



**Orange County  
Board of Zoning Adjustment  
RECOMMENDATIONS  
BOOKLET**

**October 6, 2016**

Prepared by:  
Community, Environmental & Development Services Department,  
Orange County Zoning Division



**ORANGE COUNTY GOVERNMENT**  
**BOARD of ZONING ADJUSTMENT**  
**(BZA)**

Carolyn Karraker <i>Vice Chairman</i>	District #1
Gregory A. Jackson	District #2
Tony Rey	District #3
Deborah Moskowitz	District #4
Zachary Seybold <i>Chairman</i>	District #5
Eugene Roberson	District #6
Charles Norman	At Large



## ***ORANGE COUNTY ZONING DISTRICTS***

### ***Agricultural Districts***

A-1.....	Citrus Rural
A-2.....	Farmland Rural
A-R.....	Agricultural-Residential District

### ***Residential Districts***

R-CE.....	Country Estate District
R-CE-2.....	Rural Residential District
R-CE-5.....	Rural Country Estate Residential District
R-1, R-IA & R-IAA.....	Single-Family Dwelling District
R-1AAA & R-1AAAA.....	Residential Urban Districts
R-2.....	Residential District
R-3.....	Multiple-Family Dwelling District
X-C.....	Cluster Districts (where <i>X</i> is the base zoning district)
R-T.....	Mobile Home Park District
R-T-I.....	Mobile Home Subdivision District
R-T-2.....	Combination Mobile Home and Single-Family Dwelling District
R-L-D.....	Residential -Low-Density District
N-R.....	Neighborhood Residential

### ***Non- Residential Districts***

P-O.....	Professional Office District
C-1.....	Retail Commercial District
C-2.....	General Commercial District
C-3.....	Wholesale Commercial District
I-IA.....	Restricted Industrial District
1-1/1-5.....	Restricted Industrial District
1-2/1-3.....	Industrial Park District
1-4.....	Industrial District

### ***Other District***

P-D.....	Planned Development District
U-V.....	Urban Village District
N-C.....	Neighborhood Center
N-A-C.....	Neighborhood Activity Center





## **VARIANCE CRITERIA**

Section 30-43 of the Orange County Code Stipulates specific standards for the approval of variances. No application for a 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 land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. Zoning violations or nonconformities on neighboring properties shall not constitute grounds for approval of any proposed zoning variance.
2. Not Self-Created – The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a zoning variance; i.e., when the applicant himself by his own conduct creates the hardship which he alleges to exist, he is not entitled to relief.
3. No Special Privilege Conferred – Approval of the zoning variance requested will not confer on the applicant any special privilege that is denied by the Chapter to other lands, buildings, or structures in the same zoning district.
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 under the terms of this Chapter and would work unnecessary and undue hardship on the applicant. Financial loss or business competition or purchase of the property with intent to develop in violation of the restrictions of this Chapter shall not constitute grounds for approval.
5. Minimum Possible Variance – The zoning variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. Purpose and Intent – Approval of the zoning variance will be in harmony with the purpose and intent of this Chapter and such zoning variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

## **SPECIAL EXCEPTION CRITERIA:**

Subject to Section 38-78, in reviewing any request for a Special Exception, the following criteria shall be met:

1. The use shall be consistent with the Comprehensive Policy Plan.
2. The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development.
3. The use shall not act as a detrimental intrusion into a surrounding area.
4. The use shall meet the performance standards of the district in which the use is permitted.
5. The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district.
6. Landscape buffer yards shall be in accordance with Section 24-5, Orange County Code. Buffer yard types shall track the district in which the use is permitted.

**In addition to demonstrating compliance with the above criteria, any applicable conditions set forth in Section 38-79 shall be met.**



**ORANGE COUNTY BOARD OF ZONING ADJUSTMENT  
RECOMMENDATIONS  
October 6, 2016**

<u>PUBLIC HEARING</u>	<u>APPLICANT</u>	<u>DISTRICT</u>	<u>BZA Recommendations</u>	<u>PAGE #</u>
VA-16-10-121	Evangelina Maldonado	3	Approved w/Conditions	1
VA-16-10-122	Kathryn Morris	2	Approved w/Conditions	11
SE-16-10-123	University Presbyterian Church, Inc.	5	Approved w/Conditions	18
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VA-16-10-128	Khaldoun Mamlouk	5	Requests #1&2 Approved w/Conditions Request #3 Unnecessary	55
SE-16-10-129	Carmen J. Velasquez	5	Approved w/Conditions	64
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VA-16-10-135	Victor Palulis	5	Approved w/Conditions	114
VA-16-10-136	Paul Williamson	2	Approved w/Conditions	121
VA-16-10-137	Toby Best for Homes in Partnership, Inc.	2	Approved w/Conditions	128
VA-16-10-138	Evan Landis	3	Approved w/Conditions	135
VA-16-09-117	Kevin Costin	1	Continued	144
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**EVANGELINA MALDONADO**  
**VA-16-10-121**

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**REQUEST:** **Variances** in the R-T-1 zoning district as follows:  
1) To permit a total of 564 sq. ft. of accessory structure floor area in lieu of 500 sq. ft.;  
2) To permit an existing accessory structure to remain three (3) ft. from the side (east) property line in lieu of five (5) ft.;  
3) To permit a separation distance between two accessory structures to remain at four (4) ft. in lieu of 10 ft.; and,  
4) To permit an existing addition to the rear of the mobile home to remain 22 ft. from the rear property line in lieu of 25 ft.  
(Note: The additions were made to the garage without building permits. The property owner was cited by code enforcement for having multiple complete dwelling units on the property, including the back half of the garage, and the front end of the mobile home being divided from the back half. This property is zoned to have 1 single family dwelling unit on it.)

**ADDRESS:** 6901 Castillo Court, Orlando FL 32822  
**LOCATION:** North side of Castillo Ct., approximately 350 ft. east of Gibraltar Rd.  
**S-T-R:** 15-23-30  
**TRACT SIZE:** 65 ft. x 115 ft.  
**DISTRICT#:** 3  
**LEGAL:** LYNNWOOD ESTATES 1ST ADDITION 5/60 LOT 20 BLK F  
**PARCEL ID:** 15-23-30-5306-06-200  
**NO. OF NOTICES:** 169

**DECISION:** **APPROVED** 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 (4 in favor, 1 opposed, and 2 absent):

1. Development in accordance with site plan dated July 19, 2016, 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

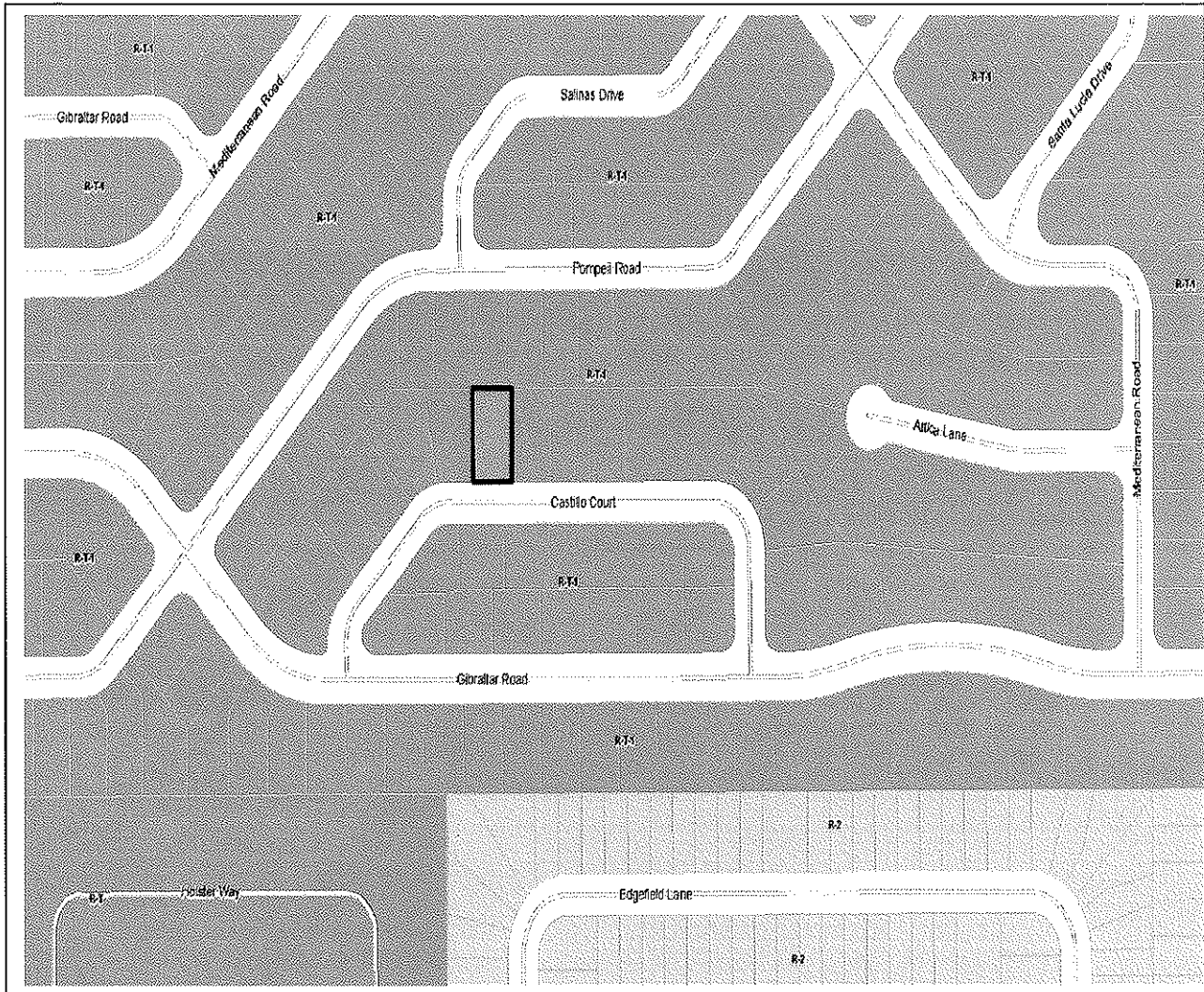
Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. The applicant shall obtain a permit for the restoration of the mobile home and removal of the plumbing within ninety (90) days of final action by the Board of County Commissioners or this approval becomes null and void;
5. The addition to the garage shall not be used for human occupancy. The entire property shall not have more than one (1) dwelling unit on it;
6. Prior to the issuance of a final inspection by the Building Safety Division the site will be inspected to ensure that: a) the mobile home has been restored to single dwelling unit with only one kitchen: b) there is only one dwelling unit on the subject property; c) the garage addition is not a separate dwelling unit; and, d) the garage has no 220 volt service;
7. Prior to issuance of building permits, the applicant shall obtain written consent from the County's Development Engineering Division that the garage may remain in the existing utility easement. Applicant is advised that this may require a formal easement vacation;
8. Prior to final inspection, the garage shall be permanently disconnected from the potable water supply, all connections to the sanitary wastewater system shall be permanently sealed, and all plumbing fixtures shall be completely removed;
9. The enclosed porch shall not be used as a bedroom;
10. Failure to comply with the above conditions shall result in Code Enforcement action, not action by the BZA; and,
11. If the sixty-four (64) sq. ft. shed is ever removed or destroyed, it shall not be replaced without approval of the BZA.

**SYNOPSIS:** Staff noted that this request was the result of code enforcement action. At one time, the mobile home had been modified to create two (2) or three (3) apartments, and the back end of the garage housed another, resulting in as many as four (4) individual living units. Staff could not support this request unless the end result was the restoration of the property to only one (1) dwelling unit, per Code. The applicant indicated that they only wished to bring everything into compliance. Staff noted that no correspondence in favor or opposition to the request had been received.

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

The BZA discussed the request, and noted that the granting of the variances with the conditions recommended by staff would result in the restoration of the site to one unit. An 11th condition was added to require that should the small shed ever be removed or destroyed, it could not be replaced without authorization of BZA. A motion was made and seconded to recommend approval with the conditions as modified. The motion passed unanimously.



**Applicant:** Evangelina Maldonado

**BZA Number:** VA-16-10-121

**BZA Date:** 10/06/2016

**District:** 3

**Sec/Twn/Rge:** 15-23-30-NE-A

**Tract Size:** 65 ft. x 115 ft.

**Address:** 6901 Castillo Court, Orlando FL 32822

**Location:** North side of Castillo Ct., approximately 350 ft. east of Gibraltar Rd.



EVANGELINA MALDONADO  
1258 E. Fowler Dr.  
Deltona, Fl. 32725

July 20 ,2016

Orange County Permit Office  
Orlando, Fl.

Ref # VA-16-10-121  
6901 Castillo Ct  
Orlandi, Fl. 32822

To whom it may concern;

I purchased the above address property on June 2002 with the additions made. I did extension of the garage as a storage. The above extension was made on 2004 and no one ever said anything or bothered.

This extension is by no means, shape or form a hazard nor risk to no one, it was made for family and children use. I respectfully request the County and its officers to please accept those improvements and not to demolish the followings:

- 1- Between the fence and the garage, there are supposed to be 5' And there are 3'. There is a letter from the vacant lot owner, accepting my improvement.
- 2- Between the storage and the shed, there are supposed to be 10' and there are 4 and it does not bother me at all. Is in my property.
- 3- The hallway width is supposed to be 10' and there are 5'. I purchased the property with it.
- 4- Between the back fence and the house there supposed to be 25' and there is 22".

Cordially

Evangelina Maldonado

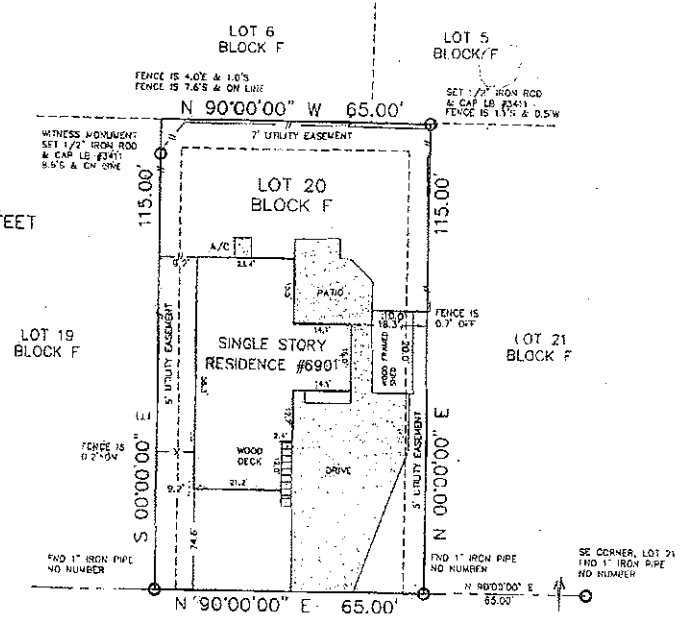
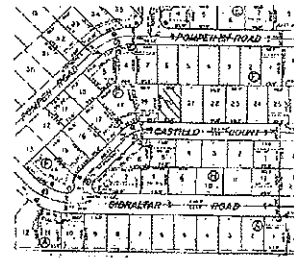
**RECEIVED**  
JUL 19 2016  
Zoning Division

Legal Description

Lot 20, Block F, LYNNWOOD ESTATES 1ST ADDITION MOBILE HOME SUBDIVISION, according to the plat thereof, as recorded in Plat Book 5, Page(s) 60-61, of the Public Records of Orange County, FL.

Community number: 120179 Panel: 0435  
 Suffix: E F.A.R.M. Date: 12/6/00 Flood Zone: X  
 Date of field work: 6/12/02 Completion Date: 6/12/02

Certified to:  
 Evangelina Maldonado; The Closing Table, Inc.; American Pioneer Title Insurance Company; Chase Manhattan Mortgage Corporation, its successors and/or assigns.



CASTILLO COURT  
 50' PLATTED RIGHT-OF-WAY

Property Address:  
 6901 Castillo Court  
 Orlando, FL 32822

Survey number: SL 8716

LESDND	WOOD FENCE	ZZZZ	BLOCK WALL
-X-X-	WIRE FENCE	△	CENTRAL ANGLE/DELTA
RN	ROUND NAIL	DB	CRUISED BOOK
R	PROPERTY CORNER	D	DESCRIPTION OR CREED
M	RECORD	OH	ORILL HOLE
C	FIELD MEASURED	D/W	DRIVEWAY
CL	COLLATERATED	ESMT	EASEMENT
CL	OR SET	EL	ELEVATION
R/C/R	ENDROAD-MENT	FF	FIND-INT FLOOR
C	CENTERLINE	FCM	FOUND CONCRETE FOUNDAMENT
CCD	CONCRETE	FM	FOUND MARKER-KALON NAIL
FL	PROPERTY LINE	L	LENGTH
CM	CONCRETE FOUNDAMENT	L.A.C.	LIMITED ACCESS EASEMENT
FIR	ROUND FRONT FENCE	MAN-H	MAN-HOLE
R/V	RIGHT-OF-WAY	NYS	NOT TO SCALE
NSD	NAIL & DIX	O/P	OFFICIAL RECORD
O.E.	ORAINAGE EASEMENT	OPB	OFFICIAL RECORD BOOK
U.E.	UTILITY EASEMENT	PCP	PERMANENT CONTROL POINT
RD	ROUND	PRM	PERMANENT MARKER FOUNDAMENT
P	PLAT	PS	PAGE
AS/MT	ASPHALT	PLMNT	PAVEMENT
U/HL	OVERHEAD UTILITIES	PLT BCK	PLAT BOOK
R/N	HIVISORABLE	POB	POINT OF BEGINNING
TK	TRANSFORMER	POC	POINT OF COMMENCEMENT
CATV	CABLE PISER	POL	POINT ON LINE
W/M	WATER METER	PO	POINT OF ORIGIN
TEL	TELEPHONE FACILITIES	POC	POINT OF COMMENCEMENT
CS	COVERED AREA	POE	POINT OF EASEMENT
B.P.	BEARING REFERENCE	R/OE	RIGHT OF EASEMENT
CH	CHORD	S/P	SETBACK ROAD & GAP
RAD	RADIAL	S/W	SIDEWALK
N/R	NON-RADIAL	T/S M	TEMPORARY DITCH MARK
A/C	AIR CONDITIONER	TOP	TOP OF BANK
B/M	BENCH MARK	Y/P	TYPICAL
C/D	CATCH-BASIN	W/C	WITNESS (TOP) P
C	CALLIATED	TO SO	TO SO EXISTING ELEVATION
		ED W	EDGE OF WATER

- GENERAL NOTES
- LEGAL DESCRIPTION PROVIDED BY OTHERS
  - RELATIONS SHOWN WHEREON WERE NOT ACCURATE FOR EASEMENTS OR OTHER RECORDS OR SPACES NOT SHOWN ON THE PLAT
  - UNDERGROUND PORTIONS OF PROVISIONS FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED
  - WALL TIES ARE TO THE FACE OF THE WALL
  - ONLY WERE ENDROAD-MENTS LOCATED
  - ACCIDENTATION FOUND ON PROPERTY CORNERS UNLESS NOTED
  - DIMENSIONS SHOWN ARE IN AT AND DIMENSIONS UNLESS OTHERWISE NOTED
  - ELEVATIONS # SHOWN ARE BASED ON N.T.V.D. IDES UNLESS OTHERWISE NOTED
  - ADJACENT LOTS ARE WITH THE SAME BLOCK UNLESS OTHERWISE NOTED
  - THIS IS A 50' PLATTED SURVEY UNLESS OTHERWISE NOTED
  - NOT VALID UNLESS SEALED WITH THE SIGNATURE SURVEYORS ENCLOSED SEAL
  - ALLOCATION DETERMINATIONS ARE PROVIDED AS A COURTESY ONLY AND ARE OBSOLETE WITH THE BEST SOURCE AVAILABLE TO THE SURVEYOR. THIS INFORMATION SHOULD NOT BE RELIED ON FOR RECORDS PURPOSES AND MAY DIFFER FROM INFORMATION PROVIDED BY OTHERS

I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION

DALE OVERLOFF REGISTERED LAND SURVEYOR NO. 2411

**SWEIDLORFF & LONG SURVEYING, INC.**  
 365 Waymont Ct., Ste. 189, Lake Mary, FL 32746  
 Voice (407) 688-7631 Fax (407) 688-7691

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 JUL 19 2016  
 Zoning Division

LEGAL DESCRIPTION: LOT 20, BLOCK F, LYNNWOOD ESTATES 1ST ADD. MOBILE HOME SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 60-61, OF THE PUBLIC RECORDS OF GRANDE COUNTY, FLORIDA.

6901 CASTILLO COURT  
ORLANDO, FL.

**LONG SURVEYING, INC.**

**Long Surveying, Inc.**

"Specializing in Residential Surveying"  
L.B. No. 7371  
1061 S. Sun Dr. Ste. #1113  
Lake Mary, FL 32746  
Office: 407-330-9717 or 407-330-9716  
Fax: 407-330-9775  
www.longsurveying.com

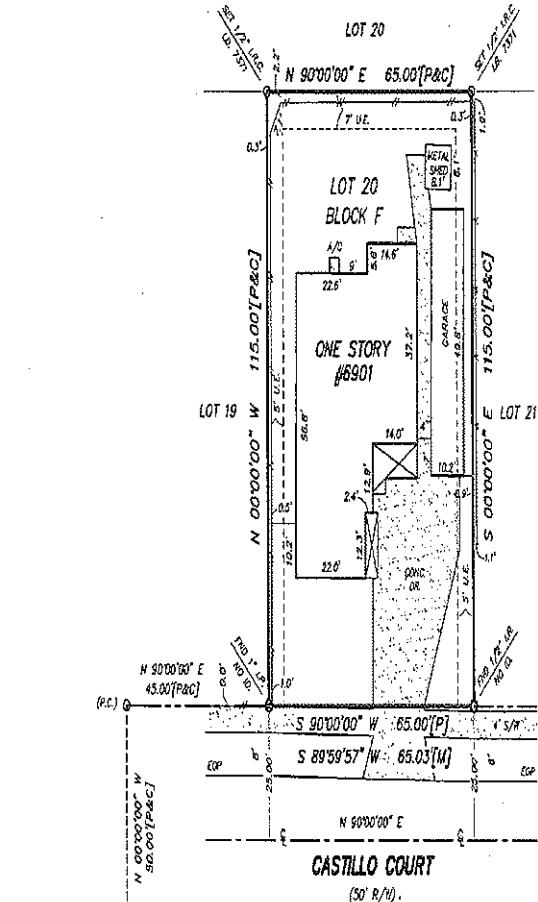
DRAWN BY: KZR  
CHECKED BY: BRETT

DESIGNED BY: EVANGELINA MALQUADO

COUNTY NO: 120179  
PANEL: 0435 F  
FLOOD ZONE: X/AE(94)  
SHEET: F  
FIELD DATE: 09/25/09

SURVEY NO: 73807  
FIELD DATE: 07/13/16

**Boundary Survey**



CURVE TABLE [P&C]			
CURVE	RADIUS	LENGTH	DELTA
C-1	35.00'	27.19'	45°00'00"



- A/C - AIR CONDITIONER
  - AE - ALLEY EASEMENT
  - BC - BLOCK CORNER
  - BX - BLOCK
  - CB - CONCRETE BLOCK
  - CB.S - CONCRETE BLOCK STRUCTURE
  - CM - CONCRETE MORTAR
  - CM.C - CONCRETE
  - D - DEED
  - D.E - DRAINAGE EASEMENT
  - EOP - EDGE OF PAVEMENT
  - F.C.C - FOUND CRESS CUT
  - F.F.C - FINISHED FLOOR ELEVATION
  - FR - FURNACE
  - ID - IDENTIFICATION
  - IP - IRON PIPE
  - IR - IRON ROD
  - IR.C - IRON ROD & CAP
  - L - ARC LENGTH
  - LB - LAND SURVEYING BUSINESS
  - LS - LAND SURVEYOR
  - LE - LANDSCAPE EASEMENT
  - U - UNMEASURED
  - WE - MAINTENANCE EASEMENT
  - M&D - MAIL AND DECK
  - P - PLAT
  - P.C - PEDESTRIAN EASEMENT
  - P.C - POINT OF CURVATURE
  - P.C.C - POINT OF COMPOUND CURVATURE
  - P.C.P - PERMANENT CONTROL POINT
  - P.L - PROPERTY LINE
  - P.R.A - POINT OF BEGINNING
  - P.R.C - POINT OF CURVATURE
  - P.L - POINT ON LINE
  - P.R.C - POINT OF REVERSE CURVE
  - P.R.M - PERMANENT REFERENCE MARK
  - P.R.M.E - PRIVATE DRAINAGE AND ALLEY EASEMENT
  - P.T - POINT OF TANGENT
  - R - RADIOS
  - R/W - RIGHT OF WAY
  - S/W - SIDEWALK
  - U.E - UTILITY EASEMENT
  - M.F.S - WOOD FRAME STRUCTURE
- RIGHT-OF-WAY LINE
  - CENTERLINE
  - BARE WIRE FENCE
  - WOOD FENCE
  - CHAIN LINK FENCE
  - PLASTIC FENCE

BEARINGS SHOWN HEREON ARE BASED UPON THE CENTERLINE OF CASTILLO COURT BEING N 90°00'00" E PER PLAT

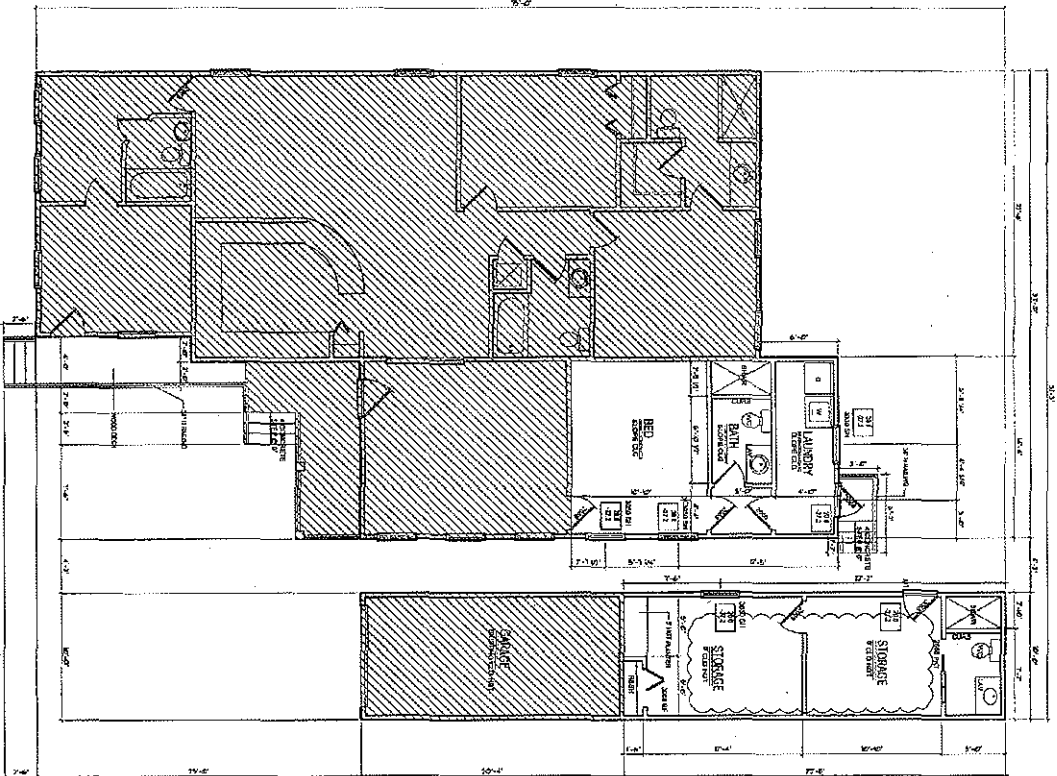
- NOTES:
- This survey is based on the legal description as provided by the Client.
  - This Surveyor has not abstracted the land shown herein for assessments, rights of way or restrictions of record which may affect the use or use of the land.
  - Do not reconstruct property lines from building lines.
  - No tooling or overlays have been located except as shown.
  - No improvements or utilities have been located except as shown.
  - All work without a signature and the embossed electronic seal or the original rubber seal of a Florida Licensed Surveyor and Mapper.

Declaration: I certify that this survey was made under my direction and that it meets the minimum technical standards set forth by the Board of Professional Land Surveyors and Mappers in Chapter 47E, Florida Administrative Code, pursuant to Chapter 47E, Florida Statutes.

No. 5910  
*Leon L. Hampton*  
LEON L. HAMPTON  
P.S.M. NO. 5910

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Zoning Division

1ST FLOOR  
SCALE: 1/8" = 1'-0"



INDICATES AREA TO BE REMOVED

RECEIVED  
JUL 19 2016  
Zoning Division

**NOTES:**

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF ORLANDO ZONING ORDINANCES AND THE FLORIDA BUILDING CODE.
2. ALL WALLS ARE CONSIDERED EQUAL WALLS EXCEPT FOR THOSE WALLS OF CONCRETE OR MASONRY.
3. ALL ROOFING SHALL BE DONE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE.
4. ALL MECHANICAL, ELECTRICAL, AND PLUMBING WORK SHALL BE DONE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF ORLANDO ZONING ORDINANCES AND THE FLORIDA BUILDING CODE.
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STATE OF FLORIDA  
ALLEN LICENSURE  
NO. 74300  
A1  
FLORIDA ENGINEERING  
ALBERTO BANDA  
PE # 74300 FL

**1ST FLOOR PLAN**  
6901 CASTILLO CT, ORLANDO FL.

**BIG Design**  
PHONE: 321.663.7022  
EMAIL: BIGDESIGN@GMAIL.COM  
WWW.BIGDESIGNGROUP.COM



STAFF REPORT  
CASE #VA-16-10-121  
Orange County Zoning Division  
Planner: David Nearing, AICP  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Evangelina Maldonado

REQUEST: Variances in the R-T-1 zoning district as follows:

- 1) To permit a total of 564 sq. ft. of accessory structure floor area in lieu of 500 sq. ft.;
- 2) To permit an existing accessory structure to remain three (3) ft. from the side (east) property line in lieu of five (5) ft.;
- 3) To permit a separation distance between two accessory structures to remain at four (4) ft. in lieu of 10 ft.; and,
- 4) To permit an existing addition to the rear of the mobile home to remain 22 ft. from the rear property line in lieu of 25 ft.

(Note: The additions were made to the garage without building permits. The property owner was cited by code enforcement for having multiple complete dwelling units on the property, including the back half of the garage, and the front end of the mobile home being divided from the back half. This property is zoned to have 1 single family dwelling unit on it.)

LOCATION: North side of Castillo Ct., approximately 350 ft. east of Gibraltar Rd.

PROPERTY ADDRESS: 6901 Castillo Ct.

PARCEL ID: 15-23-30-5306-06-200

TRACT SIZE: 65 ft. x 115 ft.

DISTRICT #: 3

ZONING: R-T-1

STAFF FINDINGS AND ANALYSIS:

1. Any approval of this request should be based on one 500 sq. ft. accessory structure, a separate sixty-four (64) sq. ft. shed, and not on a separate dwelling unit. No accessory structure should be used for living area.

2. According to the Orange County Property Appraiser's data, the property has not been Homesteaded since 2014. The current mailing address of the property owner is Deltona. Code enforcement revealed that the mobile home had been divided into at least two (2) separate dwelling units, and another had been established in the area behind the garage which is shown on the floor plan provided by the applicant as storage.
3. Staff finds no purpose for a storage area to have a full bath, or even plumbing in general.
4. If the BZA grants approval of this request, staff is recommending ninety (90) days be given for the owner to have the mobile home restored to one (1) dwelling unit. In order to ensure that the storage area behind the garage is never again converted to a dwelling unit, staff is also recommending that all plumbing be permanently sealed by disconnecting the garage from the potable water system, and backfilling the sanitary connections.

#### STAFF RECOMMENDATION:

Staff cannot support the request as long as the site contains more than one (1) dwelling unit. Alternately, the BZA can approve this request and impose appropriate conditions that ensure there is only one (1) dwelling unit on the property. If the BZA approves this request, the following conditions should be imposed:

1. Development in accordance with site plan dated July 19, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. The applicant shall obtain a permit for the restoration of the mobile home and removal of the plumbing within ninety (90) days of final action by the Board of County Commissioners or this approval becomes null and void;
5. The addition to the garage shall not be used for human occupancy. The entire property shall not have more than one (1) dwelling unit on it;

6. Prior to the issuance of a final inspection by the Building Safety Division the site will be inspected to ensure that: a) the mobile home has been restored to single dwelling unit with only one (1) kitchen; b) there is only one (1) dwelling unit on the subject property; c) the garage addition is not a separate dwelling unit; d) the garage has no 220 volt service; and, e) the window air conditioning unit has been removed and the opening has been restored to its original condition;
7. Prior to issuance of building permits, the applicant shall obtain written consent from the Orange County's Development Engineering Division that the garage may remain in the existing utility easement. Applicant is advised that this may require a formal easement vacation;
8. Prior to final inspection, the garage shall be permanently disconnected from the potable water supply, all connections to the sanitary wastewater system shall be permanently sealed, and all plumbing fixtures shall be completely removed;
9. The enclosed porch shall not be used as a bedroom; and,
10. Failure to comply with the above conditions shall result in Code Enforcement action, not action by the BZA.

cc: Evangelina Maldonado  
1258 E. Fowler Drive  
Deltona, Florida 32725

**KATHRYN MORRIS**  
**VA-16-10-122**

---

**REQUEST:** Variance in the A-2 zoning district to permit a total of 2,400 sq. ft. of accessory structure floor area in lieu of 2,000 sq. ft.  
(Note: The applicant currently has a 1,500 sq. ft. garage. They desire to construct an additional 900 sq. ft. (30 ft. x 30 ft.) garage for additional storage.)

**ADDRESS:** 909 Ustler Road, Apopka FL 32712

**LOCATION:** East side of Ustler Rd., approximately 750 ft. north of E. Sandpiper Street.

**S-T-R:** 03-21-28

**TRACT SIZE:** 3.67 acres

**DISTRICT#:** 2

**LEGAL:** S 253 FT OF N 506 FT OF W1/2 OF NW 1/4 OF NE1/4 (LESS W 30 FT FOR R/W) OF SEC 03-21-28

**PARCEL ID:** 03-21-28-0000-00-052

**NO. OF NOTICES:** 42

**DECISION: APPROVED** 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 (unanimous; 5-0 and 2 absent):

1. Development in accordance with site plan dated July 26, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. 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;
5. The garage shall be for the storage of normal household items, and shall not be used for any commercial endeavor; and,



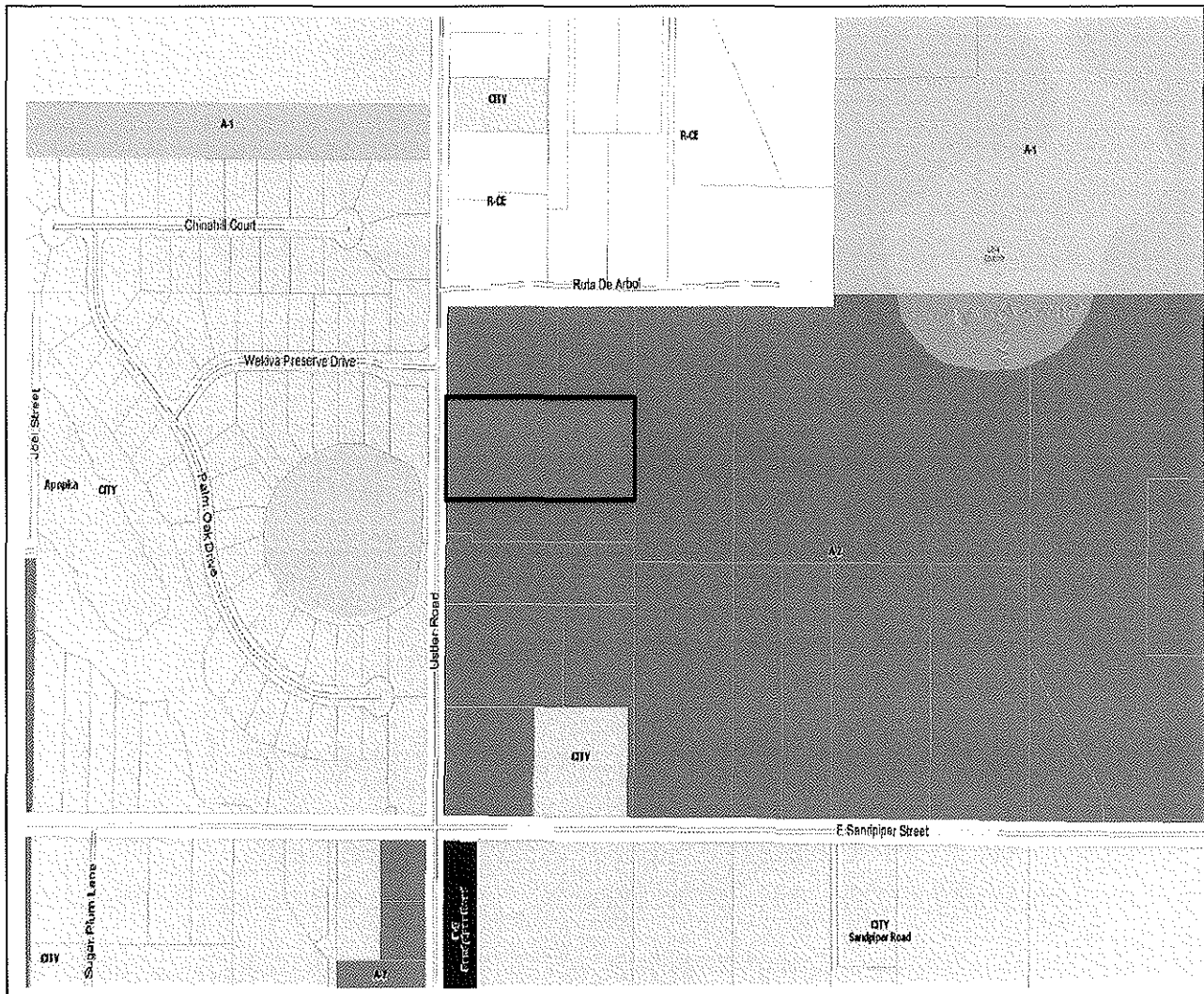
6. The garage shall be constructed to compliment the principal residence on-site as to color and appearance.

**SYNOPSIS:** Staff noted that the applicant had obtained approval for attached ADU in 2015. As a result, there are now two (2) families living in the residence, resulting in the need for more storage. The applicant currently has 1,500 sq. ft., and the new 900 sq. ft. shed would equal 2,400 sq. ft. The lot is heavily wooded, and the addition will be over 400 ft. from the front property line. It will have the appearance of being an attached garage. Staff noted that no correspondence for or against this request had been received. Finally, staff amended their condition #4, to read that the new garage should compliment rather than match, the existing structure which is constructed of concrete block. The new structure will be frame and metal.

The applicant noted that the intent is to provide their parents with a place to keep their personal vehicles, and to get to and from the ADU without exposure to the elements. The applicant added that they were working with the neighbor to add additional landscaping to keep them buffered visually.

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

The BZA found that the request was logical and compatible with the neighborhood. The applicant was requesting the least variance they needed, and they were working with the neighbor to minimize the visual impacts. A motion was made and seconded to recommend approval of the request with the staff conditions as amended. The motion passed unanimously.



