

Orange County Zoning Division

**VA-25-11-058
APPLICANT:
VICTOR CABRERA**

January 27, 2026



Background

APPLICANT: Victor Cabrera

CASE: VA-25-11-058

ZONING: A-2 (Farmland Rural)

FUTURE LAND USE: R (Rural)

ADDRESS: 18415 23rd Ave., Orlando, FL 32833

LOCATION: East side of S. 6th St., south side of 22nd Ave., north side of 23rd Ave., south of E. Colonial Dr., west of S. County Rd. 13, east of S. Avalon Park Blvd.

TRACT SIZE: +/- 20,698 sq. ft.

DISTRICT: 5



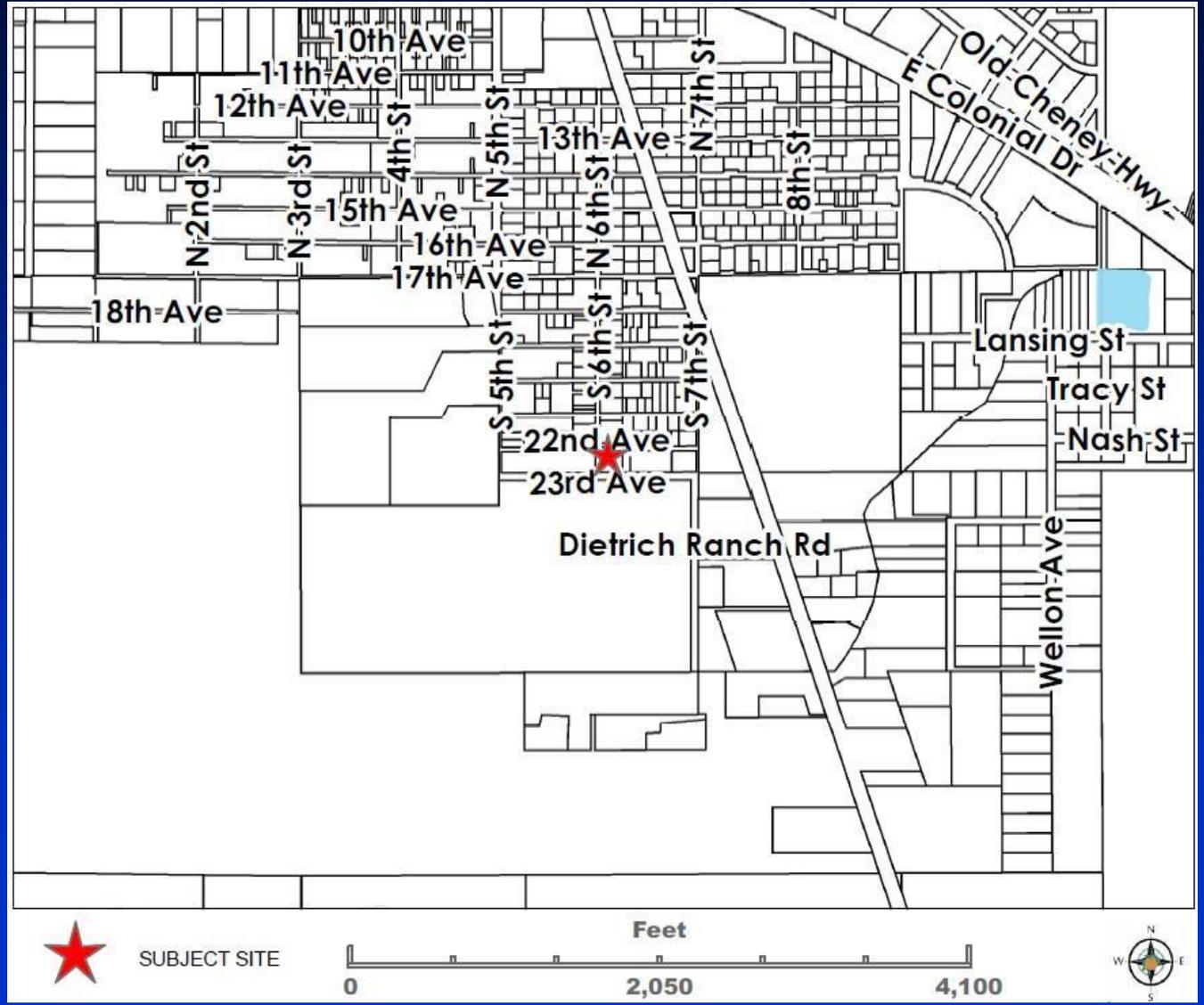
Background

REQUEST:

Variance in the A-2 zoning district to allow an accessory structure to be located nearer the side street lot line than the required front yard of such abutting lot (15 ft. in lieu of 35 ft.).

