

Orange County
Board of Zoning Adjustment
RECOMMENDATIONS
BOOKLET

May 4, 2017

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



ORANGE COUNTY GOVERNMENT
BOARD of ZONING ADJUSTMENT
(BZA)

Carolyn C. Karraker
Vice-Chair

District #1

Gregory A. Jackson
Chairman

District #2

Jose A. Rivas, Jr.

District #3

Deborah Moskowitz

District #4

Wes A. Hodge

District #5

Eugene Roberson

District #6

Jessica Rivera

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-1A & R-1AA.....	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 X 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-1A.....	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
May 4, 2017**

<u>PUBLIC HEARING</u>	<u>APPLICANT</u>	<u>DISTRICT</u>	<u>BZA Recommendations</u>	<u>PAGE #</u>
VA-17-05-037	Central Florida Behavioral Hospital	1	Approved w/Conditions	1
VA-17-05-039	Allan Andrew Pu	1	Denied	10
SE-17-05-029	Florida Vietnamese Buddhist Association	5	Approved w/Conditions	21
VA-17-05-030	Steven Vaught	3	Approved w/Conditions	31
VA-17-05-031	Jack E. Owens	2	Approved w/Conditions	41
VA-17-05-032	Bruce McLay	4	Approved w/Conditions	50
VA-17-05-033	Dean Puller	3	Approved w/Conditions	58
VA-17-05-034	Ariel Jimenez	3	Approved w/Conditions	66
VA-17-05-035	Robert Price	2	Approved w/Conditions	74
SE-17-05-038	Waldon Professional Funeral & Cremation Services, LLC	2	Denied	81
VA-17-05-040	Aaron Vierbicky	3	Approved w/Conditions	93
SE-17-05-041	Keith Przeclawski	5	Approved w/Conditions	102

CENTRAL FLORIDA BEHAVIORAL HOSPITAL VA-17-05-037

REQUEST: **Variance** in P-D zoning district to construct a 12 ft. high fence in lieu of 8 ft.
(Note: The total length of the fence will be 125 ft. and will have 2 gates.)

ADDRESS: 6601 Central Florida Parkway, Orlando FL 32821

LOCATION: Northwest corner of Central Florida Pkwy., and Sea Harbor Dr., east of I-4

S-T-R: 12-24-28

TRACT SIZE: 7.14 acres

DISTRICT#: 1

LEGAL: BEG 206.5 FT S 25 DEG W OF THE INT OF WLY R/W LINE OF SEA HARBOR DR & SLY R/W LINE OF ACADEMIC DR RUN S 25 DEG W 560.17 FT SWLY & NWLY ALONG CURVE 57.79 FT N 59 DEG W 216.38 FT NWLY 285.97 FT N 26 DEG E 582.57 FT S 63 DEG E 527.01 FT TO POB

PARCEL ID: 12-24-28-0000-00-028

NO. OF NOTICES: 50

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):

1. Development in accordance with site plan dated March 15, 2017, 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, addressing the location of the fence, the site plan, and photographs.

The applicant discussed the previous variance approval and explained the type of fence proposed for the purpose of protecting patients using the playground. The applicant presented a letter of approval from the neighboring Hilton Hotel.

The BZA felt that the request makes sense to protect the playground for privacy and safety.

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



Applicant: Central Florida Behavioral Hospital

BZA Number: VA-17-05-037

BZA Date: 05/04/2017

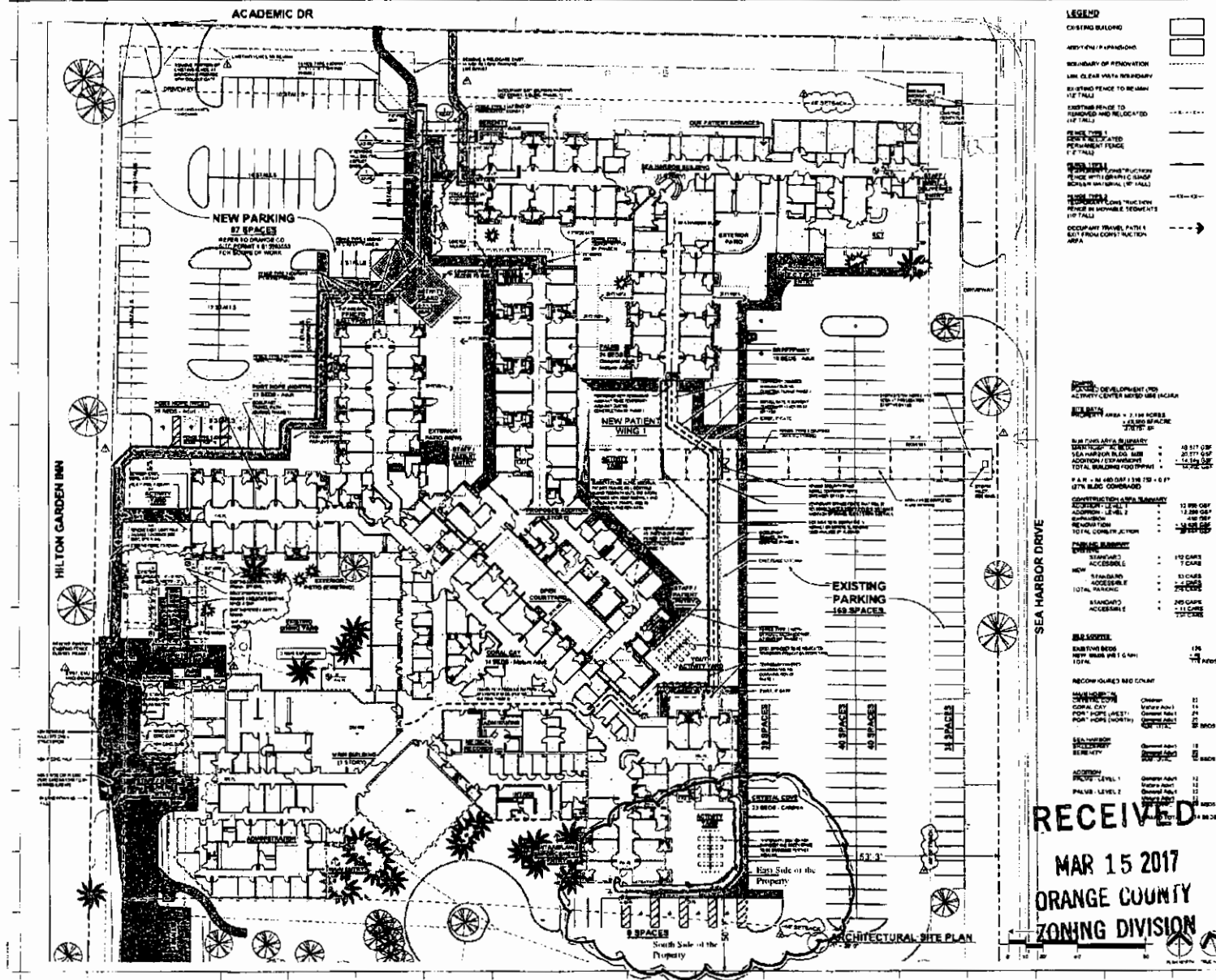
District: 1

Sec/Twn/Rge: 12-24-28-SW-C

Tract Size: 7.14 acres

Address: 6601 Central Florida Parkway, Orlando FL 32821

Location: Northwest corner of Central Florida Pkwy., and Sea Harbor Dr., east of I-4



222 West Madison Boulevard Oakbrook, Illinois
P 630/214-4400 F 630/214-4401 4800

Universal Health Services, Inc.