**Applicant:** Kathryn Morris

**BZA Number:** VA-16-10-122

**BZA Date:** 10/06/2016

**District:** 2

**Sec/Twn/Rge:** 03-21-28-NE-A

**Tract Size:** 3.67 acres

**Address:** 909 Ustler Road, Apopka FL 32712

**Location:** East side of Ustler Rd., approximately 750 ft. north of E. Sandpiper Street.

## Special Exception Request

Morris Family Trust  
909 Ustler Rd  
Apopka, FL 32712

Our property is zoned A2 and is 3.68 acres in size. Zoning allows 2000 square feet of accessory square footage. We currently have a 1500 square foot detached garage to the south of the residence, our only accessory building. The proposal is:

- add a 900 square foot detached garage to the north of the residence

This would bring our accessory square footage to 2400 square feet, 20% more than is zoned. We plan to erect a metal building which complements the house, it will be used for parking as well as some storage.

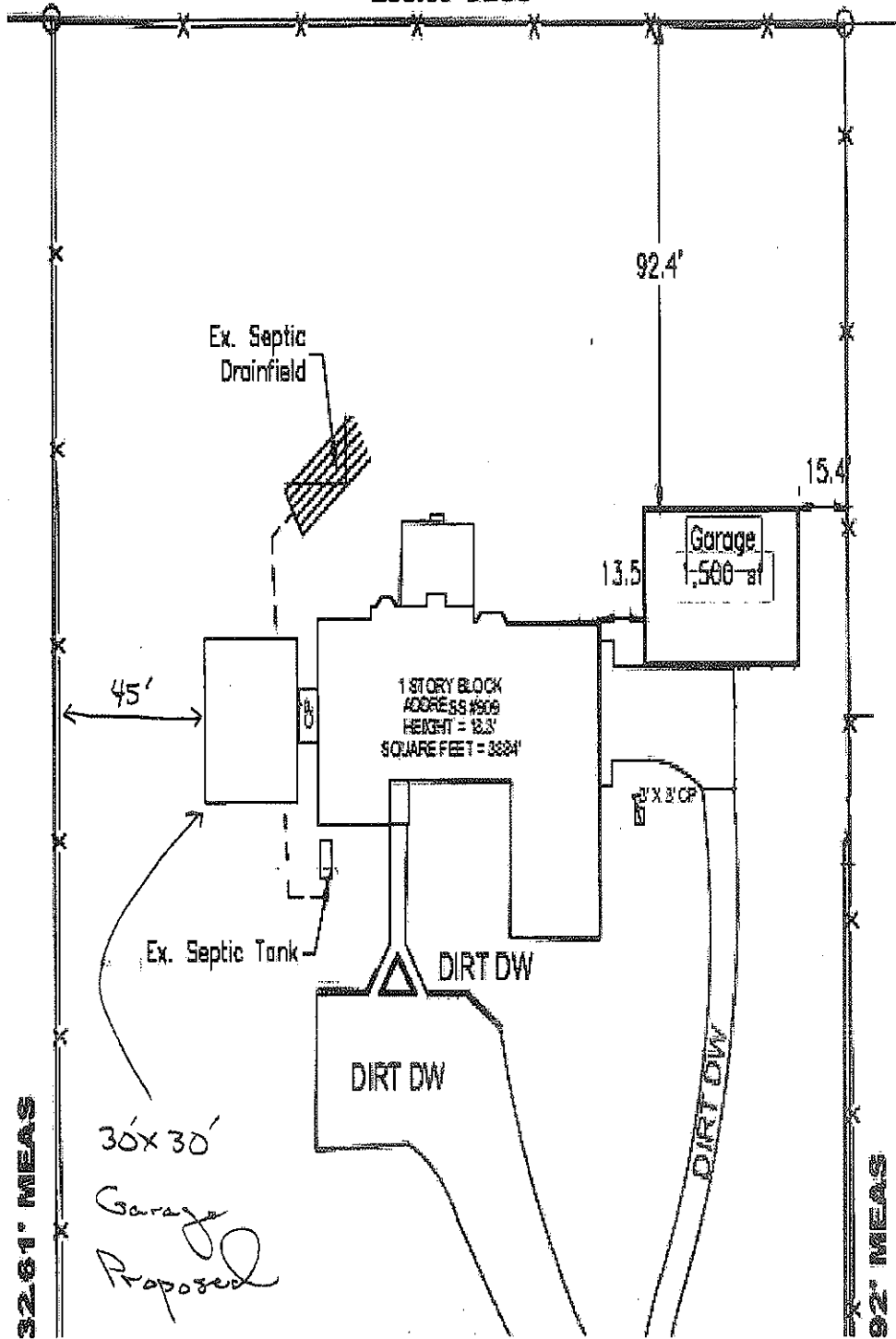
Thank you for your consideration of this request.

Carl Morris  
909 Ustler Rd  
Apopka, FL 32712  
(407)963-5666

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JUL 29 2016  
Zoning Division

16-0182 E

S00°17'51"W 252.65' MEAS  
253.00' DESC



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JUL 29 2016  
Zoning Division



STAFF REPORT  
CASE #VA-16-10-122  
Orange County Zoning Division  
Planner: David Nearing, AICP  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Kathryn Morris

REQUEST: Variance in the A-2 zoning district to permit a total of 2,400 sq. ft. of accessory structure floor area in lieu of 2,000 sq. ft.

(Note: The applicant currently has a 1,500 sq. ft. garage. They desire to construct an additional 900 sq. ft. (30 ft. x 30 ft.) garage for additional storage.)

LOCATION: East side of Ustler Rd., approximately 750 ft. north of E. Sandpiper Street.

PROPERTY ADDRESS: 909 Ustler Rd.

PARCEL ID: 03-21-28-0000-00-052

TRACT SIZE: 3.67 acres

DISTRICT #: 2

ZONING: A-2

STAFF FINDINGS AND ANALYSIS:

1. The subject property consist of 3.67 acres of heavily wooded property. The dense tree stand will provide a visual buffer to the lot.
2. The lot is 630 feet deep, and the existing residence is located over 400 feet from the front lot line. The garage will be adjacent to the residence, connected by a covered porch, giving the perception that it is actually an attached garage.
3. If approved, a condition should be imposed stating the garage will be constructed with the same finish and color as the residence.
4. The requested variance represents a twenty percent (20%) deviation from the standard, which is well within the range of prior variances granted by the BZA. The applicant has minimized the variance.

5. In 2015, the applicant obtained a Special Exception for an attached ADU. In essence, with two (2) families living under one roof, storage is generally a premium.

STAFF RECOMMENDATION:

Staff finds that the request represents the least amount of variance needed to accommodate the applicant's needs. Given the size of the subject property, the additional square footage will not be out of character or scale with the subject property.

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated July 26, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. 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;
5. The garage shall be for the storage of normal household items, and shall not be used for any commercial endeavor; and,
6. The garage shall be constructed to match the principal residence on-site.

cc: Kathryn Morris  
909 Ustler Road  
Apopka, FL 32712

**UNIVERSITY PRESBYTERIAN CHURCH, INC.**  
**SE-16-10-123**

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**REQUEST:** **Special Exceptions** in the R-CE and R-1 zoning districts as follows:  
1) To relinquish approval of 5 of the 6 modular units previously approved by the BZA on June 13, 2011; and,  
2) To allow existing modular unit to be permanent.  
(Note: On June 13, 2011, the BZA allowed 6 modular units. The approval was for 5 yrs. Only 1 modular unit has been placed on the property since then. If approved, this site will have only 1 permanent modular unit on it. The applicant proposes to relinquish the approval for the other 5 modular units).

**ADDRESS:** 2562 Rouse Road, Orlando FL 32817

**LOCATION:** West side of Rouse Rd., just south of Lakonotosa Rd.

**S-T-R:** 16-22-31

**TRACT SIZE:** 14.6 acres

**DISTRICT#:** 5

**LEGAL:** THE N1/4 OF NW1/4 OF NW1/4 SEC 16-22-31 & A PORTION OF NW1/4 DESC AS BEG SE COR OF LOT 3 WALKER-ROUSE SUB U/120 RUN N ALONG WLY R/W LINE OF ROUSE RD & E LINES OF LOTS 1 2 & 3, 205 FT TH CONT N 335.72 FT W 323.95 FT S 169.98 FT W 120 FT S 372 FT E 441.14 F

**PARCEL ID:** 16-22-31-0000-00-001; 16-22-31-0000-00-002 & 16-22-31-8972-00-010

**NO. OF NOTICES:** 53

**DECISION:** **APPROVED** the Special Exception requests 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, said approval is subject to the following conditions (unanimous; 5-0 and 2 absent):

1. Development in accordance with site plan dated August 8, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. The use of the modular classroom shall initially be limited to no more than five (5) years from Orange County approval. The Zoning Manager may grant extensions provided a professionally prepared structural analysis report of the modular classroom shows that it remains safe for occupancy. Structural issues shall be corrected in a reasonable time-frame as determined by the Zoning Manager, such period of cure to be a minimum of thirty (30) days; and,
5. The site shall have no more than one (1) modular unit at any given time. Approval granted by the BZA on June 13, 2011 is null and void.

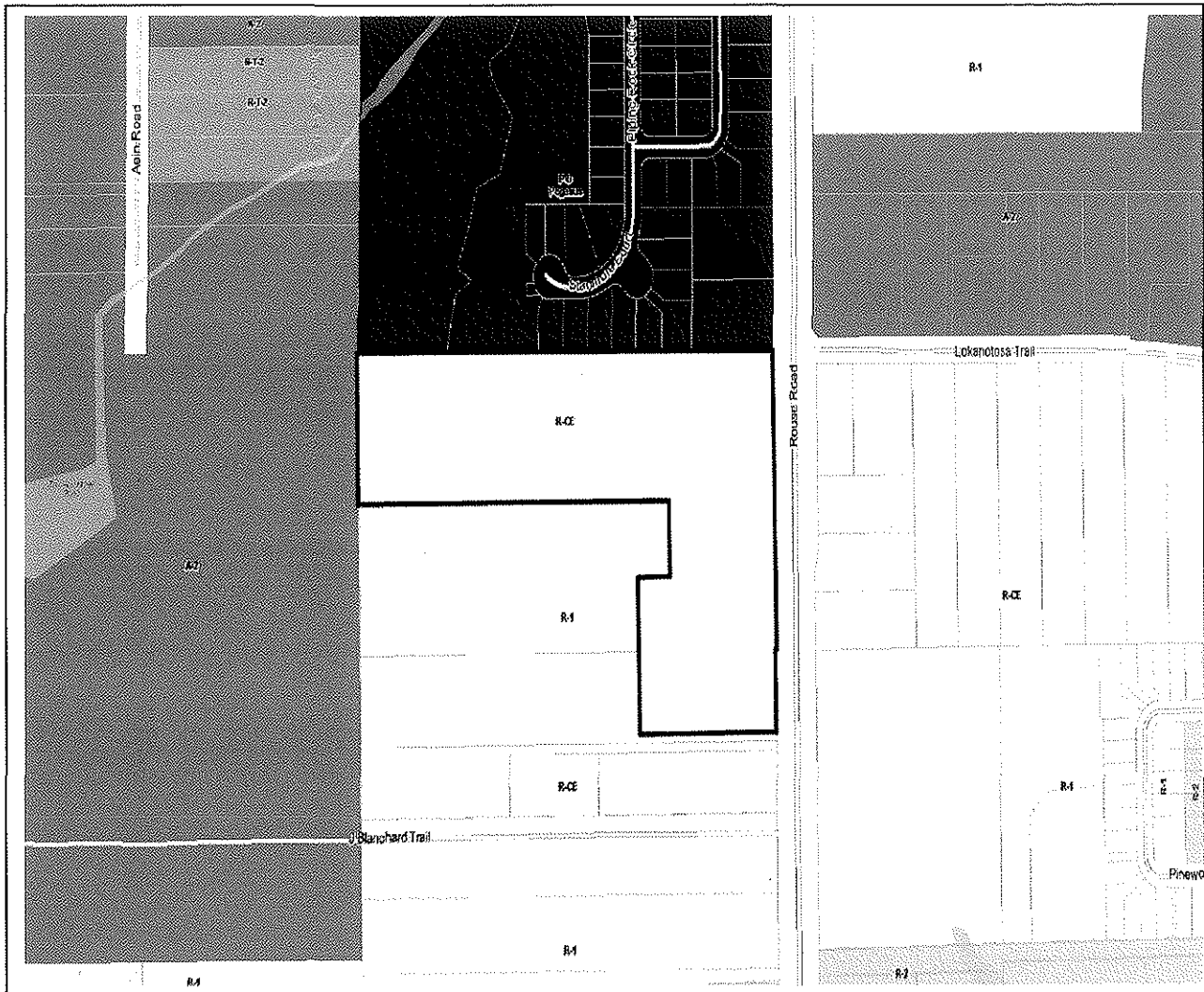
**SYNOPSIS:** The applicant is requesting the existing modular unit to remain on the site on a permanent basis. In addition, the applicant is agreeing to relinquish its past approval for five (5) additional modular units. Staff presented the background and findings for this case. Staff advised the BZA that the applicant submitted a structural report of the existing modular unit and it concludes the modular unit meets all codes.

The applicant was present and agreed with the staff recommendation of approval.

Staff advised the BZA that condition of approval #4, has been amended by the County's Legal Department. The BZA agreed with the staff recommendations and approved the request.

There was no opposition.





**Applicant:** University Presbyterian Church, Inc.

**BZA Number:** SE-16-10-123

**BZA Date:** 10/06/2016

**District:** 5

**Sec/Twn/Rge:** 16-22-31-NW-B

**Tract Size:** 14.6 acres

**Address:** 2562 Rouse Road, Orlando FL 32817

**Location:** West side of Rouse Rd., just south of Lakonotosa Rd.

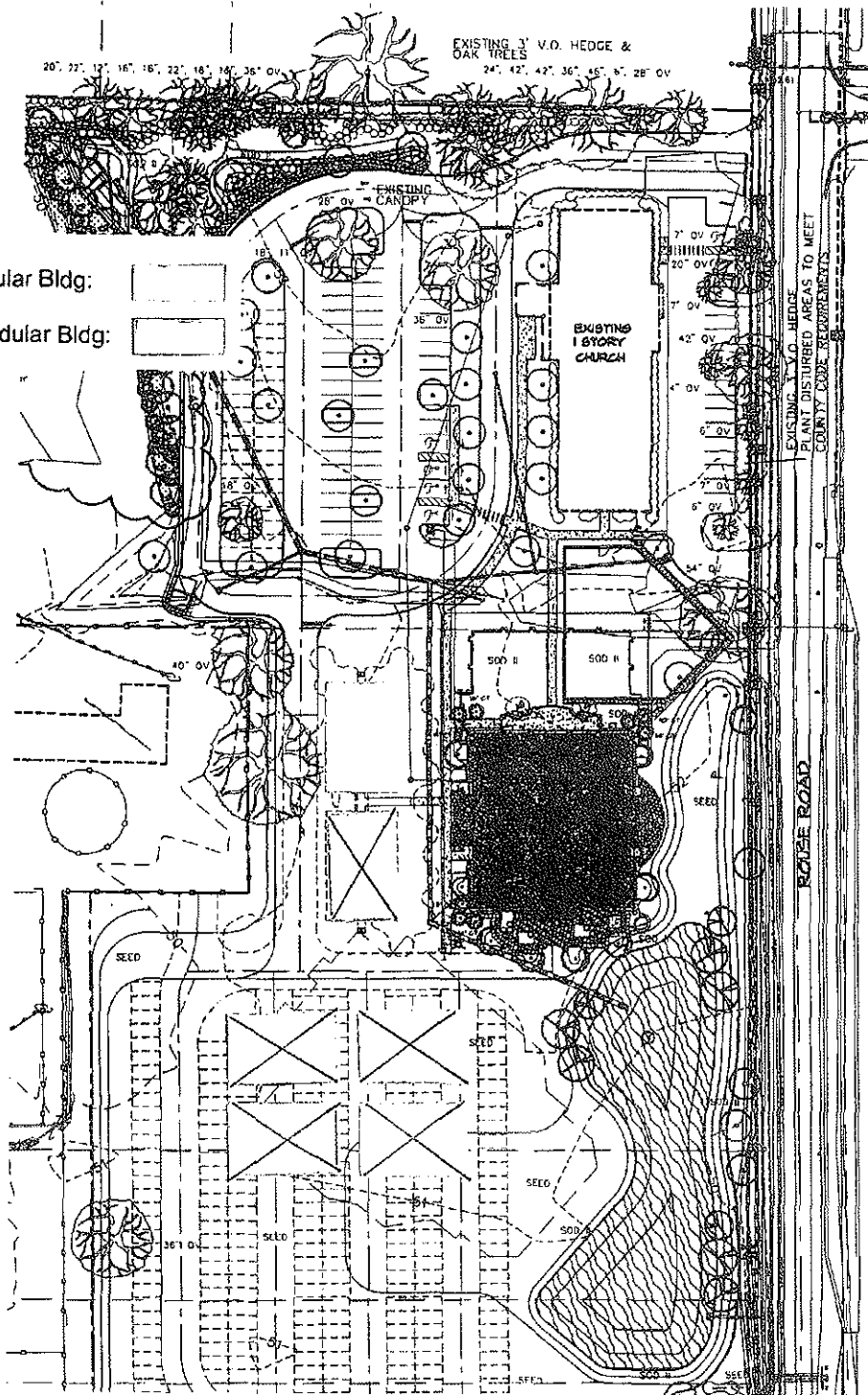
Exhibit 1



Legend

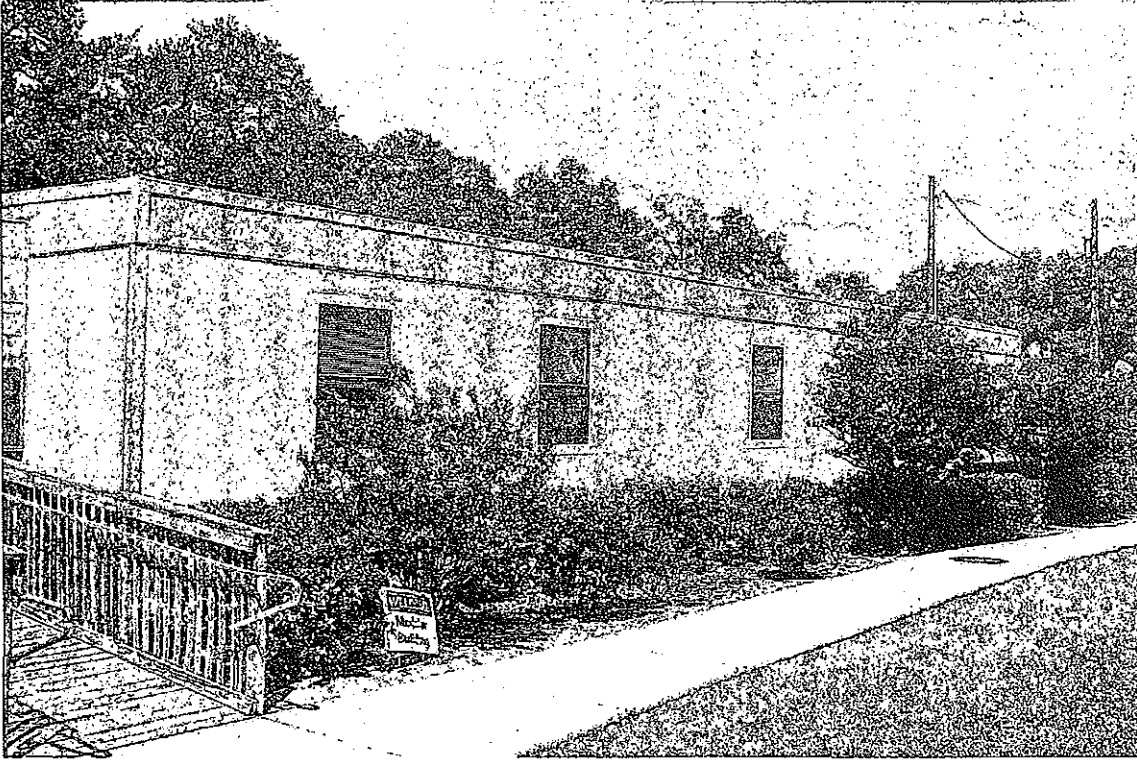
Existing Modular Bldg:

Proposed Modular Bldg:

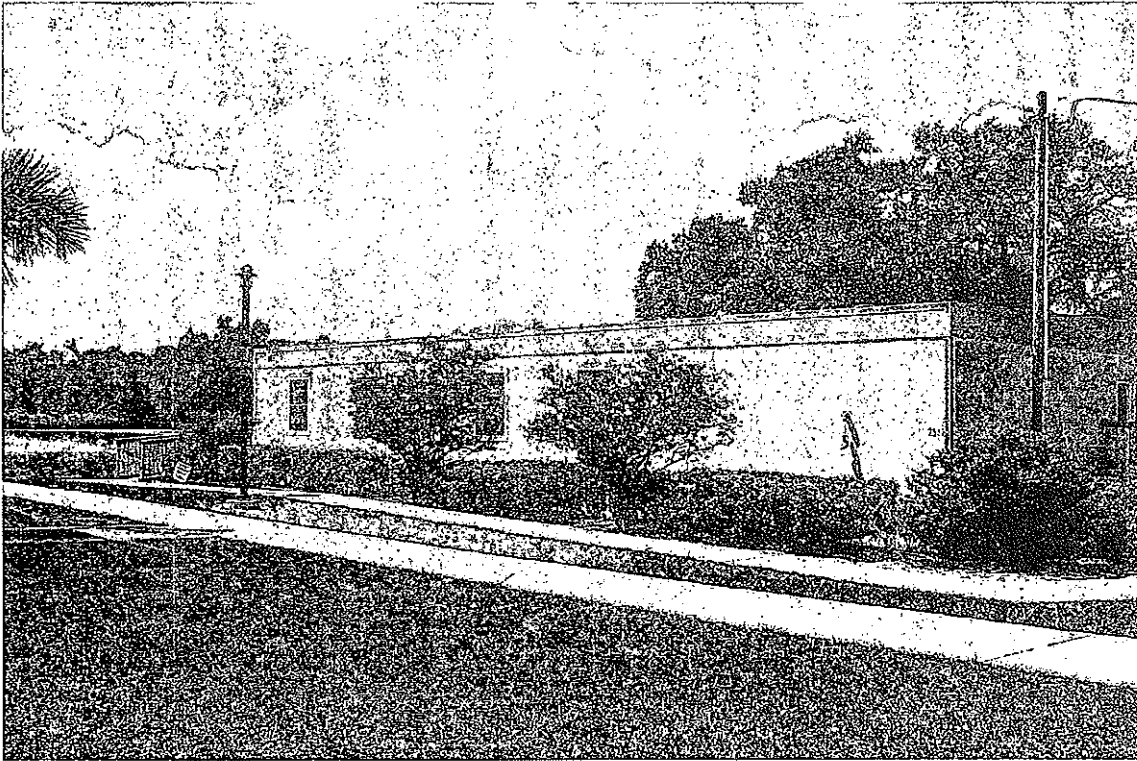


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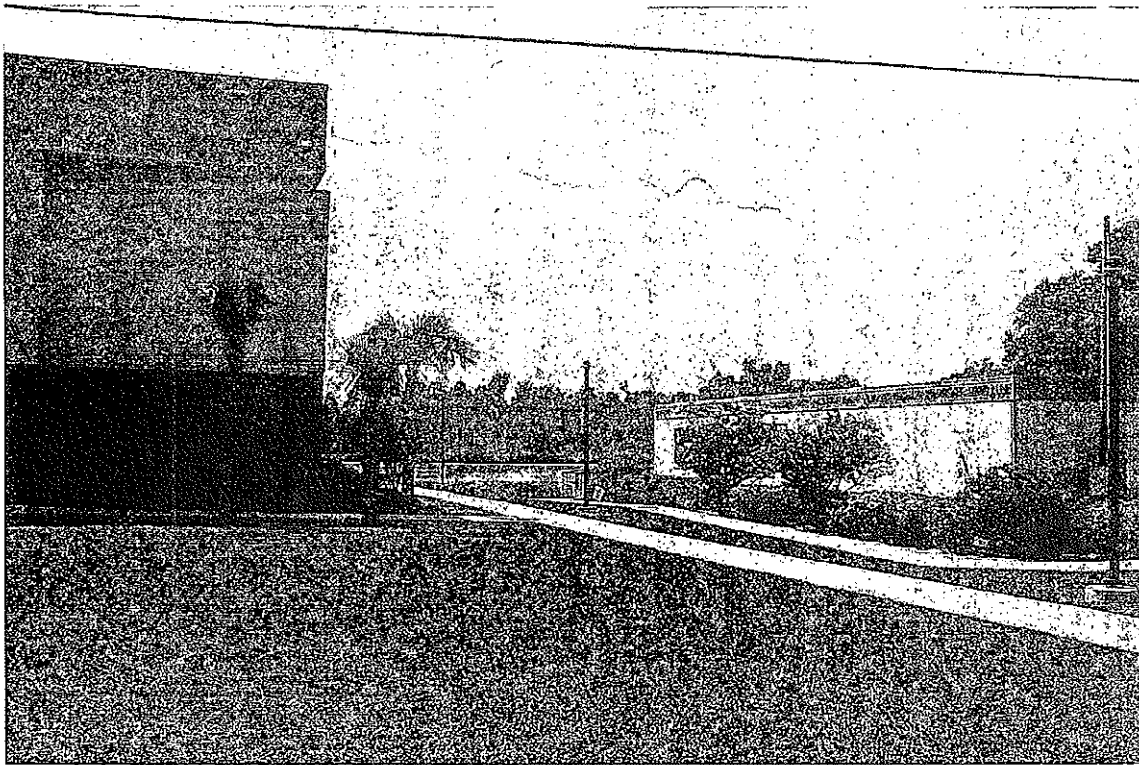
Exhibit 2



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Lowndes  
Drosdick  
Doster &  
Kantor &  
Reed, P.A.

ATTORNEYS  
AT LAW

MIRANDA F. FITZGERALD, J.D.

miranda.fitzgerald@lowndes-law.com  
215 North Eola Drive, Orlando, Florida 32801-2028  
T: 407-418-6340 | F: 407-843-4444

TTT MERITAS LAW FIRMS WORLDWIDE

July 29, 2016

**VIA HAND DELIVERY**

Mr. Rocco Relvini  
Orange County Zoning Division  
201 S. Rosalind Avenue  
Orlando, FL 32801

Mr. Bob Windom  
Orange County Zoning Department  
201 S. Rosalind Avenue  
Orlando, FL 32801

**Re: Special Exception Application--University Presbyterian Church Modular Units  
Parcel ID No. 16-22-31-0000-00-001**

Dear Messrs. Relvini and Windom:

This firm represents University Presbyterian Church (the "Church"). Today we have submitted a separate letter claiming an eight (8) month extension of the Special Exception for the placement of modular units on the above-referenced Property that currently expires on August 1, 2016. The basis for the extension is Executive Order 16-136 issued by Governor Scott and declaring a state of emergency in Orange County and several other counties as a result of Tropical Storm Colin. At the same time, we are submitting a Special Exception Application to revise the Special Exception issued by the BZA on June 15, 2011 related to six (6) modular units. Only one (1) modular classroom building has been installed on the Church's property. This request is to allow that modular classroom building to remain in place permanently as part of the approved Master Plan for the Church's property and to relinquish the previous approval for five (5) additional modular classroom buildings.

As reasons for the request, we note the following:

- The existing modular classroom building has been in place on the property since 2003 without receiving any complaints from neighboring homeowners. The existing modular building is appropriately landscaped and integrated into the Church's property.
- The Orange County Building Department issued permit # B01902317 for the modular classroom building in 2002 and considers it a permanent building that is allowed to remain on the Church Property. (Telephone conference on July 27, 2016 with Cindy Neilsen, Chief Plans Examiner, Orange County Division of Building Safety).
- The Church has purchased the existing modular classroom building, the Church would suffer a significant hardship if it were required to remove the building from the Church Property. The four classrooms that are contained within the modular building are an essential part of the

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Zoning Division

Messrs. Rocco Relvini and Bob Windom  
July 29, 2016  
Page 2

Church's ministry. Between sixty (60) and (80) children use these classrooms on Sundays during the hours of 8:30 a.m. to 12:30 p.m. Smaller groups of 10-15 individuals also occasionally use the existing modular classrooms Sunday evenings, ending by 9 p.m.

- The modular classroom building is nearly identical to the type Orange County Public Schools uses for portable classrooms.
- Modular buildings are considered permanent structures if they are properly permitted for placement on a site in Orange County.

The BZA's Special Exception Approval dated June 15, 2011, as confirmed by the Board of County Commissioners on June 28, 2011, should be modified to allow the existing modular classroom building to remain on the Church's Property permanently such that it becomes part of the overall University Presbyterian Church Master Plan. The Church has made the determination that the five (5) additional modular units approved in the Special Exception are not needed, and the approval for those additional units can be relinquished. Eventually, the Church anticipates constructing new facilities on the Property, but there is no specific time frame for this expansion.

A copy of the Church's Master Plan is attached as Exhibit 1 on which the exiting modular classroom building is depicted in green. The additional five (5) modular classrooms that are not needed are depicted in blue with an "X" though each. Three photos of the existing modular classroom are attached as Exhibit 2. A copy of the Property Appraiser's zoning map is attached as Exhibit 3. Building Permit # B01902317 is on file with the Orange County Division of Building Safety. The Articles of Incorporation were previously submitted for University Presbyterian Church. Please advise if these Articles need to be resubmitted or if you need any additional information to process this request.

Thank you for your consideration.

Sincerely,



Miranda F. Fitzgerald

MFF/  
Attachment

c: Ms. Tanya Turner

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**UNIVERSITY PRESBYTERIAN CHURCH INC - SE-11-07-043**

**REQUEST:** To amend previous Special Exception approval of April 6, 2006 as follows: Condition of approval #6 required the removal of 6 modular units by August 1, 2011. The applicant requests to extend the removal date to August 1, 2016.

**LOCATION:** West side of Rouse Rd., just south of Lokanotosa Rd. (2562 Rouse Rd.)  
16-22-31

**TRACT SIZE:** 25.86 acres

**DISTRICT#:** 3

**LEGAL:** THE N1/4 OF NW1/4 OF NW1/4 SEC 16-22-31 & A PORTION OF NW1/4 DESC AS BEG SE COR OF LOT 3 WALKER-ROUSE SUB U/120 RUN N ALONG WLY R/W LINE OF ROUSE RD & E LINES OF LOTS 1 2 & 3, 205 FT TH CONT N 335.72 FT W 323.95 FT S 169.98 FT W 120 FT S 372 FT E 441.14 F

**PARCEL ID:** 16-22-31-0000-00-001

**DECISION:** Approved 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; further, said approval is subject to the following conditions: (unanimous)

1. Development in accordance with site plan dated April 2, 2011, all previous BZA approvals 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; and
2. The modular units shall be removed by August 1, 2016.

**SYNOPSIS:** The applicant proposes to extend the removal date of the modular buildings from August, 2011 to August, 2016.



Staff gave a brief history of the project approvals. The applicant indicated the new classroom building will start construction in 2016 so they need to keep the modulares on-site till then.

The BZA commented that the modular's matched the design of the sanctuary and were well built. Therefore, the request would not adversely impact anyone. There was no opposition.

*Ross Alvarin*



STAFF REPORT  
CASE #SE-16-10-123  
Orange County Zoning Division  
Planner: Rocco Relvini  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 5

GENERAL INFORMATION:

APPLICANT: University Presbyterian Church, Inc.

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exceptions in the R-CE and R-1 zoning districts as follows:

- 1) To relinquish approval of 5 of the 6 modular units previously approved by the BZA on June 13, 2011; and,
- 2) To allow existing modular unit to be permanent.

(Note: On June 13, 2011, the BZA allowed 6 modular units. The approval was for 5 yrs. Only 1 modular unit has been placed on the property since then. If approved, this site will have only 1 permanent modular unit on it. The applicant proposes to relinquish the approval for the other 5 modular units).

LOCATION: West side of Rouse Rd., just south of Lakonotosa Rd.

PROPERTY ADDRESS: 2562 Rouse Rd.

PARCEL ID: 16-22-31-0000-00-001  
16-22-31-0000-00-002  
16-22-31-8972-00-010

PUBLIC NOTIFICATION: 53

TRACT SIZE: 14.6 acres

DISTRICT #: 5

ZONING: R-1 and R-CE

EXISTING USE(S): Religious Use Campus

PROPOSED USE(S): Modular Classroom/Office

SURROUNDING USES: Single Family Residences exist to the north, east and south. Wetlands exist to the west.

### STAFF FINDINGS AND ANALYSIS:

1. On June 13, 2011, the BZA granted approval to this applicant to place six (6) modular units on this religious/school campus. A condition of approval required the removal of said units by August 1, 2016.
2. Since the 2011 BZA approval, the applicant placed only one (1) modular unit on the property.
3. This application is to allow the existing modular unit to remain with no removal date and to relinquish their approval for the additional five (5) modular units.
4. Staff inspected the site. The existing modular unit is barely visible from Rouse Road. The existing modular unit appears to be built with the upmost design standards. The unit looks sturdy and appears to have a longer than typical life.
5. In previous cases, the BZA allowed applicants to keep modular units on site for five (5) years with the option for the Zoning Manager to grant extensions provided the applicant submit a structural analysis report which justified retaining the unit. Staff recommends this condition apply in this case as well.

### STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 8, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. The use of the modular classroom shall initially be limited to no more than five (5) years from Orange County approval. The Zoning Manager may grant extensions provided a professionally prepared structural analysis report of the units shows that they remain safe for occupancy and so long as the structures are maintained to the satisfaction of the Zoning Manager. Structural and cosmetic issues shall be corrected in a reasonable time-frame as determined by the Zoning Manager, such period of cure to be a minimum of thirty (30) days; and,

5. The site shall have no more than one (1) modular unit at any given time. Approval granted by the BZA on June 13, 2011, is null and void.

cc: Miranda F. Fitzgerald (Attorney for Applicant)  
Lowndes, Drosdick, Doster, Kantor & Reed, PA  
215 N. Eola Drive  
Orlando, Florida 32801

**FRANCISCO MONTOYA**  
**VA-16-10-124**

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**REQUEST:** Variance in the R-1 zoning district to permit an accessory structure with up to 744 sq. ft. of floor area in lieu of 500 sq. ft.  
**ADDRESS:** 1220 Culver Road, Orlando FL 32825  
**LOCATION:** West side of Culver Rd., approximately 950 ft. south of Flowers Ave.  
**S-T-R:** 20-22-31  
**TRACT SIZE:** 144 ft. x 330 ft.  
**DISTRICT#:** 4  
**LEGAL:** ORLANDO IMPROVEMENT CO NO 2 S/98 THE E 330.05 FT OF S 144 FT OF LOT 2 BLK D  
**PARCEL ID:** 20-22-31-6350-04-020  
**NO. OF NOTICES:** 53

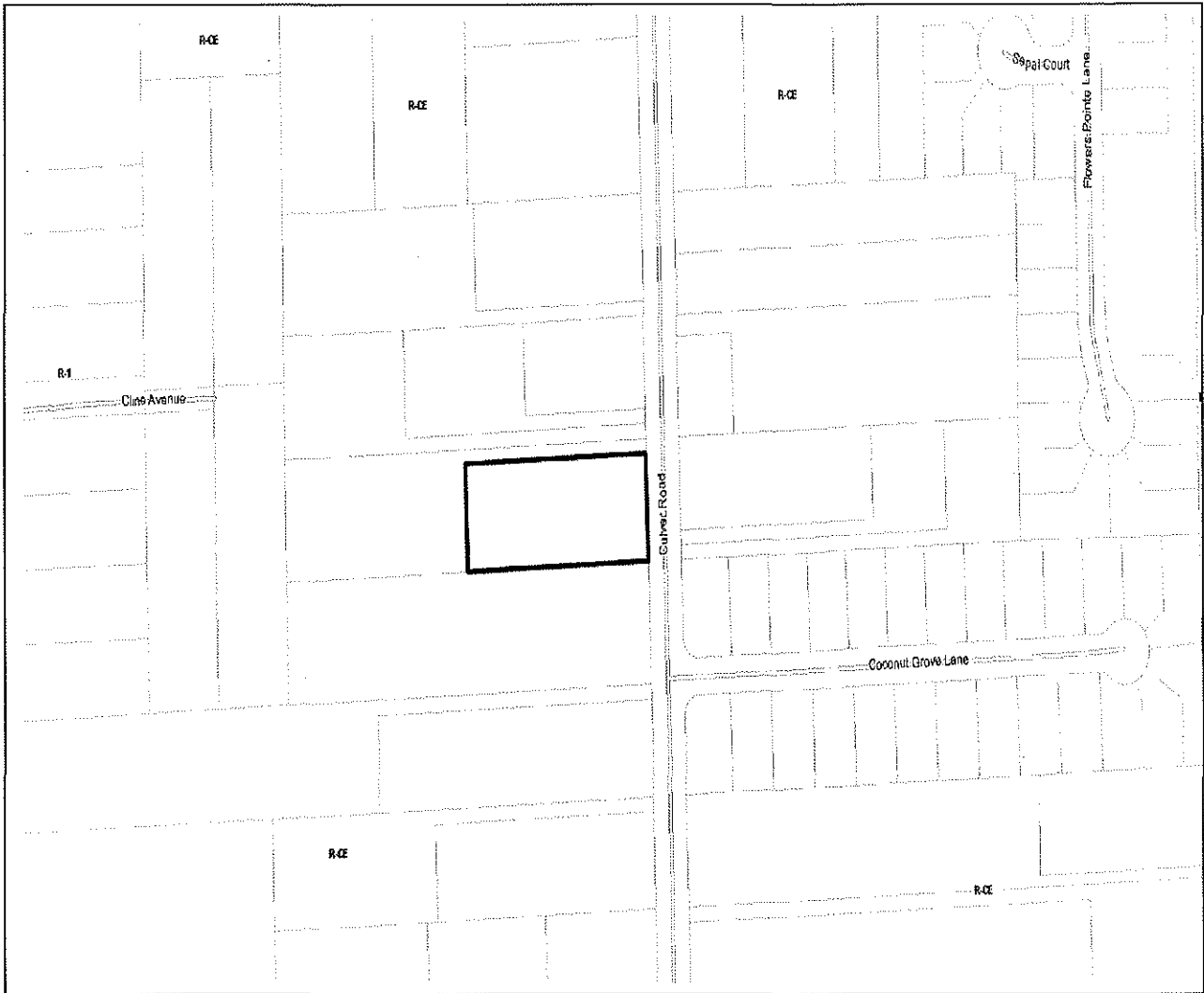
**DECISION:** **APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan dated August 9, 2016, 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; and,
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

**SYNOPSIS:** Staff gave a brief presentation on the case, covering the location, the site plan, and photos.

The BZA asked why the additional square footage was needed. The applicant stated that the property has no covered parking, and they need the additional space for an antique car, lawn equipment and tools.

Staff received no commentaries in favor or in opposition to the application. There was no opposition at the hearing. The BZA approved the variance.



**Applicant:** Francisco A. Montoya

**BZA Number:** VA-16-10-124

**BZA Date:** 10/06/2016

**District:** 4

**Sec/Twn/Rge:** 20-22-31-NW-B

**Tract Size:** 144 ft. x 330 ft.

**Address:** 1220 Culver Road, Orlando FL 32825

**Location:** West side of Culver Rd., approximately 950 ft. south of Flowers Ave.

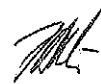
29-16

Orange County  
Board of Zoning Adjustments

To Whom May Concern, This letter is  
to explain to the Board of Zoning Adjustments  
the reason I am building a 7' 59 feet  
carport, the previous owner closed the  
garage and therefore there is not a  
cover parking for my old car, and my  
regular car. It is most important for  
me to have this in order to protect  
my cars. 500 sq ft wont meet this  
requirement, since only one car fit.