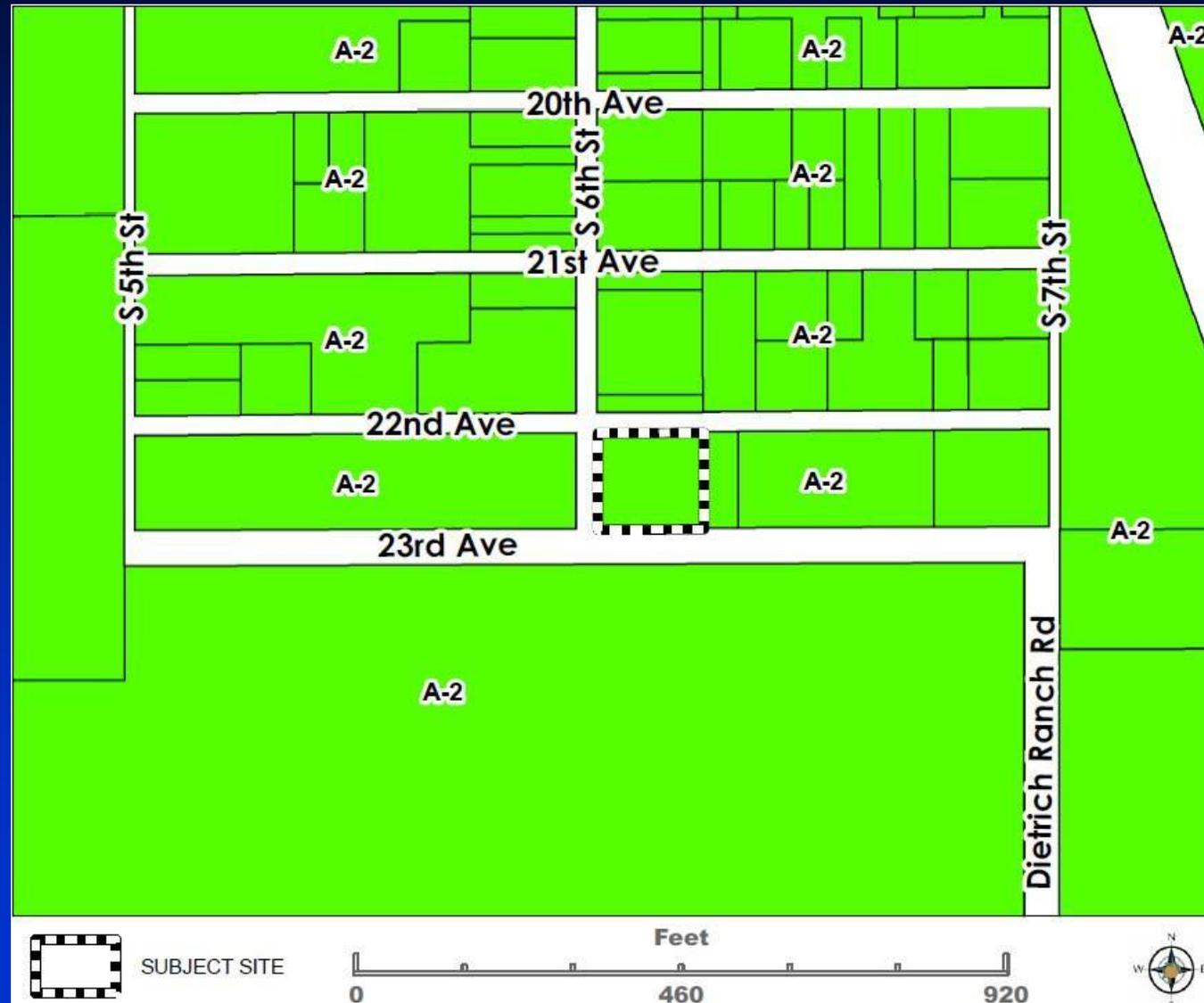


Location Map





Zoning Map

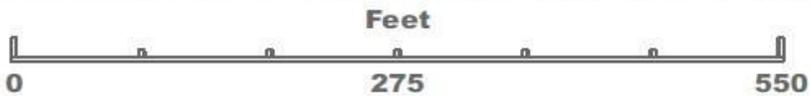