48-BED ADDITION & RENOVATIONS

Central Florida Behavioral Hospital

4800 Central Florida Parkway, Orlando, Florida 32811 • 407-970-1000
4000 Central Florida Parkway, Orlando, Florida 32811 • 407-970-1000
8111 E. Highway 170, Orlando, Florida 32811 • 407-970-1000

A HUMAN INFLUENCE PROJECT / AMERITEX, INC. PROJECT

70-CH **Shane R. Brown**

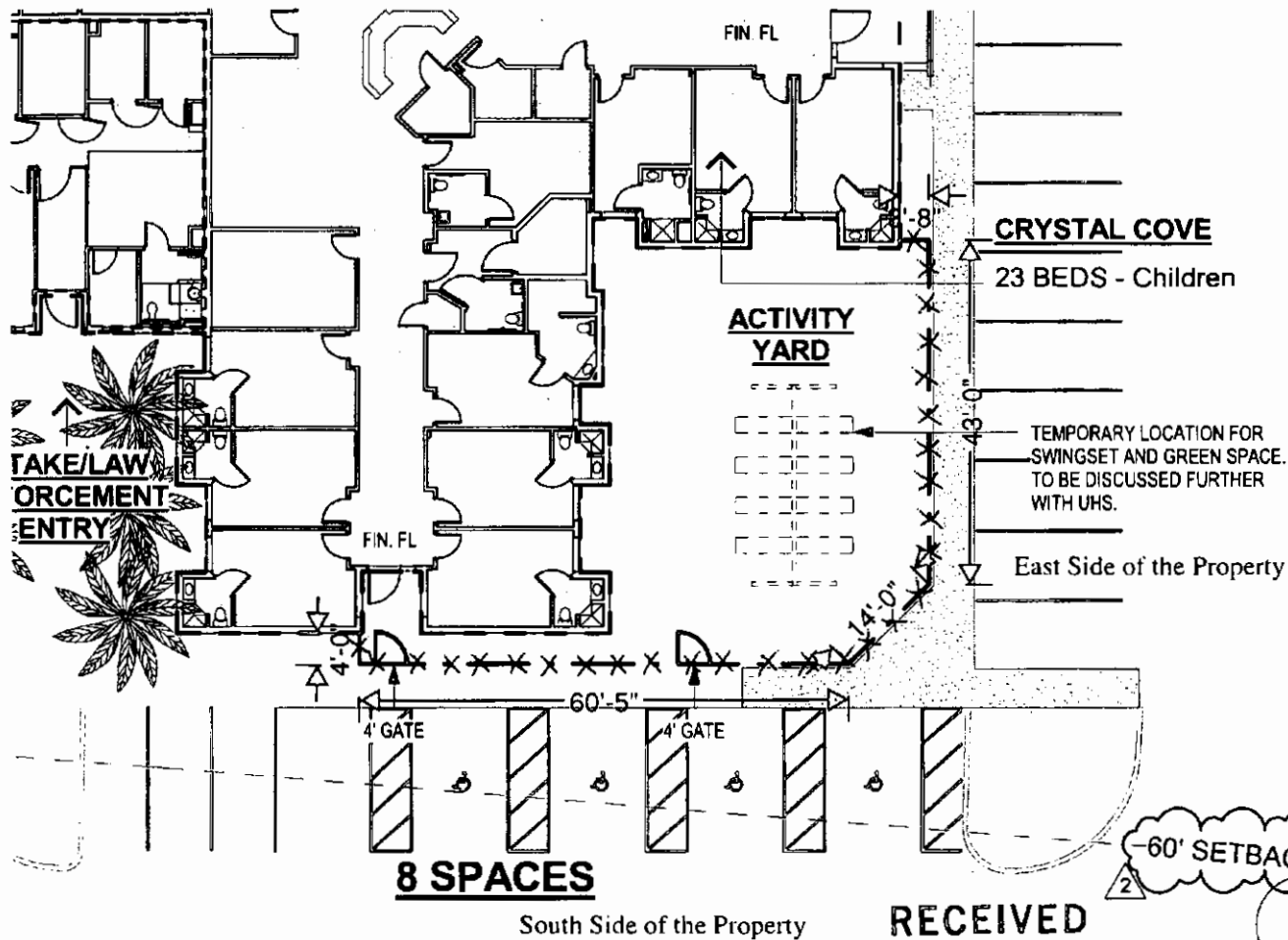
WORLD BANK

10

ABSTRACT

A16

A1.0



RECEIVED
MAR 15 2017
ORANGE COUNTY
ZONING DIVISION

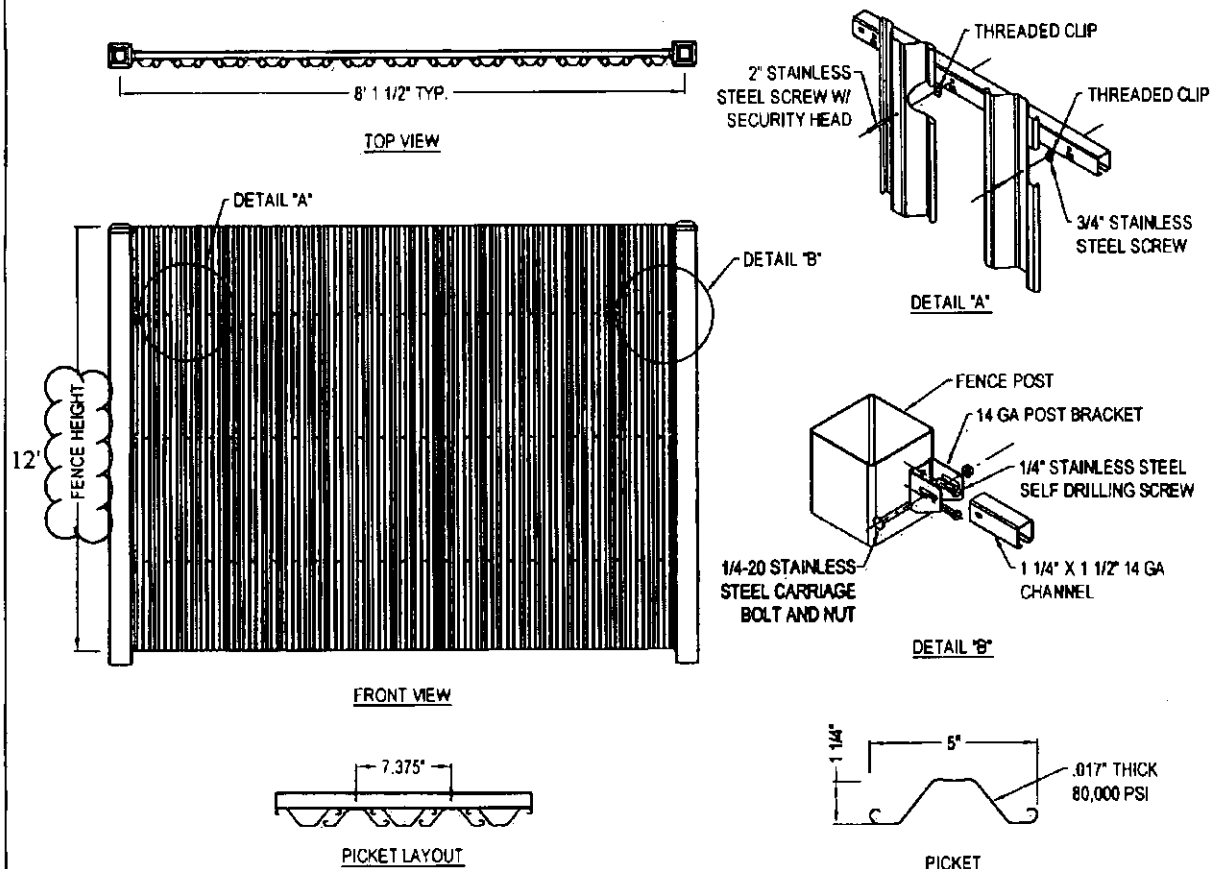
60' SETBACK
1

ARCHITECTU
1" = 20'-0"

BASTEEL

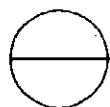
PERIMETER SYSTEMS

BASTEEL PERIMETER SYSTEMS
1400 MAGNOLIA AVE.
FRANKFORT, IN 46041
TOLL FREE: 1-866-369-8335
FAX: (765) 654-8755
www.basteel.com



NOTES:

1. MATERIALS OF CONSTRUCTION ARE GALVANIZED STEEL EXCEPT WHERE NOTED.
2. BASTEEL STANDARD COLORS COATED USING ORGANIC FLUOROPOLYMER (KYNAR).
3. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
4. DO NOT SCALE DRAWING.
5. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
6. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
7. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.caddetails.com/info AND ENTER REFERENCE NUMBER 5074-028.



CITADEL
CITADEL SECURITY FENCE

RECEIVED
MAR 15 2017
ORANGE COUNTY
ZONING DIVISION

5074-028

PROTECTED BY COPYRIGHT © 2016 CADDETAILS.COM LTD.

REVISION DATE 08/24/2016

CADdetails.com

3/09/2017
Central Florida Behavioral Hospital Inc

To: Orange County Board of Zoning

Re: Zoning Variance

Request: Central Florida Behavioral Hospital would like to install 125 linear feet of a 12' tall fence. This fence would be installed on the south west side of the current property and would be the perimeter fence for a playground area. The playground area is used by patients that are staying at the facility.