Thank you.

Francisco A Montoya



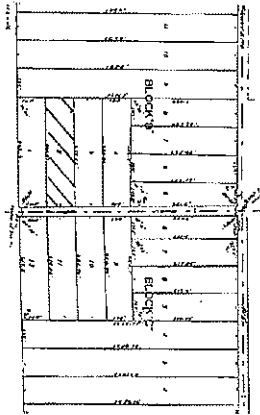
RECEIVED  
AUG 09 2016  
Zoning Division

Legal Description

The East 330.05 feet of the South 144 feet of Lot 2, Block D, ORLANDO IMPROVEMENT CO. NO. 2, according to the plat thereof, as recorded in Plat Book S, Page(s) 98, of the Public Records of Orange County, Florida.

Community number: 120179 Panel: 0290  
 Suffix: E.F.I.R.M. Date: 12/6/00 Flood Zone: X  
 Date of field work: 2/14/01 Completion date: 2/16/01

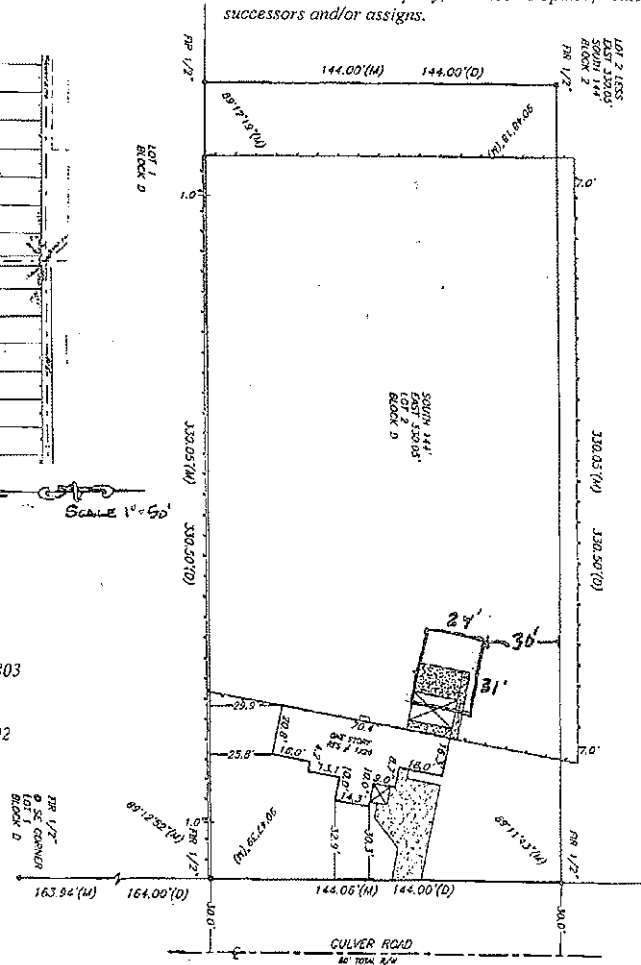
Certified to:  
 Eladio Suarez, Chelsea Title Company; American Pioneer Title Insurance Company; Banco Popular, N.A., its successors and/or assigns.



SCALE 1" = 50'

Property Address:  
 1220 Culver Road  
 Orlando, Florida 32803

Survey number: O-502



LEGEND		LEGEND	
—x—x—	WOOD FENCE	Δ	CENTRAL ANGLE DELTA
-x-x-	WIRE FENCE	D.S.	DEED BOOK
○	PROPERTY CORNER	D.	DESCRIPTION ON DEED
○	PROPERTY CORNER	D.H.	DRILL HOLE
R	RECORD	D.W.	DRIVEWAY
M	FIELD MEASURED	E.S.M.T.	EASEMENT
C	CALCULATED	E.L.	ELEVATION
CL	CLEAR	F.F.	FINISHED FLOOR
ENCR	ENCROACHMENT	F.C.M.	FOUND CONCRETE MONUMENT
Σ	CENTRAL ANGLE	F.P.K.	FOUND PARKER-KALON MARK
CONCRETE	CONCRETE	L	LENGTH
R	PROPERTY LINE	L.A.E.	LIMITED ACCESS EASEMENT
C.M.	CONCRETE MONUMENT	M.H.	MANHOLE
F.I.R.	FOUND IRON ROD	N.T.S.	NOT TO SCALE
F.I.P.	FOUND IRON PIPE	O.R.	OFFICIAL RECORDS
R.W.	RIGHT OF WAY	O.R.D.	OFFICIAL RECORDS BOOK
N&D	NAIL & DISK	P.C.P.	PERMANENT CONTROL POINT
D.E.	DRAINAGE EASEMENT	P.R.M.	PERMANENT REFERENCE MONUMENT
U.E.	UTILITY EASEMENT	P.G.	PAGE
F.O.	FOUND	P.W.M.	PAVEMENT
F	PLAT	P.B.	PLAT BOOK
A.S.P.A.V.	ASPHALT	P.O.B.	POINT OF BEGINNING
O.H.L.	OVERHEAD UTILITIES	P.O.C.	POINT OF COMMENCEMENT
P.P.	POWER POLE	P.O.L.	POINT ON LINE
T.X.	TRANSFORMER	P.C.	POINT OF CURVATURE
C.A.T.V.	CABLE RISER	P.R.C.	POINT OF REVERSE CURVE
W.M.	WATER METER	P.T.	POINT OF TANGENCY
TEL	TELEPHONE FACILITIES	R.	RADIUS (EQUAL)
COV'D AREA	COVERED AREA	R.O.E.	ROOF OVERHANG EASEMENT
B.R.	BEARING REFERENCE	S.I.R.	SET IRON ROD & CAP
CH	CHORD	S.W.	SIDEWALK
RAD	RADIAL	T.S.M.	TEMPORARY BENCH MARK
N.R.	NON RADIAL	T.O.B.	TOP OF BANK
A.C.	AIR CONDITIONER	TYP.	TYPICAL
B.M.	BENCH MARK	W.C.	WITNESS CORNER
C.H.	CATCH BASIN	16.59	EXISTING ELEVATION
C	CALCULATED	E.O.W.	EDGE OF WATER

Notes:

Accepted By:

- GENERAL NOTES:
- LEGAL DESCRIPTION PROVIDED BY OTHERS
  - THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
  - UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
  - WALL TIES ARE TO THE FACE OF THE WALL
  - ONLY VISIBLE ENCROACHMENTS LOCATED
  - NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
  - DIMENSIONS SHOWN ARE PLAT ANG MEASURED UNLESS OTHERWISE SHOWN.
  - ELEVATIONS IF SHOWN ARE BASED UPON M.S. V.D. 1928 UNLESS OTHERWISE NOTED.
  - BEARINGS REFERENCED TO UNNOTED PLATS
  - THIS IS A **AS-BUILT SURVEY** UNLESS OTHERWISE NOTED.
  - NOT VALID UNLESS SEALED WITH THE SIGNING SURVEYOR'S EMBOSSED SEAL.
- I HEREBY CERTIFY THAT THIS SURVEY IS A **AS-BUILT SURVEY** IN ACCORDANCE WITH THE REQUIREMENTS OF A SURVEY PREPARED UNDER ANY JURISDICTION.

SIGNED: RALPH SWERDLOFF REGISTERED LAND SURVEYOR NO. 2411  
 STATE OF FLORIDA  
 RALPH SWERDLOFF, P.L.S.  
 4044 LAKE MARY BLVD., UNIT 104-#323, LAKE MARY, FL 32746  
 (407) 804 9078 FAX (407) 804 9370

RECEIVED  
 AUG 09 2016  
 Zoning Division



APPROVED PRODUCTS LIST			
PRODUCT CATEGORY	SUB CATEGORY	MANUFACTURER	APPROVAL No. & DATE
STRUCTURAL COMPONENTS	ROOF DECK	CAROLINA CARPORTS, INC. 26 Gauge AG Panel	FL6596/04 10/18/15

**GENERAL NOTES:**

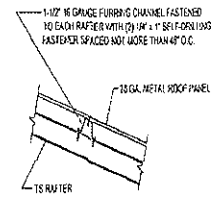
- THESE PLANS PERTAIN ONLY TO THE STRUCTURE, INCLUDING MAIN WIND FORCE RESISTING SYSTEM COMPONENTS AND CLADDING AND BASE RAIL ANCHORAGE. OTHER DESIGN ISSUES, INCLUDING BUT NOT LIMITED TO PLUMBING, ELECTRICAL, INGRESS/EGRESS, PROPERTY SET BACKS OR OTHER LOCAL ZONING REQUIREMENTS ARE THE RESPONSIBILITY OF OTHERS.
- THESE STRUCTURES ARE DESIGNED AS UTILITY STRUCTURES, BUILDINGS CAPABLE OF SUPPORTING DEAD LOAD OF THE STRUCTURE AND APPLICABLE LIVE AND WIND LOADS. IMPROVEMENTS NOT SPECIFICALLY ADDRESSED HEREIN WHICH EXERT ADDITIONAL LOADS ON THE STRUCTURE SHALL BE AT THE OWNER'S RISK. BECHTOL ENGINEERING AND TESTING, INC., SHALL NOT BE RESPONSIBLE FOR STRUCTURAL DAMAGE OR FAILURE DUE TO THE APPLICATION OF ADDITIONAL LOADS.
- ALL STEEL TURNING SHALL BE 304 STAINLESS.
- FASTEN METAL ROOF AND WALL PANELS TO FRAMING WITH 1/4" x 1" SELF-DRILLING FASTENERS WITH CONTROL SEAL WASHER @ 6" O.C. AVERAGE.
- ALL FIELD CONNECTIONS SHALL BE 1/4" x 1" SELF-DRILLING SCREWS.
- ALL SHOP CONNECTIONS SHALL BE WELDED.
- CONCRETE EXPANSION ANCHORS SHALL BE IN ACCORDANCE WITH THE MODEL AT 18" OR SLEEVE ANCHOR MODEL 18X4 100, OR EQUIVALENT.
- POST/RAFTER BRACING: BRACE ON EVERY POST/RAFTER CONNECTION.

**METAL CARPORT INSTALLATION PLANS AND DETAILS  
AND  
FRAMING AND FASTENER SPECIFICATIONS**

FOR CONSTRUCTION IN THE STATE OF FLORIDA

PREPARED FOR:  
CAROLINA CARPORTS, INC.  
P.O. BOX 1263  
DOBSON, NORTH CAROLINA 27047

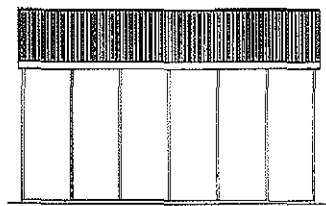
PREPARED BY:  
BECHTOL ENGINEERING AND TESTING, INC.  
505 WEST NEW YORK AVENUE  
DELAND, FLORIDA 32720  
Certificate of Authorization No. 5492



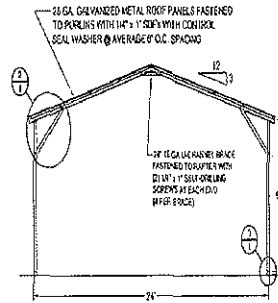
**ROOF PANEL ATTACHMENT**  
Not To Scale

OCCUPANCY GROUP:	U
CONSTRUCTION TYPE:	BB
RISK CATEGORY:	I
WIND EXPOSURE TYPE:	OPEN
WIND EXPOSURE CATEGORY:	C
ULTIMATE WIND SPEED (MPH):	130
NOMINAL DESIGN WIND SPEED (MPH):	101
A/E/W ROOF HEIGHT (FEET):	9.73
ROOF ANGLE (DEGREES):	14.6
DESIGN PRESSURES (PSF):	
ROOF:	-17.7

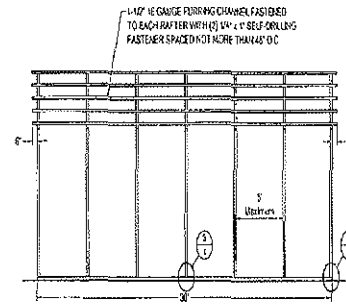
NOTE:  
14 GA FRAMING IS 2-1/2" x 2-1/2" TUBE STEEL (TS)  
NIPPLES ARE 2-1/4" x 2-1/4" TS FOR 14 GA FRAMING.



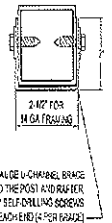
**SIDE ELEVATION**  
SCALE: 1/8" = 1'



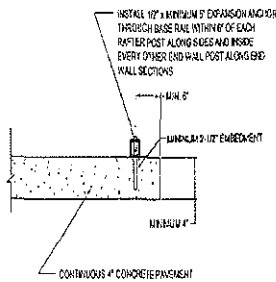
**TYPICAL INTERIOR POST/RAFTER FRAME SECTION**  
SCALE: 1/8" = 1'



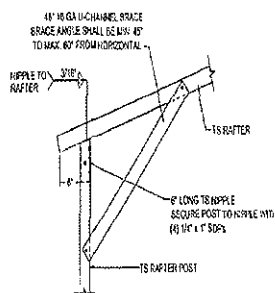
**SIDE POST/RAFTER FRAMING PLAN**  
SCALE: 1/8" = 1'



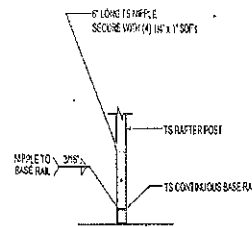
**BRACE SECTION**  
Not To Scale



**1 CONCRETE BASE RAIL ANCHORAGE**  
Not To Scale

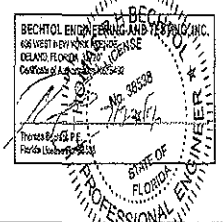


**2 BOX EAVE RAFTER/POST DETAIL**  
Not To Scale



**3 POST/BASE RAIL CONN. DETAIL**  
Not To Scale

THIS IS TO CERTIFY THAT THE CALCULATIONS AND SPECIFICATIONS HEREIN HAVE BEEN PREPARED BY THE UNDERSIGNED PROFESSIONAL ENGINEER AND ARE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 1609 OF THE FLORIDA BUILDING CODE, FIFTH EDITION (2013). THE PLANS ARE VALID UNTIL THE NEXT REVISION OF THE FLORIDA BUILDING CODE.



PROPOSED UTILITY STRUCTURE  
1220 CULVER ROAD  
ORLANDO, FLORIDA

DATE	DATE	DATE
ISSUED	REV	REV
18	19	19
BY	BY	BY
TS	TS	TS
TS	TS	TS

BECHTOL ENGINEERING AND TESTING, INC.  
505 WEST NEW YORK AVENUE  
DELAND, FLORIDA 32720  
CERTIFICATE OF AUTHORIZATION NO. 5492

THOMAS B. H. P.E.  
No. 38230  
Professional Engineer  
State of Florida

DATE: 10/18/15  
SCALE: AS SHOWN  
SHEET 1 OF 1



STAFF REPORT  
CASE #VA-16-10-124  
Orange County Zoning Division  
Planner: Nick Balevich  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 4

GENERAL INFORMATION:

APPLICANT: Francisco A. Montoya  
REQUEST: Variance in the R-1 zoning district to permit an accessory structure with up to 744 sq. ft. of floor area in lieu of 500 sq. ft.  
LOCATION: West side of Culver Rd., approximately 950 ft. south of Flowers Ave.  
PROPERTY ADDRESS: 1220 Culver Rd.  
PARCEL ID: 20-22-31-6350-04-020  
TRACT SIZE: 144 ft. x 330 ft.  
DISTRICT #: 4  
ZONING: R-1

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to construct a carport behind the house.
2. The property currently does not have a garage or carport. The applicant is requesting the size variance to accommodate both of his cars.
3. Staff has no objection to this request because the carport is not excessive in size and will be located behind the residence, out of public view.
4. The type of material being used is not relevant because the carport is not in public view.
5. The proposed structure will comply with all required setbacks.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 9, 2016, 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; and,
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

cc: Francisco Montoya  
1220 Culver Road  
Winter Park, Florida 32792

**FRANKLIN MUNOZ - VA-16-10-125**

---

**REQUEST:** Variances in the R-1A zoning district to construct single family residence on substandard lot as follows:  
1) 50 ft. of lot width in lieu of 75 ft.; and,  
2) 7,000 sq. ft. of lot area in lieu of 7,500 sq. ft.

**ADDRESS:** 5226 Dexter Street, Orlando FL 32807

**LOCATION:** Southwest corner of Dexter St. and Madrid Ave., approximately 150 ft. east of Old Cheney Highway

**S-T-R:** 21-22-30

**TRACT SIZE:** 50 ft. x 140 ft.

**DISTRICT#:** 5

**LEGAL:** LAKE BARTON PARK M/16 LOT 21 BLK H

**PARCEL ID:** 21-22-30-4312-08-210

**NO. OF NOTICES:** 100

**DECISION: APPROVED** 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 (unanimous; 5-0 and 2 absent):

1. Development in accordance with site plan dated August 9, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. All R-1A minimum building setbacks shall be met.

**SYNOPSIS:** Staff gave a brief presentation on the case, and showed photographs and the location, and discussed phone calls from neighbors in favor of seeing the lot developed.

The BZA confirmed there are other developed fifty (50) foot wide lots in the area, and thus, felt this request was straightforward.

Staff received three (3) commentaries in favor of the application and none in opposition. There was no opposition at the hearing. The BZA approved the variances.



**Applicant:** Franklin Munoz

**BZA Number:** VA-16-10-125

**BZA Date:** 10/06/2016

**District:** 5

**Sec/Twn/Rge:** 21-22-30-SE-D

**Tract Size:** 50 ft. x 140 ft.

**Address:** 5226 Dexter Street, Orlando FL 32807

**Location:** Southwest corner of Dexter St. and Madrid Ave., approximately 150 ft. east of Old Cheney Highway

M & V Exterior and Investment LLC.  
Mfrankalejandro@aol.com  
Orlando FL 32807  
(407)492-9698



DATE: August 09, 2016

To Whom It May Concern:

This letter is to request variance for the following items at address 5226 Dexter St.  
Orlando, FL 32807 Zone R1A

- Lot width from 75' to 50'
- Lot size from 7500 sq. ft. to 7000 sq. ft.

Thank you for your consideration to this matter. If you have any question please feel free to contact me at the above matter.

Sincerely,

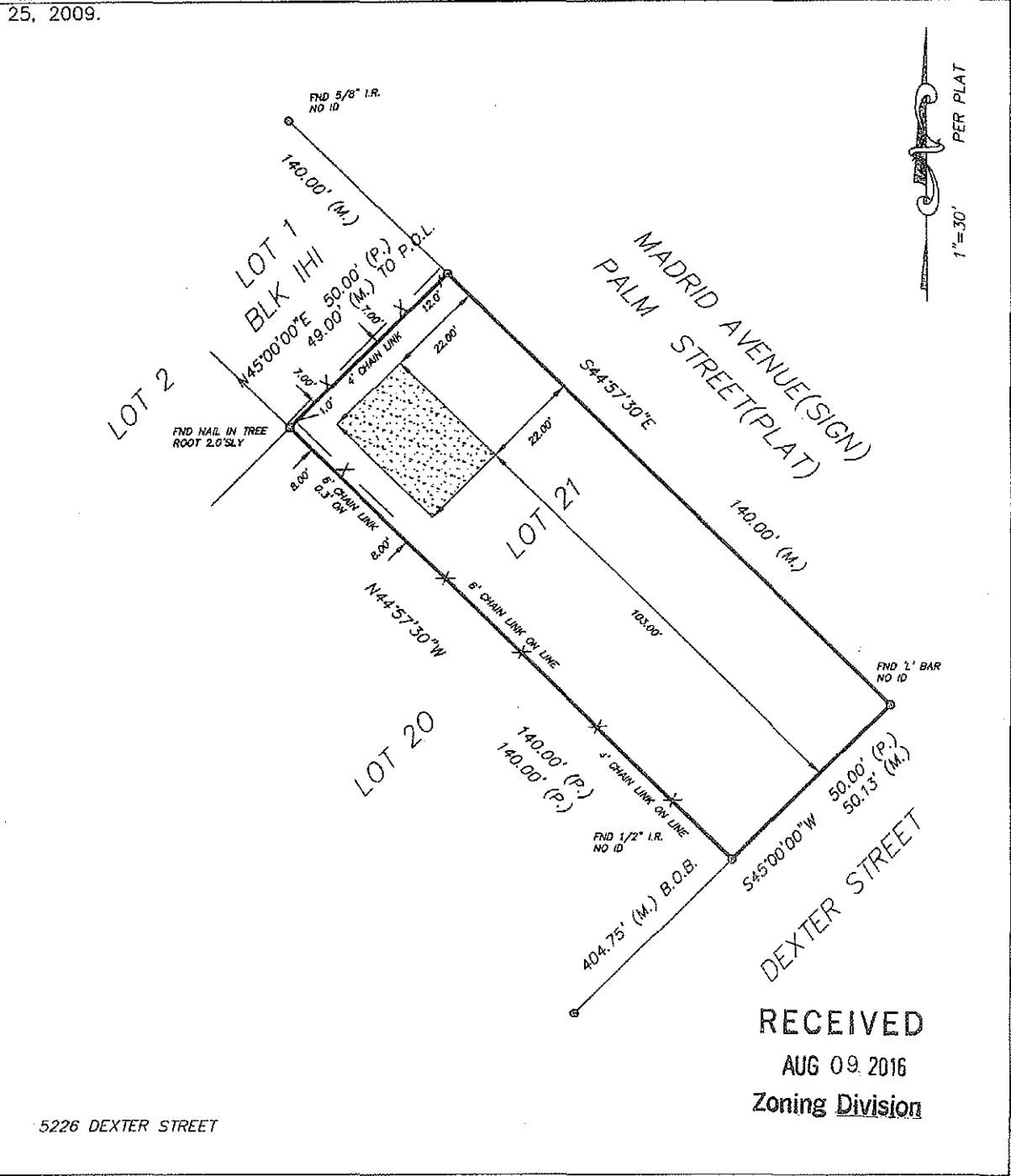
Franklin Munoz

**RECEIVED**  
**AUG 09 2016**  
**Zoning Division**

# BOUNDARY SURVEY

**LEGAL DESCRIPTION:** LOT 21, BLOCK 'H', LAKE BARTON PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK M, PAGE 16, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

THE ABOVE REFERENCED PROPERTY IS LOCATED IN ZONE 'X', AREA OF MINIMAL FLOODING, AS PER F.I.R.M. COMMUNITY PANEL NO. 12095C0265 F ORANGE COUNTY, FLORIDA. MAP DATED SEPTEMBER 25, 2009.



**RECEIVED**  
AUG 09 2016  
Zoning Division

5226 DEXTER STREET

LEGEND

NOTES

**BUILDING SUMMARY**

1. CODE REFERRED - ALL WORK WITHIN PROJECT IS COVERED BY THE 2014 FLOOR BUILDING CODE EDITION
2. CODE SUMMARY - THIS SUMMARY HIGHLIGHTS IMPORTANT AND COMPLEX PLANNING AND SAFETY COMPLIANCE ISSUES. ITEMS IN QUESTION NEED TO BE RESOLVED PRIOR TO THE CODE AND ON THE LOCAL CODE OFFICE.
3. COMPLIANCE RESPONSIBILITY - ALL CONTRACTORS ARE RESPONSIBLE FOR ALL CODES COVERED THROUGH WORK AS WELL AS ALL ATTENDING PERMITS, FEES AND INSPECTIONS.

**GENERAL:**

1. OWNER SHALL VERIFY ALL DETAILS AND DIMENSIONS PRIOR TO CONSTRUCTION.
2. ALL WORK SHALL CONFORM TO 2014 FLOOR BUILDING CODE EDITION.
3. OWNER SHALL PROVIDE ALL NECESSARY INFORMATION TO PROTECT STRUCTURES AND ALL PERSONS DURING CONSTRUCTION. CONTRACTOR SHALL SUPERVISE AND DIRECT ALL WORK AND BE RESPONSIBLE FOR ALL CONSTRUCTION.
4. OWNER SHALL PROVIDE ARCHITECTURAL AND ELECTRICAL DRAWINGS FOR WINDOWS, DOORS AND PARTITIONS OR ANY OTHER ITEMS WHICH AFFECT THE STRUCTURAL DRAWINGS.

**SITE PREPARATION:**

1. ALL ORGANIC AND REFUSE MATERIALS AND SOFT AREAS SHALL BE REMOVED AND SOIL PREPARED TO AN ALLOWABLE BEARING CAPACITY OF 2000 P.S.F.

**SLABS ON GRADE:**

1. COMPACT INTERIOR FILL TO A MINIMUM OF 18" UNLESS OTHERWISE SPECIFIED. EACH LAYER OF FILL SHALL BE COMPACTED BY AND SHALL BE COMPACTED PRIOR TO PLACEMENT OF NEXT LAYER.
2. ALL FLOOR SLABS SHALL BE PLACED UPON A 4" THICK SAND LAYER FOR FINE GRADES.
3. 2" RIGID FOLY VAPOR BARRIER SHALL BE PLACED OVER TREATED FILL PRIOR TO FOOTINGS OR SLAB POUR.

**CONCRETE AND REINFORCING:**

1. ALL CONCRETE WORK SHALL CONFORM TO 2014 STANDARD BUILDING CODES FOR REINFORCED CONCRETE AND 2014 ACI 308R.
2. ALL CONCRETE SHALL HAVE A MINIMUM F<sub>c</sub> = 3000 PSI AT 28 DAYS INCLUDING SLAB, FILLER CELLS AND UNITS.
3. FOUNDATION DESIGN IS BASED ON A MINIMUM SOIL BEARING CAPACITY OF 2000 P.S.F.
4. REBAR SHALL CONFORM TO ASTM A-615 GRADE 60 AND 2" MINIMUM LAP AT ALL JOINTS. SLABS WITH FIBER MESH OR WELDED WIRE FABRIC SHALL CONFORM TO ASTM A-186.
5. VERTICAL REBAR SHALL BE REINFORCED WITH A HOOK WITH A PROJECTION OF 2" MINIMUM ABOVE SLAB AND A 7" MINIMUM BURIED LENGTH.
6. ALL STANDARD REINFORCING STEEL BARS SHALL EXTEND AT LEAST (1) TWO BAR DIAMETERS BEYOND THE BEND, EXTEND UNLESS 12" FORWARD FROM END AND 12" FROM JOINTS.
7. ALL VERTICAL REINFORCEMENT SHALL BE TIED TO FOUNDATION REBAR BY MEANS OF (1) HOOK REBAR WITH ANCHOR HOOK AND TIE INTO COLUMN OR BOULDER BEAM BY MEANS OF (1) STANDARD HOOK (2) LAP UNLESS NOTED.
8. COVERAGE FOR REINFORCEMENTS SHALL BE AS FOLLOWS: FOOTING 3" MIN SLAB ON GRADE 1 1/2" FROM TOP UNITS AND BOND BEAMS 1 1/2" FROM TOP (2) FROM REBAR.

**MASONRY:**

1. MASONRY CONSTRUCTION SHALL CONFORM TO 2014 STANDARD BUILDING CODES FOR MASONRY STRUCTURES (ACI 530R).
2. CONCRETE BLOCKS SHALL CONFORM TO ASTM C 90 20" MIN. EXTENT EQUAL TO 2000 P.S.F., F<sub>m</sub> 1500 P.S.F. UNLESS OTHERWISE NOTED.
3. ALL VERTICAL REINFORCING BARS SHALL BE TIED TO FOOTING DONUTS AND BOND BEAM WITH STANDARD HOOK.
4. MORTAR SHALL BE TYPE "S" OR "M".
5. VERTICAL REBAR SHALL BE TIED TO FOUNDATION REBAR BY MEANS OF (1) HOOK REBAR WITH ANCHOR HOOK AND TIE INTO COLUMN OR BOULDER BEAM BY MEANS OF (1) STANDARD HOOK (2) LAP UNLESS NOTED.
6. MORTAR FOR FILLER CELLS SHALL BE PLACED IN PLANNED DETAILS NOT TO EXCEED 2" IN HEIGHT AND SHALL BE CONSOLIDATED AT TIME OF POURING BY ROCKER OR VIBRATOR.
7. PROVIDE PROTECTIVE COAT AT BASE OF EACH FILLER CELL FOR VISUAL VERIFICATION OF COMPLETE FILLER PENETRATION.

**DOOR NOTES**

- DOOR SIZES - ALL DOOR SIZES ARE NOTED ON PLANS BY INDUSTRY STANDARD NOMINAL DOOR SIZES.
- DOOR LOCATIONS - CRITICAL DOOR LOCATIONS ARE DESIGNATED ON PLANS. OTHER DOORS TO BE DETERMINED BY FRAMING CONTRACTOR PER REQUIRED STRUCTURE.
- DOOR ASSEMBLY SELECTED BY OWNER.

**WINDOW NOTES**

- WINDOW SIZES - ALL WINDOWS ARE NOTED ON PLANS. THEY ARE ROUNDED TO THE NEAREST 1/8" INCH. SIZES ARE APPLICABLE TO MOST WINDOW MANUFACTURERS AND CAN BE TRANSLATED TO GLASS OR SLAB SIZE DESIGNATIONS.
- WINDOW HEIGHTS - SEE ELEVATIONS FOR WINDOW HEADS AND SILL HEIGHTS. WINDOW MANUFACTURERS AND ALL SPECIFICATIONS TO BE SELECTED BY OWNER. THIS INCLUDES CONSTRUCTION, GLAZING, GRILLES, AND WINDOW OPTIONS.
- EXPRESS UNITS - SUPPLIER TO CONFIRM THAT REQUIRED EXPRESS UNITS USE CODE COMPLIANT.
- TYPED UNITS - SUPPLIER TO CONFIRM THAT ALL REQUIRED TYPED UNITS ARE FOLLOWED IN WINDOW PACKAGE PER REQUIREMENTS OF CODE.

**AREA SUMMARY**

PLAN HOUSE AREA SUMMARY

FRONT PORCH PLAN	172 SF
OVERLAP FROM PORCH	112 SF
DAMAGE	274 SF
TOTAL	2142 SF

**STANDARD ABBREVIATIONS**

O.C. OVERHANG	O.C. ON CENTER
CONC. CONCRETE	QTY. QUANTITY
CONC. CONCRETE MASONRY UNIT	PSD. PREPARED
CM. DIMENSIONS	S.F. SQUARE FEET
EXIST. EXISTING TO REMAIN	B.V.C. SERVICE
INVC. IN CONSTRUCTION	TYP. TYPICAL

**ENGINEER'S NOTES**

MUNOZ RESIDENCE DESIGN OPTION A  
 2014 FLOOR BUILDING CODE EDITION  
 2014 FLOOR BUILDING CODE EDITION

2014 FLOOR BUILDING CODE EDITION WINDOW SPEED:  
 V<sub>w</sub> = 90 mph, V<sub>w</sub> max = 120 mph  
 D.C. 100 MPH WIND SPEED (100 MPH WIND SPEED)  
 (100 MPH WIND SPEED)

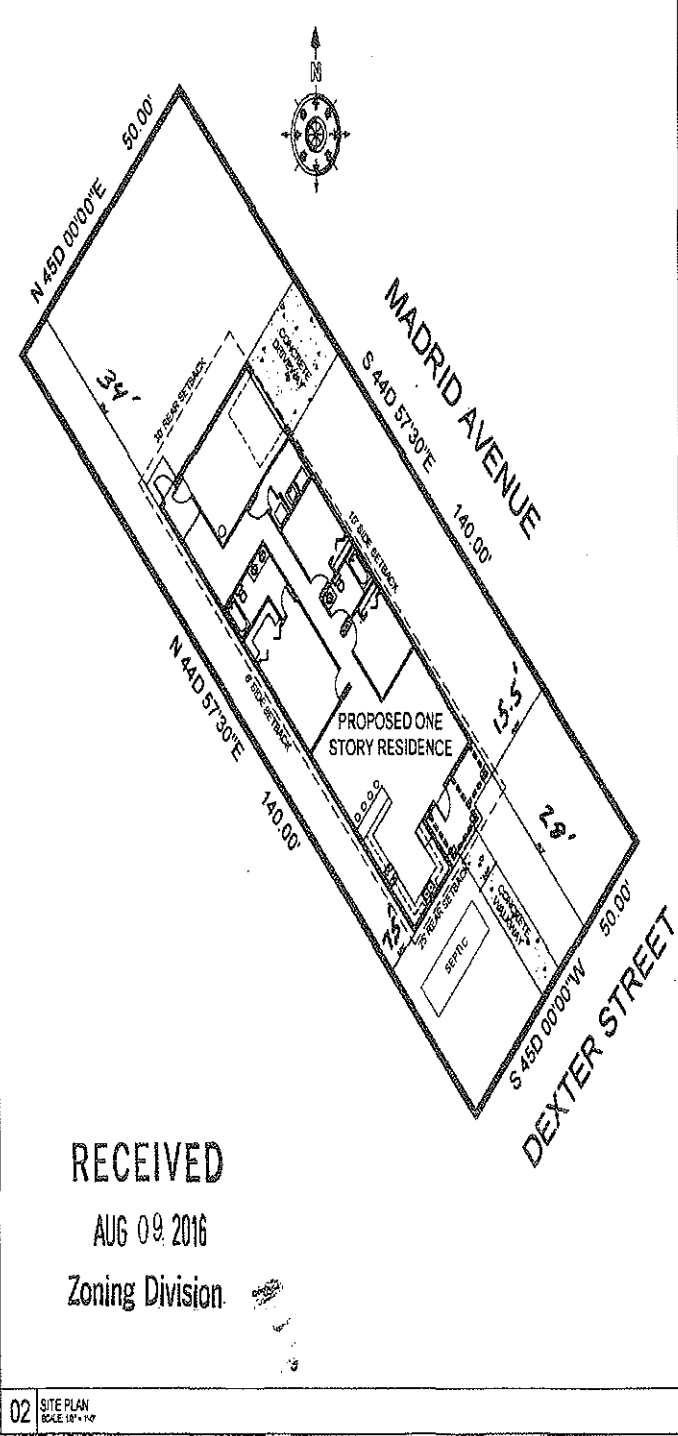
WIND EXPOSURE CATEGORY = B  
 RISK CATEGORY = I  
 ENVELOPE CLASSIFICATION = ENCLOSED

DESIGN WIND PRESSURES (COMPONENT & CLADDING)  
 INTERNAL PRESSURE (NFPA) PRESSURE  
 COEFFICIENTS = +0.4, -0.45

Wind Dir.	Wind Speed (mph)			
	90	100	110	120
Windward Wall	-0.18	-0.22	-0.27	-0.32
Leeward Wall	+0.18	+0.22	+0.27	+0.32
Roof	-0.18	-0.22	-0.27	-0.32
Windward Wall	-0.18	-0.22	-0.27	-0.32
Leeward Wall	+0.18	+0.22	+0.27	+0.32
Roof	-0.18	-0.22	-0.27	-0.32

**DISCLAIMER**

PLANS, NOTES, SPECIFICATIONS, DETAILS AND ALL OTHER INFORMATION DERIVED ON THIS SHEET AND ALL ATTACHED SHEETS HAS BEEN PREPARED TO MEET FDC STANDARDS LATEST EDITION. IT IS THE RESPONSIBILITY OF THE OWNER/ENGINEER/CONTRACTOR TO VERIFY LOCAL, COUNTY AND STATE CODES AND ORDINANCES FOR CONSTRUCTION. ANY CHANGES MADE TO THE PLANS AFTER APPROVAL BY THE GOVERNING AGENCY MUST BE DONE SO WITH THE CONSENT OF THE ARCHITECT GROUP, INC. & ENGINEER. ANY CHANGES MADE WITHOUT CONSENT WILL FOREVER THE ARCHITECT GROUP, INC. & ENGINEER. PLEASE VERIFY LEGAL REQUIREMENTS WHICH MAY RESULT FROM CHANGES.



ADDCS

DESIGNED BY:  
 THE ARCHITECT GROUP, INC.  
 1000 N. 10TH ST.  
 SUITE 100  
 DENVER, CO 80202

PROJECT NO. 16001

MUNOZ RESIDENCE

ENGINEER P.E.  
 JAMES R. HARRIS  
 1000 N. 10TH ST.  
 SUITE 100  
 DENVER, CO 80202

PROJECT NO. 16001

DATE: 01-13-2015

SCALE: A1

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 AUG 09 2016  
 Zoning Division

01	GENERAL NOTES NO SCALE	02	SITE PLAN SCALE 1/8" = 1'-0"	A1
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STAFF REPORT  
CASE #VA-16-10-125  
Orange County Zoning Division  
Planner: Nick Balevich  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Franklin Munoz

REQUEST: Variances in the R-1A zoning district to construct single family residence on substandard lot as follows:

- 1) 50 ft. of lot width in lieu of 75 ft.; and,
- 2) 7,000 sq. ft. of lot area in lieu of 7,500 sq. ft.

LOCATION: Southwest corner of Dexter St. and Madrid Ave., approximately 150 ft. east of Old Cheney Highway

PROPERTY ADDRESS: 5226 Dexter St.

PARCEL ID: 21-22-30-4312-08-210

TRACT SIZE: 50 ft. x 140 ft.

DISTRICT #: 5

ZONING: R-1A

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes a new single family residence on the parcel. The on-site zoning requires a minimum lot width of seventy-five (75) feet, and a minimum lot size of 7,500 sq. ft. The subject lot is only fifty (50) feet wide, and 7,000 sq. ft. in size. Therefore, zoning variances for lot width and size are required.
2. The area is developed with similar sized lots.
3. Similar variances have been granted in this subdivision.
4. This request constitutes infill development on a reasonable sized lot.
5. Staff supports the request because it is consistent with the areas development trend and all setbacks will be adhered to.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 9, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. All R-1A minimum building setbacks shall be met.

cc: Franklin Munoz  
M and V Exterior and Investment, LLC  
1307 Susannah Boulevard  
Orlando, Florida 32807

**REQUEST:** **Variances** in the P-D zoning district to construct additions to single family residence as follows:  
1) 7 ft. from the side (east) property line in lieu of 10 ft.; and,  
2) 4 ft. from the rear (south) property line in lieu of 10 ft.  
(Note: This project is a zero lot line development. This allows one wall of the home to be 0 ft. from one side lot line, with a setback for the other side wall of 10 ft. There are no windows on the side of the home with the 0 ft. setback).

