplexes to the east were not fee-simple ownership, no Special Exception would be needed, as they would be treated as multi-family. Conversely, if the townhouses were fee-simple rather than condominium, no Special Exception would be needed. Lastly, staff recommended approval subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Gregory Crawford (Applicant's representative)

Melissa Strassner (Aide on behalf of District #5 Commissioner)

The applicant's engineer was in agreement with the staff recommendation and conditions, with the exception of Condition #4, as they would like to continue the six (6) ft. opaque barrier entirely to the front property line. Staff explained that this would require a separate variance, which would need to be advertised. Staff suggested that the condition be amended to include the ability for the applicant to substitute a vegetative screening in lieu of the fence, for which there was no height limitation. The applicant's engineer concurred. The aide to District 5 Commissioner Bonilla was present to advise the BZA that the Commissioner was not in favor of the variance to the side setback, and would prefer a 30-foot setback so that the future residents of the townhomes could not look directly into the yards of the neighboring duplexes.

Material was submitted to the Board by the Commissioner's representative to be entered into the record prior to the close of the public hearing.

There being no one present to speak in favor of the requests, the public hearing was closed.

BZA Discussion: The BZA asked staff if the townhouses would actually only be 10 feet from the neighboring duplexes. Staff indicated that if the duplexes were designed per code, they would be at least 20 to 25 feet from their rear property line, so there would be 30 to 35 feet of separation. The BZA concluded that the design would provide adequate separation, and that if the townhouse were fee-simple, this hearing would not be held. Insomuch, the Board recommended approval of the Special Exception and Variance subject to the conditions as amended in the staff report.

BZA Action: A motion was made by Juan Velez, seconded by Carolyn Karraker and unanimously carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; AND, to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions as amended:

1. Development in accordance with the site plan dated July 17, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. A six ft. tall opaque fence or wall shall be erected along the east property line to a point 20

feet from the front property line where the height will be reduced to four (4) feet, or replaced with a vegetative buffer.

AYE (voice vote): All members present
Absent: Wes A. Hodge and Charles J. Hawkins, II

SHEILA CICHRA - VA-19-09-107

REQUEST: Variance in the R-1AA zoning district to replace a pool and pool deck 22 ft. from the Normal High Water Elevation (NHWE) in lieu of 35 ft.
ADDRESS: 9179 Bay Point Drive, Orlando FL 32819
LOCATION: East side of Bay Point Dr., east of Bay Hill Blvd.
TRACT SIZE: .403 acres
DISTRICT#: 1
LEGAL: BAY POINT 7/49 LOT 4 & A PART OF LOT 4 IN BAY HILL SEC 6 6/138
DESC AS COMM AT SW COR OF SAID LOT 4 RUN N 297.30 FT FOR
POB CONT N 63.25 FT S 55 DEG E 7.72 FT S 17 DEG E 57.43 FT S 80
DEG W 24.73 FT TO POB
PARCEL ID#: 28-23-28-0600-00-040
NO. OF NOTICES: 260
Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Additionally, staff recommended approval subject to the conditions as described in the staff report.

The following person(s) addressed the Board:

Speaker(s): The applicant waived the right to speak and agreed with the staff recommendation. There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA determined that the case was straightforward and the proposal was better than what was existing. As such, the Board concurred with the staff recommendation.

BZA Action: A motion was made by Carolyn Karraker, seconded by Juan Velez and unanimously carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated August 15, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. Prior to the issuance of a building permit, the property owner shall record in the official records of Orange County an indemnification/Hold Harmless Agreement which indemnifies Orange County from any damages caused by flooding, and shall inform all interested parties that the pool and pool deck are no closer than 22 feet from the normal high water elevation of Lake Tibet

Butler.

AYE (voice vote): All members present

Absent: Deborah Moskowitz, Wes A. Hodge and Charles J. Hawkins, II

ROBERT RYDBERG - VA-19-08-081

REQUEST: **Variances** in the R-1AA zoning district as follows:
1) To allow an existing residence 20 ft. from the Normal High Water Elevation (NHWE) in lieu of 50 ft.
2) To allow an existing above ground pool located 20 ft. from the NHWE in lieu of 50 ft.
3) To allow an addition to an existing deck 15 ft. from the NHWE in lieu of 50 ft.
4) To allow an existing deck 7 ft. from the NHWE in lieu of 50 ft.
5) To allow a cumulative total of 630 sq. ft. of accessory floor area in lieu of 538 sq. ft.
6) To allow an existing accessory structure 0 ft. from the side (east) property line in lieu of 5 ft.
7) To allow an existing accessory structure building on the subject property with a separation distance of 0 ft. in lieu of 10 ft. between it and a neighbor's shed which is encroaching on the subject property.