Aerial Map

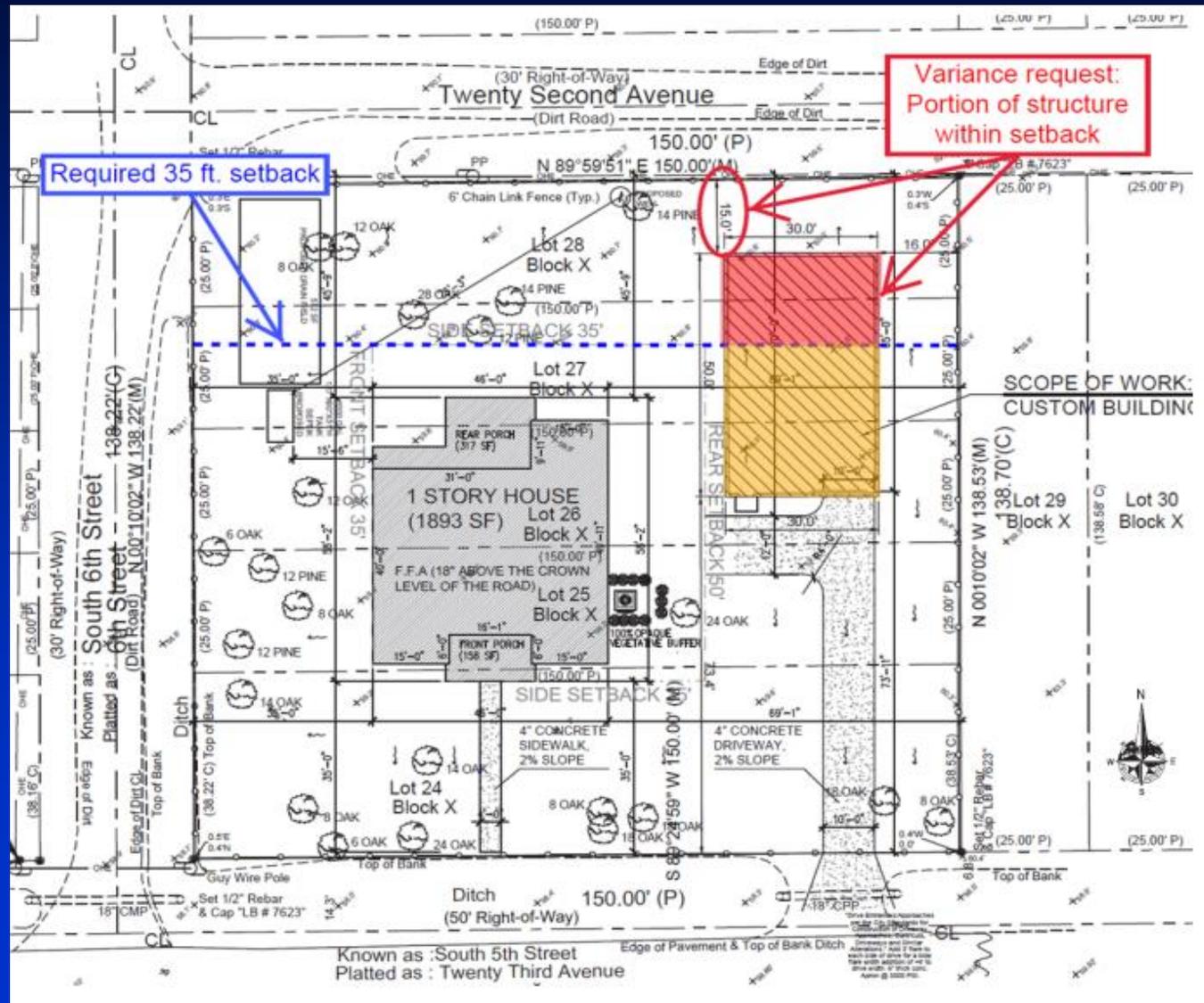


SUBJECT SITE





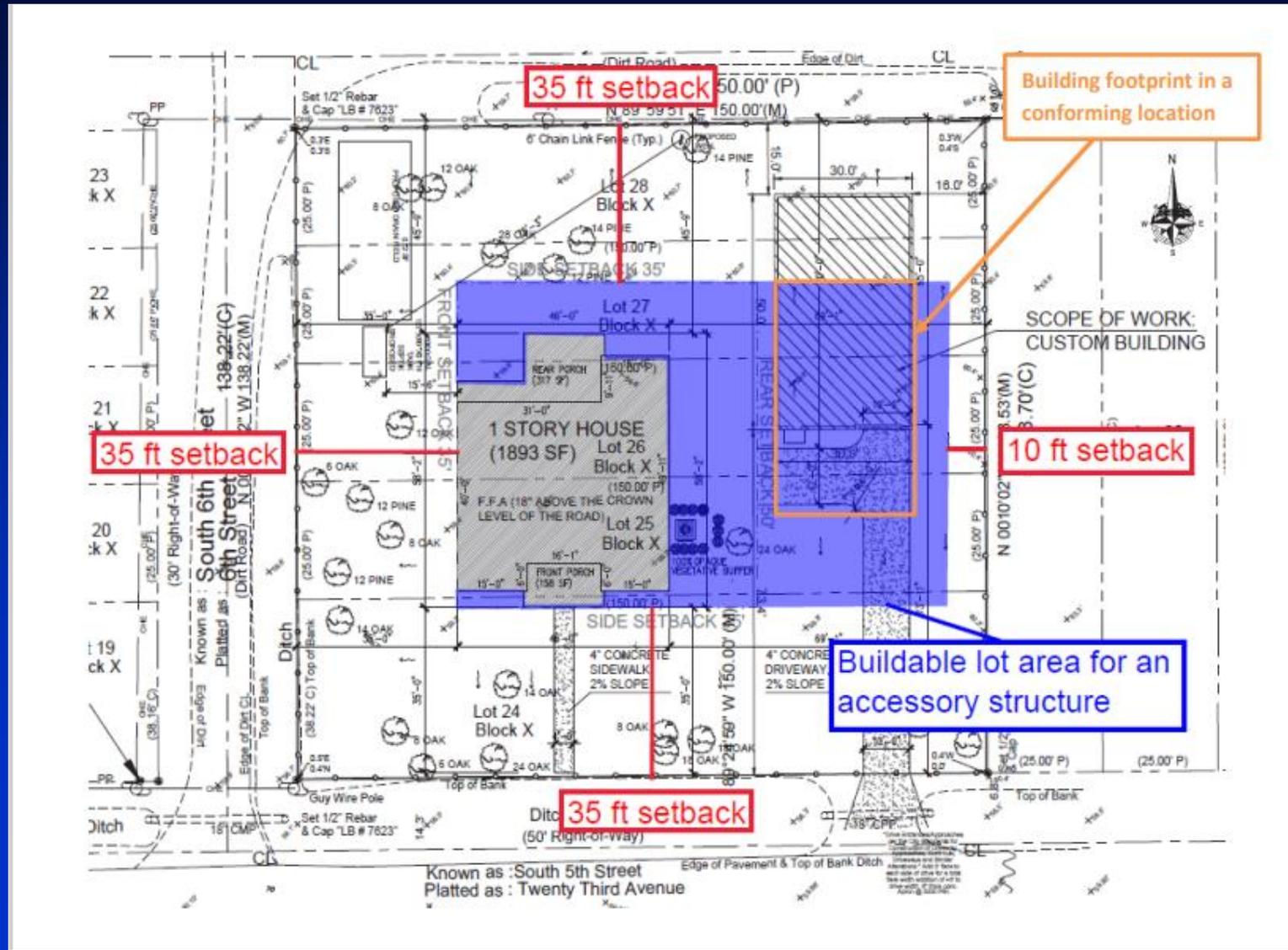