In 2008, the hospital submitted a variance application to install a 12' fence on the property. That variance was approved (Ref. Variance # 08-01-011). That fence is currently still installed on property.

The fence is constructed of galvanized steel post at 6' on center with panels that are attached from post to post. The fence will be powder coated and painted black. The fence that was selected is decorative in nature and will not be an eyesore to the public. See attached cut sheet of fence.

The total length of the fence will be 125 linear feet. The fence will have two gates that are 4' wide with appropriate locks.

Please understand that due to the nature of the facility, a taller fence is required. The safety of our patients and the safety of the public is of paramount importance to the facility and we hope that the Zoning Board agrees. This was the same reason we were approved in 2008 under Variance Number 08-01-011.

Thank you for your help

RECEIVED

**MAR 15 2017
ORANGE COUNTY,
ZONING DIVISION**



STAFF REPORT
CASE #VA-17-05-037
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
May 4, 2017
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Central Florida Behavioral Hospital

REQUEST: Variance in P-D zoning district to construct a 12 ft. high fence in lieu of 8 ft.

(Note: The total length of the fence will be 125 ft. and will have 2 gates.)

LOCATION: Northwest corner of Central Florida Pkwy., and Sea Harbor Dr., east of I-4

PROPERTY ADDRESS: 6601 Central Florida Parkway, Orlando, Florida, 32821

PARCEL ID: 12-24-28-0000-00-028

PUBLIC NOTIFICATION: 50

TRACT SIZE: 7.14 acres

DISTRICT #: 1

ZONING: P-D

EXISTING USE(S): Hospital

PROPOSED USE(S): Hospital

SURROUNDING USES: N – Hotel/Motel
S – Restaurant and gas station
E – Sea World
W - Hotel/Motel

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to install 125 feet of a twelve (12) foot high fence.
2. The proposed fence will surround a playground area used by patients of the facility, and will be decorative in appearance.
3. The BZA approved a similar variance in 2008, for similar fencing on the west side of this property.
4. Staff has no objections due to special conditions and circumstances regarding the use and necessary security. Approval of the request will not adversely impact anyone as the proposed fence will be located over fifty (50) feet from the property line adjacent to Central Florida Parkway and over 150 feet from the property line adjacent to Sea Harbor Drive.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated March 15, 2017, 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: Alex Swenson, 6601 Central Florida Parkway, Orlando, Florida 32821

ALLAN ANDREW PU
VA-17-05-039

REQUEST: **Variance** in the A-1 zoning district to construct a single family residence 23 ft. from the Normal High Water Elevation (NHWE) line of Hickory Nut Lake in lieu of 50 ft.
(Note: The subject property was platted on October 30, 1956. However, the zoning of the property requires a 50 ft. building setback whether it is lakefront or not.)

ADDRESS: 9343 Lake Hickory Nut Drive, Winter Garden FL 34787

LOCATION: North side of Lake Hickory Nut Drive, south of Lake Hickory Nut, approximately 1/2 mile south of Old YMCA Rd.

S-T-R: 06-24-27

TRACT SIZE: 1 acre

DISTRICT#: 1

LEGAL: HICKORY LAKE ESTATES V/4 LOT 28

PARCEL ID: 06-24-27-3548-00-280

NO. OF NOTICES: 76

DECISION: DENIED the Variance request in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3) (5 in favor and 1 opposed).

SYNOPSIS: The applicant is proposing a 3,591 sq. ft. home. It will encroach in the lake setback by twenty-seven (27) feet. The lake setback proposed is twenty-three (23) feet in lieu of the required fifty (50) feet.

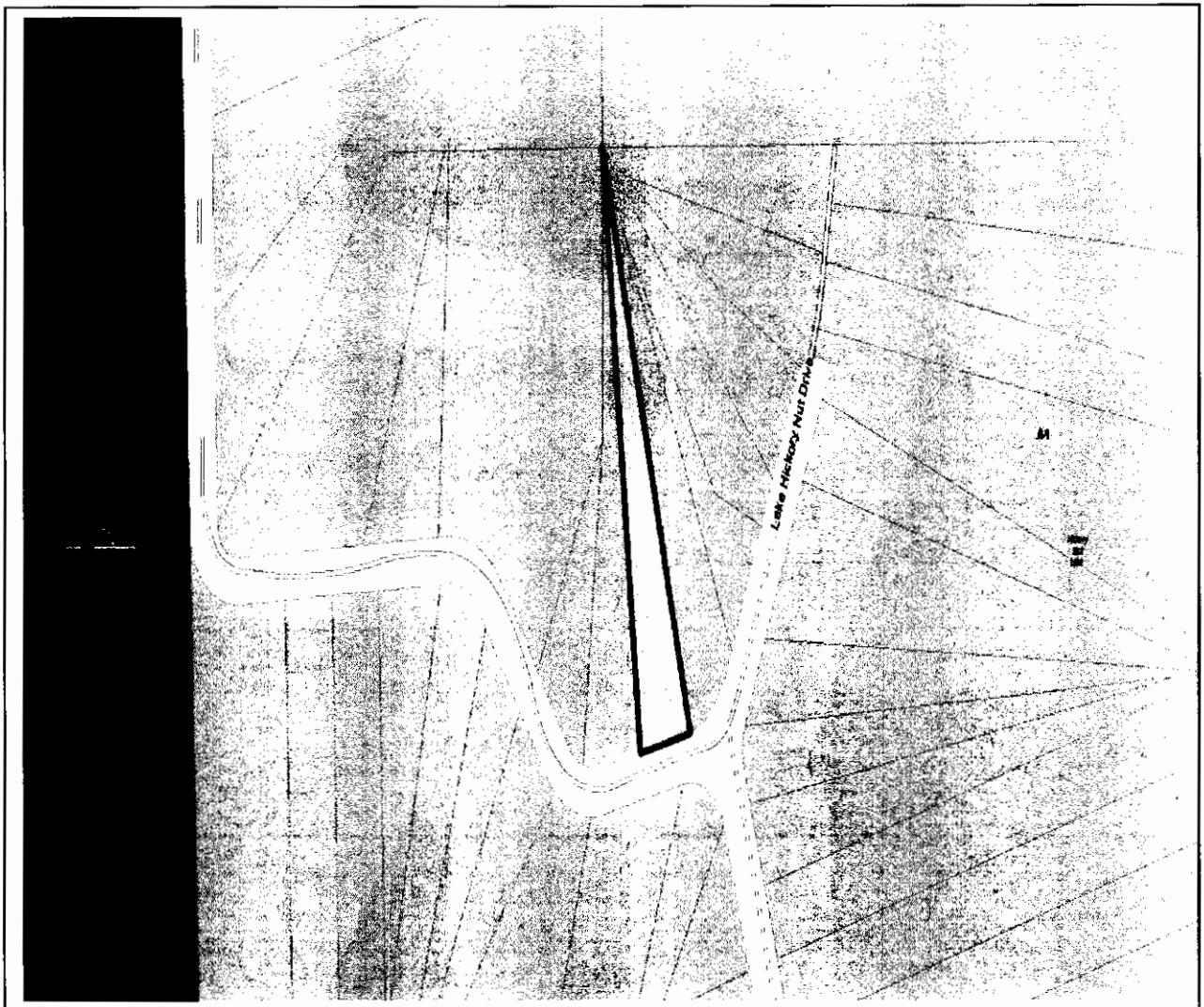
Staff gave a presentation. The average house size in this subdivision is 2,700 sq. ft. The homes on this lake meet the fifty (50) foot lake setback. One (1) variance was issued for a pool deck fourteen (14) feet from the lake. There is a peculiar finger-like protrusion of the shoreline into the subject property which does qualify as a legitimate hardship on the land. However, the primary cause of the variance is the proposed size of the home. Further, staff advised that if this variance is granted, it will partially block the view of the lake of the adjacent neighbor.

The applicant disagreed with the staff presentation and staff recommendation. He indicated he plans to build this house for himself once his current mortgage is paid off.

Two (2) neighbors, including the most impacted neighbor, spoke in opposition. They stated the applicant should reduce the house size and comply with all setbacks just as they did. One (1) neighbor felt this house was too close to his house and was concerned about fire protection for both houses.

The BZA concluded the main issue was not blocking the view of the lake, but rather the size of the home is causing the need for the variance.

Staff received seventeen (17) commentaries in opposition and three (3) commentaries in favor.