**ADDRESS:** 8062 S Cadiz Court, Orlando FL 32836

**LOCATION:** South end of Cadiz Dr. 200 ft. south of Villa Dr., south of W. Sand Lake Rd. in the Granada P-D

**S-T-R:** 34-23-28

**TRACT SIZE:** 65 ft. x 99 ft. (AVG) (Flag Lot)

**DISTRICT#:** 1

**LEGAL:** GRANADA VILLAS PHASE 2 14/111 BEG SW COR OF LOT 63  
RUN E 65 FT N 99.5 FT W 72.31 FT N 48 DEG W 35.03 FT SW  
15.03 FT S 48 DEG E 45.37 FT S 73.44 FT TO POB

**PARCEL ID:** 34-23-28-3134-00-630

**NO. OF NOTICES:** 160

**DECISION:** **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 (unanimous; 5-0 and 2 absent):

1. Development in accordance with site plan dated August 11, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

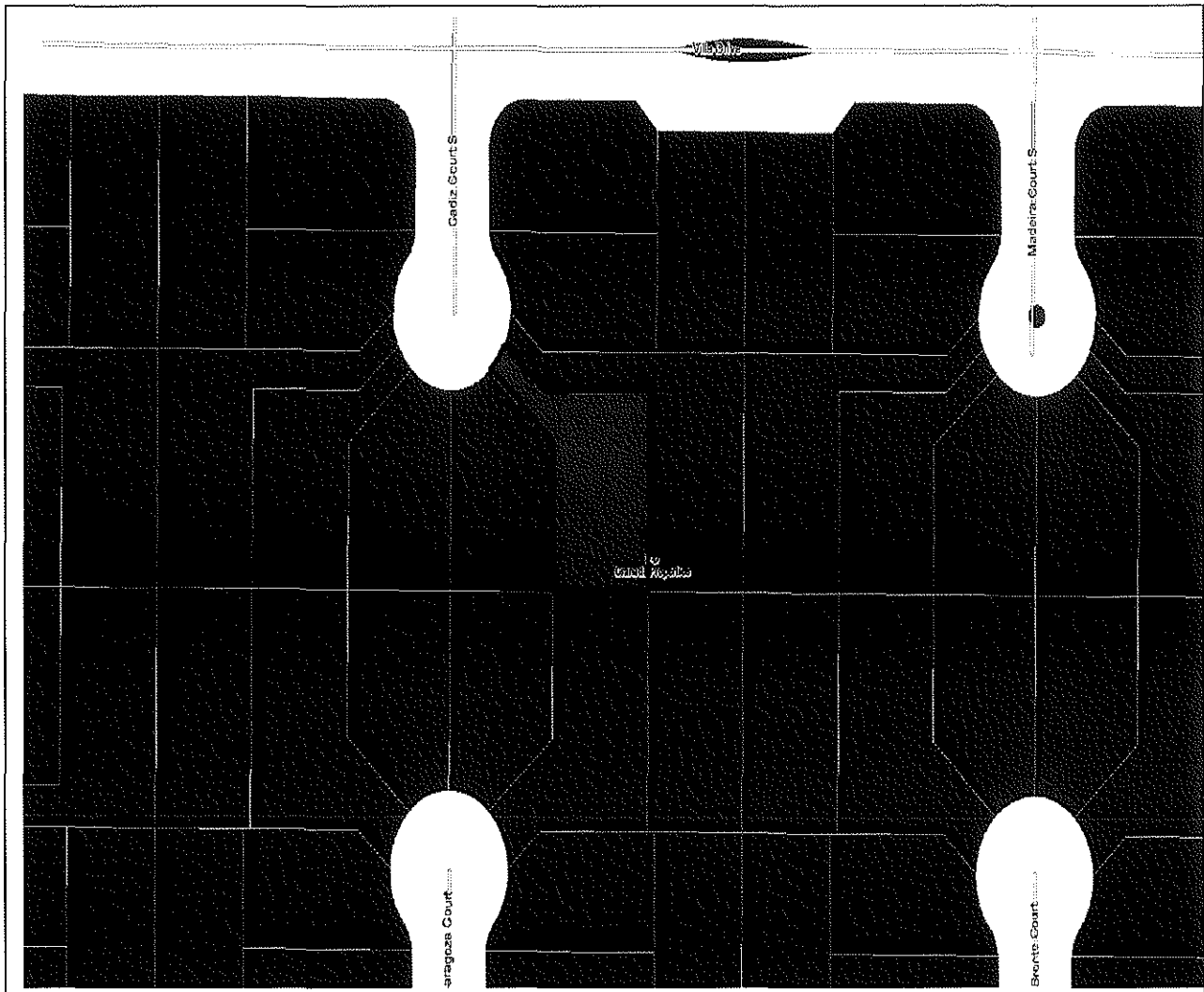
4. If no cross maintenance easements to accommodate the overhang exist, the plans shall be modified to remove the proposed overhang from the addition along the zero side setback to the satisfaction of the Zoning Manager.

**SYNOPSIS:** Staff explained that this property was part of Zero Lot Line PD, and that the units are situated against one of the side lot lines. The side of the home on the lot line has no windows. Staff also noted that the two (2) most affected neighbors had submitted letters of support. In addition, staff had received one correspondence in support and one in opposition.

The applicant's architect was present. They were in agreement with the staff recommendation; however, they had concerns regarding condition #4, regarding the overhangs. They noted that the current home has an overhang which extends into the neighbors property, and that they would have to modify the plans if they could not have the overhang.

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

The BZA and staff discussed the overhang. Staff noted that it is standard for zero lot line developments to have easements permitting one homeowner on their neighbors property to perform maintenance, and to accommodate the presence of overhangs and other structural fenestrations. The BZA changed condition #4, to allow the overhang if there are easements. If there are no easements, the plans must be altered to the satisfaction of the Zoning Manager. A motion was made and seconded to recommend approval of the request with the conditions as amended. The motion passed unanimously.



**Applicant:** Dana Brown

**BZA Number:** VA-16-10-126

**BZA Date:** 10/06/2016

**District:** 1

**Sec/Twn/Rge:** 34-23-28-NE-A

**Tract Size:** 65 ft. x 99 ft. (AVG) (Flag Lot)

**Address:** 8062 S Cadiz Court, Orlando FL 32836

**Location:** South end of Cadiz Dr. 200 ft. south of Villa Dr., south of W. Sand Lake Rd. in the Granada P-D

To: Orange County Board of Zoning  
Orange County Board of Commissioners  
Orange County Florida

Date: 8/10/2016

From: Ms. Dana Brown  
8062 South Cadiz Ct.  
Orlando, FL 32836

To All Concerned:

I am the new owner of a single family 2/2 home in Granda Villas located in Dr. Phillips. For 9 years I rented this house and when the owner decided to sell, I was thrilled to buy the property. It's the perfect house and a great location, but after living in it as a renter for 9 years, it only lacked ample storage/closets. This is the house I plan to retire in and live near my future grandchildren.

I am requested this variance to add the storage/closets needed to live comfortably. My neighbors are glad to see these improvements to my property and they feel it will rise the real estate comps in the neighborhood for this model home.

The design of the neighborhood has all the houses with no windows on their sides. My additions are on each side of my house, so no one can look out and see the construction or finished addition. The back of the house has a 14 foot thick hedge and a screen pool enclosure wall of 8 foot.

My requested set backs are:

-Left Side -- 7.7' instead of 10'

-Rear right corner -- 4' instead of 10'

Left side addition faces neighbor's house with no windows.

Right side rear corner additional will block site of two pool pumps and equipment which will also serve as a noise barrier.

Any suggested landscaping by Zoning or neighbors, I will comply.

I appreciate your consideration and am available for all questions/comments.

Sincerely,



Ms. Dana Brown  
8062 South Cadiz Ct.  
Orlando, FL 32836  
321-202-5855  
[dana@rtpflorida.com](mailto:dana@rtpflorida.com)

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AUG 11 2016

Zoning Division

1



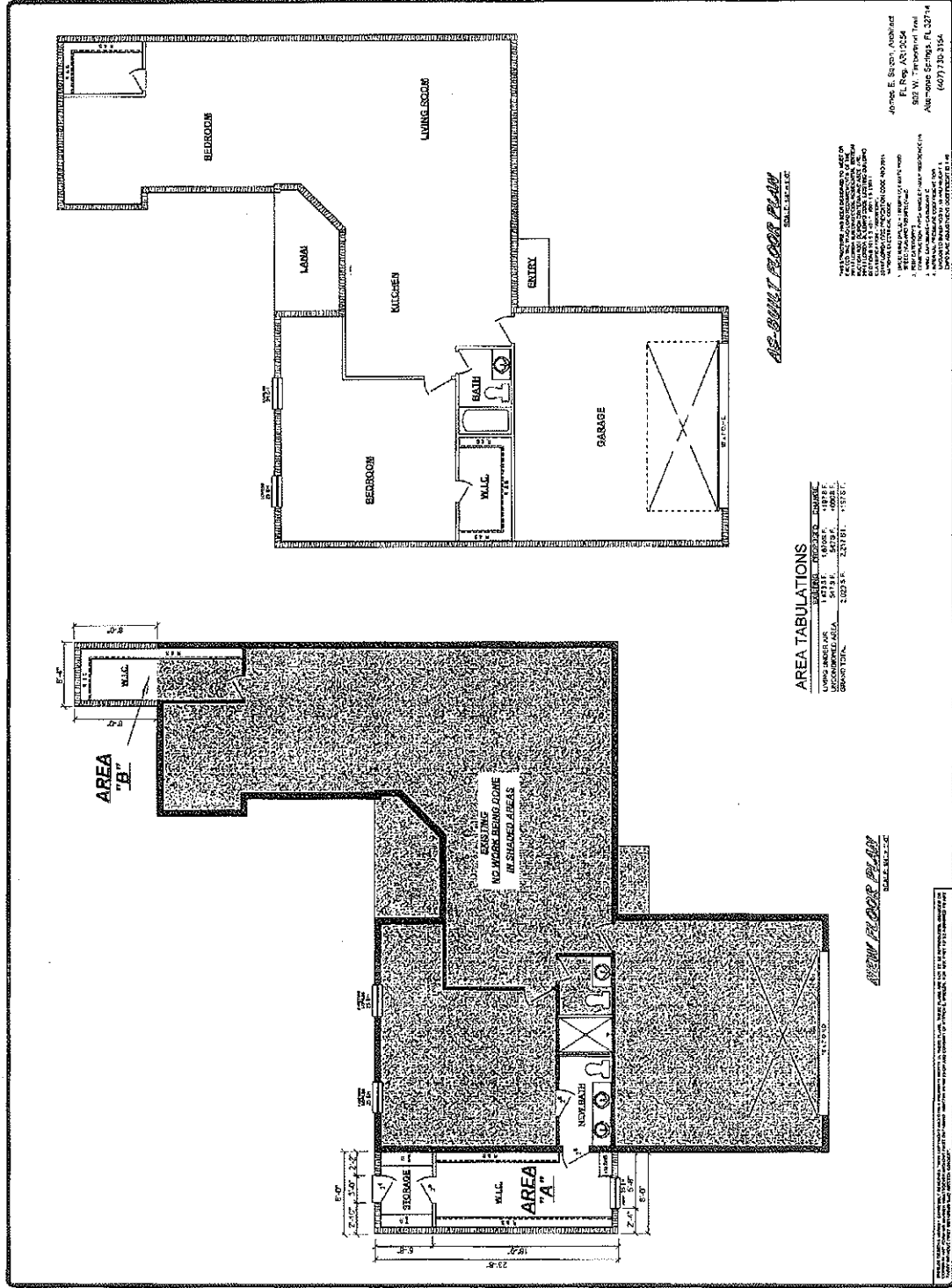
NO.	REVISIONS

**Brown Residence**  
 8062 S. Cadiz Court  
 Orlando, FL 32836  
 Parcel ID: 34-22-28-134-00-030

**Floor Plan**

**SHIELDS DESIGNS**  
 5124 Avondale Drive  
 Winter Park, FL 32782  
 (407) 818-1730  
 www.shieldsdesigns.com

DATE	10/11/11
PROJECT	8062 S. CADIZ COURT
CLIENT	MR. & MRS. BROWN
DESIGNER	DAVID SHIELDS
SCALE	AS SHOWN
NO.	23



**AS-BUILT FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

**AREA TABULATIONS**

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENT
1	AREA A	1,200.00	100.00%
2	AREA B	1,200.00	100.00%
<b>TOTAL</b>		<b>2,400.00</b>	<b>100.00%</b>

**NEW FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

DAVID SHIELDS  
 ARCHITECT  
 5124 AVONDALE DRIVE  
 WINTER PARK, FL 32782  
 (407) 818-1730

THIS SET OF ARCHITECTURAL DRAWINGS IS TO BE USED FOR THE CONSTRUCTION OF THE PROJECT DESCRIBED HEREIN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE BEFORE BEGINNING CONSTRUCTION. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS OR FOR ANY CONSEQUENCES ARISING FROM THE USE OF THESE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE CODES AND REGULATIONS.

1. ALL DIMENSIONS ARE UNLESS OTHERWISE NOTED.  
 2. FINISH FLOOR IS INDICATED BY A DOTTED LINE.  
 3. WALLS ARE 1/2" THICK UNLESS OTHERWISE NOTED.  
 4. DOORS AND WINDOWS ARE AS SHOWN UNLESS OTHERWISE NOTED.  
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODE (IMC/MEC).







STAFF REPORT  
CASE #VA-16-10-126  
Orange County Zoning Division  
Planner: David Nearing, AICP  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Dana Brown

REQUEST: Variances in the P-D zoning district to construct additions to single family residence as follows:

- 1) 7 ft. from the side (east) property line in lieu of 10 ft.; and,
- 2) 4 ft. from the rear (south) property line in lieu of 10 ft.

(Note: This project is a zero lot line development. This allows one wall of the home to be 0 ft. from one side lot line, with a setback for the other side wall of 10 ft. There are no windows on the side of the home with the 0 ft. setback).

LOCATION: South end of Cadiz Dr. 200 ft. south of Villa Dr., south of W. Sand Lake Rd. in the Granada P-D

PROPERTY ADDRESS: 8062 S Cadiz Ct.

PARCEL ID: 34-23-28-3134-00-630

TRACT SIZE: 65 ft. x 99 ft.

DISTRICT #: 1

ZONING: P-D

STAFF FINDINGS AND ANALYSIS:

1. The site plan makes reference to a "building overhang". Applicant is advised that the BZA does not have any authority to approve encroachments over any lot lines.
2. The subject property is located within a zero lot line community. One side of the house actually abuts the side (west) property line. The addition to the rear of the house will actually be an extension of the west wall of the house. The neighbor is in support of this addition, as it will buffer their home from the existing pool equipment.

3. The neighbor to the east is also in support of the requested variance to the east side of the house. There are no windows on the zero lot line sides of the homes in this neighborhood.
4. There is a very dense and tall hedge between the rear of the house and the neighbor to the south. The hedge is actually located on the neighbor's yard.
5. The applicant's HOA has submitted a letter of support for the improvements.

STAFF RECOMMENDATION:

Due to the limited lot size there is little area available to expand a home in this community without obtaining a variance. The applicant is not the original owner of the property, they actually were tenants in the house until the owner offered to sell it. Therefore, they did not chose the current floor plan. In addition, this type of community is traditionally very compact with residents trading off lower maintenance yards for larger lots. The two most affected property owners to the east and west support the request. As of the writing of this report, staff has not heard from the neighbor to the south.

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 11, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. Approval is for the rear setback and side setback variances only and not for any building overhang.

cc: Dana Brown  
8062 Cadiz Court S.  
Orlando, Florida 32836

**KHALDOUN MAMLOUK  
VA-16-10-128**

---

**REQUEST:** **Variances** in the R-T-2 zoning district to allow existing fences to remain as follows:  
1) 8 ft. in height along the front and side property lines in lieu of 4 ft.;  
2) 10 ft. in height along the rear property line in lieu of 8 ft.; and,  
3) To allow more than 50% fence opacity for fences on vacant properties.  
(Note: The site is the former non-conforming auto salvage yard which lost its non-conforming status. A site inspection revealed the site has been cleared of all junk vehicles. The applicant states the main reason for the fencing is to act as a containment structure for the applicant's dogs).

**ADDRESS:** 18659 Madison Avenue, Orlando FL 32820

**LOCATION:** North side of Madison Ave., approximately 1,100 ft. east of N. Sixth St.

**S-T-R:** 15-22-32

**TRACT SIZE:** 5.1 acres

**DISTRICT#:** 5

**LEGAL:** UNRECORDED PLAT EAST ORLANDO ESTATES SECTION 1 TR 136 DESC AS BEG 412.6 FT S & 3302.67 FT E FROM W1/4 COR OF SEC 22-22-32 E 429.94 FT N 512.5 FT W 429.94 FT S 512.5 FT TO POB

**PARCEL ID:** 15-22-32-2336-01-360

**NO. OF NOTICES:** 39

**DECISION: APPROVED** the Variance requests **#1 & #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 further, determined Variance Request **#3**, as **UNNECESSARY** (unanimous; 5-0 and 2 absent):

1. Development in accordance with site plan dated August 15, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Approval if for the fencing only. The applicant shall provide detailed fence plans at the time of permitting. Development of the site shall be in accordance with the on-site zoning and the Comprehensive Plan;
5. The two (2) tarps shall be removed. The easternmost gate shall be replaced with fencing that matches the existing fence. The remaining gate shall be filled with metal slats;
6. Approval of this request does not waive any pre-existing conditions, obligations, and/or requirements of returning the site to its residential condition;
7. Permits for the fencing shall be obtained within ninety (90) days or this approval becomes null and void and code enforcement action may proceed; and,
8. If the fence is damaged, the applicant shall apply to the Zoning Manager for replacement or restoration. The Zoning Manager may remand it to the Board of Zoning Adjustment for review and approval.

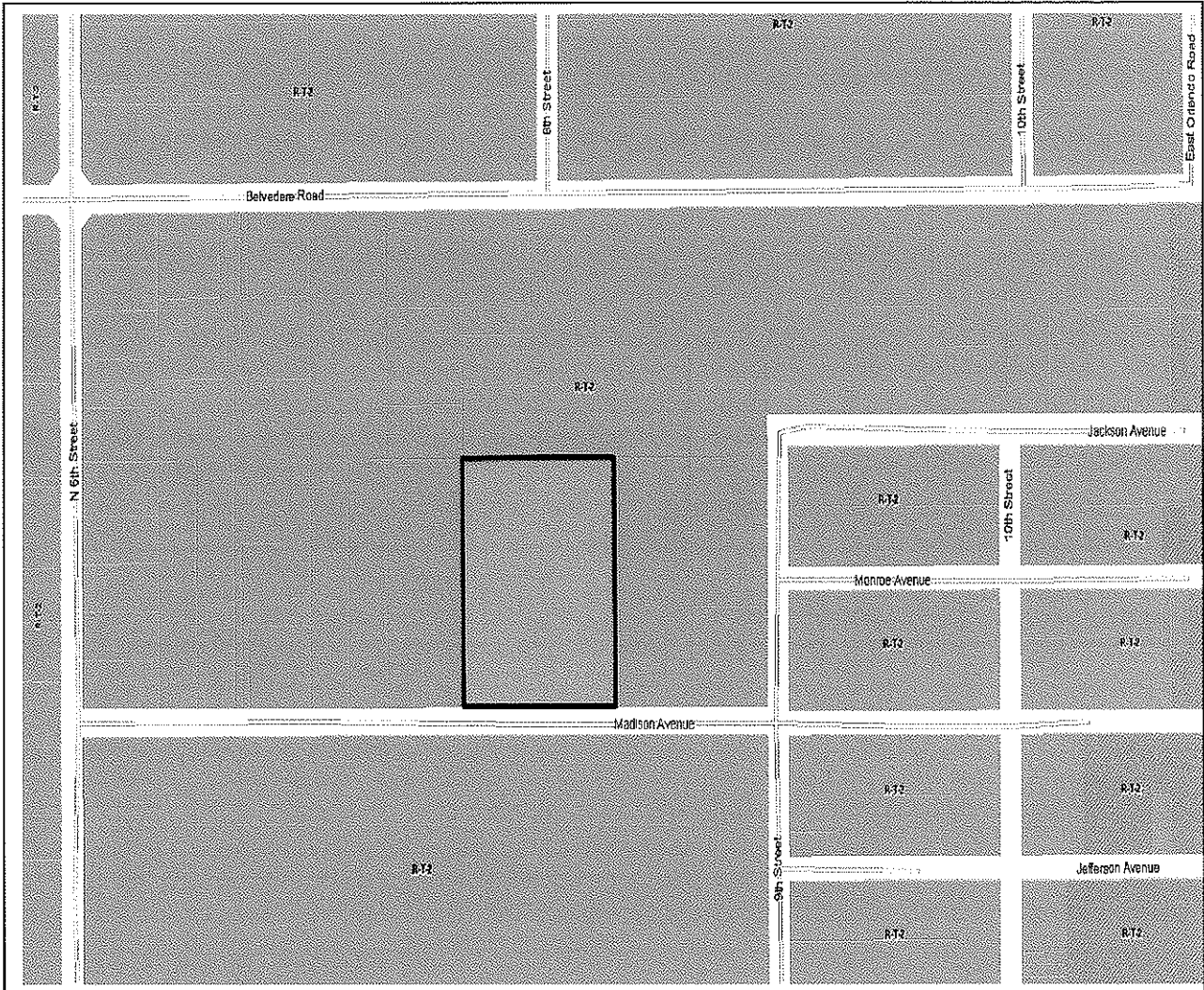
**SYNOPSIS:** Variance request #3, is not necessary as the property is not vacant.

The applicant is the new owner of the site. The new owner has removed the junk vehicles from the site. However, he desires to retain the existing fencing surrounding the site. He stated he owns several dogs.

Staff advised the BZA that while the fencing is not typical for residential yards, it has existed for numerous years. Also, since the owner has dogs and the site is located directly across a public park, it was wise to keep the fence along Madison Avenue at eight (8) feet in height.

The BZA questioned the applicant. The BZA addressed the tarp on the two (2) entry gates by conditions of approval.

There was no opposition at the hearing.



**Applicant:** Khaldoun Mamlouk

**BZA Number:** VA-16-10-128

**BZA Date:** 10/06/2016

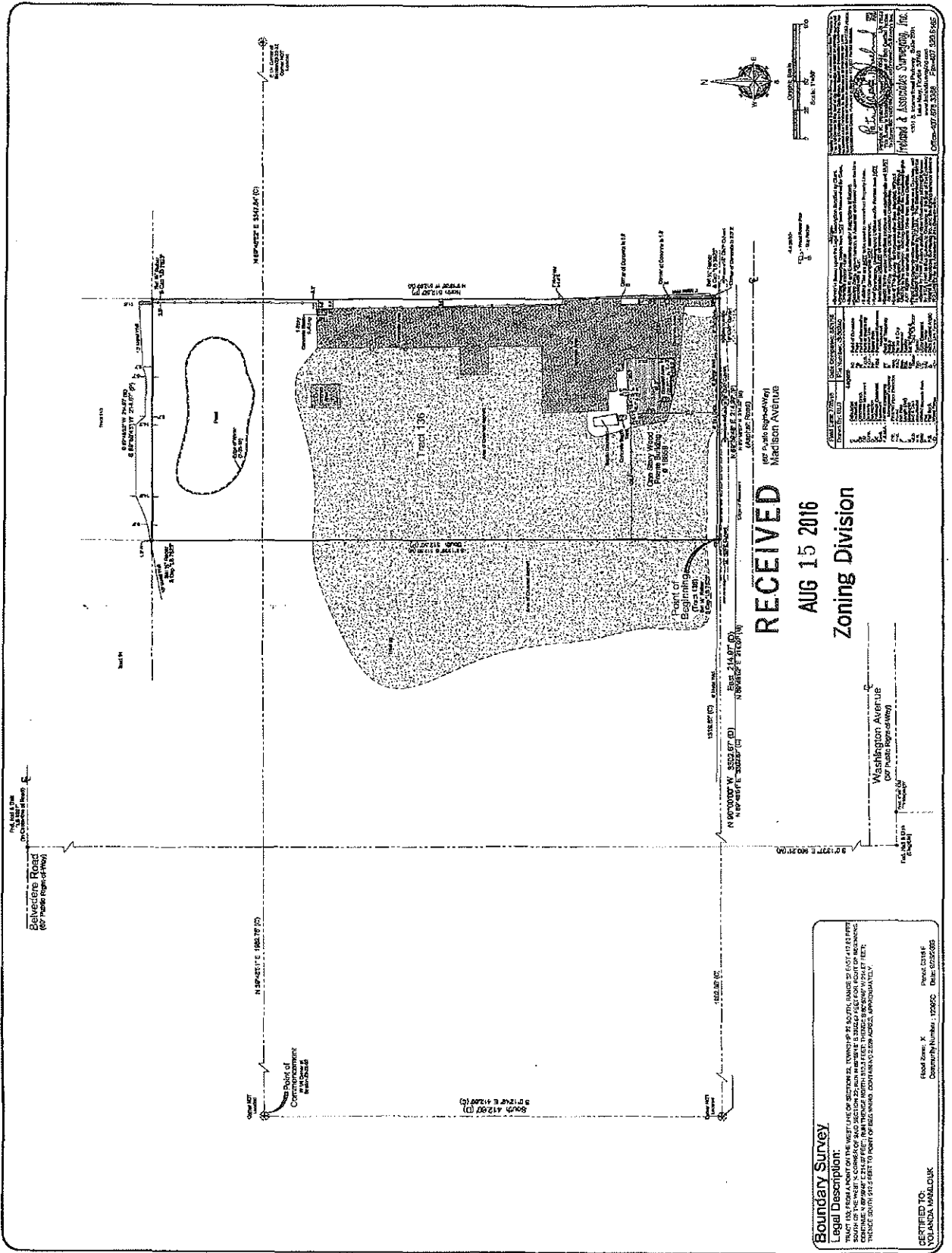
**District:** 5

**Sec/Twn/Rge:** 22-22-32-SE-D,22-22-32-NE-A

**Tract Size:** 5.1 acres

**Address:** 18659 Madison Avenue, Orlando FL 32820

**Location:** North side of Madison Ave., approximately 1,100 ft. east of N. Sixth St.



**WORLD & ASSOCIATES SURVEYING, INC.**  
 15511 W. North Lincoln St., Suite 100  
 Chicago, IL 60647  
 Office: 773.675.3338 Fax: 773.675.3665

**RECEIVED**  
**AUG 15 2016**  
**Zoning Division**

**Boundary Survey**  
**Legal Description:**  
 TRACT 136, BEING A PORTION OF THE WEST HALF OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 12 EAST, 41ST 24TH  
 SOUTH OF THE MERIDIAN, COUNTY OF MADISON, STATE OF ILLINOIS, BEING MORE OR LESS THE TRACT OF LAND  
 DESCRIBED IN THE FOREGOING, BEING MORE OR LESS THE TRACT OF LAND DESCRIBED IN THE FOREGOING,  
 THENCE SOUTH 91.72 FEET TO POINT OF BEGINNING, CONTAINING 2.28 ACRES, APPROXIMATELY.

Record Name: X  
 Parcel ID: 120902  
 Ownership Number: 120902 Doc: 02525025

CERTIFIED TO:  
 YOLANDA MARALOUK





Khaldoun Mamlouk  
18659 Madison Avenue  
Orlando, FL 32820

August 7<sup>th</sup>, 2016

Orange County Zoning Division  
201 S. Rosalind Avenue  
P.O. Box 2687  
Orlando, FL 32802-2687

Dear Zoning Manager,

This detailed letter is part of the submittal package required to apply for the following zoning variance as follows:

I am formally requesting a zoning variance for an existing structure located on tract 136 and tract 93 as described on the attached boundary surveys. The existing structure in question is an 8' high metal fence running along the south side of tract 136 and tract 93 and a 10' high metal fence running along the north side of tract 136 and tract 93 as interpreted on the attached boundary survey report. The recent attached boundary survey report was completed on August 1<sup>st</sup>, 2016.

The main reason for keeping the existing fence in place as described above is because it acts as a containment structure for our dogs that reside on the property.

Details of the 2 fences are as follows:

- 1.) The south fence consists of 8' metal panels and is 434 linear feet running in a straight line from the southeast corner to the southwest corner of the property. The total 434 linear feet includes 2, 26 foot gate openings closer to the southeast corner. Refer to attached recent survey for details.
- 2.) The north fence consists of 10' metal panels and is 453 Linear feet running in a slightly jagged path from the northeast corner to the southeast corner of the property. There are no gates located on this section of the fence. Refer to attached recent survey for details.

Please refer to the attached recent survey which shows the distances both fences in question are from the property lines.

An approval for my zoning variance request is much appreciated. Feel free to contact me direct if you have any questions. My cellular number is 321-297-0613 or 407-982-0606.

Sincerely,



Khaldoun Mamlouk

RECEIVED  
AUG 15 2016  
Zoning Division



STAFF REPORT  
CASE #VA-16-10-128  
Orange County Zoning Division  
Planner: Rocco Relvini  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 5

**GENERAL INFORMATION:**

APPLICANT: Khaldoun Mamlouk

REQUEST: Variances in the R-T-2 zoning district to allow existing fences to remain as follows:

- 1) 8 ft. in height along the front and side property lines in lieu of 4 ft.;
- 2) 10 ft. in height along the rear property line in lieu of 8 ft.; and,
- 3) To allow more than 50% fence opacity for fences on vacant properties.

(Note: The site is the former non-conforming auto salvage yard which lost its non-conforming status. A site inspection revealed the site has been cleared of all junk vehicles. The applicant states the main reason for the fencing is to act as a containment structure for the applicant's dogs).

LOCATION: North side of Madison Ave., approximately 1,100 ft. east of N. Sixth St.

PROPERTY ADDRESS: 18659 Madison Ave.

PARCEL ID: 15-22-32-2336-01-360

TRACT SIZE: 5.1 acres

DISTRICT #: 5

ZONING: R-T-2

**STAFF FINDINGS AND ANALYSIS:**

1. This is the former Ronald Cartes salvage yard site which the BZA and BCC denied for junk yard use. Since then the property owner has removed the junk vehicles.
2. This application is to allow the existing fence to remain as is.

3. On September 12, 2016, staff inspected the fence. There are two (2) gate openings that contain tarp. Staff recommends the tarp be removed since it is unsightly.
4. The fences along the east, west and north property lines are only visible by the adjacent owners and are obscured by heavy vegetation. The eight (8) foot high metal fence along Madison Avenue is not a typical residential fence. However, leaving the fence as is (without the tarps) will not adversely impact anyone.
5. Variance #3, is not necessary because the property is not vacant. It contains a residence.
6. Staff's primary concern is the view of the fence from the Bithlo Park and the Madison Avenue frontage. With the exception of the two (2) tarp areas, the existing fence will not be injurious to anyone. If the BZA prefers this site to have a typical residential fence where the fence has visible openings into the site, then they should deny this request.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 15, 2016, 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 an Orange County Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Approval if for the fencing only, the applicant shall provide detailed fence plans at the time of permitting. Development of the site shall be in accordance with the on-site zoning and the Comprehensive Plan;
5. The two (2) tarps shall be removed;
6. Approval of this request does not waive any pre-existing conditions, obligations and/or requirements of returning the site to its residential condition; and,

7. Permits for the existing fence shall be obtained within ninety (90) days or this approval becomes null and void.

cc: Khaldoun Mamlouk  
18730 E. Colonial Drive  
Orlando, Florida 32820

**CARMEN J. VELASQUEZ**  
**SE-16-10-129**

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**REQUEST:** **Special Exception** and **Variance** in the R-1 zoning district as follows:  
1) Special Exception for an attached Accessory Dwelling Unit (ADU) for applicant's father; and,  
2) Variance to allow an ADU with 927 sq. ft. of floor area in lieu of 711 sq. ft.

**ADDRESS:** 10212 Union Park Drive, Orlando FL 32817

**LOCATION:** South side of Union Park Dr., approximately 1/3 mile east of N. Dean Rd.

**S-T-R:** 17-22-31

**TRACT SIZE:** 165 ft. x 260 ft.

**DISTRICT#:** 5

**LEGAL:** COMM AT NW COR OF LOT 11 ORLANDO ACRES BUSINESS SECTION T/72 TH RUN N87-03-02E 11.28 FT TO POB TH N00-50-43W 267.34 FT TH N89-27-00E 55 FT S00-50-43E 265.04 FT S87-03-02W 55.04 FT TO POB & COMM NW COR OF LOT 1 ORLANDO ACRES BUSINESS SECTION T/72 TH N87-03

**PARCEL ID:** 17-22-31-0000-00-051

**NO. OF NOTICES:** 104

**DECISION:** **APPROVED** 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 further, **APPROVED** 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 (unanimous; 5-0 and 2 absent):

1. Development in accordance with site plan dated "August 15, 2016" 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;

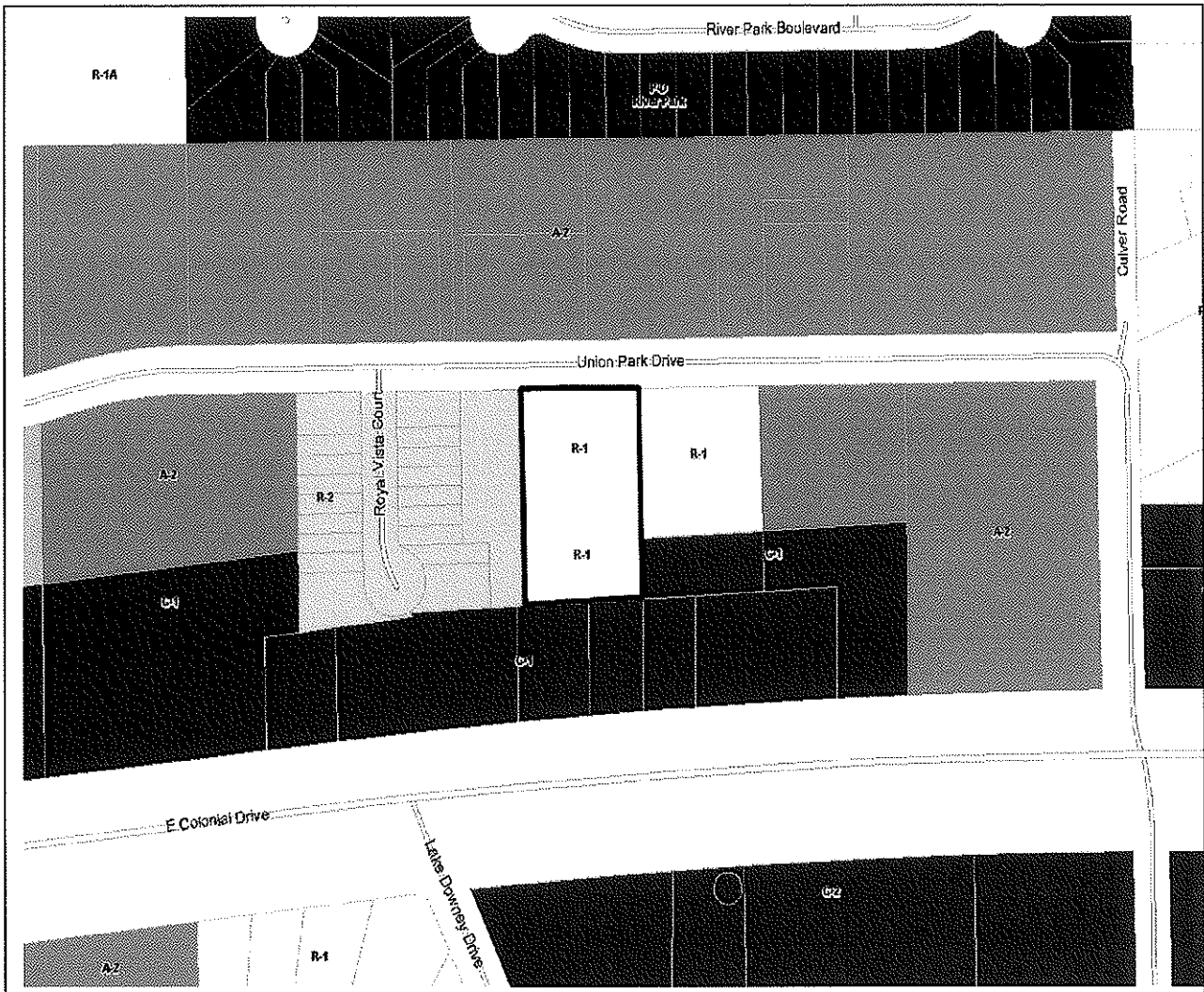
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Construction plans shall be submitted within three (3) years, or this approval becomes null and void;
5. The Accessory Dwelling Unit (ADU) shall be occupied by an immediate family member for a minimum of three (3) years. The ADU may be occupied by a nonrelative three (3) years after being initially occupied by a relative or after the relative has died, whichever occurs first;
6. The exterior of the ADU shall have similar colors and design materials as the primary residence;
7. 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; and,
8. The applicant shall be responsible for payment of all applicable fees and assessments including, but not limited to, impact fees.

**SYNOPSIS:** Staff gave a brief presentation showing photographs and the location, and size of the lot in comparison to the surrounding properties.

The applicant stated the request is to accommodate their older father with medical conditions.

The BZA noted the request is lower density than an adjacent property which is being developed at six (6) times the density, and stated the A.D.U. is attached and will not be noticeable to the neighbors. The BZA confirmed the A.D.U. is restricted to family members for three (3) years.

Staff received no commentaries in favor, or in opposition to the application. There was no opposition at the hearing. The BZA approved the Special Exception and the Variance.

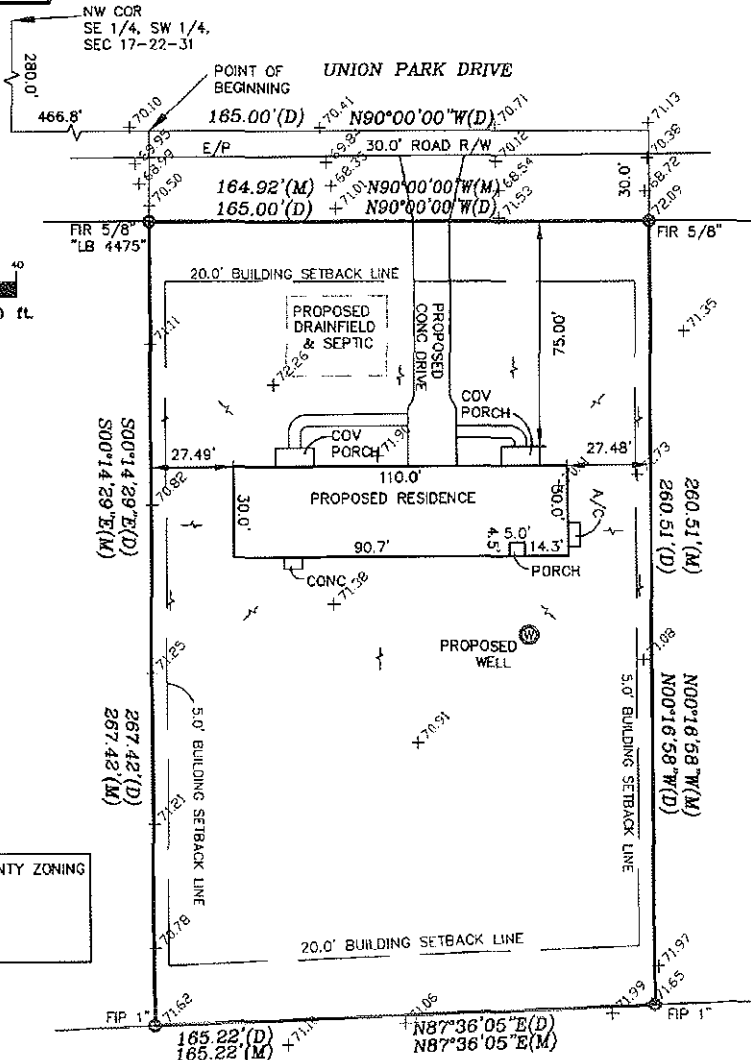


**Applicant:** Carmen J. Velasquez  
**BZA Number:** SE-16-10-129  
**BZA Date:** 10/06/2016  
**District:** 5  
**Sec/Twn/Rge:** 17-22-31-SW-C  
**Tract Size:** 165 ft. x 260 ft.  
**Address:** 10212 Union Park Drive, Orlando FL 32817  
**Location:** South side of Union Park Dr., approximately 1/3 mile east of N. Dean Rd.



**LEGAL DESCRIPTION**

BEGIN SOUTH 280 FEET AND 466.8 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4. THENCE SOUTH 297.6 FEET, NORTH 88 DEGREES EAST 165.1 FEET, NORTH 291.2 FEET, WEST 165 FEET TO THE POINT OF BEGINNING (LESS NORTH 30 FEET FOR ROAD RIGHT OF WAY) ALL IN SECTION 17, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA.



