



**Interoffice Memorandum**

**DATE:** November 26, 2024

**TO:** Jennifer Lara-Klimetz, Assistant Manager,  
Clerk of the Board of County Commissioners,  
County Comptroller's Office

**THROUGH:** Agenda Development

**FROM:** Laekin O'Hara  
Chief Planner, Zoning Division

**CONTACT PERSON:** Laekin O'Hara  
Chief Planner, Zoning Division  
(407) 836-5943 or [Laekin.O'Hara@ocfl.net](mailto:Laekin.O'Hara@ocfl.net)

**SUBJECT:** Request for Public Hearing to consider an Appeal of the November 7, 2024 Board of Zoning Adjustment Recommendation for Variances, VA-24-11-115 Corey Mills, located at 9225 Lake Mabel Drive, Orlando, Florida, 32836, Parcel ID # 06-24-28-0000-00-004, District 1

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**APPLICANT:** Corey Mills

**APPELLANT:** Steven Alcorn

**CASE INFORMATION:** VA-24-11-115 – November 7, 2024

**TYPE OF HEARING:** Board of Zoning Adjustment Appeal

**HEARING REQUIRED BY FL STATUTE OR CODE:** Chapter 30, Orange County Code

**ADVERTISING REQUIREMENTS:** Publish once in a newspaper of general circulation in Orange County at least (15) fifteen days prior to public hearing.

**ADVERTISING TIMEFRAMES:** At least fifteen (15) days prior to the BCC public hearing date, publish an advertisement in the legal notice section of The Orlando Sentinel describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;

**ADVERTISING**

Variances in the R-CE-2 zoning district as follows:

- 1) To allow a residence with a north side setback of 10 ft. in lieu of 30 ft.
- 2) To allow a residence with a south side setback of 10 ft. in lieu of 30 ft.
- 3) To allow a detached structure (garage) in front of the principal structure in lieu of the side or rear.

**NOTIFICATION  
REQUIREMENTS:**

At least 10 days before the BCC hearing date, send notices of the public hearing by U.S. mail to owners of property within 500 ft. of the property.

**ESTIMATED TIME  
REQUIRED:**

Two (2) minutes

**MUNICIPALITY OR  
OTHER PUBLIC  
AGENCY TO BE  
NOTIFIED:**

N/A

**HEARING  
CONTROVERSIAL:**

No

**DISTRICT #:**

1

The following materials will be submitted as backup for this public hearing request:

1. Names and known addresses of property owners within 500 ft. of the property (via email from Fiscal and Operational Support Division); and
2. Location map (to be mailed to property owners).