Site Plan





Site Plan

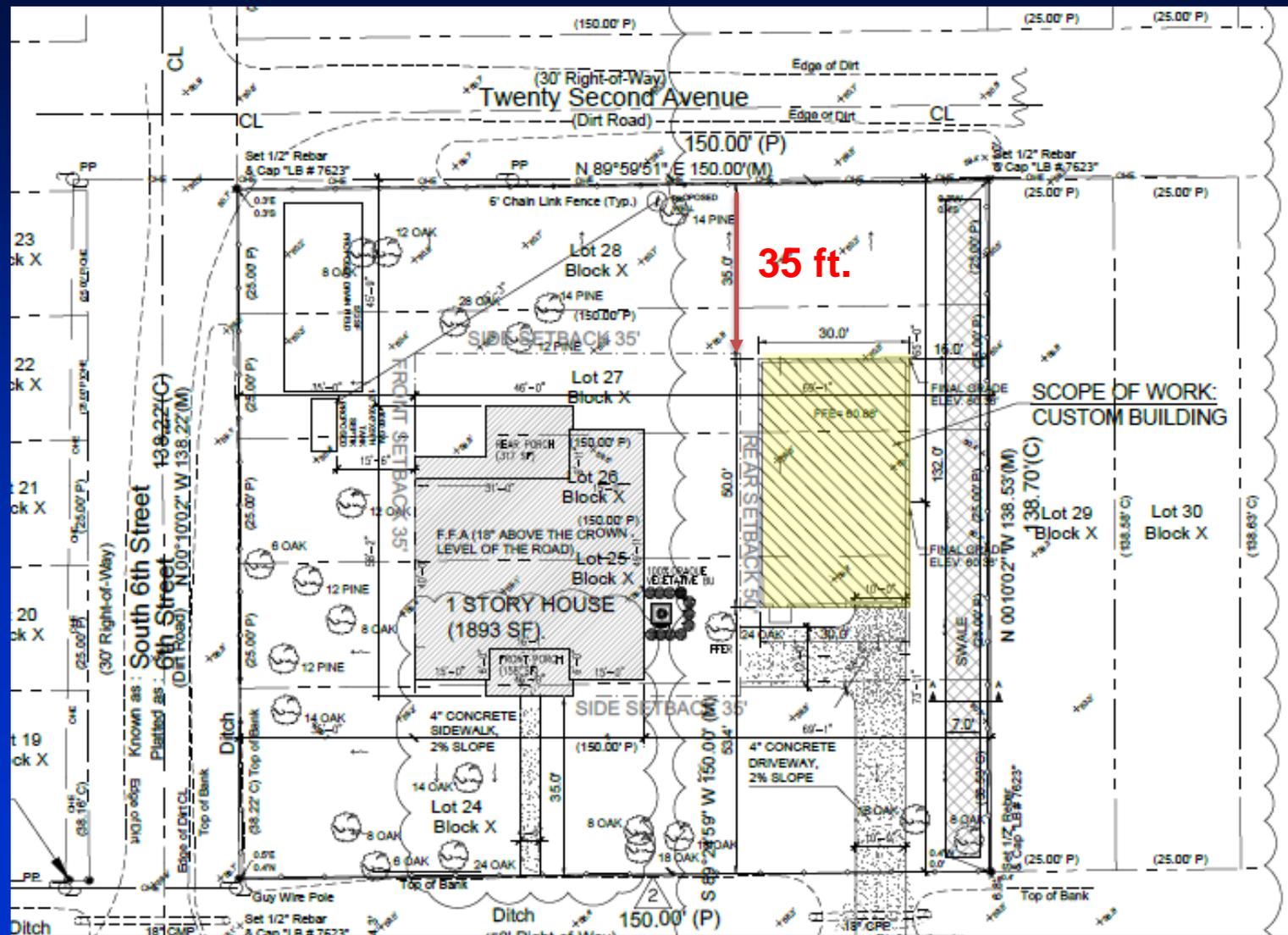
Buildable Area for Accessory Structures