PER ORANGE COUNTY ZONING  
 ZONING - R1  
 SETBACKS  
 FRONT - 20'  
 REAR - 20'  
 SIDE - 5'

ORLANDO ACRES-BUSINESS SECTION  
 PB 72, PG 12

PROPERTY ADDRESS:  
 10212 UNION PARK DRIVE  
 ORLANDO, FL 32817

**LEGEND & ABBREVIATIONS**

FIR	FOUND IRON ROD
PIP	FOUND IRON PIPE
N/D	NAIL & DISK
PSM	PROFESSIONAL SURVEYOR & MAPPER
R/W	RIGHT OF WAY
E/P	EDGE OF PAVEMENT
FT	FENCE TIE
PP	POWER POLE
WBF	WOOD BOARD FENCE
CLF	CHAIN LINK FENCE
LB	LICENSED BUSINESS
(D)	DEED DIMENSION
(M)	FIELD MEASURED
±	CENTERLINE
⊕	PROPOSED DRAINAGE
→	ARROW
+79.36	GROUND ELEVATION

**SURVEYOR'S NOTES:**

1. BASIS OF BEARING - THE SOUTHERLY RIGHT OF WAY LINE OF UNION PARK DRIVE, AS BEING N90°00'00"W, AN ASSUMED BEARING.
2. DATE OF FIELD SURVEY: SEPTEMBER 3, 2015; SITE PLAN 10/26/15
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTINGS WERE LOCATED.
5. SURVEY FILE NUMBER: 15-08-032
6. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND MORE SPECIFICALLY TO ORANGE COUNTY BENCHMARK C 1036-016, 2 1/2 INCH BRASS ORANGE COUNTY CONTROL DISC IN WEST SIDE OF CURB INLET SOUTHWEST OF DEAN ROAD AND ALCOCK ROAD, HAVING AN ELEVATION OF 67.131 FEET.

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 53-17 FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027 FLORIDA STATUTES.

*Faun W. Hoffmeyer*  
 FAUN W. HOFFMEYER, P.S.M., L.S. 6552  
 H&H SURVEY CONSULTANTS, LLC 15-7821  
 2016.08.15 12:57:44 -04'00'

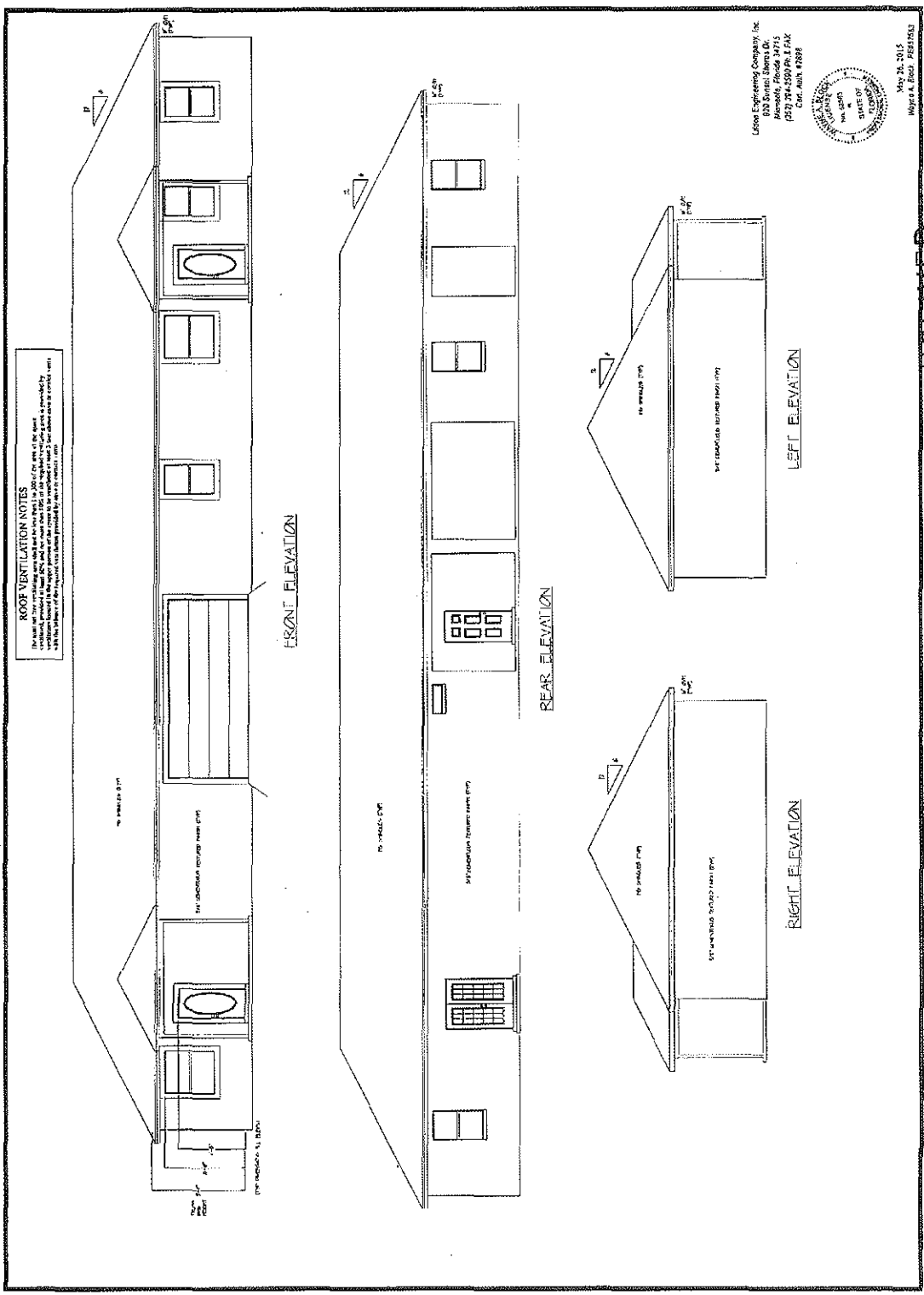
RECEIVED  
 AUG 15 2016  
 Zoning Division



**LEADEDGE**  
 LEADERSHIP IN  
 ARCHITECTURE  
 1713 GARDEN COURT, SUITE 101  
 GAITHERSBURG, MARYLAND 20878  
 TEL: 301-430-0000  
 WWW.LEADEDGE.COM

**CUSTOM HOME FOR:**  
 CARMEN VELAZQUEZ  
 10212 LAYTON PARK DRIVE  
 ORLANDO, FLORIDA 32817

DATE: 05/22/15  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO.: [Blank]  
 SHEET NO.: 2 OF 7



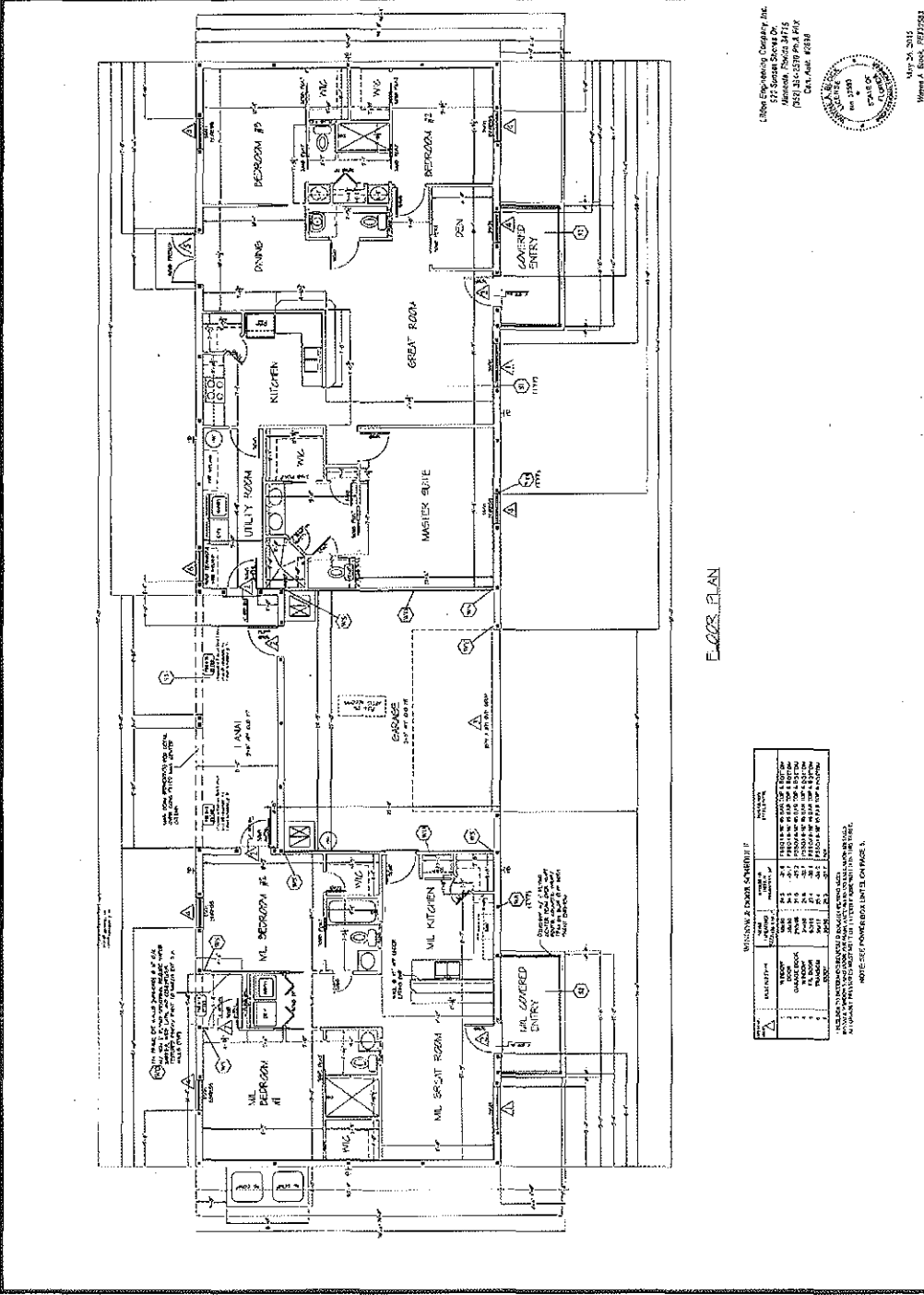
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 AUG 15 2016  
 Zoning Division


**LEAD EDGE**  
 2111 Center Drive, Suite 2  
 Concord, Florida 33433  
 813-963-0300  
 Fax: 813-963-0301  
 www.leadedge.com

LYSTON HOME FOR  
 SARAHEN WILASAREZ  
 1321 LYNN PARK DRIVE  
 PALM BEACH, FLORIDA 33411

Drawn By  
 Checked By  
 Date  
 Project No.  
 Job No.

Sheet 4 of 7



FLOOR PLAN

Libbey Engineering Company, Inc.  
 577 Sunset Beach Dr.  
 Atlantic Beach, FL 32118  
 321-255-1111  
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 321-255-1199  
 321-255-1200

NO.	DESCRIPTION	AMOUNT	TOTAL
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**RECEIVED**  
 AUG 15 2016  
 Zoning Division

845 Raven Ave.  
Longwood, FL 32803

August 18, 2016

To Whom It May Concern:

My name is Carmen J. Velasquez. I am submitting an application for Special Exception for Accessory Dwelling Unit. I am requesting a variance to allow 927 sqft in lieu of the 711 sqft for the attached dwelling. The accessory unit is for my father. He is 70 years old with diabetes, high blood pressure, and other health issues. Although he has these medical conditions, he wants to remain independent and does not want to be a hindrance to anyone.

I purchased a 43,666 sqft/1 acre vacant land to build a home. The main home (1581 sqft) is for myself and my sons. The attached dwelling (927 sqft) is for my father. I want him to feel independent but I want to have the ability to provide him help and support as he ages.

Having the ability to care and support him will put me ease and know I can give back to him what he has given to me through my life.

Thank you,

Carmen J.  
Velasquez  
Carmen J. Velasquez

Digitally signed by Carmen J. Velasquez  
DN: cn=Carmen J. Velasquez, o=cs,  
email=C.Judy.Velasquez@gmail.com, c=US  
Date: 2016.08.18 13:55:08 -0400



STAFF REPORT  
CASE #SE-16-10-129  
Orange County Zoning Division  
Planner: Nick Balevich  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Carmen J. Velasquez

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exception and Variance in the R-1 zoning district as follows:

- 1) Special Exception for an attached Accessory Dwelling Unit (ADU) for applicant's father; and,
- 2) Variance to allow an ADU with 927 sq. ft. of floor area in lieu of 711 sq. ft.

LOCATION: South side of Union Park Dr., approximately 1/3 mile east of N. Dean Rd.

PROPERTY ADDRESS: 10212 Union Park Dr.

PARCEL ID: 17-22-31-0000-00-051

TRACT SIZE: 1 acre

DISTRICT #: 5

ZONING: R-1

EXISTING USE(S): Vacant

PROPOSED USE(S): Single Family Residence with attached ADU

SURROUNDING USES: N – Single Family Residences  
S – Commercial  
E – Vacant  
W - Vacant

### STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting approval of a Special Exception for an attached Accessory Dwelling Unit (ADU) for family use.
2. The applicant is proposing a two (2) bedroom, two (2) bathroom ADU to be occupied by their father.
3. The Proposed ADU will be attached, thereby, ensuring that the owner and immediate family member reside under the same roof.
4. The proposed density is lower than the densities in the area. There is an eighteen (18) lot subdivision under construction to the west on a similar sized tract of land.
5. The proposed ADU will comply with all requirements for a Special Exception and the requirements found in Chapter 38 of the Orange County Code.
6. The applicant is advised that additional impact fees will be assessed in accordance with ADU regulations.

### STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated "August 15, 2016", 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Construction plans shall be submitted within three (3) years, or this approval becomes null and void;
5. The Accessory Dwelling Unit (ADU) shall be occupied by an immediate family member for a minimum of three (3) years. The ADU may be occupied by a nonrelative three (3) years after being initially occupied by a relative or after the relative has died, whichever occurs first;

6. The exterior of the ADU shall have similar colors and design materials as the primary residence;
7. 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; and,
8. The applicant shall be responsible for payment of all applicable fees and assessments including, but not limited to, impact fees.

cc: Tamara Edgington (Applicant's representative)  
Leading Edge Builders  
2215 Cluster Oak Drive  
Clermont, Florida 34711

Carmen J. Velasquez  
845 Raven Avenue  
Longwood, Florida 32750

**IGLESIA CRISTIANA PRIMER AMOR, INC.**  
**VA-16-10-130**

---

**REQUEST:** Variance in the C-2 zoning district to permit unpaved driving aisles and 15 grassed parking spaces in lieu of paved parking.  
**ADDRESS:** 208 N Goldenrod Road, Orlando FL 32807  
**LOCATION:** West side of N. Goldenrod Rd., approximately 1/2 mile north of SR-408  
**S-T-R:** 26-22-30  
**TRACT SIZE:** 87 ft. x 200 ft.  
**DISTRICT#:** 3  
**LEGAL:** BEG 83 FT S OF NE COR OF SE1/4 OF SE1/4 OF NW1/4 RUN S 88.25 FT W 250 FT N 88.2 FT E 250 FT TO POB (LESS E 50 FT FOR R/W) IN SEC 26-22-30  
**PARCEL ID:** 26-22-30-0000-00-040  
**NO. OF NOTICES:** 77

**DECISION:** **APPROVED** 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 (unanimous; 4-0, 1 abstained (temporarily absent), and 2 absent):

1. Development in accordance with site plan dated August 16, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The grass parking spaces shall be fitted with tire stops, and all drive aisles shall be paved per County Code. At such time as the use of the property changes from a religious institution to a commercial use, any grassed parking shall be paved.

**SYNOPSIS:** Staff gave a presentation on the case, covering the location, the site plan, modifications to the site, and photos. The applicant agreed with the staff report and conditions.

The BZA stated the request was straightforward, and consistent with past approvals which required drive aisles to be paved.

Staff received no commentaries in favor of the application and one (1) in opposition. There was no opposition at the hearing.

The BZA approved the variance with the condition that the grass parking spaces shall be fitted with tire stops, and all drive aisles shall be paved.





**Applicant:** Iglesia Cristiana Primer Amor, Inc.

**BZA Number:** VA-16-10-130

**BZA Date:** 10/06/2016

**District:** 3

**Sec/Twn/Rge:** 26-22-30-NW-B

**Tract Size:** 87 ft. x 200 ft.

**Address:** 208 N Goldenrod Road, Orlando FL 32807

**Location:** West side of N. Goldenrod Rd., approximately 1/2 mile north of SR-408

Orange County Government

Owner: Iglesia Cristiana Primer Amor  
208 North Goldenrod Road, Orlando FL 32807

Re: B16902509  
Grass Parking

August 17, 2016

To : Board of zoning adjustment

This letter is respectfully requesting the Board to approve the variance on the use of grass area parking instead of the required paved parking for the above property currently zoned Commercial. This property is located at 208 North Goldenrod Road. Goldenrod Road is to the east of the property and adjacent to all the remaining sides are developed Industrial Zoned properties.

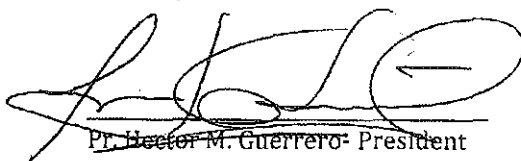
The total area of the property is about 0.40 acres with the existing building to remain for the use of a small assembly. Parking spaces at a limited area on the property.

The paved parking requirement will cause hardships to the church; because it will reduce the number of parking spaces due to the increase in pond size. The following are possible negative impacts to the church using paved parking: limiting the number of members participating in the assembly due to limited parking spaces; increase cost at the church current limited budget , and increase pond size; and reduce funding contribution due to reduce membership.

The request to approve the variance will substantially help to the church, and the environment. The projected traffic and use of grass parking area are mostly during the weekends and/or special events. A grass area parking will help sustain and increase supply of groundwater in the area from the rainfall through pervious soil. It will help reduce the volume of runoff downstream of the system; thereby alleviating any possibility of flooding. And with the proposed increase of grass area on the property, the church is helping to restore the property to each natural state.

Please consider to approve our request for variance as we have shown the benefits of the grass area for this project.

Sincerely,



Pl. Hector M. Guerrero- President

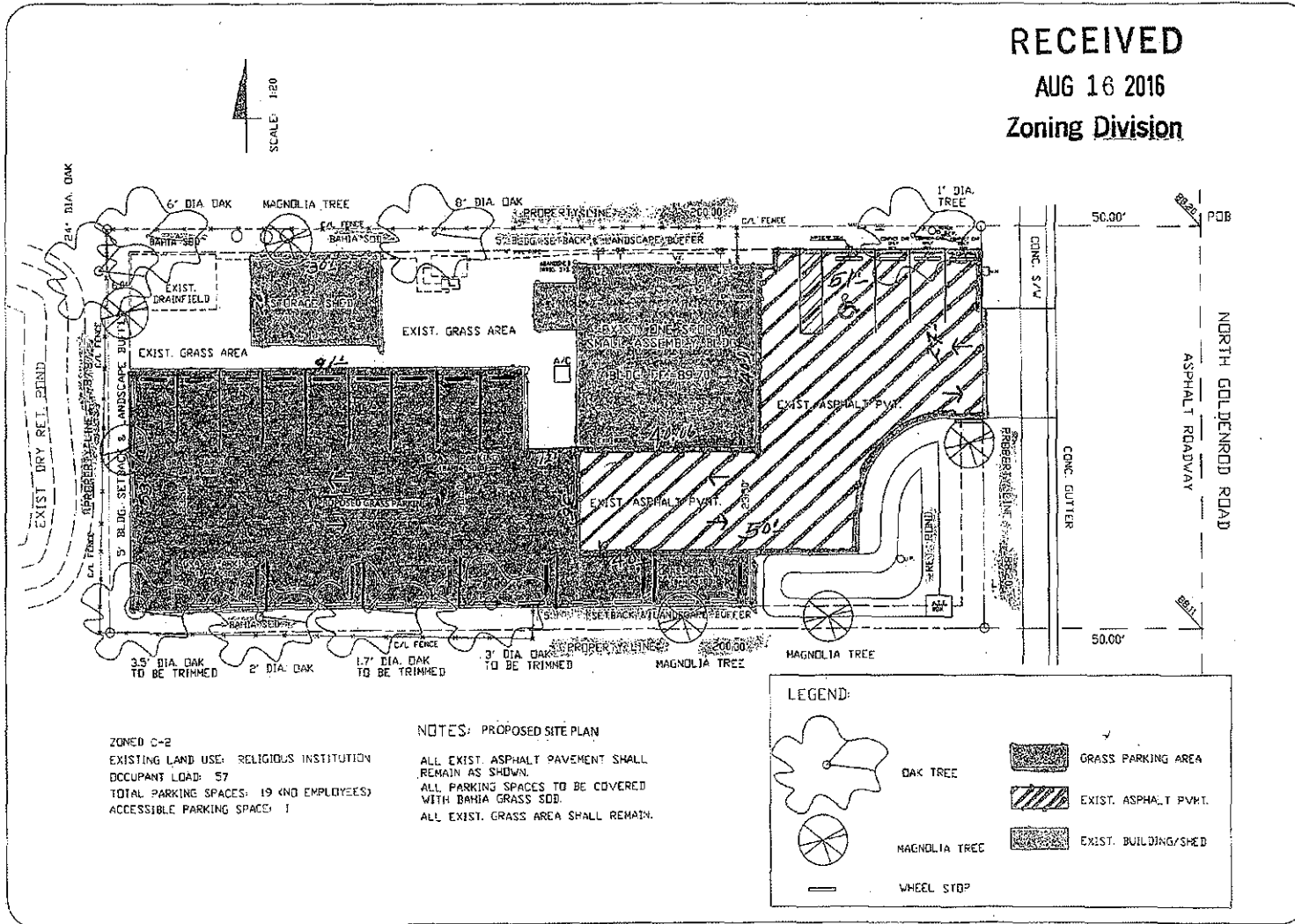
RECEIVED

AUG 18 2016

Zoning Division

Cc: Rolando Reimundo  
FL PE of record # 45981  
Cc: Daniel D. Fis  
FL # CB-C059601

RECEIVED  
AUG 16 2016  
Zoning Division



ZONED C-2  
EXISTING LAND USE: RELIGIOUS INSTITUTION  
OCCUPANT LOAD: 57  
TOTAL PARKING SPACES: 19 (NO EMPLOYEES)  
ACCESSIBLE PARKING SPACE: 1

NOTES: PROPOSED SITE PLAN  
ALL EXIST. ASPHALT PAVEMENT SHALL REMAIN AS SHOWN.  
ALL PARKING SPACES TO BE COVERED WITH BAHIA GRASS SOD.  
ALL EXIST. GRASS AREA SHALL REMAIN.

LEGEND:

	DAK TREE		GRASS PARKING AREA
	MAGNOLIA TREE		EXIST. ASPHALT PVMT.
	WHEEL STOP		EXIST. BUILDING/SHED

Project No.	
Revision	

APPROVED BY:  
ROLANDO L. RAYMUNDO, P.E.  
FL REG. # 45961

IGLESIA CRISTIANA PRIMES AMOR  
208 N GOLDENROD ROAD  
ORLANDO, FLORIDA 32807

SITEPLAN  
PROPOSED PARKING

Drawn by	PR
Checked by	PR
Date	
Scale	



STAFF REPORT  
CASE #VA-16-10-130  
Orange County Zoning Division  
Planner: Nick Balevich  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Iglesia Cristiana Primer Amor, Inc.  
REQUEST: Variance in the C-2 zoning district to permit unpaved driving aisles and 15 grassed parking spaces in lieu of paved parking.  
LOCATION: West side of N. Goldenrod Rd., approximately 1/2 mile north of SR-408  
PROPERTY ADDRESS: 208 N Goldenrod Rd.  
PARCEL ID: 26-22-30-0000-00-040  
TRACT SIZE: 87 ft. x 200 ft.  
DISTRICT #: 3  
ZONING: C-2

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting approval to allow fifteen (15) grassed parking spaces for a Church. Four (4) spaces are proposed to be paved, including a handicap space. The proposal complies with the minimum number of required parking spaces.
2. The site plan shows the removal of one of the buildings at the front, with a retention pond to be placed in the same location.
3. The site is not large enough to accommodate the larger retention pond that would be required to offset paved parking.
4. Staff has no objection to this request because unpaved parking is common in the area, which is characterized by commercial/industrial uses. The request is consistent with the area.
5. This request is consistent with past BZA approvals for unpaved parking for religious facilities that have infrequent use of the parking spaces. Staff recommends approval provided the drive aisles are paved.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 16, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The grass parking spaces shall be fitted with tire stops, and all drive aisles shall be paved per County Code. At such time as the use of the property changes from a religious institution to a commercial use, any grassed parking shall be paved.

cc: Daniel Fis  
C/o Iglesia Cristiana Primer Amor  
1605 Fredrica Drive  
Orlando, Florida 32822

**REQUEST:** Variances in the R-1A zoning district to construct detached garage as follows:  
1) In the front yard in lieu of the side or rear yards; and,  
2) 977 sq. ft. of area in lieu of 634 sq. ft. (25% of home's living area).  
(Note: There is an existing 464 sq. ft. carport on the subject property located in front of the principal structure. Applicant proposes to remove this carport and construct a new garage that will match the main house).

**ADDRESS:** 9785 Lake Georgia Drive, Orlando FL 32817

**LOCATION:** South side of Lake Georgia Dr., approximately 675 ft. west of N. Dean Rd.

**S-T-R:** 06-22-31

**TRACT SIZE:** 1.7 acres (approx. .65 acres upland)

**DISTRICT#:** 5

**LEGAL:** COMM NW COR OF NE1/4 OF NE1/4 E 109.86 FT S 1 DEG E 181.59 FT N 84 DEG E ALONG S R/W OF RD 425 FT FOR POB N 84 DEG E 100 FT S 9 DEG W 1003.05 FT W 58 FT N 07 DEG E 987.2 FT TO POB IN SEC 06-22-31

**PARCEL ID:** 06-22-31-0000-00-024

**NO. OF NOTICES:** 56

**DECISION:** **APPROVED** 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 (unanimous; 5-0 and 2 absent):

1. Development in accordance with site plan dated August 16, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. The garage shall match the main residence in appearance and design.

**SYNOPSIS:** The applicant desires to replace the opened carport in his front yard with a enclosed garage.

Staff advised the BZA that the new garage will match the main house and is setback significantly from Lake Georgia Drive. In addition, the applicant is embraced by his neighbors pursuant to discussions with them.

The applicant gave a quick overview of the request.

The BZA concluded the request was reasonable. The BZA concluded there was no other location to place this garage. There was no opposition.



**Applicant:** Jon Nadler

**BZA Number:** VA-16-10-131

**BZA Date:** 10/06/2016

**District:** 5

**Sec/Twn/Rge:** 06-22-31-NE-A

**Tract Size:** 1.7 acres (approx. 65 acres upland)

**Address:** 9785 Lake Georgia Drive, Orlando FL 32817

**Location:** South side of Lake Georgia Dr., approximately 675 ft. west of N. Dean Rd.



To Whom It May Concern:

I am applying for a zoning variance to build a detached accessory building (garage) above the normal allowed square footage and in front of the primary structure (home) on the property.

Currently, my property has a detached covered carport with a slab foundation, exposed concrete block supports, and a shingled roof. This structure does not match the siding facade of the house and is a utilitarian structure with no aesthetic appeal. The carport currently houses 2 cars, trash cans, and recycle bins that are all visible from the road. I would like to replace this structure with a detached garage built to match the aesthetic of the house and blend into the property seamlessly. It would be on a slab foundation with frame walls. The windows, architectural features, siding, and shingle roof would all be designed to match the house. In a further effort to add curb appeal and organization, I need the structure to be large enough to accommodate our family's 3 cars with additional storage space for bikes, yard equipment, workshop space, etc. This would afford a very clean look with no cars, equipment, or trash cans visible from the street. The proposed structure is 46' long, 20'8" deep (with the middle garage door bumped out to 22' deep for visual appeal), and 12'10" high. I have purposely designed the structure shallower in depth than a normal garage (typically 24-26') with a 3 dimensional front wall and an extra gable to make the structure as visually appealing as possible while still allowing the minimum space needed for the desired usage (977 sq ft total). The current carport is located in a position on the property that has a 5' setback to the adjacent property. This 5' setback will be maintained with the proposed structure.

Current zoning rules would allow me to build a garage with the exact square footage I need by attaching the proposed garage to my house instead of building a detached structure. In fact, an attached structure would be more convenient to access from the house. However, there is a major special condition/circumstance that prevents me from doing this... Trees... One of the main reasons my wife and I purchased our current home was the quantity of property it had on a lake and the mature trees present. In particular, two very large oak trees estimated to be 200-250 years old stand in front of the house. These trees provide a canopy of shade over our entire front yard and add character to the the property that could never be replaced with a manmade structure. These two oak trees and a large cypress tree are all located in the only feasible area an attached garage could be built. I would never intentionally remove these trees.

I have spoken to all my immediate neighbors about the planned detached garage and they all agree it would add curb appeal to my property and the neighborhood in general. Please consider my variance application to allow a purposeful and attractive structure to be built while still maintaining the natural beauty of my property.

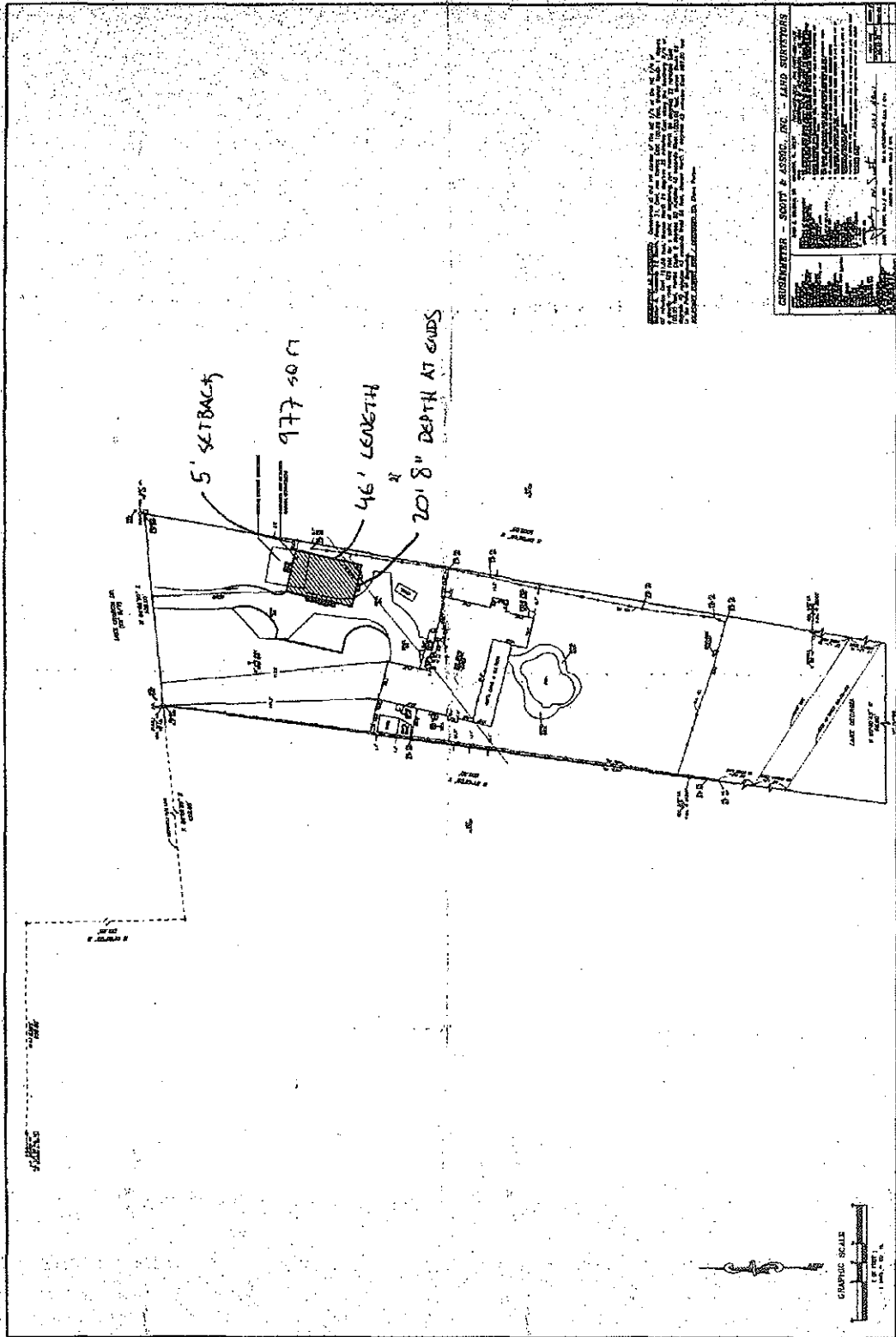
Sincerely

  
Jon Nadler, DVM

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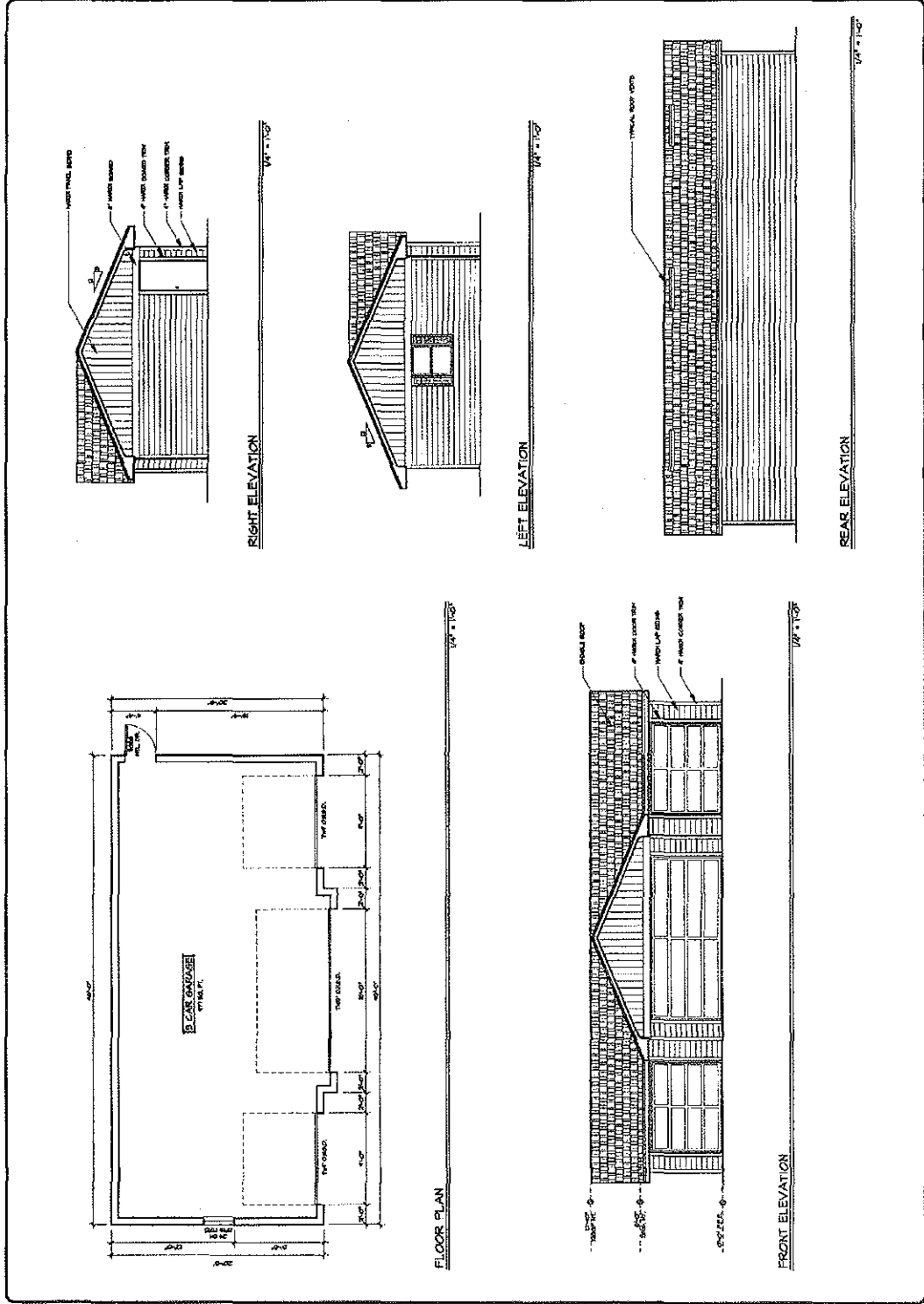
AUG 16 2016

Zoning Division



RECEIVED  
AUG 16 2016  
Zoning Division

SPS STRUCTURAL PLAN PO BOX 240120 ATLANTA, GA 30324 (404) 525-7704 FAX (404) 525-9028	NADLER RESIDENCE 9765 LAKE GEORGIA DRIVE GRANDD, FLORIDA	SHEET NO. 1
		DATE 08/16/16 DRAWN BY J. S. BAKER





STAFF REPORT  
CASE #VA-16-10-131  
Orange County Zoning Division  
Planner: Rocco Relvini  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Jon Nadler

REQUEST: Variances in the R-1A zoning district to construct detached garage as follows:

- 1) In the front yard in lieu of the side or rear yards; and,
- 2) 977 sq. ft. of area in lieu of 634 sq. ft. (25% of home's living area).

(Note: There is an existing 464 sq. ft. carport on the subject property located in front of the principal structure. Applicant proposes to remove this carport and construct a new garage that will match the main house).

LOCATION: South side of Lake Georgia Dr., approximately 675 ft. west of N. Dean Rd.

PROPERTY ADDRESS: 9785 Lake Georgia Dr.

PARCEL ID: 06-22-31-0000-00-024

TRACT SIZE: 1.7 acres (approx. .65 acres upland)

DISTRICT #: 5

ZONING: R-1A

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to replace the existing opened carport in his front yard with a larger one. The existing carport is approximately 500 sq. ft. The proposed carport will be enclosed and contain a total of 977 sq. ft.
2. The new carport will have a significant front setback. In addition, it will be built to match the main residence on the site.
3. The adjacent neighbors submitted letters of no objection. Further, a neighbor directly across the street advised staff that he had no objections whatsoever.

4. Staff has no objections because the carport will be aesthetically pleasing and have a significant setback from Lake Georgia Drive.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 16, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The carport shall match the main residence in appearance and design.

cc: John Nadler  
9785 Lake Georgia Drive  
Orlando, Florida 32817

**MARK G. RYAN**  
**VA-16-10-132**

---

**REQUEST:** Variance in the R-1A zoning district to construct a total of 910 sq. ft. of accessory structure floor area in lieu of 500 sq. ft.  
(Note: This is the result of code enforcement action. The applicant submitted five (5) letters of support from neighbors).

**ADDRESS:** 529 Marigold Avenue, Orlando FL 32807

**LOCATION:** East side of Marigold Ave., approximately 350 ft. north of Hibiscus Rd.

**S-T-R:** 27-22-30

**TRACT SIZE:** 85 ft. x 182 ft.

**DISTRICT#:** 3

**LEGAL:** N 85.42 FT OF S 433.26 FT OF E1/2 OF NW1/4 OF SE1/4 OF NW1/4 (LESS W 150 FT) OF SEC 27-22-30 SEE 5579/3865

**PARCEL ID:** 27-22-30-0000-00-124

**NO. OF NOTICES:** 98

**DECISION:** **APPROVED** 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 (unanimous; 5-0, 1 abstained (due to temporarily absent), and 1 absent):

1. Development in accordance with site plan dated August 16, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. The accessory structure shall be designed and built to match the main house on site;
5. The applicant shall obtain permits for the new accessory structure within ninety (90) days; and,
6. Approval is for a maximum of 750 sq. ft. of accessory uses.