Applicant: Allan Andrew Pu

BZA Number: VA-17-05-039

BZA Date: 05/04/2017

District: 1

Sec/Twn/Rge: 06-24-27-NE-A

Tract Size: 1 acre

Address: 9343 Lake Hickory Nut Drive, Winter Garden, FL 34787

Location: North side of Lake Hickory Nut Drive, south of Lake Hickory Nut, approximately 1/2 mile south of Old YMCA Rd.

Proposal letter to Orange County Board of Zoning Adjustment, requesting a variance for allowing a single family 2 story home to be built, which encroaches upon the rear setback distance by 27ft (Regulation is 50 ft).

Orange County Zoning Division

201 S. Rosalind Avenue

Post Office Box 2687

Orlando, FL 32802-2687

407-836-3111

March 14, 2017

Dear Orange County Zoning Division,

This proposal letter is to request and substantiate the grant of a Variance for a residence at 9343 Lake Hickory Nut Drive in Winter Garden, FL. The Variance requested is relatively minor, and as shown below clearly meets all of the parameters set forth in Section 30-43 (3) of the Orange County Code which stipulates specific standards for the approval of variances. Further, if granted, this Variance will not violate or circumvent any of the six exclusionary parameters set forth in the Zoning Variance Criteria.

Rear Setback Adjustment

The petitioner requests a Variance allowing a rear setback of 23ft (50ft required) to be able to build a single family home on the residential lakefront property, generally following the setback guidelines, but which in one area is reduced significantly due to a natural feature in the lake so as to otherwise cause an encroachment into the County's minimum rear yard setback guidelines by 27ft. This encroachment would occur in primarily one area on the North side of the property on 9343 Lake Hickory Nut Drive. The reason(s) for requesting the proposed reduced rear setback is primarily to bring the property into visual harmony with the beautiful lake views and, allow the property owner to build a home that would normally fit on the property of equal size without the natural hardship of how the lake contours into the property. The requested Variance would provide an additional 747 sq-ft of structural foundation to be able to build the applicants family home. It is the absolute intent of the petitioner (for his own personal architectural preferences as well as the needs of the Zoning Administrator/Planning Commission) to create a home that specifically blends in with not only the existing area, but is also in complete harmony with the neighboring homes and appearances:

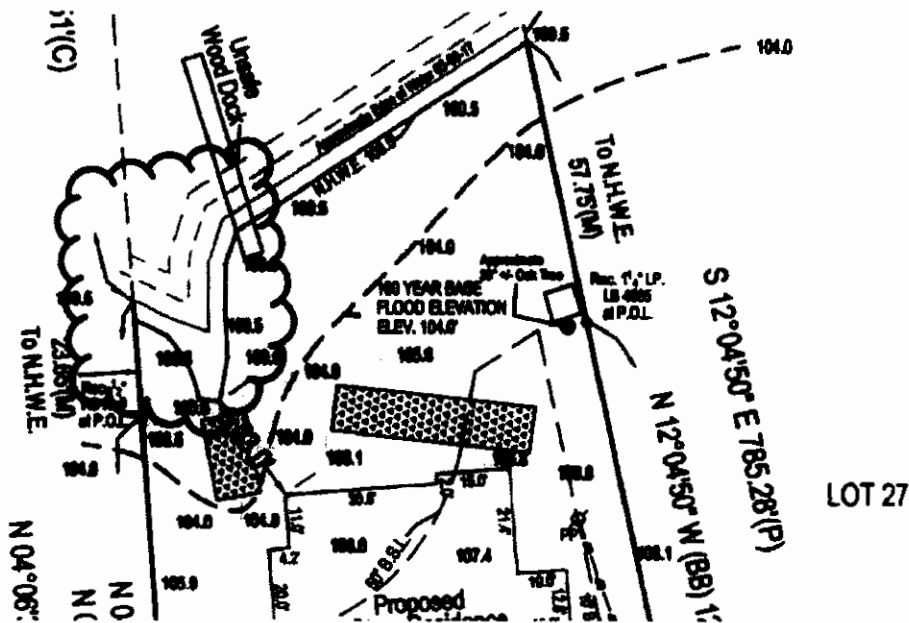
- The proposed home shall be constructed of stucco and architectural shakes with an identical size as several other neighboring properties and homes surrounding the lake.

- The proposed home shall be finished in a tasteful manner as several neighboring properties and homes surrounding the lake.
- The proposed home shall be planted with like vegetation to further become harmonious and blend in with several neighboring properties and homes surrounding the lake.
- The proposed home is desired, intended, and shall be built specifically to be unobtrusive and "low key", blending in with the neighborhood and homes surrounding the lake, but also add significant value to the neighborhood.

Support of Favorable Findings Chapter

(Section 30-43 (3)) sets forth the conditions under which Variances such as those proposed in this letter would be found acceptable to the Zoning Administrator / Planning Commission. The petitioner is confident that the proposed Variances fall within these guidelines, notably;

A) "...Special Conditions and Circumstances..." Special Conditions and circumstances exist which are particular to the land and are not applicable to other lands in the same zoning district. The extended leg of the lake which falls onto the property significantly reduces the buildable footprint even though the land is significantly higher than the Normal High Water Elevation line or even the 100 Year Base Flood Elevation.



Clouded Area Shows the Natural Hardship that exists on the property which prevents the applicant from building a typical home plan. Yellow highlighted area shows requested setback variance of 23'.

B) "Not Self-Created" The special conditions and circumstances do not result from the actions of the applicant, therefore the applicant should be granted relief.

C) "No Special Privilege Conferred" There are at least two other houses on the same street with structures that are less than 50ft from the Normal High Water Elevation including the neighbor directly next door.

D) "Deprivation of Rights" The natural extended leg of the lake is a natural hardship which creates issues for any potential home builder to construct a typical and cost efficient home plan. This natural hardship also causes the land to be impacted in value since the actual building area is severely impacted by the setback requirements for this particular lot.

E) "Minimum Possible Variance" The zoning variance requested is the minimum variance that will make possible the reasonable use of the land for the home size that the owner is requesting and reserving enough space for a septic system given the required setbacks for a potable well.

F) "Purpose and Intent" The proposed home are designed, laid out, and shall be constructed in a manner that achieves harmony with the neighborhood, fosters peaceful relations with neighbors, and blends in visually in a low-key, unobtrusive manner with the surroundings. As such, it is clearly in harmony with the overall intents and purposes of the Title. The proposed home plan will bring greater value to the surrounding neighbor's home values and only serve a benefit to the other home owner's. I have also received letters of support from some of the neighbor's that were not afraid to sign the letter of no objection.

Additionally, the proposed home that this Variance is being requested for does not encroach or infringe on any neighboring residential properties, nor would it impose any hardship on any neighbors, nor would it serve to create a situation where any neighbor's quality of life, property value, or peaceful co-existence would be negatively affected. Quite the contrary, the proposed Variance would allow the neighborhood to grow and provide additional tax dollars to the area.

A Survey, Photographs, and diagrams in support of the requested Variance are attached hereto.

Respectfully submitted,

Allan Andrew Pu, Petitioner/ Authorized Agent/ Planned Purchaser of Property

14408 Stamford Circle

Orlando, FL 32826

904-449-6349

AndrewPu17@gmail.com

- NOTES:
1. THIS BOUNDARY SURVEY WAS PREPARED FROM TITLE OR OTHER INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS RECORDED OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY. PROPERTIES ARE SUBJECT TO ALL COVENANTS, RESTRICTIONS, EASEMENTS AND SETBACKS OF RECORD.
 2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN. SEPTIC IF SHOWN IS +/-.
 3. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON OR USED BY ANY OTHER ENTITY. SURVEYS ARE NOT TRANSFERABLE.
 4. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES. BOUNDARY BEARINGS AND DISTANCES ARE SHOWN AS PLATTED UNLESS DENOTED AS MEASURED.
 5. BEARINGS ARE BASED ON RECORD PLAT DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
 6. PROPERTY HEREON LOCATED IN ZONE "X & AE" PER F.L.R.M. MAP PANEL NO. 12088C 0376P DATED 09-25-2009
 7. BUILDING LINES SHOWN, REPRESENT BUILDING WALLS, EAVES, IF ANY, NOT LOCATED OR SHOWN.

Boundary
And
Mapping
Associates, Inc.

LAND
SURVEYORS
LB 4565

108 WEST ORANGE STREET
ALTAMONTE SPRINGS, FL.
32714
PH: (407) 886-1135

Property Address:
9343 LAKE HICKORY NUT DRIVE

DESCRIPTION:
LOT 28, HICKORY LAKE ESTATES,
AS RECORDED IN PLAT BOOK
"V", PAGE(S) 4, OF THE PUBLIC
RECORDS OF ORANGE COUNTY,
FLORIDA.