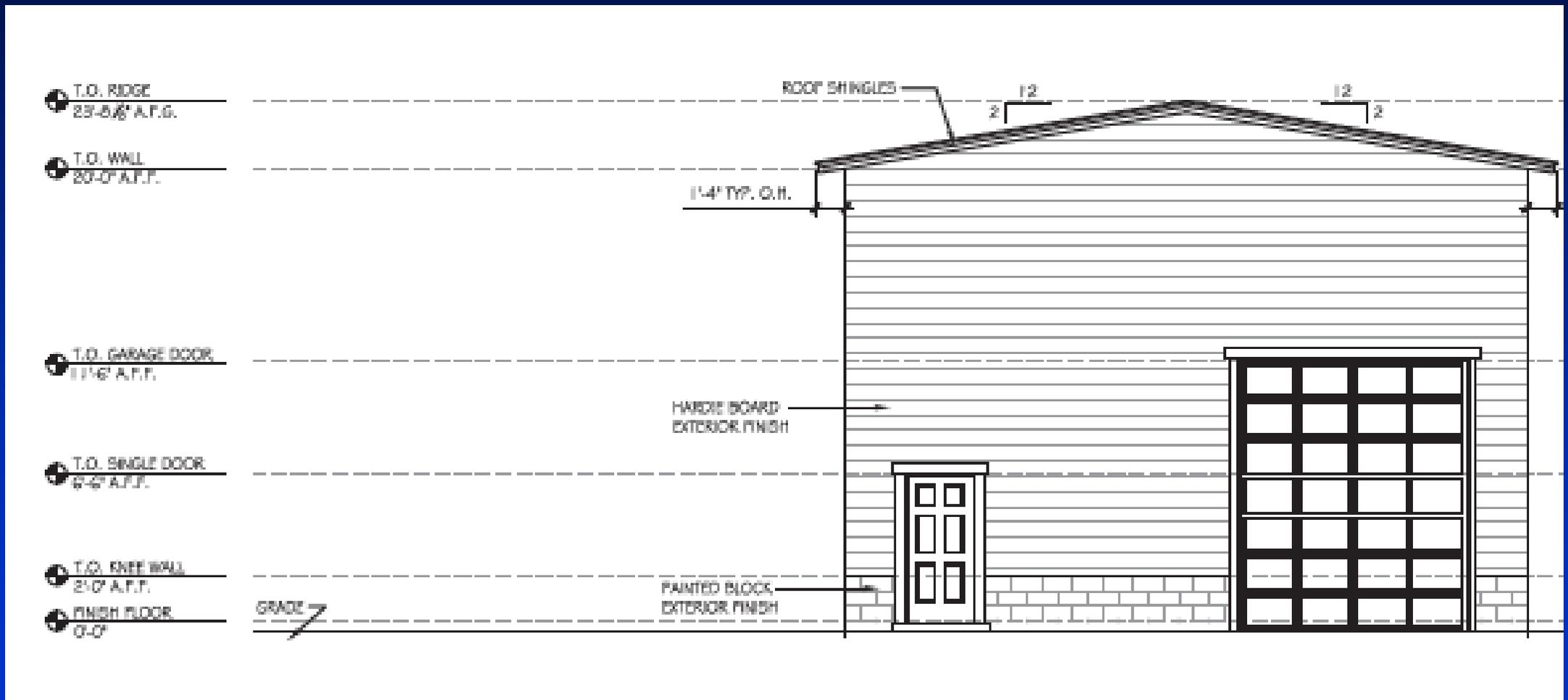
Site Plan

Submitted under Building Permit B25015794



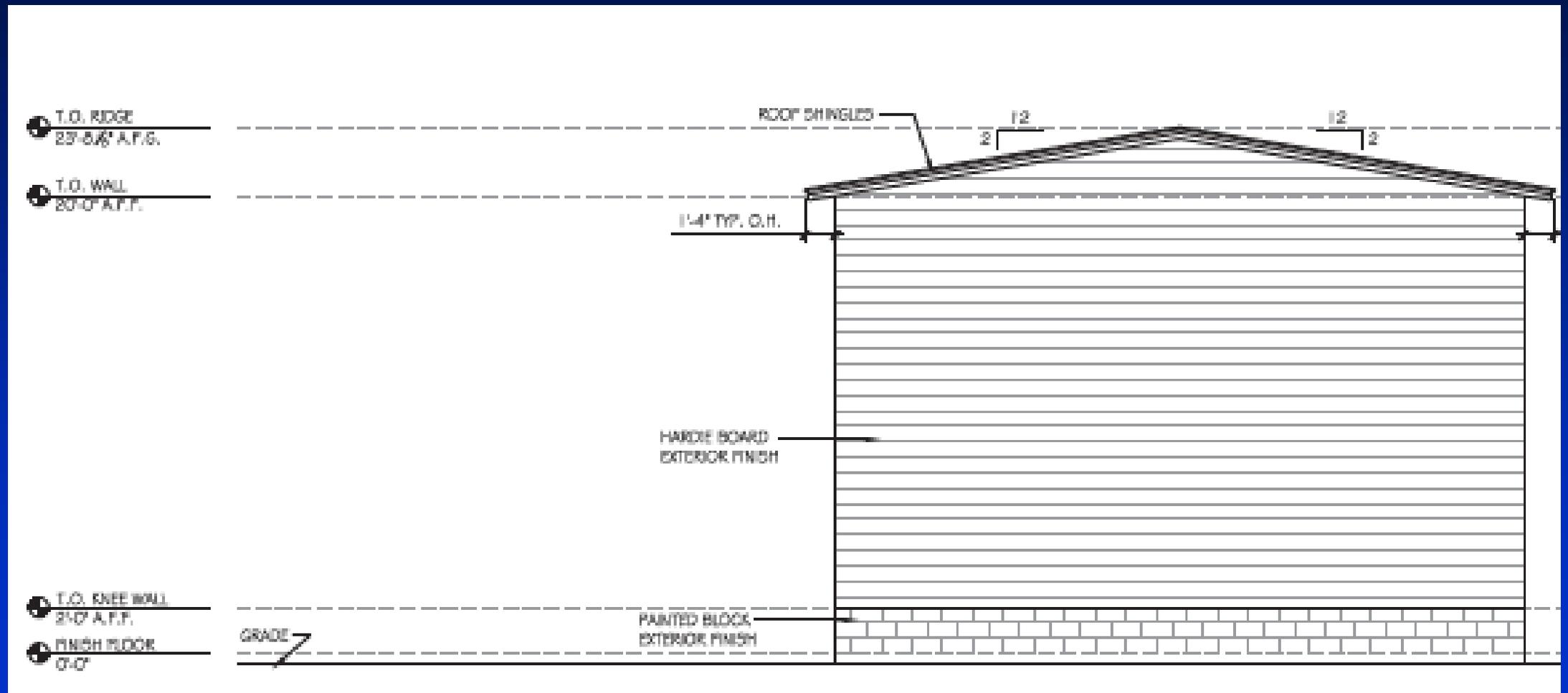