ADDRESS: 5849 Maggiore Trail, Zellwood FL 32798

LOCATION: North side of Maggiore Trl., on the south side of Lake Maggiore

TRACT SIZE: 0.77 acres

DISTRICT#: 2

LEGAL: LAKE MAGGIORE ESTATES 5/38 LOT 20 & A PORTION OF OCCUPIED LAKE BOTTOM LYING NLY AND EXTENDING TO THE WATERS EDGE OF LAKE MAGGIORE

PARCEL ID#: 22-20-27-4582-00-200

NO. OF NOTICES: 70

Commentaries: Six (6) in favor and none in opposition

Staff Recommendation: Staff stated that the actual edge of water versus the Normal High Water Elevation (NHWE) was a separation of between 115 feet along the west property line and 180 feet along the east. In addition, while the maps reflected water across the applicant's property, the land was actually high and dry. Staff further noted that there was the severe drop in elevation from where the residence was located to the NHWE that caused the issue. Regarding the shed, the main issue was its location in a drainage easement. Further, the need for Variance #7 was due to their neighbor's shed encroaching onto the subject property. Finally, staff recommended approval of Variances #1 through #4, and denial of Variances #5 through #7, subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Robert Rydberg (Applicant)

Richard Parkinson (in favor)

There being no one in attendance to speak in opposition to the request, the public hearing was closed.

BZA Discussion: The BZA indicated that the applicants purchased the property 'as is', and has enjoyed the deck, pool and shed for 32 years. The Board asked staff if it was correct that if the drainage easement could not be abandoned, then the shed would have to go under the proposed conditions. Staff confirmed that point as accurate. Finally, the Board concurred with the staff recommendation.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated June 11, 2019, and all other applicable

regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. Prior to the issuance of a building permit, the property owner shall record in the official records of Orange County an indemnification/Hold Harmless Agreement which indemnifies Orange County from any damages caused by flooding and shall inform all interested parties that the home is no closer than 20 feet, the deck is no more than five (5) feet, and the pool is no more than 20 feet from the normal high water elevation of Lake Maggiore.

5. Any proposal to construct or alter that portion of the subject property seaward of the NHWE line shall require the preparation of a Conservation Area Determination.

6. If the shed is to remain in their current location, prior to issuance of permits for the shed, the applicant shall obtain approval of an abandonment of the drainage easement.

7. The applicant shall obtain permits for all unpermitted structures within 180 days of final action on this application by Orange County.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

RECESSED AT 12:36 P.M. AND RECONVENED AT 1:03 P.M.

RICHARD KEPPLER - VA-19-09-092

REQUEST:

Variances in the R-1A zoning district as follows:

- 1) To allow an existing fence to remain in the front setback with a height of 5.5 ft. in lieu of 4 ft.
- 2) To allow an existing accessory structure (pergola/swing house) to remain in front of the principal structure in lieu of behind or beside.
- 3) To allow an existing accessory structure (pergola/swing house) to remain with a 3 ft. side setback in lieu of 5 ft.
- 4) To allow an existing accessory structure (gate house) to remain in front of the principal structure in lieu of behind or beside.
- 5) To allow an existing accessory structure (gate house) to remain with a 0 ft. front setback in lieu of 25 ft.
- 6) To allow an existing house to remain with a 19.64 ft. rear setback in lieu of 30 ft.

This is the result of Code Enforcement action.

ADDRESS:

7046 Fisher Street, Orlando FL 32835

LOCATION:

South side of Fisher St., west of S. Hiawassee Rd.