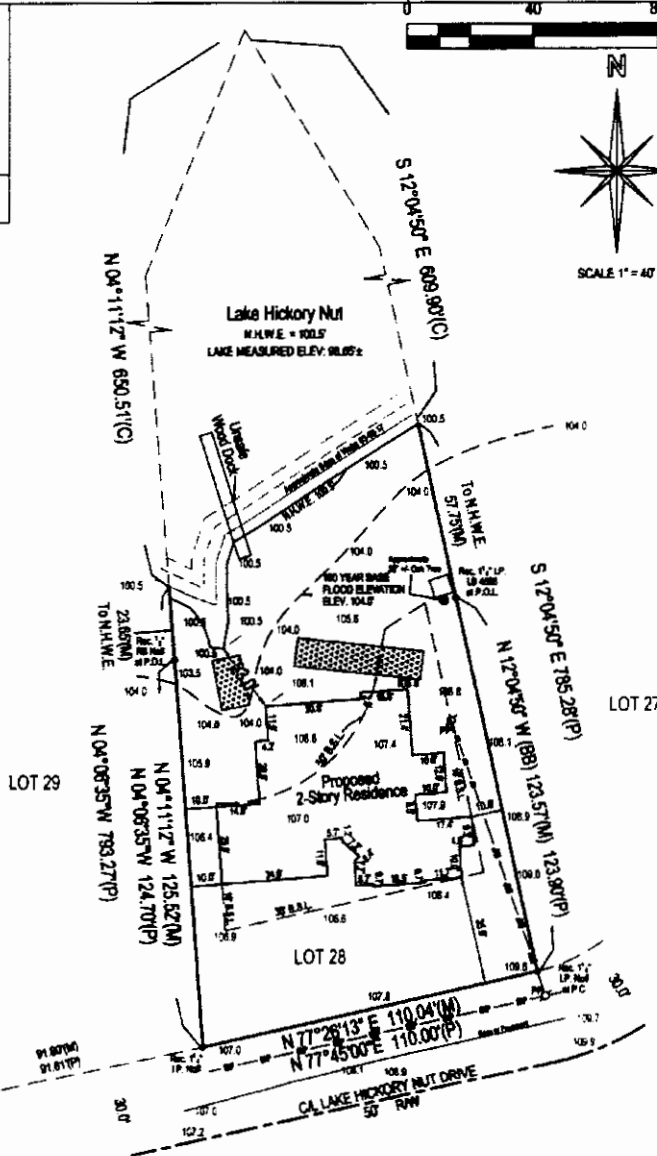
CERTIFIED TO:
Alan Andrew Pu

NOTE:

+ 104.1 Denotes Spot Elevation
Based on NAVD 1988 Datum
as Measured on 03-08-2017

NOTE: (AS PROVIDED)
FINISHED FLOOR ELEVATION
SHALL BE EQUAL TO OR GREATER
THAN ELEV. 105.0'

NOTE:
SETBACKS AND PROPOSED
RESIDENCE SHOWN AS PROVIDED
TO THIS SURVEYOR.



JOB NO.: 02-472 U

DATE: 03-08-17

FIELD: 03-17-02

SIGNED: 03-10-17

DRAWN BY: CJC

P.C.: RP

CHECKED BY: RWJ

LEGEND

REC - RECOVERED
I.P. - IRON PIPE
I.C. - ALUMINUM CAP &
C.M. - CONCRETE MONUMENT
RB - REBAR
RAD - RADIAL
R.R. - NOT RADIAL
P.P. - PER PLAT
AB - AS MEASURED
D.L. - ON LINE
P.C. - POINT OF CURVATURE
P.T. - POINT OF TANGENCY
R.W. - RIGHT OF WAY
H.W.E. - NORMAL HIGH WATER ELEVATION

CONCRETE
S.S.L. - BUILDING SETBACK LINE
R.P. - RADIAL POINT
R. - RADIAL
L. - LENGTH OF ARC
S.E. - BORNWALK EASEMENT
U.E. - UTILITY EASEMENT
D.E. - DRAINAGE EASEMENT
L.E. - LANDSCAPE EASEMENT
P.E. - POOL EASEMENT
P.P. - POWER POLE
C.W.L. - CHAIN LINK FENCE
W.F. - WOODEN FENCE
A.F. - ALUMINUM FENCE

This is a digitally signed and sealed drawing of a boundary survey performed under the direction of the undersigned. Survey is authorized on or about the date of the survey shown herein and certified only to those persons and/or entities listed herein. The boundary survey meets the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 54-17 F.A.C. pursuant to section 472.007 Florida Statutes.

RODNEY W. JACKSON, PSM 8281

Not valid without the signature and the original sealed copy of a Florida Registered surveyor and mapper.



RECEIVED
MAR 15 2017
Zoning Division

ORANGE COUNTY, FLORIDA

THE S½ OF THE NW¼ OF THE NE¼; THE SW¼ OF THE NE¼; THE
SE¼ OF THE NW¼; AND THE NE¼ OF THE MW¼ (LESS THE EAST
412 FT. OF THE N½ THEREOF) ALL IN SECTION 6, TOWNSHIP 24
SOUTH, RANGE 27 EAST.

DET H. LEAHY CONFIDENTIAL REPORT OF DET IN DET IN FILE # 27-064 & OTHER NO 117 IS

NOT SUBDIVIDED

		TABLE 10					
		Curve	Q	Q	Y	ΔH	W
DATA	A	0.000	0.000	0.000	0.000	0.000	0.000
	B	0.000	0.000	0.000	0.000	0.000	0.000
	C	0.000	0.000	0.000	0.000	0.000	0.000
CALC	D	0.000	0.000	0.000	0.000	0.000	0.000
	E	0.000	0.000	0.000	0.000	0.000	0.000
	F	0.000	0.000	0.000	0.000	0.000	0.000

NOTE: DISTANCES SHOWN ON CURVES ARE ARC LENGTHS

ਅੰਤਰ. ਸਿਰਫ਼ ੧੬ ਸਾਲ ਤੋਂ ਵੱਧ ਉਮਰ ਦੇ ਲੋਕ ੭

NOT SUBDIVIDED

44

SCALE: 1" = 200'

NOTE: THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS NOTED HEREON IS FOR RECORDING PURPOSES ONLY AND DOES NOT INDICATE COMPLIANCE WITH MINIMUM REQUIREMENTS AS TO STREETS, DRAINAGE, SANITARY PROVISIONS AND WATER SUPPLY.

[illegible]

V-4

KNOW ALL MEN BY THESE PRESENTS, That the Corporation aforesaid
hereby, being the owner in its entirety of the book described in the foregoing
caption to this plat, hereby dedicates said book and plat for the
use and purposes therein expressed and dedicated to. **WITNESS**
my hand and seal of office this 14th day of June, 1928.

W. H. Thomas Jr.

Charles E. Tamm

Special and subject to the company's

John W. Jones

STATE OF Florida. COUNTY OF ORANGE
THIS 10 DAY OF October 9, 1956

before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared JES. WILLIAMS,
..... and CHARLES E. DAVIS
respectively President and Secretary.

of the above named corporation incorporated under the laws of the State of Florida, to wit: to be the individuals and officers described in and who assumed the foregoing Declaration and solemnly acknowledged the execution thereof to be their free act and deed in said officers themselves fully understanding that the official and not individual capacity is duly assumed thereby; and that the said Declaration is the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the above date.

Chloe Jordan
NOTARY PUBLIC
My Commission Expires May 12, 2014

[illegible]

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that on Oct. 24, 1966, he completed the survey of the lands as shown in the foregoing plat that said plat is a correct representation of the lands therein described and platted; that pertinent references thereto have been placed as shown hereon as required by Chapter 171, Florida Statutes and that said land is located in

Orange County, Florida Dated Oct 24, 1956
Wm. H. H. H.

THIS IS TO CERTIFY That on OCT. 30, 1956 the foregoing plat was approved by the Board of County Commissioners of Orange County, Florida.

June 24. McConaughy

ATTEN:

Arthur W. Havel
 Clerk of the Board

~~THIS IS TO CERTIFY, that the
the Orange County Zoning Ordinance approved the foregoing plat.~~

I HEREBY CERTIFY, That I have examined the foregoing plot and find that it complies in form with all the requirements of Chapter 177, Florida Statutes.

[Faint handwritten notes at bottom of page]

Chief of the Circuit Court
in and for Orange County, Fla.