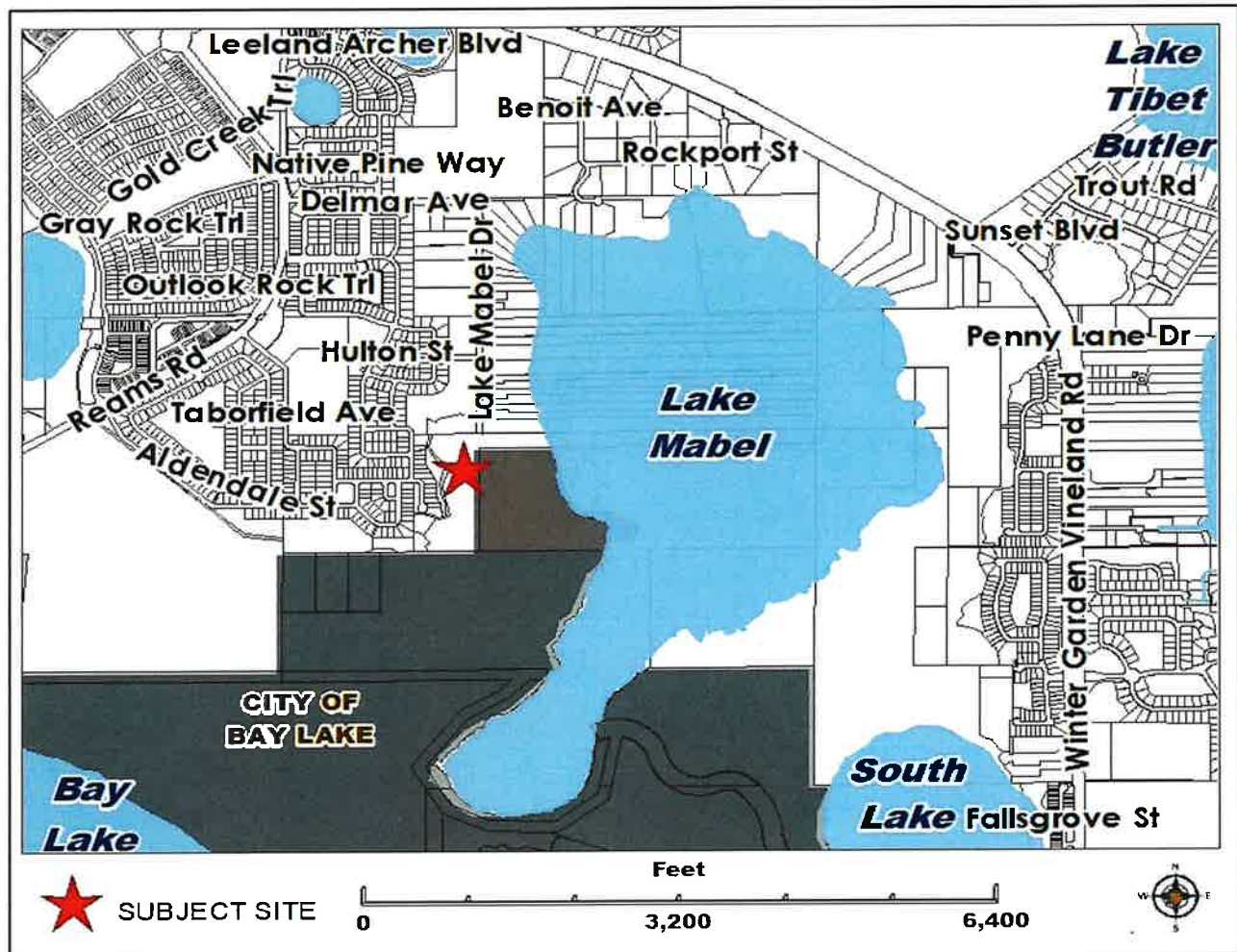
**SPECIAL INSTRUCTIONS TO CLERK:**

1. Notify abutters of the public hearing at least two (2) weeks prior to the hearing and copy staff.
2. Public hearing should be scheduled within 45 days after the filing of the notice of appeal received on November 19, 2024, or as soon thereafter, as the BCC's calendar reasonably permits.

Attachment: Location Map and Appeal Application

cc via email: Jennifer Moreau, AICP, Manager, Zoning Division  
Brandy Driggers, Assistant Manager, Zoning Division  
Laekin O'Hara, Chief Planner, Zoning Division

## Location Map





ORANGE COUNTY ZONING DIVISION  
201 South Rosalind Avenue, 1<sup>st</sup> Floor, Orlando, Florida  
32801 Phone: (407) 836-3111 Email: [BZA@ocfl.net](mailto:BZA@ocfl.net)  
[www.orangecountyfl.net](http://www.orangecountyfl.net)

Board of Zoning Adjustment (BZA) Appeal Application

Appellant Information

Name: Steven Alcorn  
Address: 9209 Lake Mabel Drive  
Email: steve@alcorn.com Phone #: 321-332-4180  
BZA Case # and Applicant: VA-24-11-115 Corey Mills  
Date of BZA Hearing: November 7, 2024

Reason for the Appeal (provide a brief summary or attach additional pages of necessary):

OC Zoning staff made it very clear on p.62-63 of their report that the applicant has not met the required variance criteria, and they recommend denial of all three variances. The OC staff attorney made it very clear that variances only convey if the site plan remains the same. The proposed house is ~3 times larger than the prior house that was bulldozed, and has a completely different footprint, so the old variances are null and void.

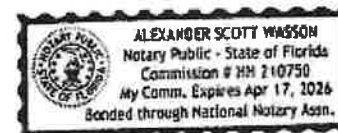
Signature of Appellant: [Signature] Date: 14 Nov 2024

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 14th day of November, 2024, by Steven Alcorn who is personally known to me ~~or who has produced~~ as identification and who ~~did~~/did not take an oath.

[Signature]  
Notary Public Signature

Notary Stamp:



**NOTICE: Per Orange County Code Section 30-45, this form must be submitted within 15 days after the Board of Zoning Adjustment meeting that the application decision was made.**

Fee: \$691.00 (payable to the Orange County Board of County Commissioners)

Note: Orange County will notify you of the hearing date of the appeal. If you have any questions, please contact the Zoning Division at (407) 836-3111.

See Page 2 of application for the Appeal Submittal Process.



**ORANGE COUNTY ZONING DIVISION**  
201 South Rosalind Avenue, 1<sup>st</sup> Floor, Orlando, Florida 32801  
Phone: (407) 836-3111 Email: [Zoning@ocfl.net](mailto:Zoning@ocfl.net)  
[www.orangecountyfl.net](http://www.orangecountyfl.net)

**Board of Zoning Adjustment (BZA) Appeal Application**

**Appeal Submittal Process**

1. Within 15 calendar days of the decision by the Board of Adjustment, the appellant shall submit the Board of Zoning Adjustment (BZA) Appeal Application to the Zoning Division in person. The application will be processed and payment of \$691.00 shall be due upon submittal. All justification for the appeal shall be submitted with the Appeal Application.
2. Zoning Division staff will request a public hearing for the subject BZA application with the Board of County Commissioners (BCC). The BCC hearing will be scheduled within forty-five (45) days after the filing of the appeal application, or as soon thereafter as the Board's calendar reasonably permits. Once the date of the appeal hearing has been set, County staff will notify the applicant and appellant.
3. The BCC Clerk's Office will provide a mailed public hearing notice of the hearing to property owners at a minimum of 500 feet from the subject property. Area Home Owner Associations (HOA) and neighborhood groups may also be notified. This notice will provide a map of the subject property, as well as a copy of the submitted appeal application.
4. Approximately one week prior to the public hearing, the memo and staff report of the request and appeal will be available for review by the applicant, appellant, and the public.
5. The decision of the BCC is final, unless further appealed to the Circuit Court. That process is detailed in Section 30-46 of the Orange County Code.