TRACT SIZE:

.222 acres

DISTRICT#:

1

LEGAL:

LAKE HIAWASSA TERRACE REPLAT S/101 LOT 10 BLK 1 (SEE 35-22-28-0000-00-107 FOR 1/39 INT IN PARCEL B PER OR 2293/856)

PARCEL ID#: 35-22-28-4464-01-100

NO. OF NOTICES: 109

Commentaries: Seventeen (17) in favor and none in opposition

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Additionally, staff recommended approval subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Richard Keppler (Applicant)

Peter Valente (in favor)

Susan Keppler (in favor)

Chuck Faust (opposed)

Jose Rivera (opposed)

Linda Rivera (opposed)

Material was submitted to the Board by an opposed individual to be entered into the record prior to the close of the public hearing.

BZA Discussion: The BZA stated that the area was unique and could not resolve neighbor disputes. Based on the foregoing, the BZA concluded that the request would not be detrimental to the neighborhood and concurred with the staff recommendation.

BZA Action: A motion was made by Carolyn Karraker, seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 2, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. The applicant shall obtain permits for the accessory structures and fence within 180 days of the final County approval, or this approval becomes null and void.

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

WENDY WALLACE - VA-19-09-108

REQUEST: Request to amend condition of approval #5 from a previously approved **Variance**, which was approved in conjunction with a Special Exception (SE-12-12-025), in the C-3 zoning district to allow for existing chain link fencing and natural buffers in lieu of the required 6 ft. privacy fence and 6 ft. masonry wall.

ADDRESS: 1611 N. Forsyth Road, Orlando FL 32807

LOCATION: East side of N. Forsyth Rd., north of E. Colonial Drive

TRACT SIZE: 0.35 acres

DISTRICT#: 5
LEGAL: THAT PT F/N/A LOT 28 BLK A & N1/2 OF VAC ALLEY ON S THEREOF IN TIFFANY TERRACE U/138 VAC PER OR 4013/1548 NOW BEING DESC AS COMM SW COR LOT 1 OF SAID BLK A RUN N 185.84 FT FOR POB TH N 119.74 FT E 178.12 FT S 47.35 FT SWLY TO PT 15.75 FT N OF EXT OF E LIN

PARCEL ID#: 23-22-30-0000-00-066

NO. OF NOTICES: 80

Commentaries: One (1) in favor and none in opposition

Staff Recommendation: Staff explained the history of the property, noting that the applicant obtained a Special Exception in 2012, to operate a tow business in conjunction with auto repair. Part of that application was to obtain a variance from doing a "Type B" buffer yard due to the small size of the site. A condition of the variance was a requirement to erect an opaque fence along the north and south property lines, and to retain a masonry wall along the east property line. The opaque fencing was never installed. The applicant purchased the business in 2018, and found while attempting to obtain a sign permit that the fence was required. The storage yard where the fencing was to be installed was surrounded by dense vegetation, especially along the east property line. Finally, staff recommended approval subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Wendy Wallace (Applicant)

The applicant noted that they would be willing to replace any vegetation, which was lost, and would continue to maintain it as they had been doing.

There being no one present to speak for or against the request, the public hearing was closed.

BZA Discussion: The BZA concluded that if the vegetation ever dies, and the applicant failed to replace it, then the loss would be a code violation. Further, the Board agreed with the staff recommendation.

BZA Action: A motion was made by Deborah Moskowitz, seconded by Carolyn Karraker and unanimously carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 17, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. The applicant shall maintain the existing vegetation, and replace any future loss of vegetation.

AYE (voice vote): All members present

Absent: Juan Velez, Wes A. Hodge and Charles J. Hawkins, II

STEVE BOYD - VA-19-08-084

REQUEST: **Variances** in the I-2/I-3 zoning district as follows:

BOARD OF ZONING ADJUSTMENT
MEETING OF SEPTEMBER 5, 2019

- 1) To allow a height of 43.5 ft. in lieu of 35 ft. (building to be located less than 100 ft. from residential use).
- 2) To allow a 40 ft. setback from the residential zoning district to the north in lieu of 60 ft.
- 3) To allow a 40 ft. setback from the residential zoning district to the west in lieu of 60 ft.