South Elevation (23rd Avenue)



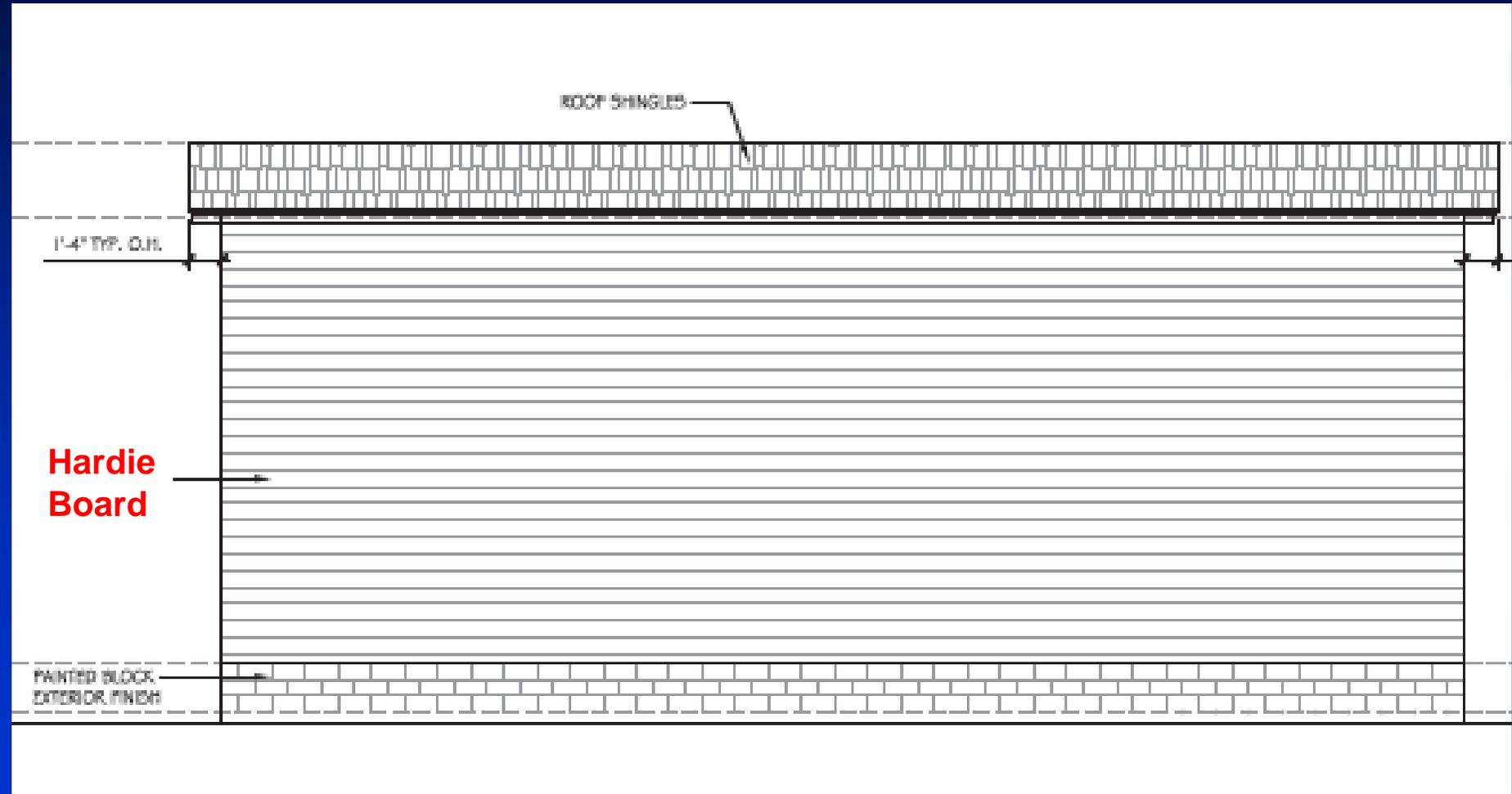


North Elevation (22nd Avenue)