**SYNOPSIS:** The applicant was cited by the Code Enforcement Division for constructing a detached storage building without building permits. Staff gave an overview of the request. In conclusion, staff could not support the request. The amount of deviation from the code was too great.

The applicant gave a brief presentation to the BZA.

The BZA concluded the size of the storage building was too big and asked the applicant how much smaller if accepted. The applicant indicated the requested amount was what he preferred.

The BZA approved the request but limited the size of the total amount of accessory use square footage to 750.

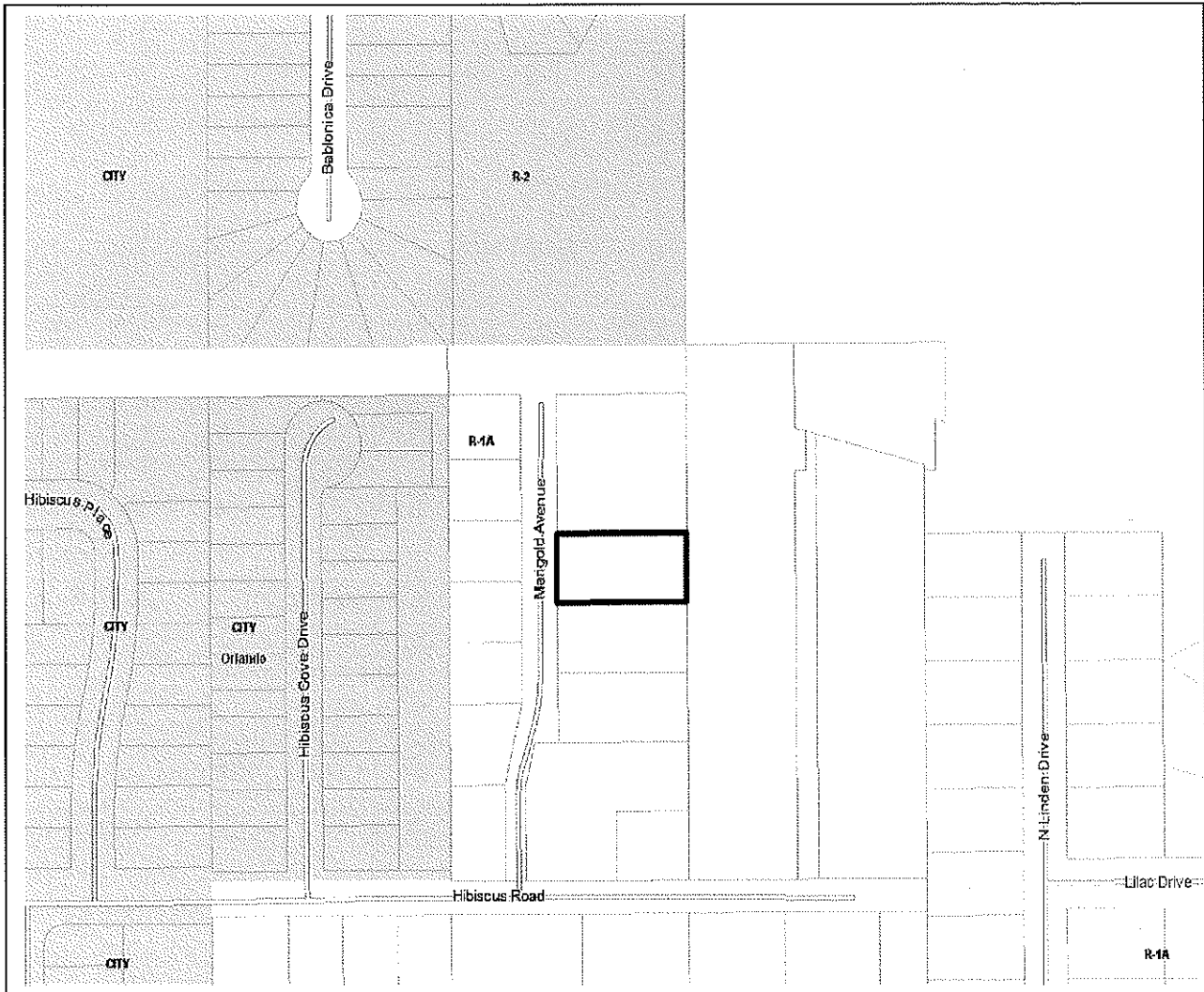
There was no opposition at the hearing.

The BZA concluded the size of the storage building was too big and asked the applicant how much smaller if accepted. The applicant indicated the requested amount was what he preferred.

The BZA approved the request but limited the size of the total amount of accessory use square footage to 750.

There was no opposition at the hearing.





**Applicant:** Mark G. Ryan

**BZA Number:** VA-16-10-132

**BZA Date:** 10/06/2016

**District:** 3

**Sec/Twn/Rge:** 27-22-30-NW-B

**Tract Size:** 85 ft. x 182 ft.

**Address:** 529 Marigold Avenue, Orlando FL 32807

**Location:** East side of Marigold Ave., approximately 350 ft. north of Hibiscus Rd.

COVER LETTER

Mark G & Nilza Ryan  
529 Marigold Ave  
Orlando, FL 32807

To: Board of Zoning Adjustment, Orange County Florida

I am respectfully requesting a variance for square footage allowance for an accessory building at my primary residence. I have an existing 936 sq. ft. detached storage building comprising of wood framing, sheet wood siding, and asphalt shingles on concrete slab, which I estimate to have been built in 1987. It was there when I purchased to house in 1990. Attached to the front of this structure is a 440 sq. ft. open carport comprising of a conventionally framed roof structure with asphalt shingles supported by reinforced concrete and block columns, which I built myself in 2003, bringing the existing structure to 1376 sq. ft. I feel safe in assuming the original structure was not constructed under permit, and I admit that I added the carport without permit. Code enforcement has taken notice of this structure and has issued an enforcement letter.

My house has no integral garage or carport, nor any area for utility storage. I am hoping to retain the open carport at 440 sq. ft. It will remain at 5.3 ft. from the side property line, 59.5 ft. from the far side property line, 55.3 ft. from the rear property line, and 29.5 from the rear of the house. By current allowance, this would leave just 60 sq. ft. for utility storage. I am asking for a variance to allow an additional 410 sq. ft. of allowance in order to replace the storage portion of this structure with a 470 sq. ft. storage structure comprised of concrete block walls, an engineered truss roof, and asphalt shingles. It will be at 6.6 ft. from the side property line, 54.4 ft. from the far side property line, 35.5 ft. from the rear property line, and 51.5 from the rear of the house. These two structures would become one unitized structure with an area of 910 sq. ft.

Allow me to speak as to criteria for a zoning variance. As to Special Conditions and Circumstance of variance criteria, the dwelling on this property was built with no covered or closed vehicle parking, nor with any utility storage area. It is my belief that it was designed and situated such that an addition for covered/enclosed parking and utility storage could not be done without extraordinary effort, nor would it have much aesthetic appeal if such were done. As to Not Self-Created of variance criteria, I purchased this property as designed and built along with the enclosed portion of the accessory structure. As to No Special Privilege Conferred of variance criteria, I can see no special privilege in having a place to put non household items and having a means to protect vehicles from constant weathering. As to Deprivation of Rights of variance criteria, it is my belief that election to live in an R1A district presumes a right to have sheltered parking for vehicles, an enclosed area to store non household items, and perform tasks that would not be done inside the house or outdoors. As to Minimum Possible Variance of variance criteria, I have determined that 440 sq. ft. of carport area is typically the minimum required area for safe placement of two vehicles. I have also determined after consolidating all of my outdoor storage items, after culling out much of it, that 470 sq. ft. of area, minus 58 sq. ft. for block wall dimension, is a very reasonable and modest area for storage of lawn equipment and supplies, seasonal items, recreational items, and tools that an above average do-it-yourselfer would possess, without stacking and packing so as to make accessing such items a difficult task. As to Purpose and Intent of variance criteria, the variance I request will not change my behavior; nor is my behavior different from what one would expect from a casual homeowner. The existing structure has been in place for a long enough period to prove that no detriment has come to the neighborhood or general public because of such. I have obtained letters of approval from my connecting neighbors with the exception of the vacant lot owner to my north, who lists as residing in Miami, but apparently spends most of his time outside the country.

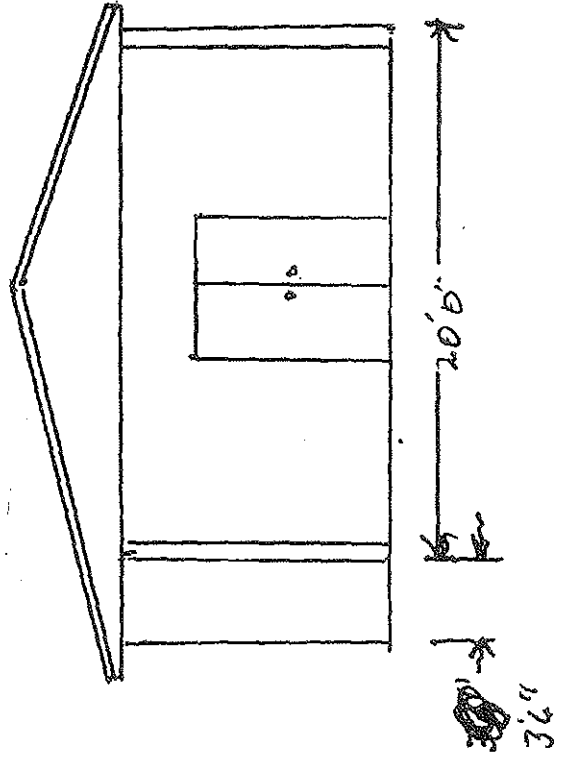
Thank you,  
Mark G Ryan

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AUG 16 2016  
Zoning Division



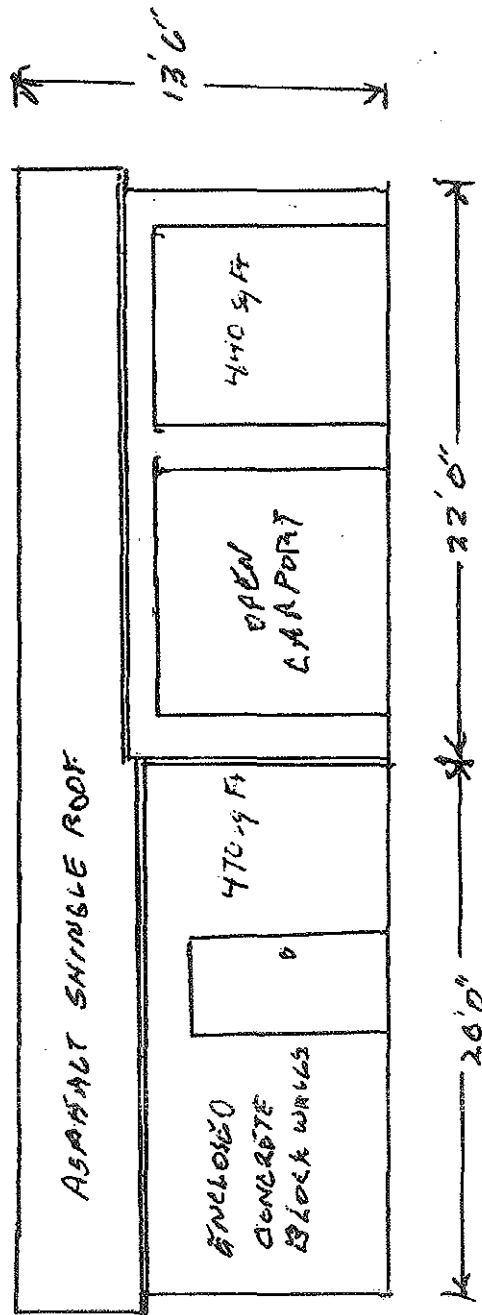


529 MARICUO AVE.  
ORLANDO, FL 32807



FRONT ELEVATION (PROPOSED)

529 Marigold Ave  
Orlando FL 32807



1"-6'  
SIDE ELEVATION (PROPOSED)



STAFF REPORT  
CASE #VA-16-10-132  
Orange County Zoning Division  
Planner: Rocco Relvini  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Mark G. Ryan

REQUEST: Variance in the R-1A zoning district to construct a total of 910 sq. ft. of accessory structure floor area in lieu of 500 sq. ft.

(Note: This is the result of code enforcement action. The applicant submitted five (5) letters of support from neighbors).

LOCATION: East side of Marigold Ave., approximately 350 ft. north of Hibiscus Rd.

PROPERTY ADDRESS: 529 Marigold Ave.

PARCEL ID: 27-22-30-0000-00-124

TRACT SIZE: 85 ft. x 182 ft.

DISTRICT #: 3

ZONING: R-1A

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to replace a carport/storage accessory building totaling 1376 sq. ft. with a new carport/storage building containing 910 sq. ft.
2. There are no records of any permits being issued for the original building.
3. The applicant has been cited by the Code Enforcement Division.
4. Even with the new 910 sq. ft. accessory building, the amount of variance deviation is eighty-two percent (82%). The variance criteria seeks to minimize the extent of the deviation.
5. On a positive note, the applicant has submitted five (5) letters of no objection from his neighbors.
6. The new accessory building will be made of building materials commonly used on single family residential construction. Therefore, this new accessory building complies with this particular section of the code.

STAFF RECOMMENDATION:

Staff has concerns about the amount of deviation from the code (82%). If the BZA approves this request, the following conditions should be imposed:

1. Development in accordance with site plan dated August 16, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. The accessory structure shall be designed and built to match the main house on site; and,
5. The applicant shall obtain permits for the new accessory structure within ninety (90) days.

cc: Mark G. Ryan  
529 Marigold Avenue  
Orlando, Florida 32807



**IGLESIA PENTACOSTAL UNA MIRADA DE FE  
SE-16-10-133**

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**REQUEST:** **Special Exception and Variance** in the A-2 zoning district as follows:  
1) Special Exception: To construct a 3,000 sq. ft. religious use facility (sanctuary) to accommodate up to 150 members; and,  
2) Variance to permit grassed parking and driving aisle in lieu of paved.

**ADDRESS:** 6330 Nassau Avenue, Orlando FL 32822

**LOCATION:** South side of Nassau Ave., approximately 325 ft. west of Redditt Rd.

**S-T-R:** 14-23-30

**TRACT SIZE:** 2.25 acres

**DISTRICT#:** 3

**LEGAL:** LOS TERRANOS P/87 THE E1/2 OF LOT 3 BLK 2

**PARCEL ID:** 14-23-30-5240-02-031

**NO. OF NOTICES:** 95

**DECISION:** **APPROVED** 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 further, **APPROVED** 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 (unanimous; 6-0 and 1 absent):

1. Development in accordance with site plan dated October 4, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. No outdoor speakers or other audio amplification;

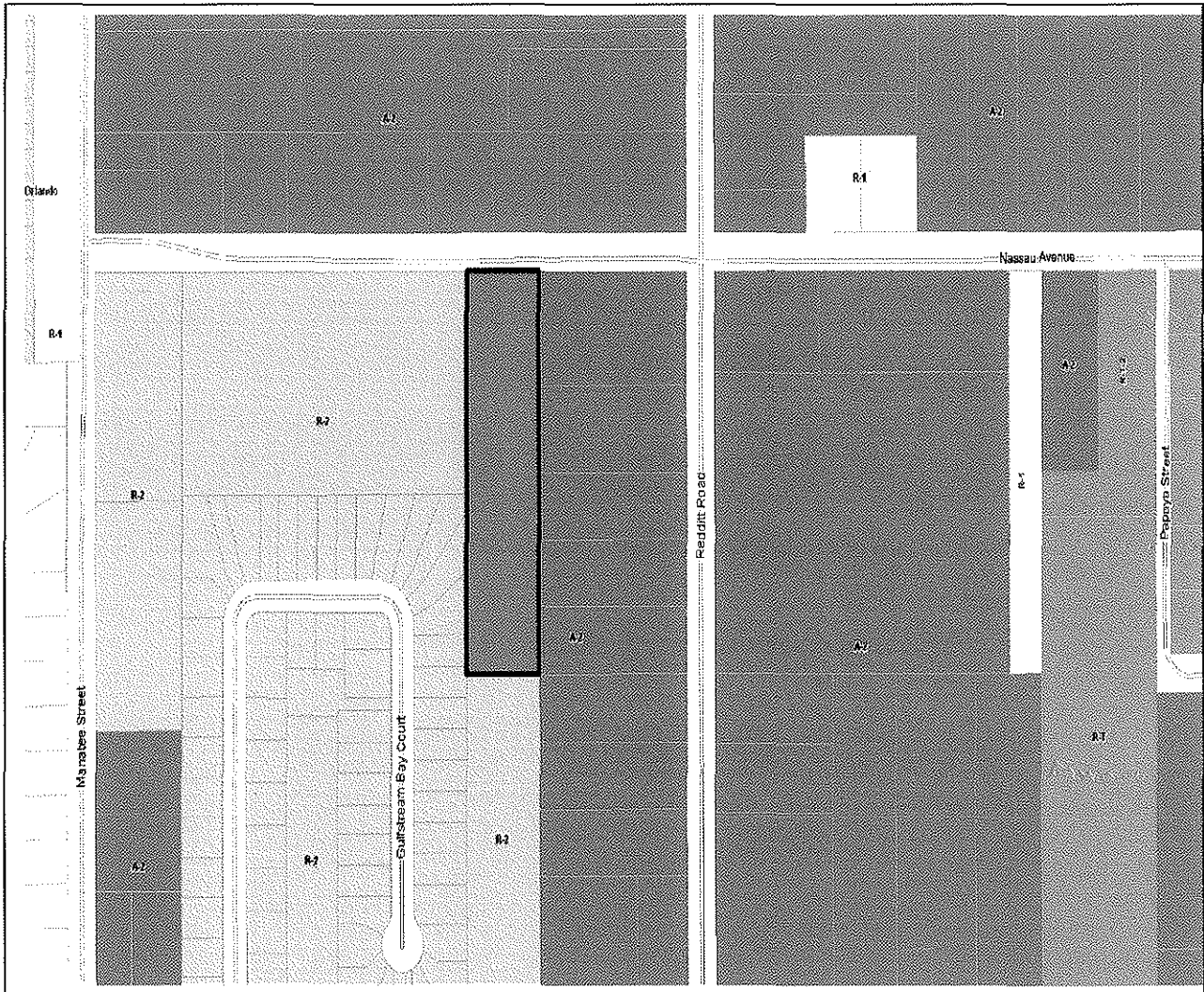
5. No more than four (4) outdoor special events per year. Hours of said events shall be from 8:00 a.m. to 9:00 p.m.;
6. Landscaping shall be provided in accordance with Chapter 24, Orange County Code. Existing trees may be used to satisfy this condition;
7. Any expansions of the use shall require additional BZA approval;
8. All grassed parking shall be delineated with tire stops. The drive aisles and handicap parking spaces shall be paved; and,
9. Construction plans shall be submitted within three (3) years of this approval of the new sanctuary becomes null and void. The approval of the Special Exception shall remain valid.

**SYNOPSIS:** Staff noted that when the applicants had submitted the request for the Special Exception to construct the new sanctuary, it was found that the church never had obtained any past approvals. However, staff also never found any complaints or code violations. To staff, this indicated that the church had been a good neighbor, and was a part of the community. Staff indicated that it had received two (2) correspondence in support of the request and none in opposition. Staff noted that the date in Condition #1, should be amended from August 13, 2016 to October 4, 2016, as a new and improved site plan was submitted on that date.

The applicant indicated that they were in agreement with the staff recommendation and all of the conditions.

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

The BZA noted that the lack of opposition, and the fact that the church had been there for so long without any incidents showed that it was compatible with the neighborhood. They also noted that they were recommending approval of the request with a recommendation that the standard parking spaces could be grassed; however, the drive aisle and handicap parking spaces must be paved. The applicant acknowledged that they understood. A motion was made and seconded to recommend approval of the request with the conditions as amended. The motion was unanimously approved.



**Applicant:** Iglesia Pentecostal Una Mirada De Fe

**BZA Number:** SE-16-10-133

**BZA Date:** 10/06/2016

**District:** 3

**Sec/Twn/Rge:** 15-23-30-SE-D

**Tract Size:** 2.25 acres

**Address:** 6330 Nassau Avenue, Orlando FL 32822

**Location:** South side of Nassau Ave., approximately 325 ft. west of Redditt Rd.



Jehová es mi Pastor, nada  
me faltará. Salmo 23:1

**Iglesia Pentecostal Una Mirada De Fe, Inc.**  
6330 Nassau Ave, Orlando, FL 32822 • 407-719-8669 • Luis J. Pérez, Pastor

---

August 15, 2016

To whom it may concern,

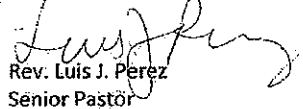
The purpose of this letter is to request a special exception which is needed according to the Zoning for a building to be used for assembly purposes.

The building size will be approximately 2,800 – 3,000 square feet.  
The anticipated attendance would consist of 150 (100 adults, 25 youth and 25 children).  
The assembly time would consist of Sunday morning and a mid-week service.

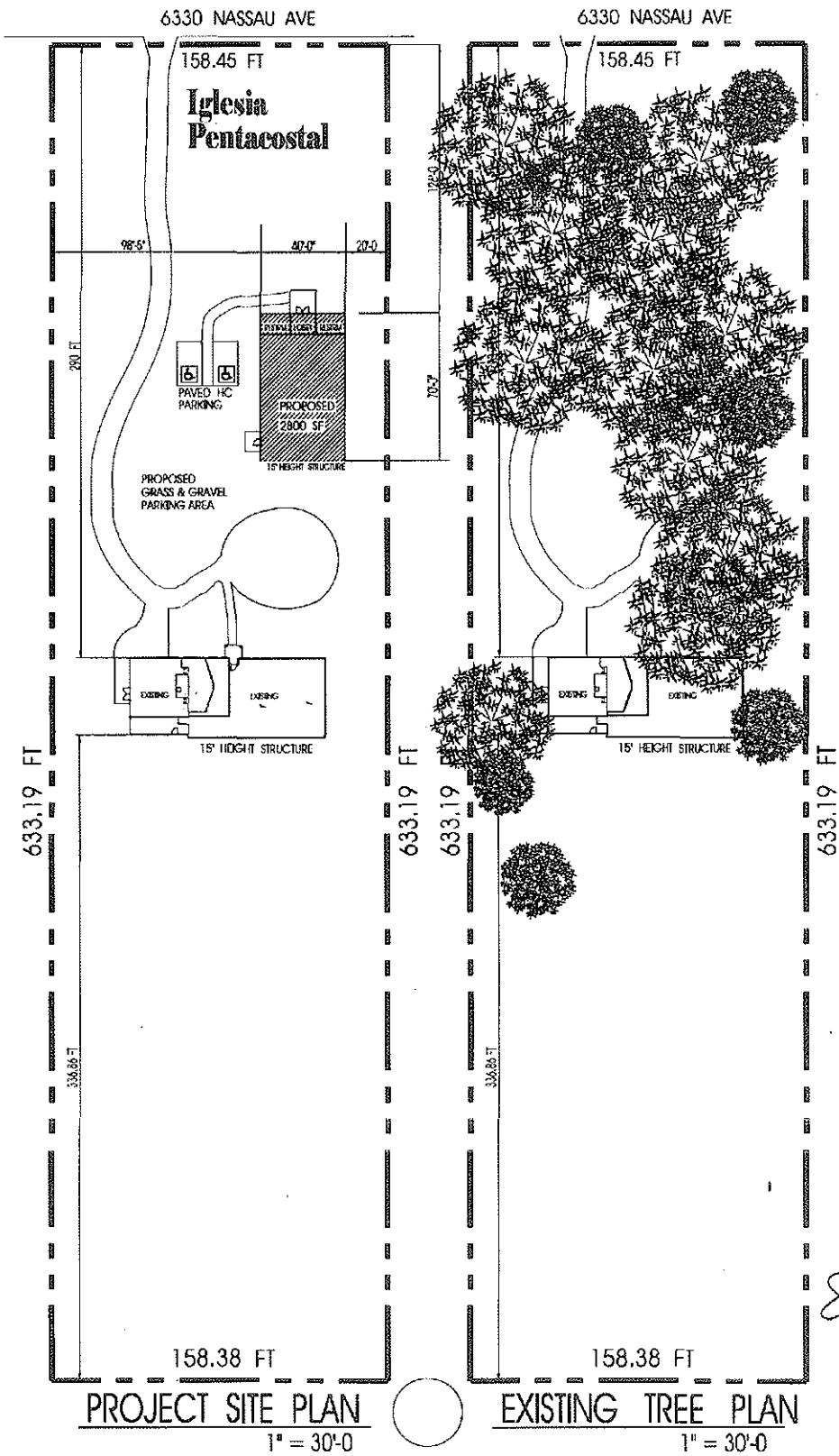
We have met with the building department, fire and other county representatives to insure we are in compliance with any additional requirements.

I thank you for your time in reviewing our request and we look forward to your response to our request.

Warm regards,

  
Rev. Luis J. Pérez  
Senior Pastor

RECEIVED  
AUG 13 2016  
Zoning Division



RECEIVED  
 AUG 16 2016  
 Zoning Division





STAFF REPORT  
CASE #SE-16-10-133  
Orange County Zoning Division  
Planner: David Nearing, AICP  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Iglesia Pentecostal Una Mirada De Fe

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exception and Variance in the A-2 zoning district as follows:

- 1) Special Exception: To construct a 3,000 sq. ft. religious use facility (sanctuary) to accommodate up to 150 members; and,
- 2) Variance to permit grassed parking and driving aisle in lieu of paved.

LOCATION: South side of Nassau Ave., approximately 325 ft. west of Redditt Rd.

PROPERTY ADDRESS: 6330 Nassau Ave.

PARCEL ID: 14-23-30-5240-02-031

TRACT SIZE: 2.25 acres

DISTRICT #: 3

ZONING: A-2

EXISTING USE(S): Religious Institution

PROPOSED USE(S): Religious Institution

SURROUNDING USES: N – Single Family Home and Mobile Home  
S – Religious Institution  
E – Single Family Residences  
W - Single Family Residences

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting approval to construct a new sanctuary with seating for up to 150 worshipers. The new facility will be 3,000 sq. ft.

2. In researching this request, staff found that while the church has been in its current location for over fifteen (15) years, it has never obtained a Special Exception. However, it has also never been cited for any types of violations, demonstrating that it has been a good neighbor.
3. Because the proposed use is considered an infrequent use, generally having services two (2) days a week, it is common to grant a variance for grassed parking. However, since the drive aisles are subject to more wear and tear, staff traditionally recommends that they be paved.
4. Due to the existence of substantial tree stands along the property lines, no fencing is recommended.
5. The existing sanctuary building will be converted to offices and a fellowship hall.

**STAFF RECOMMENDATION:**

Staff finds that due to the fact that the use has existed in this location for so many years without any complaints from neighboring residents indicates that the use has successfully fit into the neighborhood. Approval of this request will properly document and legitimize the use. Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 13, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. No outdoor speakers or other audio amplification;
5. No more than four (4) outdoor special events per year. Hours of said events shall be from 8:00 a.m. to 9:00 p.m.;
6. Landscaping shall be provided in accordance with Chapter 24, Orange County Code. Existing trees may be used to satisfy this condition;
7. Any expansions of the use shall require additional BZA approval;

8. All grassed parking shall be delineated with tire stops. The drive aisles and handicap parking spaces shall be paved; and,
9. Construction plans shall be submitted within three (3) years or this approval of the new sanctuary becomes null and void. The approval of the Special Exception shall remain valid.

cc: Jenna Lee  
C/o Iglesia Pentacostal Una Mirada De Fe  
520 Clifton Street, Suite 10  
Orlando, Florida 32808

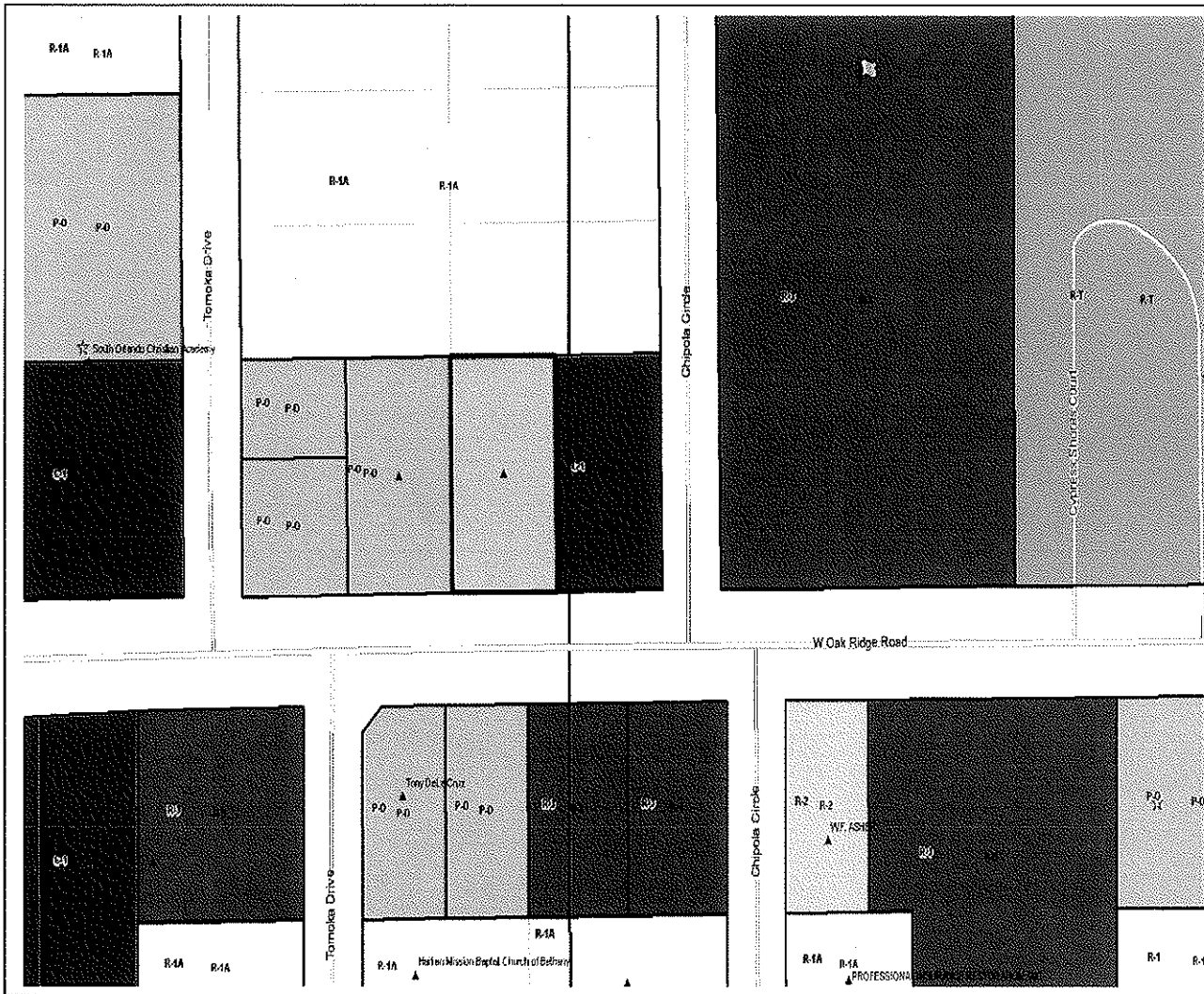


**GILSON MORTIMER  
SE-16-10-134**

---

**REQUEST:** Special Exception in the P-O zoning district to allow a coin-operated laundromat.  
**ADDRESS:** 1011 W Oak Ridge Road, Orlando FL 32809  
**LOCATION:** North side of W. Oak Ridge Rd., approximately 925 ft. east of S. Orange Blossom Trail  
**S-T-R:** 22-23-29  
**TRACT SIZE:** 107 ft. x 178 ft.  
**DISTRICT#:** 3  
**LEGAL:** FLORIDA SHORES Q/142 LOT 14 BLK G (LESS S 12FT FOR RD R/W)  
**PARCEL ID:** 22-23-29-2792-07-140  
**NO. OF NOTICES:** 221

The BZA **CONTINUED** this case indefinitely to allow the applicant time to obtain a detailed site plan.



**Applicant:** Gilson Mortimer

**BZA Number:** SE-16-10-134

**BZA Date:** 10/06/2016

**District:** 3

**Sec/Twn/Rge:** 22-23-29-NE-A

**Tract Size:** 107 ft. x 178 ft.

**Address:** 1011 W Oak Ridge Road, Orlando FL 32809


**Location:** North side of W. Oak Ridge Rd., approximately 925 ft. east of S. Orange Blossom Trail

Gilson T. Mortimer  
1118 Nejac Lane  
Kissimmee, FL 34759

---

Orange County Zoning Division  
201 S. Rosalind Avenue P.O. Box 2687  
Orlando, FL 32808-2687

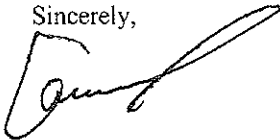
To Whom It May Concern:

8/16/16  


I would like to formally request a special exception in order to convert a medical office, currently located at 1011 W. Oak Ridge Rd, Orlando, FL, 32809, into a coin-operated laundromat/dry cleaner. I intend to renovate the inside of the building in order to achieve my goal. The purpose of the intended business is to furnish the surrounding area with a convenient and cheap means to clean their clothing. Only one building will be needed, the size will be an estimated 3870 sq. ft., and currently a medical office exists in the building. This projected business has zero clients and only three employees at this current time. This business is tentatively set to operate seven days a week from 6:00 am- midnight.

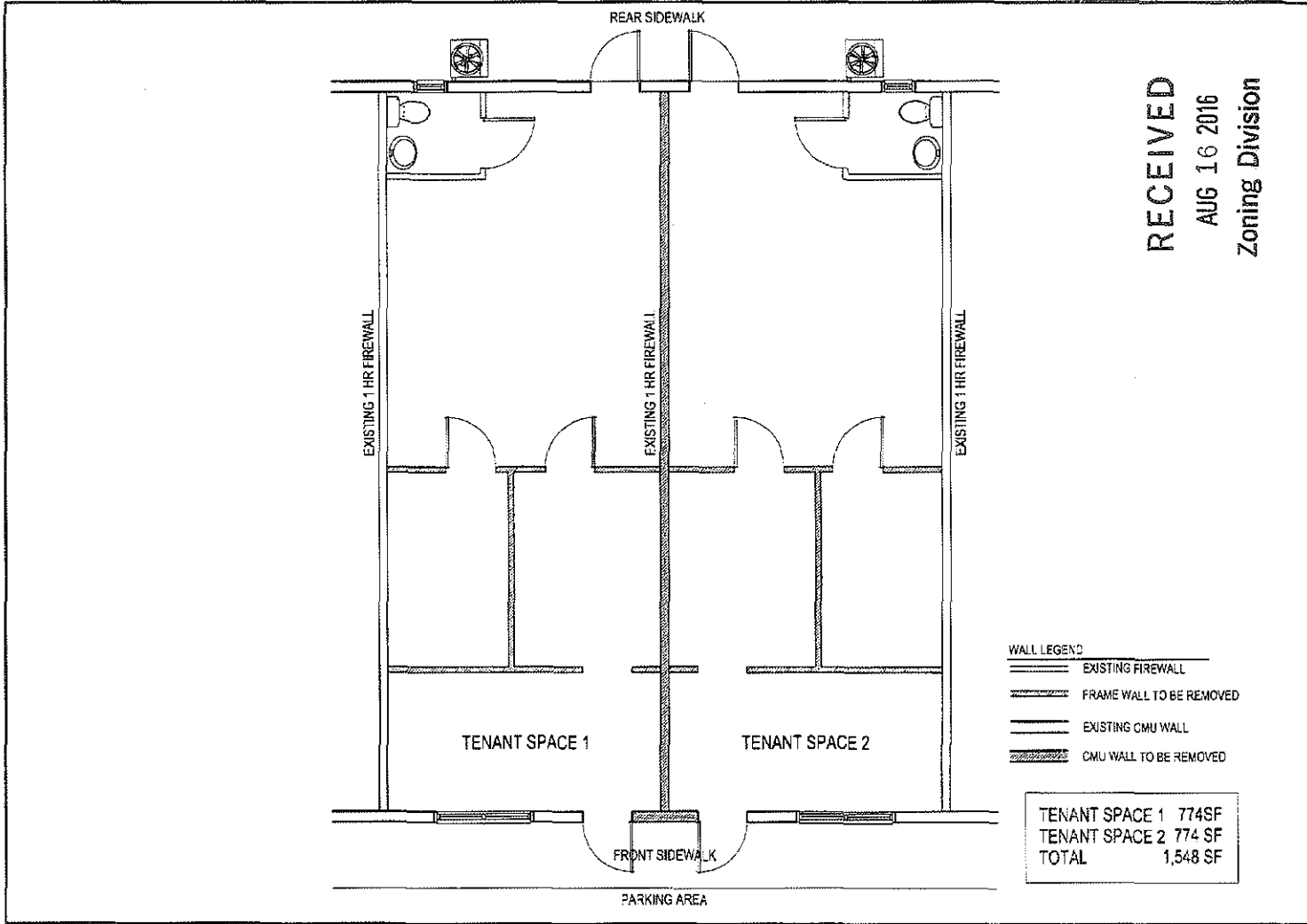
If any more information is needed please feel free to contact me at (407) 744-4722. Please have a nice day.