By Jane R.



STAFF REPORT
CASE #VA-17-05-039
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
May 4, 2017
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Allan Andrew Pu

REQUEST: Variance in the A-1 zoning district to construct a single family residence 23 ft. from the Normal High Water Elevation (NHWE) line of Hickory Nut Lake in lieu of 50 ft. (Note: The subject property was platted on October 30, 1956. However, the zoning of the property requires a 50 ft. building setback whether it is lakefront or not.)

LOCATION: North side of Lake Hickory Nut Drive, south of Lake Hickory Nut, approximately 1/2 mile south of Old YMCA Rd.

PROPERTY ADDRESS: 9343 Lake Hickory Nut Dr., Winter Garden, FL 34787

PARCEL ID: 06-24-27-3548-00-280

PUBLIC NOTIFICATION: 76

TRACT SIZE: 1 acre

DISTRICT #: 1

ZONING: A-1

EXISTING USE(S): Vacant w/dock and several concrete slabs

PROPOSED USE(S): Single Family Residence

SURROUNDING USES: N - Lake Hickory Nut
S - Single Family Residence
E - Vacant
W - Single Family Residence

STAFF FINDINGS AND ANALYSIS:

1. The applicant has a contract to purchase the property. The applicant proposes to build a home twenty-three (23) feet from the Normal High Water Elevation of Hickory Nut Lake in lieu of fifty (50) feet.
2. Staff cannot support this request because the proposed home will substantially block the lake view of the adjacent home owner to the west.
3. The Variance Criteria requires that no special privilege be conferred by granting a variance. If this variance is approved, it will confer a special privilege onto this applicant at the expense of the adjacent home owner to the west.
4. The Environmental Protection Division (EPD) reviewed this request and does not support this request. Their comments will be shown at the hearing.
5. A preliminary analysis of the homes on Lake Hickory Nut shows that they all meet the fifty (50) feet lake setback. A variance for a pool deck was granted from the lake for a lot located on the other side of Lake Hickory Nut Drive.
6. The request represents a deviation of fifty-four percent (54%) from code requirements. This is extreme.
7. There are Orange County Conservation Areas toward the shoreline of the lot. It does not appear that any impacts are proposed to these conservation areas.
8. Staff recommends denial of the request as submitted. The applicant should reduce the size of the house to meet all setbacks or relocate the house at least twenty (20) feet further towards the front yard (Lake Hickory Nut Drive). That would place the house at fifteen (15) feet from the front yard in lieu of thirty-five (35) feet and would place the house at least forty-three (43) feet from the NHWE of the lake in lieu of fifty (50) feet. This would require a re-advertisement to include different variances.

STAFF RECOMMENDATION:

Staff cannot support this request as submitted. The new home will significantly block the neighbor's view of the lake on the west side. Approval of the request would confer onto this applicant a special privilege not conferred to others on the lake. Alternatively, the request should be amended to reduce the house size to meet all setbacks or relocate it twenty (20) feet towards the front yard which will require a front yard setback and a seven (7) foot encroachment into the lake setback and a new site plan.

1. Development in accordance with site plan dated March 15, 2017, 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 minimum building setback shall be ____ feet from the Normal High Water Elevation of Hickory Nut Lake;
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 residence is no closer than ____ feet from the Normal High Water Elevation of Hickory Nut Lake;
7. Prior to the issuance of any permits, the applicant shall complete a Conservation Area Determination with the Environmental Protection Division. Any impacts to any conservation areas shall be in accordance with all Orange County regulations; and,
8. Prior to the issuance of any permits the applicant shall install a berm and swale system. Said berm and swale shall be inspected and approved by the Environmental Protection Division (EPD).

cc: Allan Andrew Pu, Applicant
14408 Stamford Circle
Orlando, Florida 32826

FLORIDA VIETNAMESE BUDDHIST ASSOCIATION
SE-17-05-029

REQUEST: **Special Exception** in the R-1A zoning district to construct a 35 ft. high tower statue
(Note: The applicant proposes to construct a 35 ft. high religious statue behind the temple and outside of the wetlands).

ADDRESS: 6031 Cornelia Avenue, Orlando FL 32807

LOCATION: North side of Cornelia Ave., 1/4 mile west of Commerce Blvd.

S-T-R: 15-22-30

TRACT SIZE: 2.85 acres

DISTRICT#: 5

LEGAL: LEAWOOD S/82 LOT 114

PARCEL ID: 15-22-30-5024-01-130 and 15-22-30-5024-01-140

NO. OF NOTICES: 97

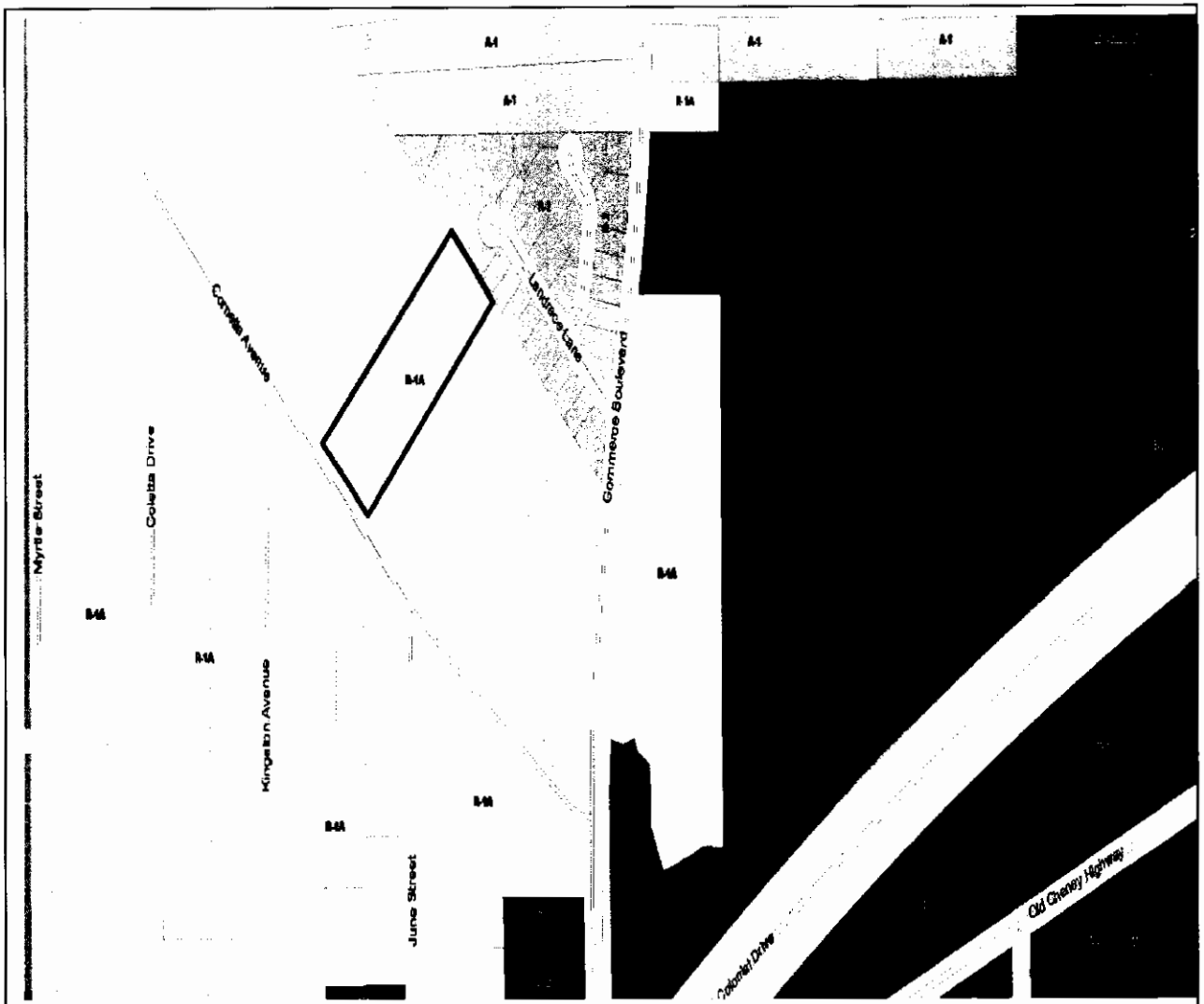
DECISION: APPROVED the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions (unanimous; 6-0):

1. Development in accordance with site plan dated February 23, 2017, 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 encroachment into the conservation areas; and
5. Permits shall be obtained within two (2) years of Orange County approval or this approval shall be null and void.