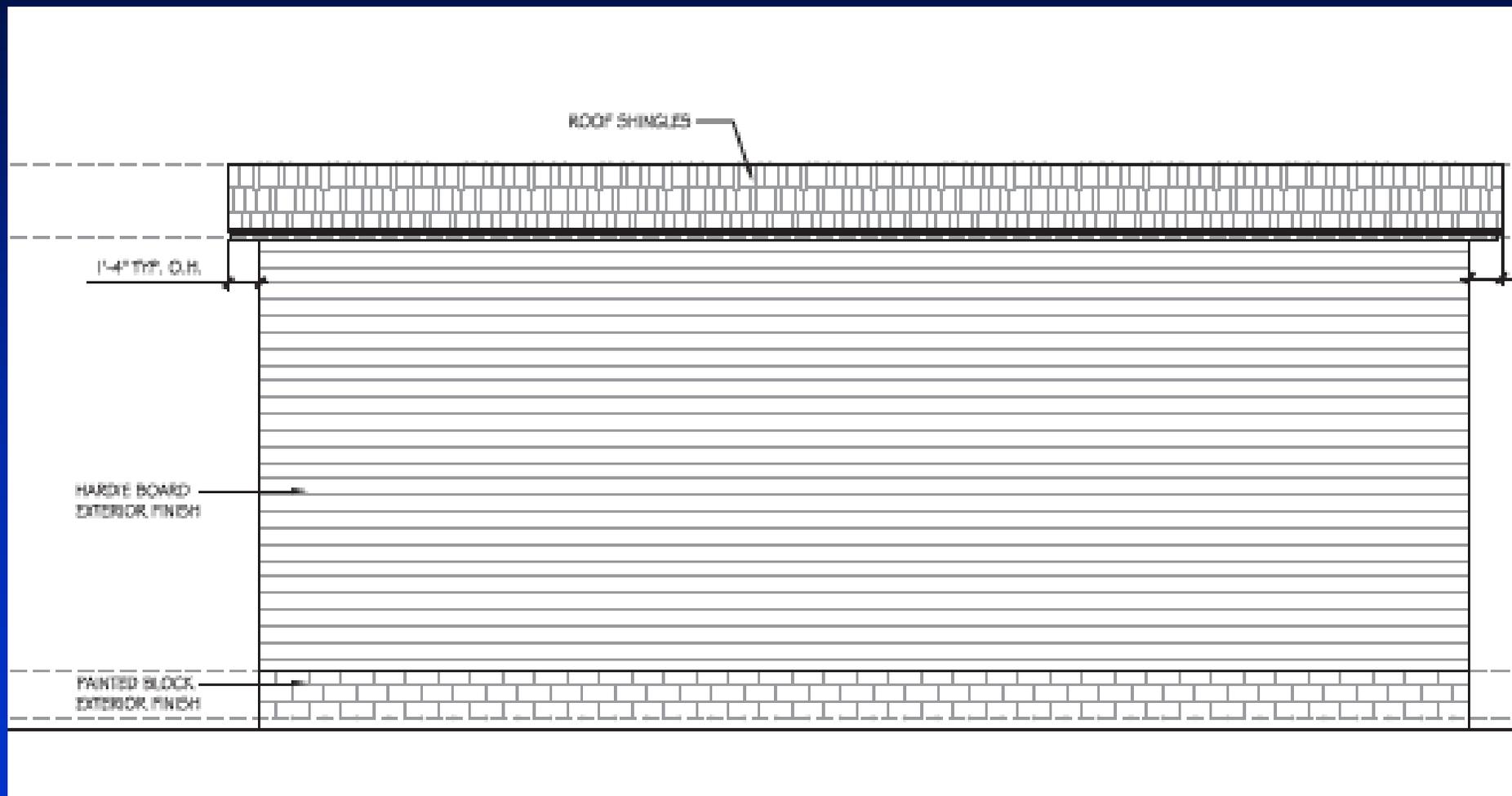


Side elevation





Side elevation





Site Photograph

Facing north from 23rd Ave. towards the subject property



Site Photograph

Facing east from S. 6th. Street, towards the subject property





Site Photograph

Facing south from 22nd Ave. towards the subject property





Site Photograph

View looking east down 22nd Ave. Subject property to the right.





Staff Findings and Analysis

- **Property is currently vacant**

- Chain link fence (unpermitted) along the north, east, and west property lines
- Lot is a triple frontage lot with right-of-way along S. 6th St. to the west (front), 22nd Ave. to the north (side street), and 23rd Ave. to the south (side street). Also, a double reverse corner lot.