Sincerely,



Gilson T. Mortimer

RECEIVED  
AUG 16 2016  
Zoning Division



DATE	DATE	BY

PROPOSED  
LAUNDRATORY/CLEANERS  
1.00  
ORLANDO, FL 32806

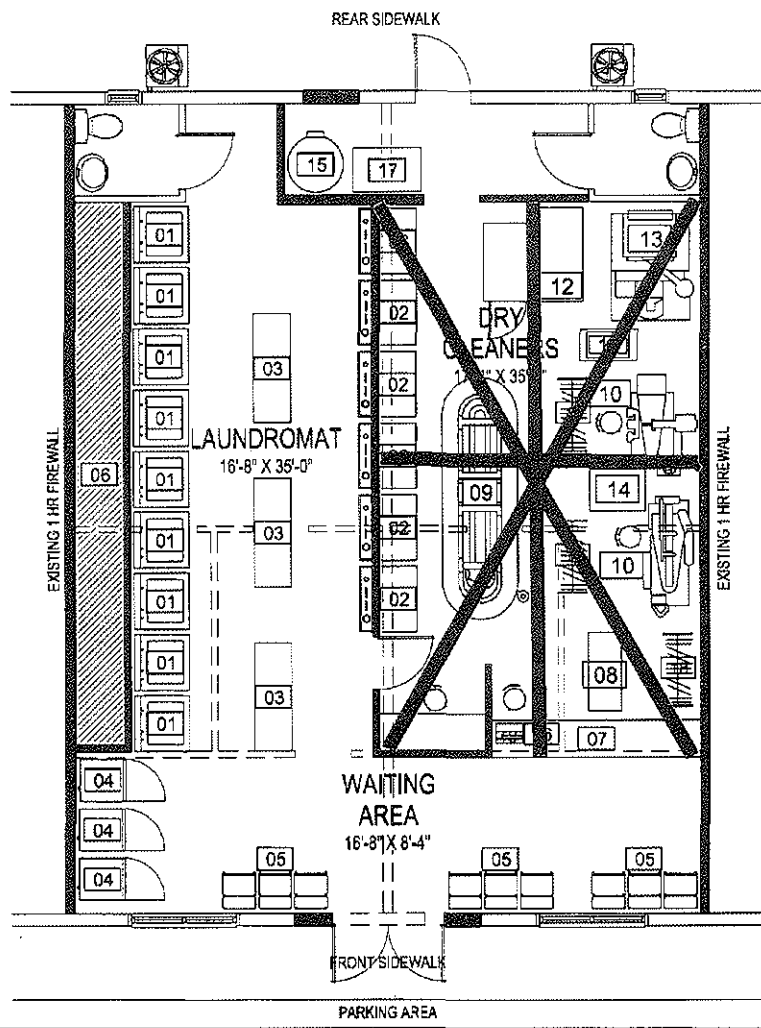
FLAQUER ENGINEERING GROUP, P.E.  
Professional Engineer  
Architectural Engineering  
P.E. #1253  
10000 University Blvd, Suite 200  
Orlando, FL 32817

DRAFTTRONIC  
200 S. Orange Blossom Trail, Orlando, FL 32805  
Tel: 407.771.7405  
Email: draft@drafttronic.com


EXISTING FLOOR PLAN

A1

RECEIVED  
 AUG 16 2016  
 Zoning Division



EQUIPMENT LIST	
01	COMMERCIAL WASHING MACHINE
02	COMMERCIAL DRYER MACHINE
03	FOLDING TABLES
04	VENDING MACHINES
05	CLIENTELE SEATING AREA
06	PLUMBING CHASE
07	DRY CLEANER COUNTER
08	FOLDING AND ASSEMBLY TABLE
09	CONVEYOR BELT
10	IRONING EQUIPMENT
11	SCALE CART
12	WASHING MACHINE
13	DRY CLEANER
14	CART
15	INDUSTRIAL WATER HEATER
16	CASH REGISTER
17	GAS POWERED POWER GENERATOR
18	CLOTHES RACK
19	OFFICE EQUIPMENT

LAUNDROMAT	730 SF
DRY CLEANER	818 SF
<b>TOTAL</b>	<b>1,548 SF</b>

WALL LEGEND

	EXISTING 4\"/>
	NEW 4\"/>
	EXISTING WALL TO BE REMOVED
	EXISTING CMU WALL
	PROPOSED CMU WALL

RECEIVED  
 AUG 16 2016  
 Zoning Division

**DRAFTTRONICS**  
 2829 S. Orange Blossom Trail, Orlando, FL 32805  
 (407) 271-7400  
 Email: drafttronic@aol.com

FLAQUER ENGINEERING GROUP, P.E.  
 Architects & Engineers  
 1000 E. Colonial Ave., Suite 100  
 Orlando, FL 32801

REV.	BY

DATE	APP'D	DATE	APP'D

PROPOSED  
 LAUNDROMAT/DRYCLEANERS  
 1600 S. GARDEN BOULEVARD  
 ORLANDO, FL 32805  
 PLOT: 1600 S. GARDEN BOULEVARD

A2



STAFF REPORT  
CASE #SE-16-10-134  
Orange County Zoning Division  
Planner: David Nearing, AICP  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Gilson Mortimer

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exception in the P-O zoning district to allow a coin-operated laundromat.

LOCATION: North side of W. Oak Ridge Rd., approximately 925 ft. east of S. Orange Blossom Trail

PROPERTY ADDRESS: 1011 W Oak Ridge Rd.

PARCEL ID: 22-23-29-2792-07-140

TRACT SIZE: 107 ft. x 178 ft.

DISTRICT #: 3

ZONING: P-O

EXISTING USE(S): Multi Tenant Office Building

PROPOSED USE(S): Coin-Op Laundromat

SURROUNDING USES: N – Single Family Residence  
S – W. Oak Ridge Road/Office/Multifamily Residential  
E – Retail  
W - Office

STAFF FINDINGS AND ANALYSIS:

1. Staff cannot review this request because the applicant did not submit a site plan as required. This request should be continued indefinitely until the applicant submits a certified site plan showing all tenants, building square footages, uses, parking spaces, etc. The site plan criteria is listed on the BZA application.

STAFF RECOMMENDATION:

Staff recommends a continuance of the request until the applicant submits the required site plan consistent with the Special Exception application.

cc: Lorenzo Thompson (Applicant's representative)  
1238 N. Pine Hills Road  
Orlando, Florida 32808

Gilson Mortimer  
1118 Najac Lane  
Orlando, Florida 32809

**VICTOR PALULIS**  
**VA-16-10-135**

---

**REQUEST:** Variance in the R-1A zoning district to permit a 6 ft. high fence within the front yard in lieu of 4 ft.  
(Note: The fence was in place at the time the applicant purchased the property. The applicant replaced the fence which was in disrepair with new PVC fencing. The work was performed without a building permit. This is the result of code enforcement action).

**ADDRESS:** 9733 Landowne Court, Orlando FL 32817

**LOCATION:** North side of Landowne Ct., east of SR-417

**S-T-R:** 07-22-31

**TRACT SIZE:** .36 acres

**DISTRICT#:** 5

**LEGAL:** HUNTERS TRACE UNIT 1 12/138 PARTS OF LOTS 44 DESC AS BEG SE COR OF LOT 44 TH S89-13-18W 49.15 FT TH RUN N39-45-00E 75.65 FT TH S00-46-42E 57.49 FT TO POB & PT OF 43 DESC AS COMM AT NW COR OF LOT 43 TH N89-13-18E 36.34 FT TO POB TH N89-13-18E 38.66 FT TH S

**PARCEL ID:** 07-22-31-3790-00-420

**NO. OF NOTICES:** 73

**DECISION:** **APPROVED** 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 (unanimous; 6-0 and 1 absent):

1. Development in accordance with site plan dated August 16, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The applicant shall obtain a permit for within 180 days, or this approval becomes null and void.



**SYNOPSIS:** Staff gave a brief presentation on the case, covering the location, the site plan, and photos.

The applicant agreed with the staff report.

The BZA observed the fence looked good and blocked the view of a D.O.T. ditch.

Staff received two (2) commentaries in favor of the application and none in opposition.

There was no opposition at the hearing.

The BZA approved the variance.



**Applicant:** Victor Palulis

**BZA Number:** VA-16-10-135

**BZA Date:** 10/06/2016

**District:** 5

**Sec/Twn/Rge:** 07-22-31-NE-A

**Tract Size:** .36 acres

**Address:** 9733 Landowne Court, Orlando FL 32817

**Location:** North side of Landowne Ct., east of SR-417



**Bogin, Munns  
& Munns, P.A.**  
Attorneys at Law ■ Since 1979

S Avery Smith  
2601 Technology Drive, Orlando, FL 32804  
P.O. Box 2807, Orlando, FL 32802

Ph: (407) 578-1334  
Fax: (407) 578-2347  
[asmith@boginmunns.com](mailto:asmith@boginmunns.com)

August 15, 2016

**Via Hand Delivery**

Mr. David Nearing  
Orange County, Zoning Division  
201 S. Rosalind Avenue, 1<sup>st</sup> Floor  
Orlando, FL 32801

**Re: Victor Palulis**  
**Property Address: Landowne Ct., Orlando, FL 32817**  
**Our File No.: 216-1753**  
**PIN: 07-22-31-3790-00431**

Dear Mr. Nearing:

Please find attached to this correspondence an application for a variance completed by Mr. Palulis with respect to a vinyl fence that is located on the vacant lot, located on Landowne Ct., which is contiguous and adjacent to his current homestead property, bearing a property address of 9733 Landowne Ct., Orlando, Florida 32817.

In 2007, Mr. Palulis purchased the adjacent, vacant lot from the Orlando-Orange County Expressway Authority as part of a surplus property sale and purchase. At the time he acquired the vacant parcel, a wooden fence was situated on the property. He didn't know at that time that the fence on the newly purchased property lacked a permit for that fence. Over time, the 6 ft. wooden fence deteriorated greatly whereupon Mr. Palulis replaced the dilapidated wooden fence with an upgraded 6 ft. vinyl fence. I have also included two copies of a current survey which show the location of the vinyl fence in yellow highlighter.

The homeowners association did not require approval for the upgrade if the fence was 6 feet in height and vinyl as vinyl fencing was an approved fencing material. In addition, the current location of the fence serves to block the unsightly view of Highway 417 which benefits the neighborhood.

Lastly, Mr. Palulis has completed and submitted an application to Orange County Property Appraiser to combine the two lots he owns. A copy of that application is attached to this correspondence.

Mr. Palulis respectfully requests his request for a variance be granted. Should you need anything further, please do not hesitate to contact me.

Sincerely yours,

  
S Avery Smith, Esquire

Attachments

[www.BoginMunns.com](http://www.BoginMunns.com)

Orlando ■ Clermont ■ Daytona ■ Deltona ■ Gainesville ■ Kissimmee ■ Leesburg ■ Melbourne ■ Ocala ■ The Villages

**BOUNDARY SURVEY**

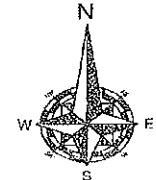
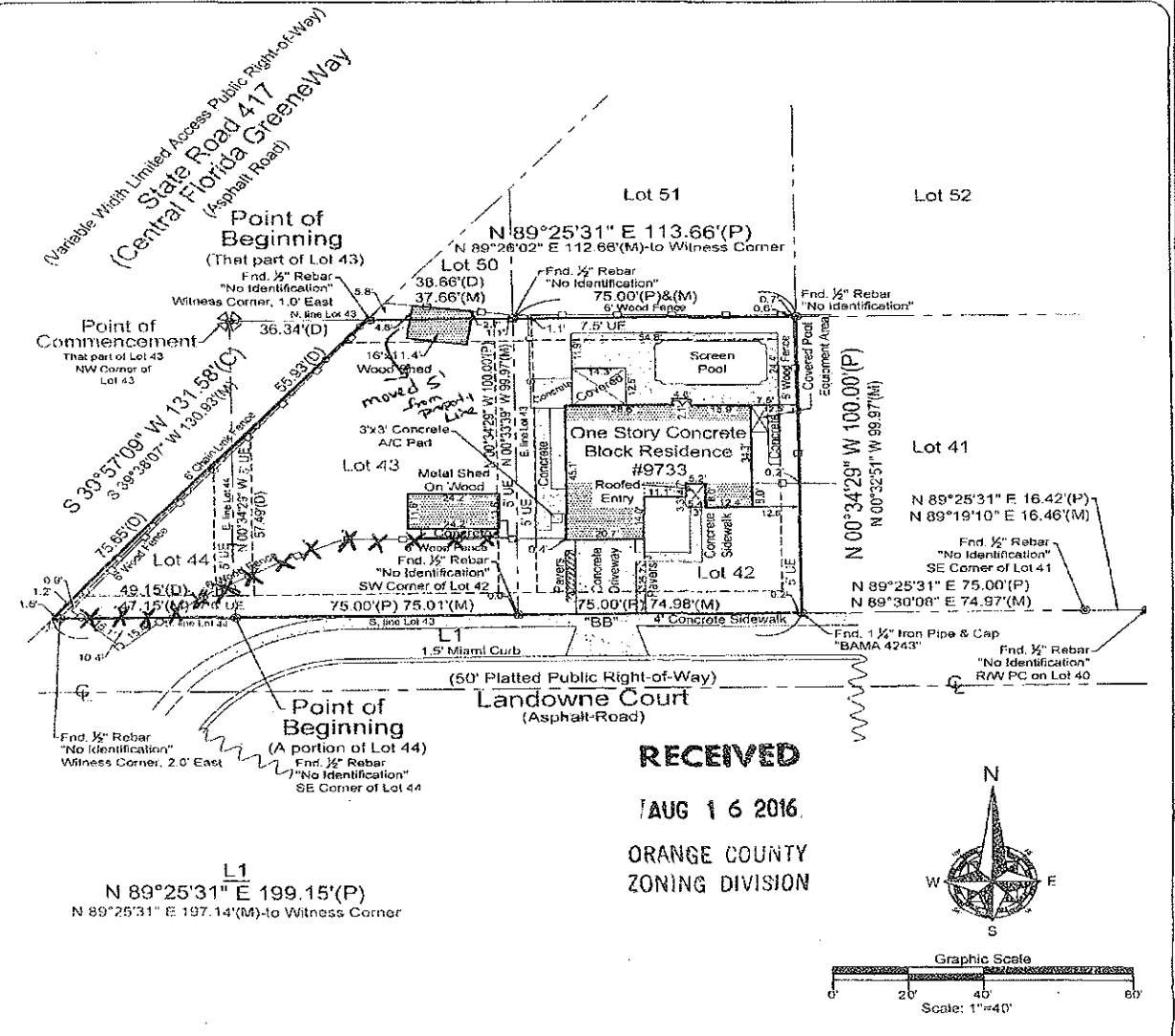
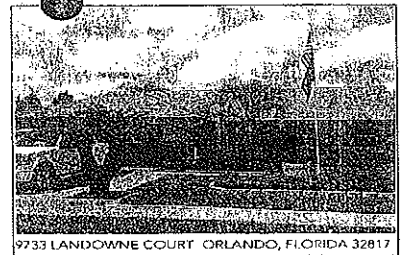
LEGAL DESCRIPTION:  
SEE PAGE 2 OF 2.

**FLOOD INFORMATION:**

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN UNINCORPORATED AREAS OF ORANGE COUNTY, COMMUNITY NUMBER 120179, DATED 09/25/2009.

CERTIFIED TO:  
VICTOR PALULIS

MICHELLE PALULIS



Field Date: 5/19/2016	Date Completed: 5/20/2016	<p><b>Notes</b></p> <ul style="list-style-type: none"> <li>&gt;Survey Is Based upon the Legal Description Supplied by Client.</li> <li>&gt;Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Blanks.</li> <li>&gt;Subject to any Easements and/or Restrictions of Record.</li> <li>&gt;Bearing &amp; Dist. shown hereon, is Assumed and Based upon the Line Denoted with a "BB".</li> <li>&gt;Building This map NOT to be used to reconstruct Property Lines.</li> <li>&gt;Fence Ownership is NOT determined.</li> <li>&gt;Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.</li> <li>&gt;Septic Tanks and/or Drinfeld locations are approximate and MUST be verified by appropriate Utility Location Companies.</li> <li>&gt;Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Constructed to give ANY Rights or Benefits to Anyone Other than those Qualified.</li> <li>&gt;Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other Information NEITHER known by NOR given to this Surveying Company at the time of this Endeavor. Ireland &amp; Associates Surveying Inc. and the signing Surveyor assume NO Liability for the Accuracy of this Determination.</li> </ul>	<p>I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information hereon to be as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 53-11, 557 Florida Administrative Codes, Pursuant to Section 47.007 Florida Statutes.</p> <p><i>Patrick K. Ireland</i> FOR THE SURVEYOR</p> <p>Patrick K. Ireland, License #5576637 LB 7623 This Survey is Intended ONLY for the use of Said Certified Parties. This Survey NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.</p> <p><b>Ireland &amp; Associates Surveying, Inc.</b> 1301 S. International Parkway Suite 2001 Lake Mary, Florida 32746 www.IrelandSurveying.com Office-407.678.3366 Fax-407.320.8165</p>
Drawn By: D.C.	File Number: 15 28205		

<p><b>Legend</b></p> <ul style="list-style-type: none"> <li>C - Calculated</li> <li>CB - Contour</li> <li>CM - Concrete Monument</li> <li>Conm - Concrete</li> <li>D - Description</li> <li>DC - Driveway Easement</li> <li>Edmnt - Easement</li> <li>F.E.M.A. - Federal Emergency Management Agency</li> <li>F.F.E. - Finished Floor Elevation</li> <li>Fnd - Foundation</li> <li>IP - Iron Pipe</li> <li>L - Length (Area)</li> <li>M - Measurement</li> <li>MSD - Manhole</li> <li>N - Non-Reading</li> <li>OH - Official Records Book</li> <li>P - Plat</li> <li>P.B. - Plot Book</li> <li>W - Wood</li> </ul>	<ul style="list-style-type: none"> <li>PC - Point of Curvature</li> <li>Pg - Page</li> <li>PI - Point of Intersection</li> <li>P.O.B. - Point of Beginning</li> <li>P.O.L. - Point on Line</li> <li>PP - Power Pole</li> <li>PRM - Permanent Reference Monument</li> <li>PT - Point of Tangency</li> <li>R - Radius</li> <li>Rd - Road</li> <li>R&amp;C - Rebar &amp; Cap</li> <li>Rcp - Recurved</li> <li>Rfd - Roofline</li> <li>Set - Set 90° Rebar &amp; Cap "LB 7623"</li> <li>T - Tied</li> <li>UE - Utility Easement</li> <li>WM - Water Meter</li> <li>A - Delta (Central Angle)</li> <li>CO - Chain Link Fence</li> </ul>
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STAFF REPORT  
CASE #VA-16-10-135  
Orange County Zoning Division  
Planner: Nick Balevich  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Victor Palulis

REQUEST: Variance in the R-1A zoning district to permit a 6 ft. high fence within the front yard in lieu of 4 ft.

(Note: The fence was in place at the time the applicant purchased the property. The applicant replaced the fence which was in disrepair with new PVC fencing. The work was performed without a building permit. This is the result of code enforcement action).

LOCATION: North side of Landowne Ct., east of SR-417

PROPERTY ADDRESS: 9733 Landowne Ct.

PARCEL ID: 07-22-31-3790-00-420

TRACT SIZE: .36 acres

DISTRICT #: 5

ZONING: R-1A

STAFF FINDINGS AND ANALYSIS:

1. The applicant replaced an existing fence, and is requesting a variance to allow a six (6) foot high fence to remain.
2. The applicant purchased the lot from the Expressway Authority. The lot had an existing dilapidated fence. The applicant replaced the fence without knowing a permit was required.
3. Staff does not object to the request because the fence will act to mitigate the noise and visual impacts of S.R. 417.
4. The fence is consistent with other fences in this subdivision.

STAFF RECOMMENDATION:

If the BZA approves the request, the following conditions should be imposed:

1. Development in accordance with site plan dated August 16, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The applicant shall obtain a permit for within 180 days, or this approval becomes null and void.

cc: Avery Smith (Applicant's representative)  
Bogin, Munns & Munns, P.A.  
2601 Technology Drive  
Orlando, Florida 32804

Victor Palulis  
9733 Landowne Court  
Orlando, Florida 32817

**PAUL WILLIAMSON - VA-16-10-136**

---

**REQUEST:** Variance in the R-1A zoning district to construct a single family residence on a lot size of 6,676 sq. ft. in lieu of 7,500 sq. ft. (Part of property was taken to widen Clarcona Ocoee Road).

**ADDRESS:** 7119 Clarcona Ocoee Road, Orlando FL 32818

**LOCATION:** North side of Clarcona Ocoee Rd., west of Lakeville Rd.

**S-T-R:** 35-21-28

**TRACT SIZE:** 78 ft. x 81 ft.

**DISTRICT#:** 2

**LEGAL:** CLEARVIEW HEIGHTS 1ST ADDITION Y/55 LOT 24 (LESS PT TAKEN ON S FOR R/W PER 6931/3302)

**PARCEL ID:** 35-21-28-1406-00-240

**NO. OF NOTICES:** 64

**DECISION:** **APPROVED** 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 (unanimous; 6-0 and 1 absent):

1. Development in accordance with site plan dated August 17, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The residence shall comply with all R-1A building setbacks.

**SYNOPSIS:** Staff gave a brief presentation on the case, and showed photographs and the location.

The applicant was not present.

The BZA stated the need for the variance was not the fault of the applicant and confirmed that all setbacks will be met.

Staff received no commentaries in favor of the application and one (1) in opposition.

There was no opposition at the hearing. The BZA approved the variance.



**Applicant:** Paul Williamson

**BZA Number:** VA-16-10-136

**BZA Date:** 10/06/2016

**District:** 2

**Sec/Twn/Rge:** 35-21-28-SE-D

**Tract Size:** 78 ft. x 81 ft.

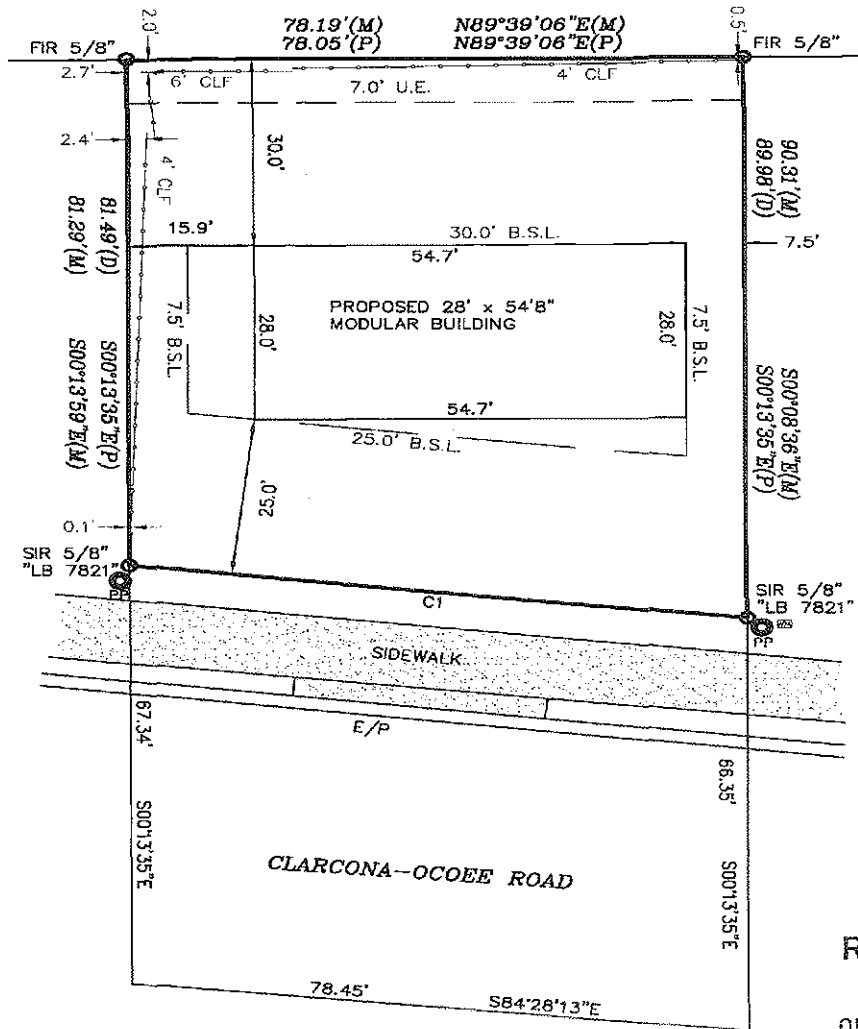
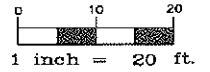
**Address:** 7119 Clarcona Ocoee Road, Orlando FL 32818

**Location:** North side of Clarcona Ocoee Rd., west of Lakeville Rd.





**LEGAL DESCRIPTION**  
 LOT 24(LESS PT TAKEN ON S FOR R/W PER 6931/3302),  
 CLEARVIEW HEIGHTS 1ST ADDITION,  
 AS RECORDED IN PLAT BOOK Y, PAGE 55,  
 PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



C1-  
 RADIUS=6829.75'  
 LENGTH=78.54'  
 DELTA=0°39'32"  
 CB=583°45'16"E(D)  
 SB3°45'16"E(M)  
 CHORD=78.54'(D&M)

**RECEIVED**  
 AUG 17 2016  
 ORANGE COUNTY  
 ZONING DIVISION  
 PROPERTY ADDRESS:  
 7119 CLARCONA OCOEE ROAD  
 ORLANDO, FL 32818

**LEGEND & ABBREVIATIONS**

FIR	= FOUND IRON ROD
SIR	= SET IRON ROD
CMON	= CONCRETE MONUMENT
PSM	= PROFESSIONAL SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
E/P	= EDGE OF PAVEMENT
FT	= FENCE TIE
PP	= POWER POLE
B.S.L.	= BUILDING SETBACK LINE
U.E.	= UTILITY ESM T
WVF	= WHITE VINYL FENCE
CLF	= CHAIN LINK FENCE
LB	= LICENSED BUSINESS
(P)	= PLAT DIMENSION
(M)	= FIELD MEASURED
C	= CENTERLINE
PM	= WATER METER

**SURVEYOR'S NOTES:**

1. BASIS OF BEARING - THE NORTHERLY LINE OF LOT 24, CLEARVIEW HEIGHTS 1ST ADDITION, AS RECORDED IN PLAT BOOK Y, PAGE 55, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AS BEING N89°39'06"E, PER PLAT
2. DATE OF FIELD SURVEY: 8/12/16
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING FENCE OR BUILDING TIES.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
6. SURVEY FILE NUMBER: 16-08-016

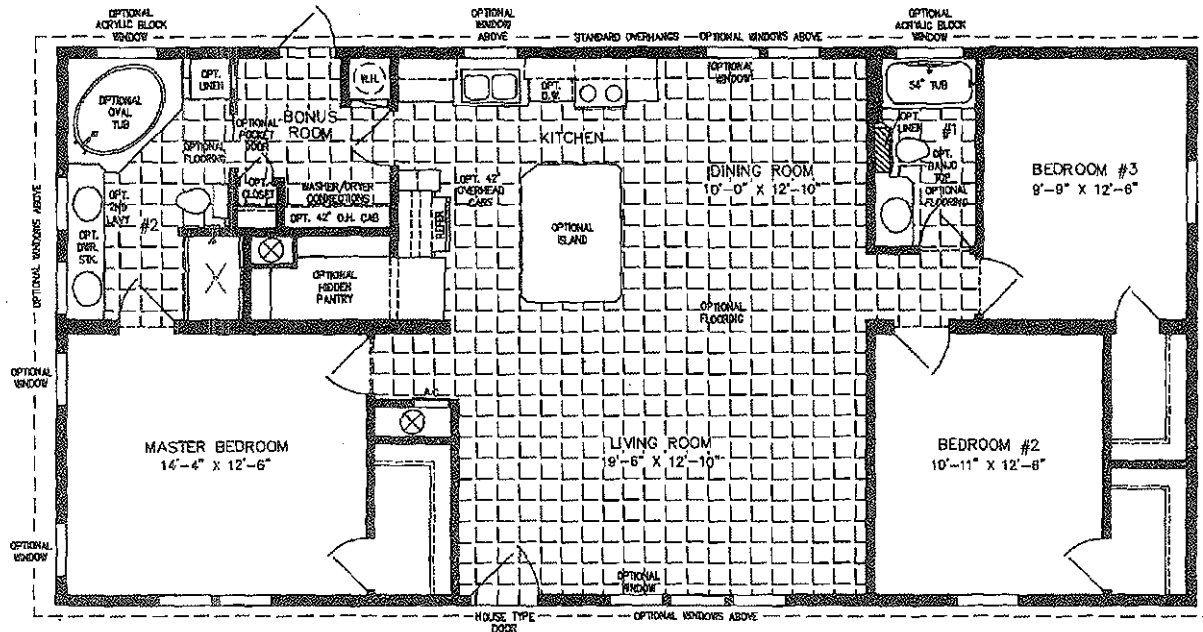
I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17 FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027, FLORIDA STATUTES.

*(Signature)*

FAUN M. HOFFMEIER, P.S.M., LS 6552  
 H&H SURVEY CONSULTANTS, LLC LB 7821  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR  
 DATE OF SURVEY: AUGUST 15, 2016



# The Pampano



NOTE:  
CHECK WITH YOUR SALESPERSON  
TO IDENTIFY OPTIONAL ITEMS  
THAT ARE ON THIS PRINT.

**28' X 54'-8"**  
1,458 SQUARE FEET

RECEIVED

AUG 17 2016  
ORANGE COUNTY  
ZONING DIVISION

**Jacobsen Homes Plant City**

303 S. Frontage Rd. Plant City, FL. 33565

844.HOMES.DIRECT(466-3734) Visit Us Online @ [www.JacobsenPlantCity.com](http://www.JacobsenPlantCity.com)

August 16, 2016

To Whom It May Concern,

I am seeking a variance at 7119 Clarcona Ocoee Rd., Orlando because the current lot size does not meet minimal lot size requirements. The current size is due to an eminent domain case in 2002, at no fault or sale of my own. As per OR Book 6931, Page 3305, please see the attached survey dated 2002. I have also attached the current survey dated 2016 with proposed structure.

My intentions are to build a 1450 +/- sqft. single family home on the property, the sketch is attached as well.

Thank you kindly,



Paul Williamson

RECEIVED

AUG 17 2016  
ORANGE COUNTY  
ZONING DIVISION



STAFF REPORT  
CASE #VA-16-10-136  
Orange County Zoning Division  
Planner: Nick Balevich  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Paul Williamson

REQUEST: Variance in the R-1A zoning district to construct a single family residence on a lot size of 6,676 sq. ft. in lieu of 7,500 sq. ft.

(Part of property was taken to widen Clarcona Ocoee Rd.).

LOCATION: North side of Clarcona Ocoee Rd., west of Lakeville Rd.

PROPERTY ADDRESS: 7119 Clarcona Ocoee Rd.

PARCEL ID: 35-21-28-1406-00-240

TRACT SIZE: 78 ft. x 81 ft.

DISTRICT #: 2

ZONING: R-1A

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes a single family residence on this parcel. The on-site zoning requires a minimum lot size of 7,500 sq. ft. The subject lot is only 6,676 sq. ft. Therefore, a zoning variance for lot size only is required.
2. Part of property was taken to widen Clarcona Ocoee Road, which caused the square footage of the lot to fall below the minimum zoning requirement.
3. Staff supports the request because the applicant did not create the need for the variance, and all setbacks will be adhered to.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 17, 2016 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The residence shall comply with all R-1A building setbacks.

cc: Paul Williamson  
5415 Lake Howell Rd., Unit 146  
Winter Park, Florida 32792

**TOBY BEST FOR HOMES IN PARTNERSHIP, INC.**  
**VA-16-10-137**

---

**REQUEST:** Variances in the A-1 zoning district to construct a single family residence as follows:  
1) Lot width of 50 ft. in lieu of 100 ft.;  
2) Lot area of 9,050 sq. ft. in lieu of 21,780 sq. ft.; and,  
3) Side setbacks of 6 ft. on both sides in lieu of 10 ft.

**ADDRESS:** 10526 5th Avenue, Ocoee FL 34761

**LOCATION:** South side of 5th Ave., approximately 250 ft. west of Adair St.

**S-T-R:** 05-22-28

**TRACT SIZE:** 50 ft. x 181 ft.

**DISTRICT#:** 2

**LEGAL:** OAK LEVEL HEIGHTS L/31 THE W 50 FT OF E 275 FT OF BLK I

**PARCEL ID:** 05-22-28-6052-09-007

**NO. OF NOTICES:** 88

**DECISION:** **APPROVED** 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 (unanimous; 6-0 and 1 absent):

1. Development in accordance with site plan dated August 17, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The new home shall conform to the front and rear setbacks.

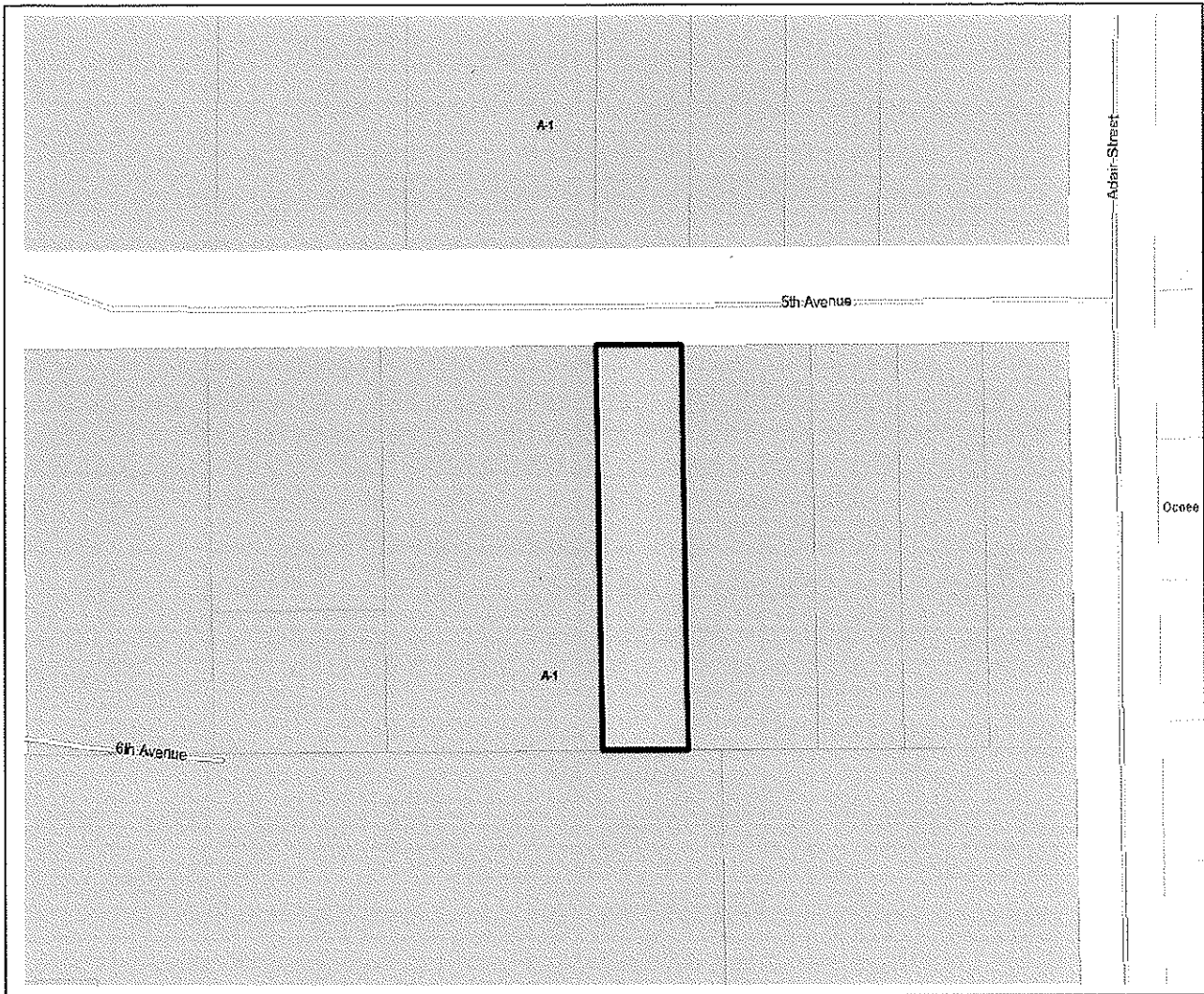
**SYNOPSIS:** Staff noted that research showed that numerous variances had been granted in this area for construction on substandard lots. The subject property actually has a single family home on it which is to be razed and the new modern unit will replace it.

The BZA asked if the new unit would be situated where the existing one is. Staff acknowledged that the home would be sited where the old home was, however, it would be larger. Staff completed its presentation with the fact that no correspondence for or against the request had been received.

It was noted that due to the pending storm the applicant was not present. However, staff considered this an application meeting the criteria and supported its approval.

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

The BZA concurred that this entire area was inconsistent with zoning. As such, the request met the criteria. A motion was made and seconded to recommend approval of this request. The motion passed unanimously.



**Applicant:** Toby Best for Homes in Partnership, Inc.

**BZA Number:** VA-16-10-137

**BZA Date:** 10/06/2016

**District:** 2

**Sec/Twn/Rge:** 08-22-28-NW-B

**Tract Size:** 50 ft. x 181 ft.

**Address:** 10526 5th Avenue, Ocoee FL 34761

**Location:** South side of 5th Ave., approximately 250 ft. west of Adair St.





Homes In Partnership, Inc

"Providing Central Florida  
with affordable housing"

August 2, 2016

Orange County Zoning  
201 S. Rosalind Ave  
Orlando FL

To whom it may concern:

We are requesting a variance side yard setback at 10526 5<sup>th</sup> Ave. Currently this is a lot of record with the A-1 zoning. The side yard setback is 10ft. We are requesting it to be reduce to 6 ft. making the building envelope 38 x 56.

This structure being submitted is 35 x 56 and will conform with the houses in the area.

Thank you

Toby Best  
Construction Director

RECEIVED

AUG 17 2016

Zoning Division

CORPORATE OFFICE

255 East 5th Street • Apopka, FL 32708 • T (407) 886-2451 • F (407) 886-5304 • [www.homesip.org](http://www.homesip.org)  
R.O. Box 761 • Apopka, FL 32704





STAFF REPORT  
CASE #VA-16-10-137  
Orange County Zoning Division  
Planner: David Nearing, AICP  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Toby Best for Homes in Partnership, Inc.

REQUEST: Variances in the A-1 zoning district to construct a single family residence as follows:

- 1) Lot width of 50 ft. in lieu of 100 ft.;
- 2) Lot area of 9,050 sq. ft. in lieu of 21,780 sq. ft.; and,
- 3) Side setbacks of 6 ft. on both sides in lieu of 10 ft.

LOCATION: South side of 5th Ave., approximately 250 ft. west of Adair St.

PROPERTY ADDRESS: 10526 5th Ave.

PARCEL ID: 05-22-28-6052-09-007

TRACT SIZE: 50 ft. x 181 ft.

DISTRICT #: 2

ZONING: A-1

STAFF FINDINGS AND ANALYSIS:

1. According to the Orange County Property Appraiser's records, the subject property is currently developed with a single family residence constructed in 1960. The lot is substandard in both size and frontage. The applicant proposes to demolish the existing residence and construct a new modern home with 1,531 sq. ft. of living area and a total of 1920 sq. ft. under roof.
2. Due to a lot width of only fifty (50) feet, the applicant is requesting a reduction in the side setbacks from ten (10) feet to six (6) feet. To put this into perspective, this would be comparable to a lot in the R-1 zoning district, which this lot resembles.
3. In October 2015, the BZA approved a similar variance for construction of a home across 5th Street to allow eight (8) foot side setbacks on a lot containing fifty-five (55) feet of frontage and 8,350 sq. ft. of lot area, which is smaller than the subject property.

4. To the east of the subject property, the first three (3) lots on the block are each fifty (50) feet in width, including a corner lot. The lot immediately to the east of the subject property is seventy-five (75) feet in width. To the north across 5th Street are three (3) lots each fifty-five (55) feet in width. Therefore, the smaller frontage and lot area is consistent with other lots in the area.

STAFF RECOMMENDATION:

The request will permit redevelopment of the subject property to build a new modern home on the subject property. Due to the reduced lot width, assigning a side setback comparable to a lot of equal size in another zoning district, in this case R-1, is logical. The new home would have a positive impact on the economy of the area. Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 17, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The new home shall conform to the front and rear setbacks.

cc: Toby Best (Applicant's representative)  
C/o Homes In Partnership, Inc.  
235 E. 5th Street  
Apopka, Florida 32703

**EVAN LANDIS**  
**VA-16-10-138**

---

**REQUEST:** **Variance** in the R-1AA zoning district to remove existing non-conforming aluminum screened porch and replace it with a wood frame porch 43 ft. from the NHWE line of Lake Jennie Jewel in lieu of 50 ft.  
(Note: The existing house was constructed prior to the adoption of the NHWE rules).