SYNOPSIS: The applicant operates a religious temple on the site. The temple has been in existence since the early 1990s. The request is to construct a structure that is thirty-five (35) feet in height and will house a religious statue. The proposed structure is almost 300 feet from the front property line. There are wetlands to the rear to act as a buffer for the homes to the rear.

The BZA agreed with the staff recommendation of approval. There was no opposition at the hearing.



Applicant: Florida Vietnamese Buddhist Association

BZA Number: SE-17-05-029

BZA Date: 05/04/2017

District: 5

Sec/Twn/Rge: 15-22-30

Tract Size: 2.85 acres

Address: 6031 Cornelia Avenue, Orlando FL 32807

Location: North side of Cornelia Ave., 1/4 mile west of Commerce Blvd.

February 23, 2017

Board of Zoning Adjustment
Orange County Zoning Division
201 S. Rosalind Ave, 1st floor
Orlando, FL 32802-1393

Ref. SE-17-05-029

Project name : 6031 and 6021 Cornelia Ave. Orlando 32807-0623

Dear BZA

On behalf of Florida Vietnamese Buddhist Association , Hung Nguyen, a member of the temple, is requesting a Special Exception for the Florida Vietnamese Buddhist Association Facility located at 6031 Cornelia Ave. Orlando 32807-0623.

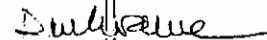
Enclosed in this submittal is:

- * 2 location plans
- * 2 floor plan and elevation plan
- * Orange county tax information
- * BZA application, project Expenditure and Agent authorization forms

The lot size of 210'x 608', has 1 existing temple facility of 3500 sf and 82 paved parking spaces as well as storm sewer conveyance and water service. Sanitary service is provided by a septic system on site.

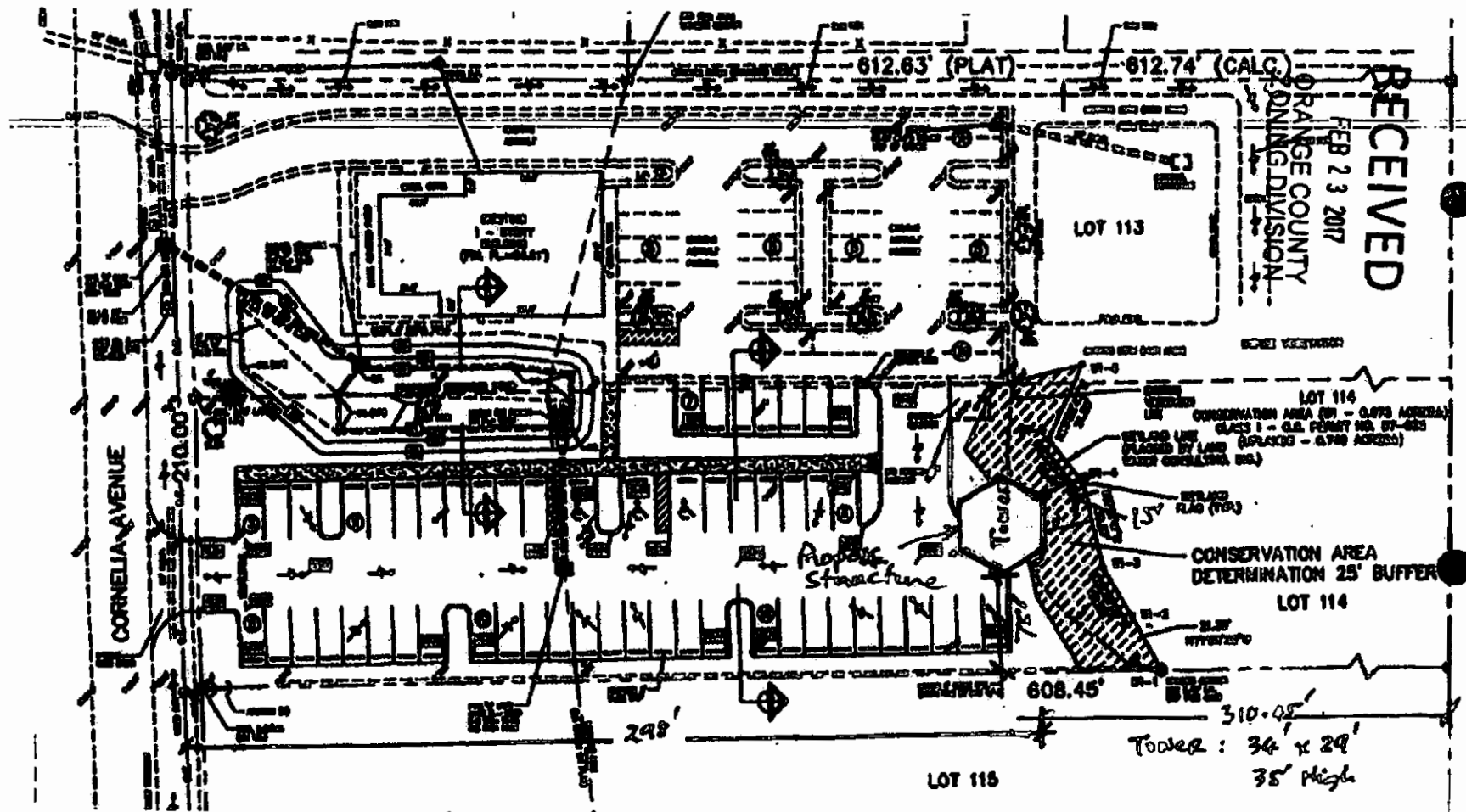
The Special Exception request is to allow to build a small tower, total 752 SF , hexagon shape, 35' in height, locate in the rear of existing temple , 15' away from wet land zone. The new tower is for displaying a Buddha Statue, uninhabitable, no water and no mechanical system.

Please call if you have any questions regarding the enclosed information. Thank you for the assistance in this permitting effort