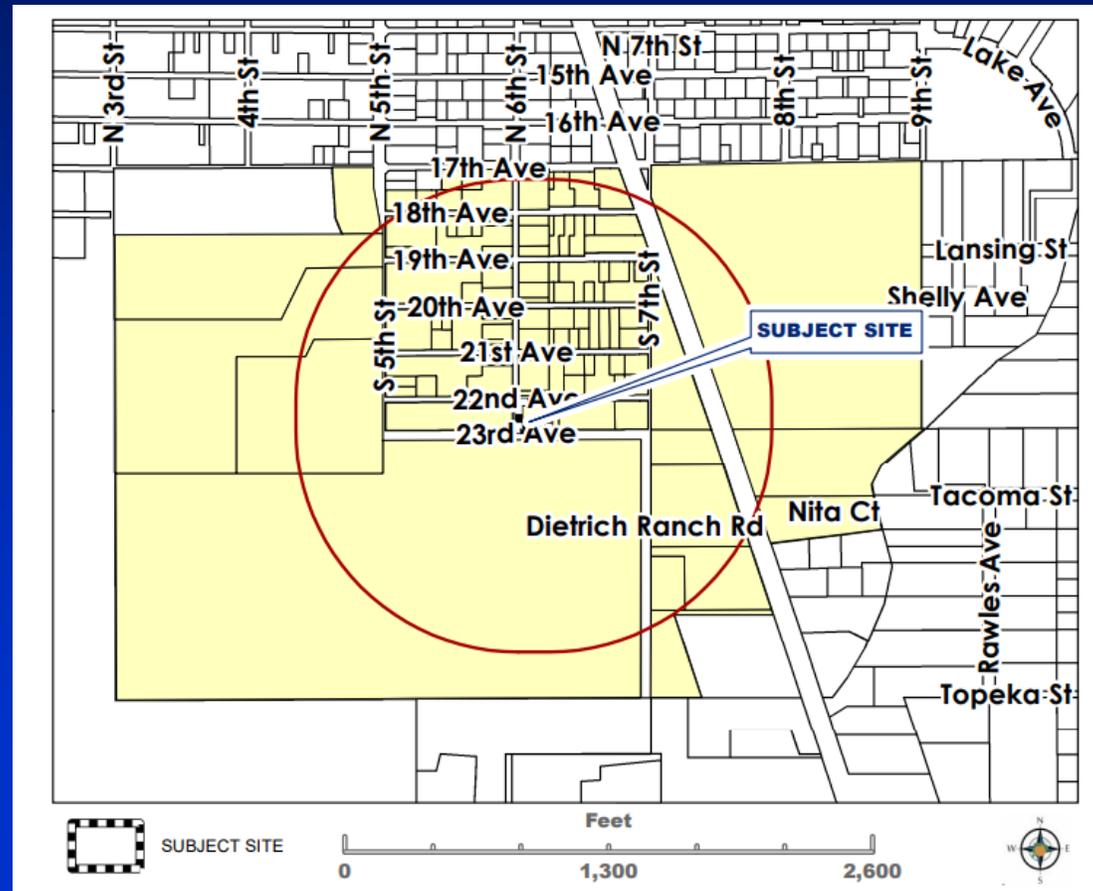
- **Proposed:**

- A new 2,368 gross sq. ft. one-story single-family home is proposed
- 1,500 gross sq. ft one-story detached accessory structure.
 - Located 15 ft. from the north side street property line where 35 ft. is required, prompting the Variance request.



Public Feedback

- Staff mailed a total of 68 notices to adjacent property owners in a 1,100 ft. radius.
 - Staff has received no correspondence in favor or in opposition to this request.





Public Feedback

Post-BZA





Variance Criteria

Section 30-43 (3), Orange County Code

Section 30-43 of the Orange County Code Stipulates specific standards for the approval of variances. No application for zoning variance shall be approved unless the Board of Zoning Adjustment finds that all of the following standards are met:

- 1. Special Conditions and Circumstances - Special conditions and circumstances exist which are peculiar to the property and which are not applicable to other properties**
- 2. Not Self-Created - The special conditions and circumstances do not result from the actions of the applicant**
- 3. No Special Privilege Conferred - Approval will not confer on the applicant any special privilege**
- 4. Deprivation of Rights - Literal interpretation of the provisions contained in this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district**
- 5. Minimum Possible Variance - The minimum variance that will make possible the reasonable use of the land, building, or structure**
- 6. Purpose and Intent - Approval will be in harmony with the purpose and intent of this Chapter and will not be injurious to the neighborhood**



Staff Recommendation

- Staff recommended denial as the request is self-created and an accessory structure could be installed in a code-compliant manner.



BZA Findings

- The BZA discussed the chosen placement of the shed, and the opportunity to revise the design to meet the required setbacks, as the property is a vacant lot. The BZA agreed with staff's analysis and recommended denial of the Variance requests by a 6-0 vote.



Proposed Conditions of Approval

- 1. Development shall be in accordance with the site plan and elevations dated October 15, 2025, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).**
- 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.**



Proposed Conditions of Approval

- 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 the Certificate of Completion for the accessory structure permit, the applicant shall provide a Florida #1 3-inch caliper canopy tree as described in Orange County Code Section 24-12 between the northern facade of the proposed accessory structure and 22nd Ave. A watering schedule or an irrigation system in compliance with Sec. 24-7 – irrigation, shall be provided.**
- 5. Prior to the issuance of a permit for the accessory structure, a permit shall be obtained for the fence, or the fence shall be removed.**



Requested Action

- Deny the applicant's request; or
- Approve the applicant's request with conditions

Variance in the A-2 zoning district to allow an accessory structure to be located nearer the side street lot line than the required front yard of such abutting lot (15 ft. in lieu of 35 ft.).