Dear OC Zoning Staff and BCC Commissioners:

We'd like to express our strong opposition to the variance requests included in Case # VA-24-11-115 for the proposed house at 9225 Lake Mabel Dr. Orlando, FL 32836. This is a "substandard" lot that's only 165' wide (20' narrower than the minimum lot width for the RCE-2 Zoning). OC Zoning Staff recommends denial and we couldn't agree more.

**PRIOR VARIANCES DO NOT CONVEY TO NEW SITE PLAN**

There was discussion at the BZA Hearing regarding the prior variances on this lot. The OC staff attorney made it very clear that variances only convey if the site plan remains the same. The proposed house is ~3 times larger than the prior house that was bulldozed, and has a completely different footprint, so the old variances are null and void.

**REQUESTED VARIANCES DO NOT MEET OC REGULATORY VARIANCE CRITERIA**

OC Zoning staff made it very clear on p.62-63 of their report that the applicant has not met the required variance criteria, and they recommend denial of all three variances. There was discussion at the BZA Hearing alleging that the proposed house would have to be downsized if the variances are denied. That is completely false. The applicant has proposed a 2-story 27,579sf house. The lot is 165' wide and the side setbacks are 30' without a variance. That leaves 105' of buildable width. The lot is 642' long and the front and rear setbacks are 50' without a variance. That leaves 542' of buildable length. The footprint for the proposed 2-story, 27,579sf house could be 105'x132'. That leaves 105'x410' of space left over for a very large pool and a very large yard. In other words the applicant could build their proposed house without any variances, and still have enough space left over for an NFL football field. The applicant does not need these variances to build their proposed house.

**MISTAKES IN STAFF REPORT**

Zoning staff wrote in their report that "there are other properties in the area **developed** with single-family homes with similar side setbacks." The other properties on Lake Mabel Dr have a *minimum* side setback of 10' because of their A2 zoning. However, nearly every house was actually **developed** with 20'-40' side setbacks (including the house next door at 9209 Lake Mabel Dr). Additionally many of the other houses are built at varying distances from the lake, so the actual distance between many of the houses is greater than 100'.

Zoning staff wrote in their report that "Approval of the requests will be in harmony with the purpose and intent of the Code, which is to provide for single-family development in a rural atmosphere." Clear-cutting all of the trees and building a

house that's bigger than some hotels ten feet from the property line is not in harmony with a rural atmosphere.

#### **DRAINAGE ISSUES**

It's important for the proposed house to be at least 30' from the shared side lot line to ensure adequate drainage. This lot was originally Class 1 Conservation area, and there are still wetlands and a retention pond immediately to the west that drain eastward into Lake Mabel. The homes at the south end of Lake Mabel Dr have been dealing with soggy yards ever since KB Homes directed all of the drainage for their 200+ house neighborhood to Mabel Bridge Pond #4 with a Spreader Swale discharging directly across from 9209 and 9225 Lake Mabel Dr.

#### **NOISE ISSUES**

The proposed site plan has the mechanicals (4 of the 8 HVAC condenser units, generators, pool pumps, vacuums, equipment alarms, etc.) located on the north side of the proposed house, directly adjacent to the 9209 Lake Mabel Dr pool deck and bedrooms. Please keep in mind that the mechanical equipment for a 27,579sf house will be substantial and create a lot of noise.

#### **RECENT VIOLATIONS**

We'd like to remind OC staff and Commissioners that the applicant has a recent history of multiple violations at the subject property (see attached EPD Violation). They built a seawall without a permit and backfilled substantially beyond the Normal High Water Line (in other words they filled the lake). They built a barn without a permit, and they built a gate without a permit on Lake Mabel Dr. in an attempt to convert ~100' of Lake Mabel Dr (a public Orange County street), into their private driveway. Our residents had to spend many hours fighting these multiple violations. We attended on-site meetings with OC Zoning and EPD staff, and exchanged multiple phone calls and emails with OC staff and Commissioner Wilson's office regarding these violations. We'd like to thank everyone at OC for their assistance, which led to the removal of the seawall and backfill, removal of the barn, and removal of the gate.

Thank you for your attention to this very important matter.

Sincerely,

Lake Mabel Shores HOA

President: JoAnne Quarles

Vice-President: Mike Dutton

Secretary: Doug Mikkelsen

and the adjacent homeowners: Steven and Linda Alcorn 9209 Lake Mabel Dr.