**ADDRESS:** 436 Jennie Jewel Drive, Orlando FL 32806

**LOCATION:** South side of Jennie Jewel Dr., west of Summerlin Ave., north of Gatlin Ave.

**S-T-R:** 12-23-29

**TRACT SIZE:** .51 acres

**DISTRICT#:** 3

**LEGAL:** LAKE JEWEL HILLS Z/33 LOT 1 BLK D

**PARCEL ID:** 12-23-29-4530-04-010

**NO. OF NOTICES:** 79

**DECISION:** **APPROVED** 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 (unanimous; 6-0 and 1 absent):

1. Development in accordance with site plan dated August 17, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Prior to the issuance of any permits, the applicant shall obtain a flood plain permit;
5. The new porch shall match the principal residence in design and materials; and,

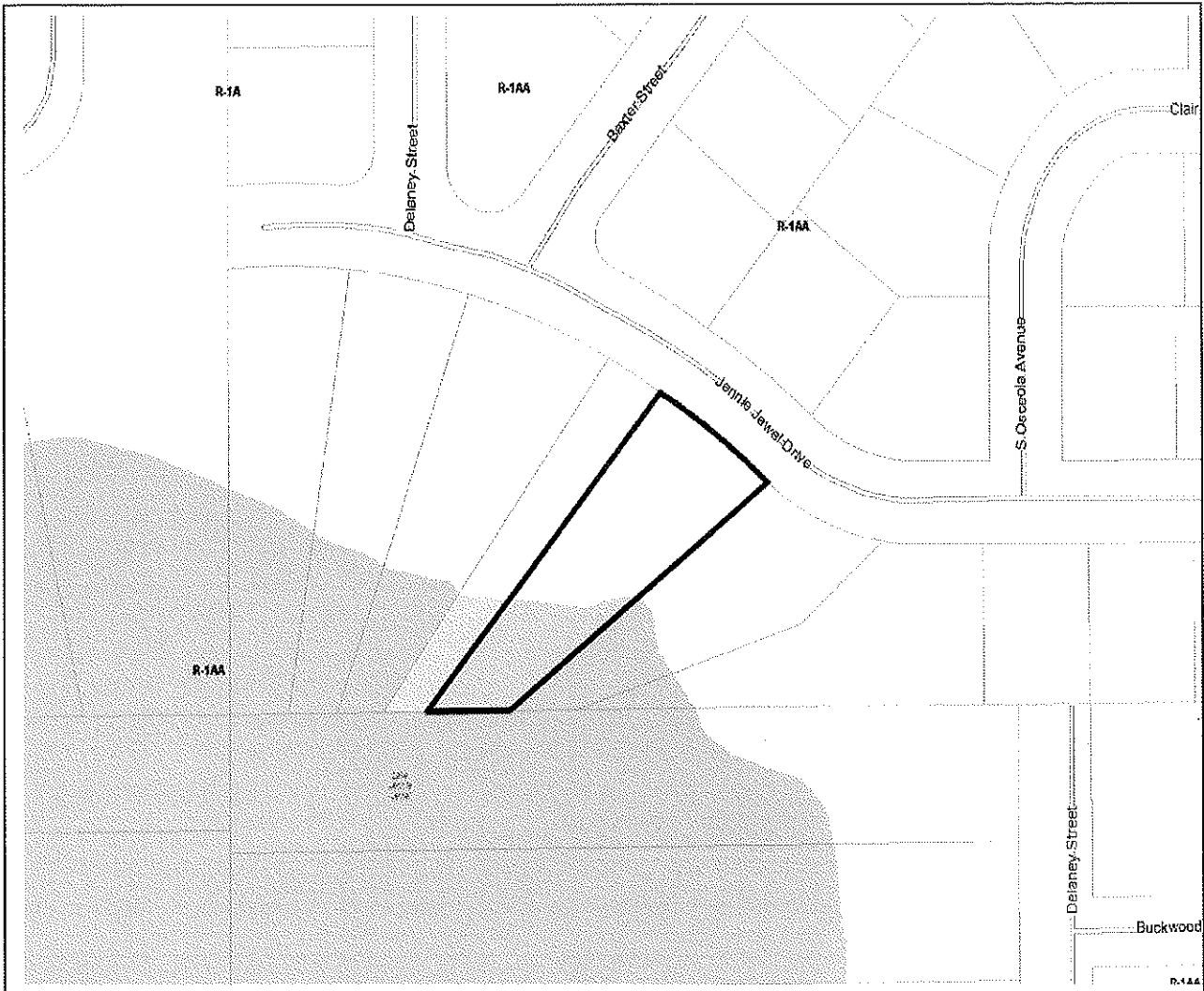
6. Prior to the issuance of a building permit, the property owner shall record in the official records of Orange County an indemnification/Hold Harmless Agreement which indemnifies Orange County from any damages caused by flooding and shall inform all interested parties that the wood frame porch is no closer than forty-three (43) feet from the Normal High Water Elevation of Lake Jennie Jewel.

**SYNOPSIS:** The applicant proposes to remove an existing aluminum screened porch with a wood frame porch. Staff gave a quick overview of the request and recommended approval.

The applicant was not present.

However, the BZA concluded the request was reasonable and there was no opposition.

The BZA approved the request.



**Applicant:** Evan Landis

**BZA Number:** VA-16-10-138

**BZA Date:** 10/06/2016

**District:** 3

**Sec/Twn/Rge:** 12-23-29-NW-B

**Tract Size:** .51 acres

**Address:** 436 Jennie Jewel Drive, Orlando FL 32806

**Location:** South side of Jennie Jewel Dr., west of Summerlin Ave., north of Gatlin Ave.





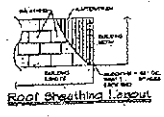
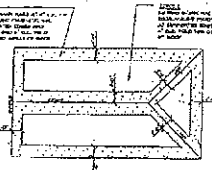
**General Lumber Notes**

All Lumber to be Southern Yellow Pine #2 with maximum content of moisture 19%.  
Exterior Lumber to be Pressure Treated. Studs May Be Spruce #2.

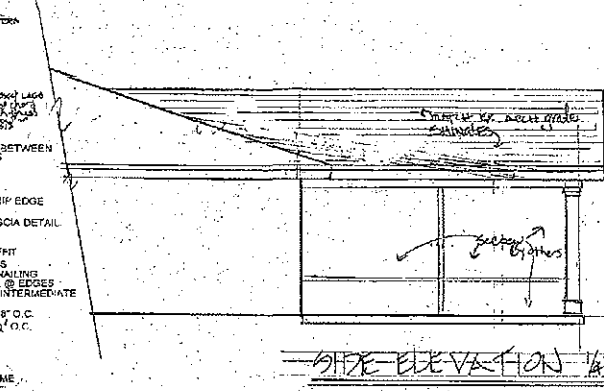
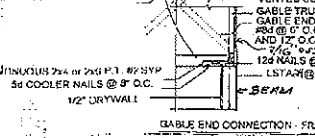
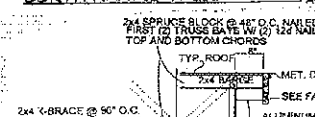
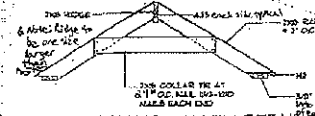
Footings have been designed for a  
General Assumption: 2500 PSF soil bearing pressure of 2000 PSF.

1. All concrete slabs shall have a compressive strength of not less than 3000 PSI (20.7 MPa).
2. Slabs shall be reinforced with #4 bars with no. 6 wall, w/epc bracer over all concrete vertical braced fit.
3. Concrete footings shall have a compressive strength of not less than 3000 PSI (20.7 MPa).
4. Reinforce footing with #3 bars as indicated. All bars shall be deformed, and shall conform to ASTM Specification A305, type 30, and the provisions of ACI 308.1. All rebar shall overlap at least 48". All rebar to be by Schedule 40.

**ROOF NAILING PATTERN:**  
ZONE 1 - 2x4 ROOF NAILING SHALL BE AT 12" O.C. SPACING OVER ALL SUPPORTED EDGES.  
ZONE 2 - 2x4 ROOF NAILING SHALL BE AT 12" O.C. SPACING SUPPORTED TOEBOARDS.  
ZONE 3 - 2x4 ROOF NAILING SHALL BE AT 12" O.C. SPACING SUPPORTED TOEBOARDS.  
WALLS 4" O.C. AT EDGES AND 4" O.C. AT FIELD.  
FRONTING WALLS SHALL BE 2x4 IN LAY OF THE ROOF NAILING NAILS.  
FRONTING WALLS SHALL BE 2x4 IN LAY OF THE ROOF NAILING NAILS.  
FRONTING WALLS SHALL BE 2x4 IN LAY OF THE ROOF NAILING NAILS.  
FRONTING WALLS SHALL BE 2x4 IN LAY OF THE ROOF NAILING NAILS.



**WALL NAILING PATTERN:**  
WALLS SHALL BE 4" O.C. SPACING.  
All lath and lath attachments shall be of corrosion-resistant materials. Expanded metal or woven wire lath shall be attached with 11/2-in.-long (38 mm), 14-gauge galvanized wire mesh (11.1 mm) bond, or 7/8-in.-long (21.3 mm), 14-gauge staples, spaced at no more than 6 inches (152 mm).



2x4 SPRUCE BLOCK @ 48" O.C. NAILED BETWEEN FIRST (2) TRUSS BAYS W/ (2) 122 NAILS TOP AND BOTTOM CHORDS.  
TYP. ROOF  
2x4 BRACE @ 56" O.C. W/ (2) 122 NAILS EA. END.  
MET. DRIP EDGE  
SEE FASCIA DETAIL  
ALUMINUM VENTED SOFFIT  
GABLE TRUSS  
GABLE END NAILING 2x4 @ 6" O.C. @ EDGES AND 12" O.C. INTERMEDIATE  
122 NAILS @ 8" O.C.  
LST. NAILS @ 8" O.C.  
2x4 COOLER @ 8" O.C.  
1/2" DRYWALL

2x4 K-BRACE @ 56" O.C. W/ (2) 122 NAILS EA. END.  
2x4 COOLER @ 8" O.C.  
1/2" DRYWALL

2x4 SPRUCE BLOCK @ 48" O.C. NAILED BETWEEN FIRST (2) TRUSS BAYS W/ (2) 122 NAILS TOP AND BOTTOM CHORDS.

2x4 BRACE @ 56" O.C. W/ (2) 122 NAILS EA. END.

2x4 COOLER @ 8" O.C.

1/2" DRYWALL

SEE VALLEY FRAMING DETAIL

SEE GABLE END DETAIL

SEE GABLE END DETAIL

SEE GABLE END DETAIL

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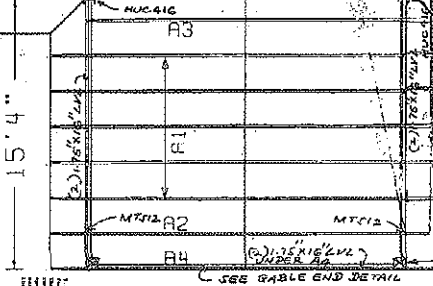
SEE GABLE END DETAIL

Unless Noted Otherwise:

Use NYS12 Frame Truss

Roofing Requirements:  
1. Use 2x4 for Roofing  
2. Use 1/2" for Soffit to PSP

15' 4"  
18'  
21' 6"



8" x 8" P.T. Post (TYP.)  
ALUM. PORCH  
8" x 8" P.T. Post (TYP.)  
ALUM. PORCH

RECEIVED

APPROVED BY: [Signature]  
DATE: [Date]

K.C.C. Designs, Inc.

LANDIS RESIDENCE  
230 JENNIE JEWEL DR., ORLANDO, FL

AUG 17 2016  
ORANGE COUNTY  
ZONING DIVISION

August 10, 2016

Cover Letter for Variance  
Evan Landis  
436 Jennie Jewel Drive, Orlando, FL 32806

My name is Evan Landis. My family bought a house in South Orlando on Lake Jennie Jewel in 2014. Our house has an existing concrete patio and aluminum screened porch enclosure that is in disrepair. The house was built in 1972 and the patio appears to be built as part of the original house construction. We have plans to keep the concrete patio but to tear down the aluminum porch and put a shingle roof and wood frame construction over it. The resulting porch area will be screened in. The primary purpose of this is to simply replace the aluminum roof with a more durable, wind proof structure. However, a portion of the existing patio (approximately ten feet) sits between zero and seven feet too close to the 100 yr flood line on the survey. We aren't asking to add square footage under air conditioning or even expand the footprint of the area within the set back. We are just putting a better roof on it. The full details are as follows:

Remove existing non-conforming porch and replace it with a wood frame porch. It would align with the existing aluminum porch that is to be removed and also align with the existing non-conforming area of house. One corner is 43' from rear NHWM, midway of porch is 49' from rear NHWM and the end of porch is 54' from rear NHWM which does not encroach on rear setback. The height of the porch is 10'.

Since we've moved in, we've been dedicated to improving the house and the lakefront. When we moved in two years ago, the house was in disrepair, as was the lakefront. It was overgrown with invasive, non-native species of plants and litter from years of neglect. Our house also sits next to a lake access lot that is owned by the neighborhood next to ours. This lakefront was also full of years of litter—cans, broken bottles, nails, other construction materials, etc. We applied for and were granted a permit to clean up our lakefront and have been at it ever since. At the beginning it was mostly the plant material, but over time it continues to be the broken bottles and other objects that have made their way into the lake over the years. We love our lake. We will continue to clean and maintain it. I would not want to do anything to our property that would negatively affect the lake or the quality of the water, fish, or plantlife. We are currently working with Florida Aquascapes to plant native species of plants in and near the water to further improve the ecosystem of the lake.

Thank you for consideration of our application for a variance. Please feel free to contact me with questions.

Sincerely,

Evan R. Landis

RECEIVED  
AUG 17 2016  
ORANGE COUNTY  
ZONING DIVISION

Section D

New Porch to replace existing non-conforming Aluminum Porch

1. What is proposed?

Remove existing non-conforming porch and replace it with a wood frame porch. It would align with the existing aluminum porch that is to be removed and also align with the existing non-conforming area of house. One corner is 43' from rear NHWM, midway of porch is 49' from rear NHWM and the end of porch is 54' from rear NHWM which does not encroach on rear setback. The height of the porch is 10'.



STAFF REPORT  
CASE #VA-16-10-138  
Orange County Zoning Division  
Planner: Rocco Relvini  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Evan Landis

REQUEST: Variance in the R-1AA zoning district to remove existing non-conforming aluminum screened porch and replace it with a wood frame porch 43 ft. from the NHWE line of Lake Jennie Jewel in lieu of 50 ft.

(Note: The existing house was constructed prior to the adoption of the NHWE rules).

LOCATION: South side of Jennie Jewel Dr., west of Summerlin Ave., north of Gatlin Ave.

PROPERTY ADDRESS: 436 Jennie Jewel Dr.

PARCEL ID: 12-23-29-4530-04-010

TRACT SIZE: .51 acres

DISTRICT #: 3

ZONING: R-1AA

STAFF FINDINGS AND ANALYSIS:

1. The applicant just recently purchased the home. He wants to replace the existing aluminum screened porch with a wood framed porch with a shingled roof to match the house. The new porch will not be any closer to the Normal High Water Elevation than the existing porch.
2. The new porch will be more aesthetically pleasing than the aluminum porch.
3. The encroachment into the Normal High Water Elevation is only seven (7) feet.
4. Applicant is advised that if this request is approved, a Hold Harmless Agreement must be comprised, reviewed, and approved by the Board of County Commissioners at a later date and recorded prior to the issuance of any permits. This will add a few months to the permitting of this structure.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated August 17, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Prior to the issuance of any permits, the applicant shall obtain a flood plain permit;
5. The new porch shall match the principal residence in design and materials; and,
6. 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 wood frame porch is no closer than forty-three (43) feet from the Normal High Water Elevation of Lake Jennie Jewel.

cc: Evan Landis  
436 Jennie Jewel Drive  
Orlando, Florida 32806

**KEVIN COSTIN**  
**VA-16-09-117**

---

**REQUEST:** Variance in the P-D zoning district to construct an addition to existing single family residence 27 ft. from the rear (west) property line in lieu of 35 ft.

**ADDRESS:** 10132 Culpepper Court, Orlando FL 32836

**LOCATION:** West side of Culpepper Ct., approximately 350 ft. south of Pointview Circle, in the Sand Lake Point PD

**S-T-R:** 03-24-28

**TRACT SIZE:** 90 ft. x 141 ft.

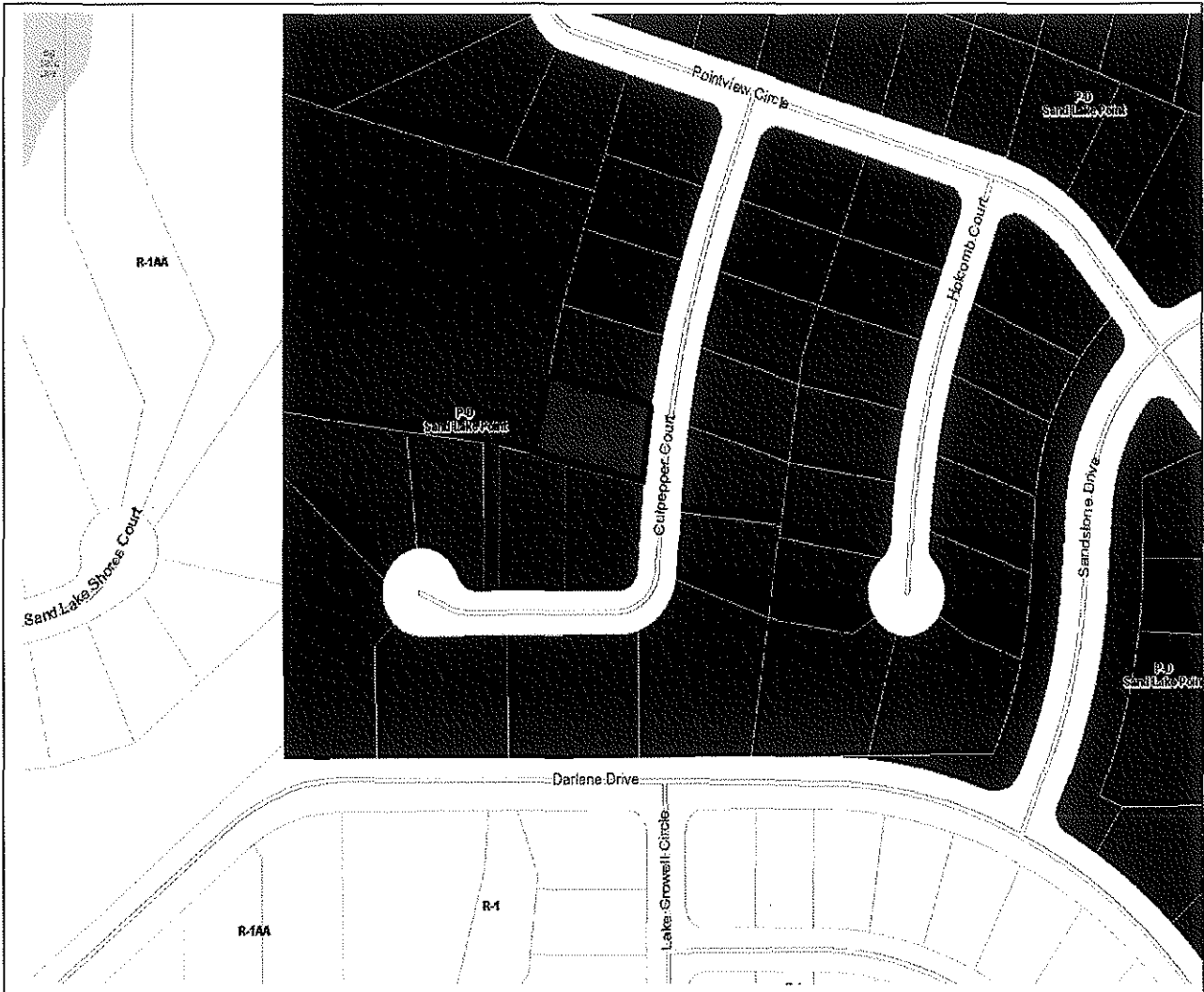
**DISTRICT#:** 1

**LEGAL:** SAND LAKE POINT UNIT 1 20/69 LOT 28

**PARCEL ID:** 03-24-28-7841-00-280

**NO. OF NOTICES:** 60

**DECISION:** The BZA determined to **CONTINUE** the case to the November 3, 2016, Board of Zoning Adjustment Meeting.



**Applicant:** Kevin Costin

**BZA Number:** VA-16-09-117

**BZA Date:** 10/06/2016

**District:** 1

**Sec/Twn/Rge:** 03-24-28-SE-D

**Tract Size:** 90 ft. x 141 ft.

**Address:** 10132 Culpepper Court, Orlando FL 32836

**Location:** West side of Culpepper Ct., approximately 350 ft. south of Pointview Circle, in the Sand Lake Point PD

July 13, 2016

Orange County Zoning Division  
201 S. Rosalind Ave.  
PO Box 2687  
Orlando, FL 32802

**RE: Variance Application for Sand Lake Point Unit 1 20/69 Lot 28**

Dear Board of Zoning Adjustment:

I am writing this detailed letter requesting a zoning adjustment and variance for an addition to my existing single family residence. The existing single family structure I currently reside in today; my family has now outgrown and we need more space.

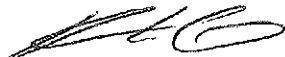
In detail, the request I am asking is for an addition to the existing house structure. This addition would be on the back side or the west side of the structure. The type of construction would be similar to the existing home, which is concrete foundation with cinder block exterior walls. The roof of the addition will complement the existing roof on the existing house structure which will be shingle GAF Timberline HD architectural style.

The proposed square footage of the addition would be four hundred and eighty square feet (480sqft., 16' 1/16" x 29' 6 5/8"). The existing structure now is 45' from the back property line and 10' from the side property line. With the proposed variance of 7' along with the 10' variance already allowed, when finished, the structure will be 28 feet away from the back property line and 10' from the side property line. The proposed height of the addition will reflect the same height as the existing house structure and will not exceed the 35' height limit.

I have included in this application a recent survey along with the proposed floor plan information.

Thank you for taking your time in reviewing my application for the zoning variance. I look forward to the next step to getting the variance approved.

Sincerely,



Kevin Costin

**RECEIVED**  
JUL 13 2016  
Zoning Division







STAFF REPORT  
CASE #VA-16-09-117  
Orange County Zoning Division  
Planner: David Nearing, AICP  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Kevin Costin

REQUEST: Variance in the P-D zoning district to construct an addition to existing single family residence 27 ft. from the rear (west) property line in lieu of 35 ft.

LOCATION: West side of Culpepper Ct., approximately 350 ft. south of Pointview Circle, in the Sand Lake Point PD

PROPERTY ADDRESS: 10132 Culpepper Ct.

PARCEL ID: 03-24-28-7841-00-280

TRACT SIZE: 90 ft. x 141 ft.

DISTRICT #: 1

ZONING: P-D

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to add living area to the existing home to accommodate their expanding family. The addition is for two (2) additional bedrooms.
2. The property backs up to a wet retention pond. The applicant intends to construct the addition where there is an existing patio.
3. The request represents a variance of twenty percent (20%) from the required setback, which is within the range of prior BZA approvals.
4. On September 1, 2016, the BZA recommended that this application be continued, as the applicant had not obtained approval of the proposed addition from the Homeowners' Association.
5. The applicant has obtained a decision from the HOA's architectural review body stating that it does not object to the proposed addition. However, the HOA recommended denial based on the fact that it did not believe it had the authority to recommend approval due to the setback issue not being resolved by the County.

STAFF RECOMMENDATION:

Staff recommends approval of this request, as it constitutes the minimum variance necessary, and it will not adversely impact the neighborhood. Should the BZA concur, the following conditions are recommended:

1. Development in accordance with site plan dated July 13, 2016, 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. The exterior of the addition shall match the exterior of the existing residence with respect to color and materials; and,
5. Prior to the issuance of a building permit, the applicant shall obtain approval of the proposed addition from the Homeowners' Association.

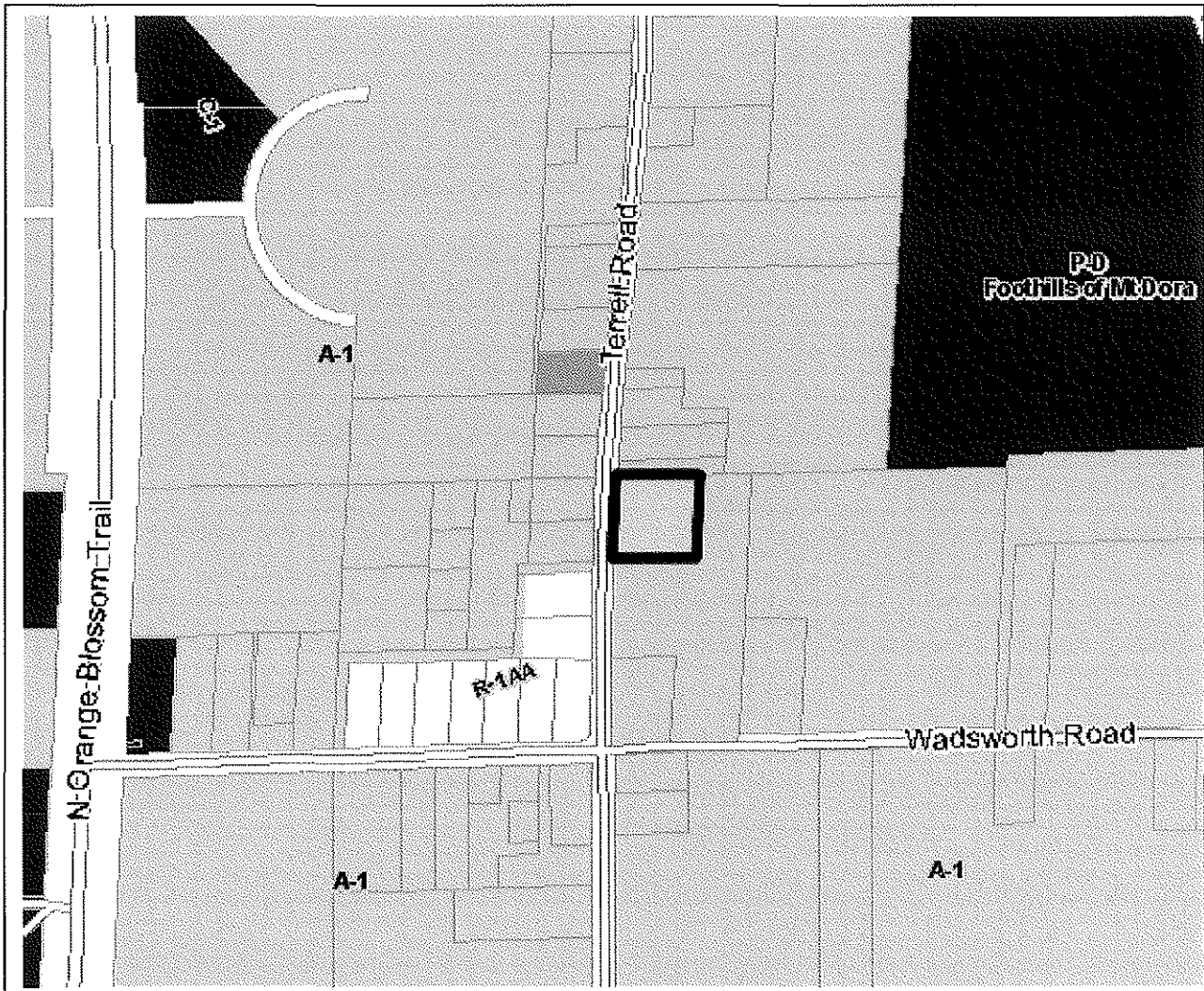
cc: Kevin Costin  
10132 Culpepper Court  
Orlando, Florida 32836

**LOREN MCHENRY**  
**VA-16-08-093**

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**REQUEST:** Variance in the A-1 zoning district to allow a mobile home on a 1 acre of land in lieu of 2 acres.  
**ADDRESS:** 6087 Terrell Road, Mount Dora FL 32757  
**LOCATION:** East side of Terrell Rd., north of Wadsworth Rd.  
**S-T-R:** 04-20-27  
**TRACT SIZE:** 1 acre  
**DISTRICT#:** 2  
**LEGAL:** 1 ACRE IN NW COR OF SE1/4 OF SE1/4 OF SW1/4 OF SEC 04-20-27  
**PARCEL ID:** 04-20-27-0000-00-050  
**NO. OF NOTICES:** 42

The BZA **CONTINUED** the case to obtain a status report on the property by the Code Enforcement Officer for the November 3, 2016, BZA Meeting.



**Applicant:** Loren McHenry

**BZA Number:** VA-16-08-093

**BZA Date:** 10/06/2016

**District:** 2

**Sec/Twn/Rge:** 04-20-27-SW-C

**Tract Size:** 1 acre

**Address:** 6087 Terrell Road, Mount Dora FL 32757

**Location:** East side of Terrell Rd., north of Wadsworth Rd.

Monday, June 13, 2016

Loren H. McHenry  
Veronica McHenry  
6087 Terrell Rd  
Mount Dora, FL 32757  
(305) 281-7712  
(305) 562-2756

Re: Variance for 6087 Terrell Rd, Mount Dora, FL 32757,  
1 ACRE IN NW COR OF SE1/4 OF SE1/4 OF SW1/4 OF SEC 04-20-27

Application to Board of Zoning Adjustment  
Orange County Zoning Division  
201 S. Rosalind Avenue Post Office Box 2687  
Orlando, Florida 32802-2687  
407-836-3111

Dear Orange County Board of Zoning Adjustment.

We respectfully request a variance to place a <sup>mobile Home</sup> NEW Perry by Skyline Home Builders, 1833 Sq. Ft.,  
Three Bedroom, two bath on 6087 Terrell Rd, Mount Dora, FL 32757 on One Acre, not the two.

**North:** 6088 Terrell Rd, Mout Dora, FL 32757, Vacant lot.

**South and East:** Park

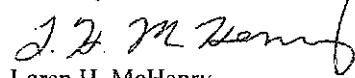
**East:** on other side of Park: Large Farm, with a large variety of animals.

**West:** Vacant lot and 6064 Terrell Rd, Mount Dora, FL 32757 Single Family Home, Rental.

Caddy corner from our property 6100 Terrell Rd, Mount Dora, FL 32757, Three Trailer/mobile  
Home on .37 Acres, also 6108 Terrell Rd, Mount Dora, FL 32757 Trailer/mobile Home

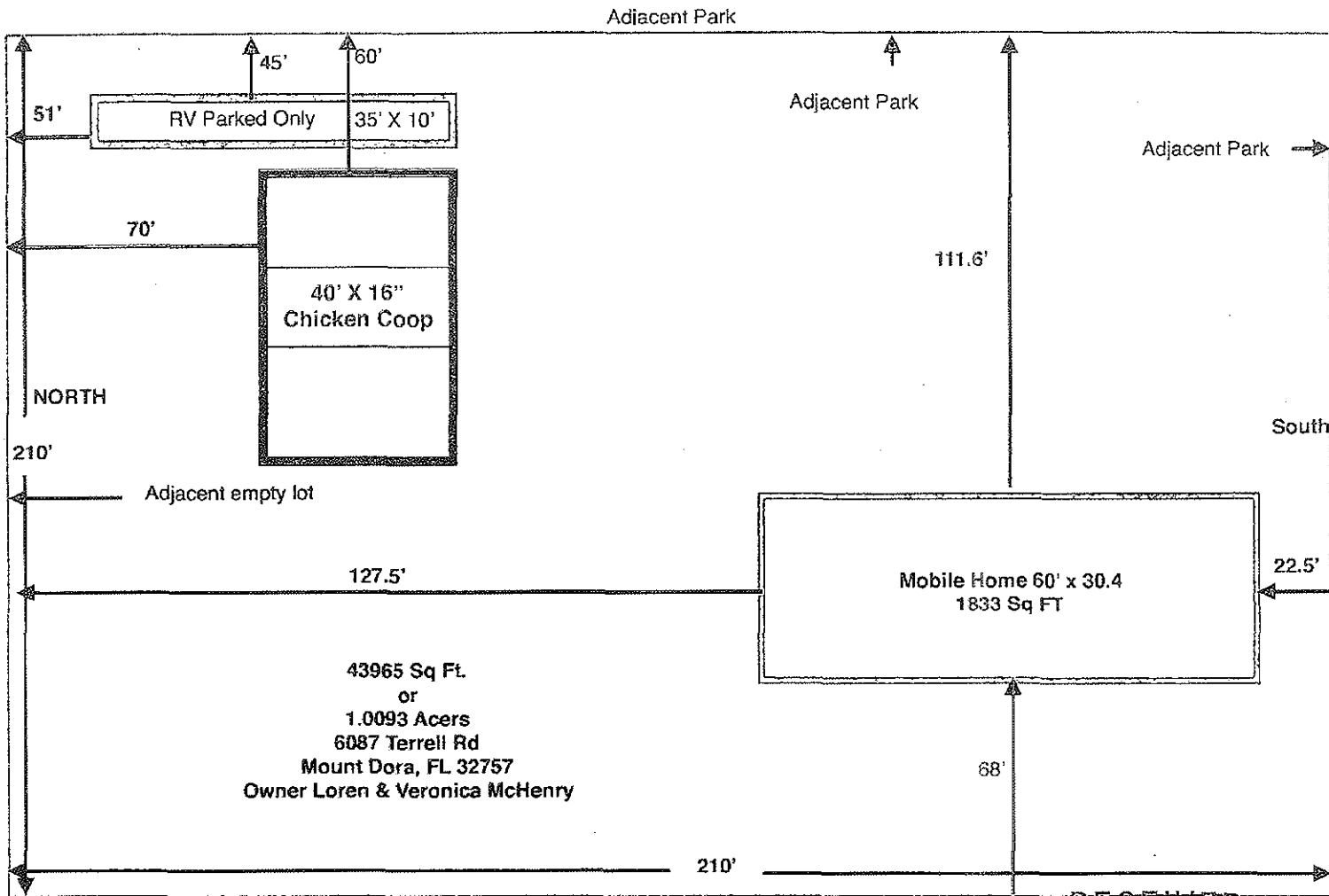
There are 15 Trailer/mobile Home and 2 Family Homes on are Block.

Sincerely,

  
Loren H. McHenry

RECEIVED

JUN 14 2016  
ORANGE COUNTY  
ZONING DIVISION



RECEIVED  
AUG 01 2016  
ORANGE COUNTY  
ZONING DIVISION

**Perry**

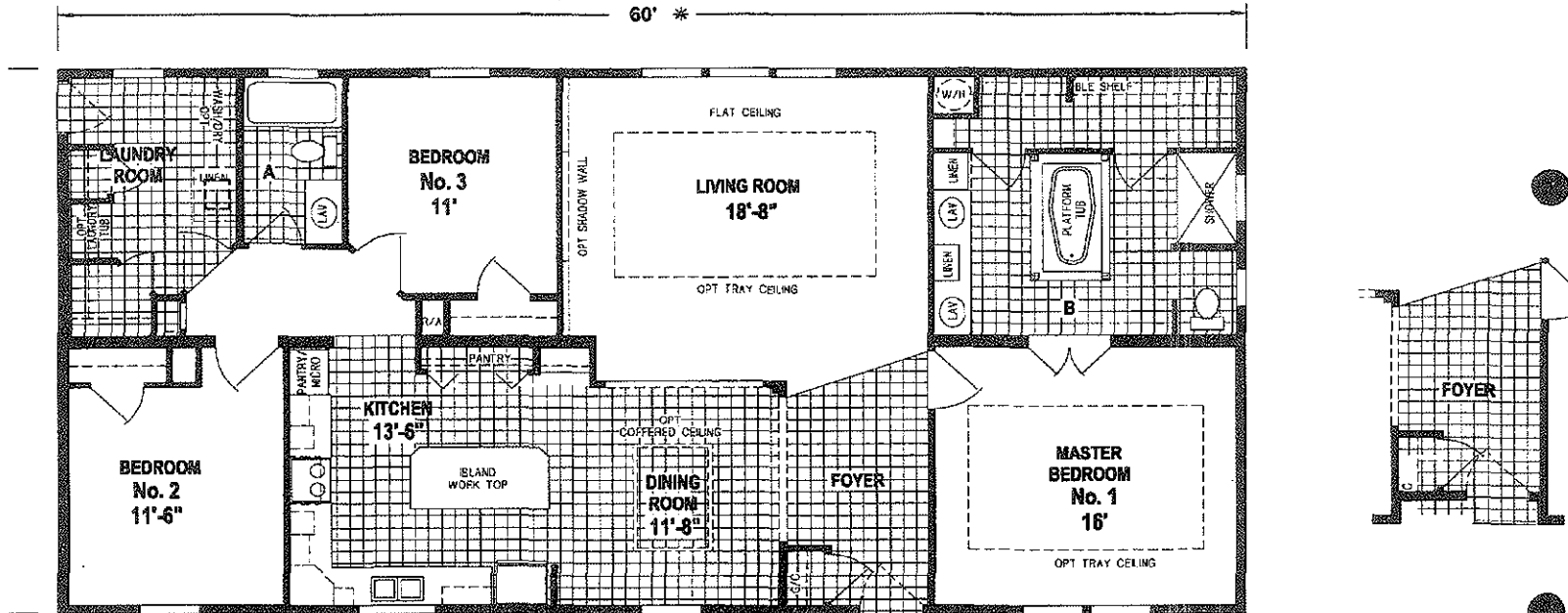
Palm Bay Series



**Factory Expo**  
 "Factory Direct Value" HOME CENTERS

3 Bedroom, 2 Bath  
 Approx. 1,833 Sq. Ft.

Last Updated: 12-30-14



- 154 -



I authorize Factory Expo to build my house, per this plan.  
 X \_\_\_\_\_  
 Customer Signature/Date

**-800-748-2654**    [www.FloridaFactoryDirect.com](http://www.FloridaFactoryDirect.com)    **1-800-748-2654**    [www.FloridaFactoryDirect.com](http://www.FloridaFactoryDirect.com)

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STAFF REPORT  
CASE #VA-16-08-093  
Orange County Zoning Division  
Planner: Nick Balevich  
Board of Zoning Adjustment  
October 6, 2016  
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Loren McHenry

REQUEST: Variance in the A-1 zoning district to allow a mobile home on a 1 acre of land in lieu of 2 acres.

LOCATION: East side of Terrell Rd., north of Wadsworth Rd.

PROPERTY ADDRESS: 6087 Terrell Rd.

PARCEL ID: 04-20-27-0000-00-050

TRACT SIZE: 1 acre

DISTRICT #: 2

ZONING: A-1

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to place a mobile home on a 1-acre lot. The code requirement for a mobile home is two (2) acres.
2. On August 4, 2016, the BZA continued this case to October 6, 2016, to allow time for the applicant to mitigate the violations.
3. An on-site visit by staff on September 20, 2016, revealed the following:
  - a. The R.V. has been removed from the property;
  - b. The temporary power pole has been removed from the property;
  - c. A garden hose is no longer attached to the water meter; and,
  - d. The accessory structure has been removed from the property.
4. The area is characterized as having numerous similar sized, or smaller lots containing mobile homes. Staff observed seven (7) mobile homes and twelve (12) single family residences in the immediate area.

5. Staff has no objection to the request for the following reasons:

- a. The applicant has removed the R.V. from the property;
- b. The temporary power pole has been removed from the property;
- c. A garden hose is no longer attached to the water meter;
- d. The accessory structure has been removed from the property; and,
- e. There are three (3) mobile homes on the lots containing less than one (1) acre, across the street.

STAFF RECOMMENDATION:

If the BZA approves the request, the following conditions should be imposed:

1. Development in accordance with site plan date stamped "Received August 1, 2016", 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 Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The applicant shall obtain a permit for the mobile home within 180 days or this approval becomes null and void.

cc: Loren McHenry  
6087 Terrell Road  
Mount Dora, Florida 32757