ADDRESS: 2001 W. Oak Ridge Road, Orlando FL 32809
LOCATION: North side of W Oak Ridge Rd., west of S. Rio Grande Ave.
TRACT SIZE: 19.863 acres
DISTRICT#: 6
LEGAL: PLAN OF BLK 1 PROSPER COLONY D/109 LOTS 35 36 61 & E 62 FT OF LOT 62 & S1/2 OF LOTS 37 & 38 & ABANDONED 40 FT R/W LYING W OF S1/2 OF LOT 37
PARCEL ID#: 22-23-29-7268-35-000
NO. OF NOTICES: 156
Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Furthermore, staff recommended approval subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Steve Boyd (Applicant)

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA determined that the case was straightforward and concurred with the staff recommendation as amended.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Carolyn Karraker and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions as amended:

1. Development in accordance with the site plan dated August 15, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. A landscape plan will be required at the time of permitting and shall provide a 40 ft. landscape buffer on the west and north side of building "B".

AYE (voice vote): All members present

Absent: Wes A. Hodge and Charles J. Hawkins, II

KATHY HATTAWAY - VA-19-09-091

REQUEST: **Variance** in the PD zoning district to allow a side setback of 10 ft. from

the side street (north) property line in lieu of 15 ft.
ADDRESS: 4178 Cypress Glades Lane, Orlando FL 32824
LOCATION: Southeast corner of Green Sabal Dr., and Cypress Glades Ln.
TRACT SIZE: 107 ft. x 60 ft./133 acres
DISTRICT#: 4
LEGAL: RESERVE AT SAWGRASS - PHASE 6 99/121 LOT 567
PARCEL ID#: 20-24-30-7307-05-670
NO. OF NOTICES: 79
Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, the plan and elevations, and photographs of the site. Further, staff recommended denial; however, should the BZA recommend approval then staff recommended approval subject to the conditions in the staff report.

The following person(s) addressed the Board:

Speaker(s): Kathy Hattaway (Applicant)

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA confirmed that the applicant did not have a 35 foot wide home model in this neighborhood. The BZA determined to approve the request subject to the conditions as described in the staff report.

BZA Action: A motion was made by Deborah Moskowitz, seconded by Carolyn Karraker and unanimously carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated July 1, 2019 and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

AYE (voice vote): All members present

Absent: Roberta Walton, Wes A. Hodge, and Charles J. Hawkins, II

METRO WEST CHURCH - SE-19-09-098

REQUEST: **Special Exception and Variances** in the R-CE zoning district to construct a 135 ft. high monopole communication tower as follows:
1) Special Exception to allow a monopole communication tower with a single user at initial construction.
2) Variance to allow installation of a communication tower without landscaping as required on the east and west side of the fenced perimeter per Section 38-1427(d)(11).
If the BZA determines the proposed tower is not camouflaged then the following variances are required:

- 3) To allow a communication tower 384 ft. from the nearest single family house to the south in lieu of 675 ft.
4) To allow a communication tower 557 ft. from the nearest single family house to the east in lieu of 675 ft.

ADDRESS: 3705 N. Apopka Vineland Road, Orlando FL 32818
LOCATION: East of N. Apopka Vineland Rd., north of Silver Star Rd.
TRACT SIZE: 29.53 acres
DISTRICT#: 6
LEGAL: COMM SE COR OF NE1/4 OF 10-22-28 RUN S 72.13 FT M/L FOR POB TH RUN S 260.85 FT M/L S89W 906.45 FT M/L N 151.53 FT N90W 354.23 FT N 511 FT N90E 763.16 FT N 990 FT N90E 491.80 FT M/L S 1040.15 FT M/L TH N90E 50.02 FT TH RUN SWLY 46.38 FT S 330.28 FT N75W 31

PARCEL ID#: 10-22-28-0000-00-024

NO. OF NOTICES: 624

Staff Recommendation: Staff indicated that this case was continued by Staff on August 23, 2019, to the October 3, 2019 BZA Meeting due to the need for a Community Meeting, prior to the September 5, 2019 BZA Meeting.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Deborah Moskowitz and unanimously carried to **CONTINUE** to the October 3, 2019 BZA Meeting.

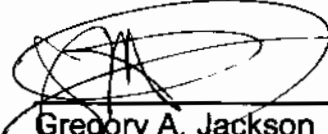
AYE (voice vote): All members present

Absent: Roberta Walton, Wes A. Hodge and Charles J. Hawkins, II

ADJOURN:

There being no further business, the meeting was adjourned at 2:18 p.m.

ATTEST:



Gregory A. Jackson
Chairman



Debra Phelps
Recording Secretary