Hue Dinh
407-383-6463

For Hung Nguyen
407-276-1323



LONG VAN Temple

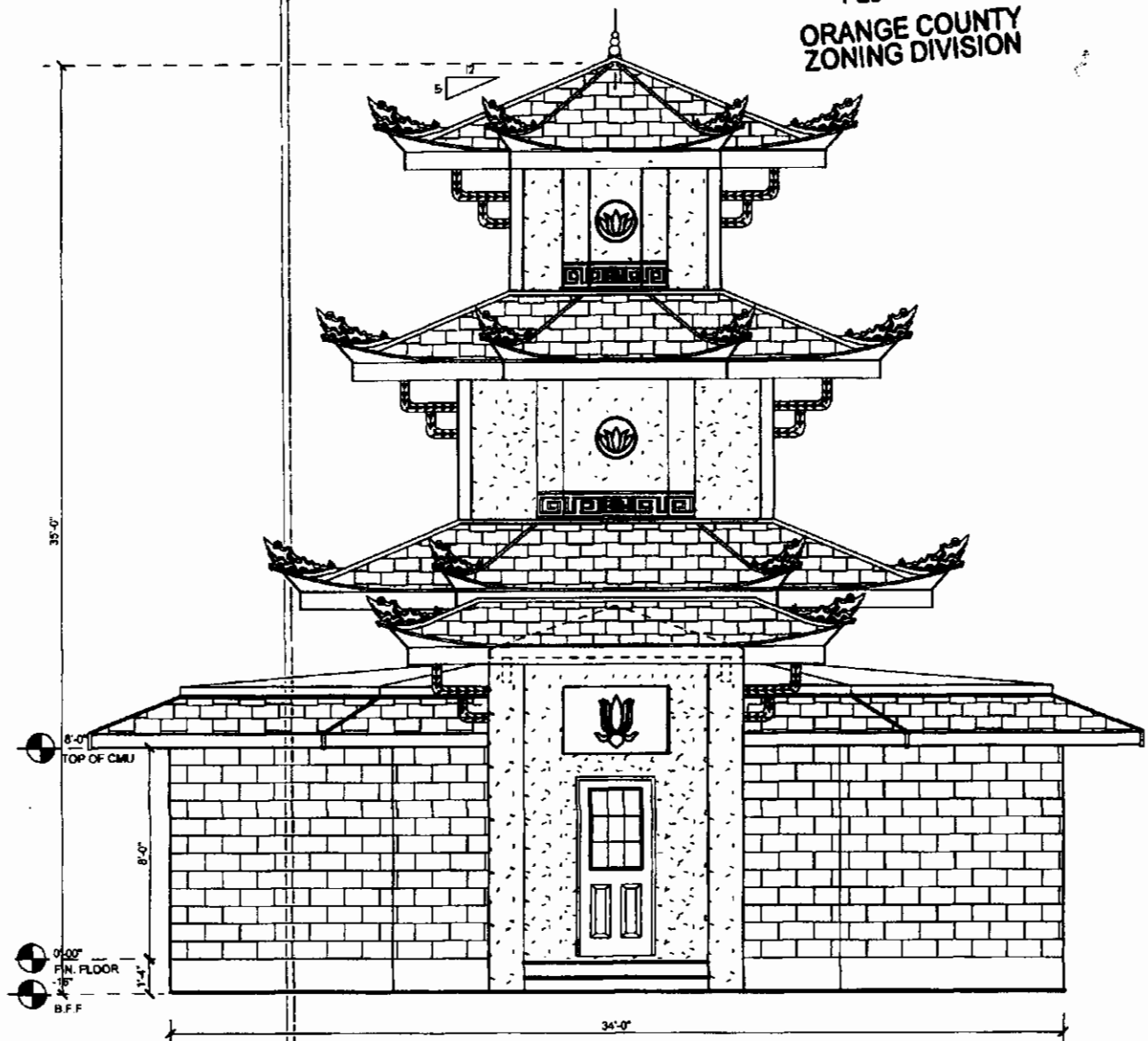
6021 CORNELIA AVE, OHLANDS

Parcel ID: 18-22-30-5024-01-140 32807

♂ A

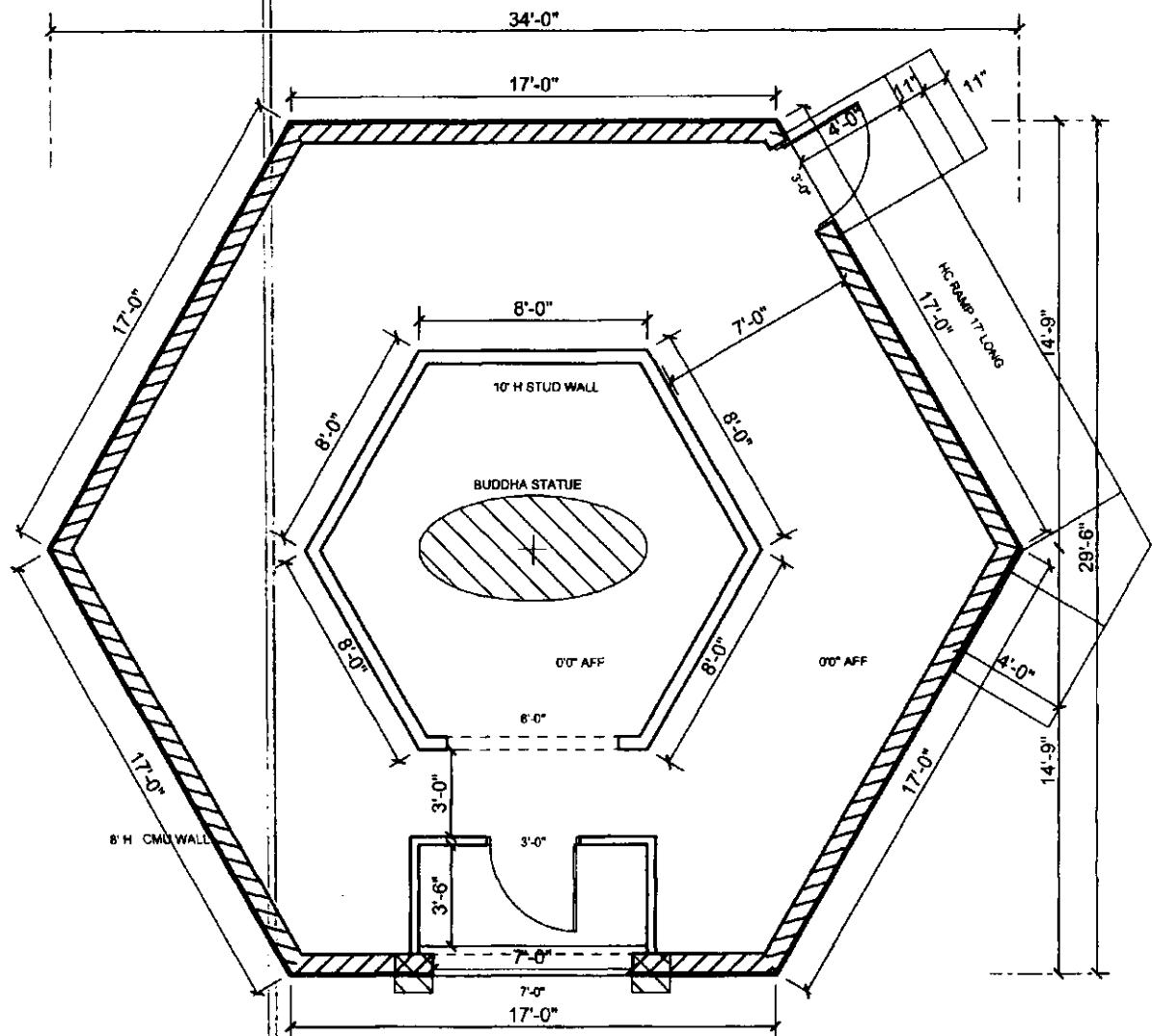
about point to wetland is⁶)

RECEIVED
FEB 23 2017
ORANGE COUNTY
ZONING DIVISION



FRONT ELEVATION

SCALE : 3/16" = 1'



FLOOR PLAN

SCALE : 3/16" = 1'

RECEIVED
 FEB 23 2017
 ORANGE COUNTY
 ZONING DIVISION



STAFF REPORT
CASE #SE-17-05-029
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
May 4, 2017
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Florida Vietnamese Buddhist Association

REQUEST: Special Exception in the R-1A zoning district to construct a 35 ft. high tower statue

(Note: The applicant proposes to construct a 35 ft. high religious statue behind the temple and outside of the wetlands).

LOCATION: North side of Comelia Ave., 1/4 mile west of Commerce Blvd.

PROPERTY ADDRESS: 6031 Comelia Avenue

PARCEL ID: 15-22-30-5024-01-130
15-22-30-5024-01-140

PUBLIC NOTIFICATION: 97

TRACT SIZE: 2.85 acres

DISTRICT #: 5

ZONING: R-1A

EXISTING USE(S): Religious Temple

PROPOSED USE(S): 35 ft. high religious statue

SURROUNDING USES: There are single family residences to the north, west and south. Wetlands exist to the east.

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes a thirty-five (35) foot high religious statue at the rear of the site. This requires another Special Exception approval because it is considered an addition to the previous approvals.
2. The proposed statue will not encroach into the conservation areas at the rear of the site.
3. The site complies with the parking requirements.
4. The proposed statue will be located approximately 290 feet from Cornelia Avenue.
5. The request will not adversely impact anyone or any wetlands. It will be located almost 290 feet from Cornelia Avenue. Therefore, staff has no objections to this request.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated February 23, 2017, 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 encroachment into the conservation areas; and,

5. Permits shall be obtained within two (2) years of Orange County approval or this approval shall be null and void.

cc: Hung M. Nguyen, Applicant's Representative
6021 Cornelia Avenue
Orlando, Florida 32807

STEVEN VAUGHT
VA-17-05-030

REQUEST: **Variances** in the R-CE zoning district for the following:
1) Variance to construct an accessory structure (garage) with 1,000 sq. ft. of area in lieu of 500 sq. ft.;
2) Variance to validate a substandard parcel with .45 acres of lot area in lieu of 1 acre; and,
3) Variance to validate existing residence with a front setback of 27 ft. in lieu of 35 ft.
(Note: The subject property backs up to an overhead power line easement and the SR 417).

ADDRESS: 1203 S. Econlockhatchee Trail, Orlando FL 32825

LOCATION: East side of Econlockhatchee Trail, approximately 1,000 ft. north of Berry Dease Rd.

S-T-R: 31-22-31

TRACT SIZE: 130 ft. x 125 ft.

DISTRICT#: 3

LEGAL: THE W 200 FT OF W1/2 OF SW1/4 OF SE1/4 (LESS N 192 FT & LESS S 1000 FT) & (LESS W 48 FT FOR RD R/W PER OR 4025/1185)

PARCEL ID: 31-22-31-0000-00-041

NO. OF NOTICES: 41

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):

1. Development in accordance with site plan dated March 8, 2017, 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;

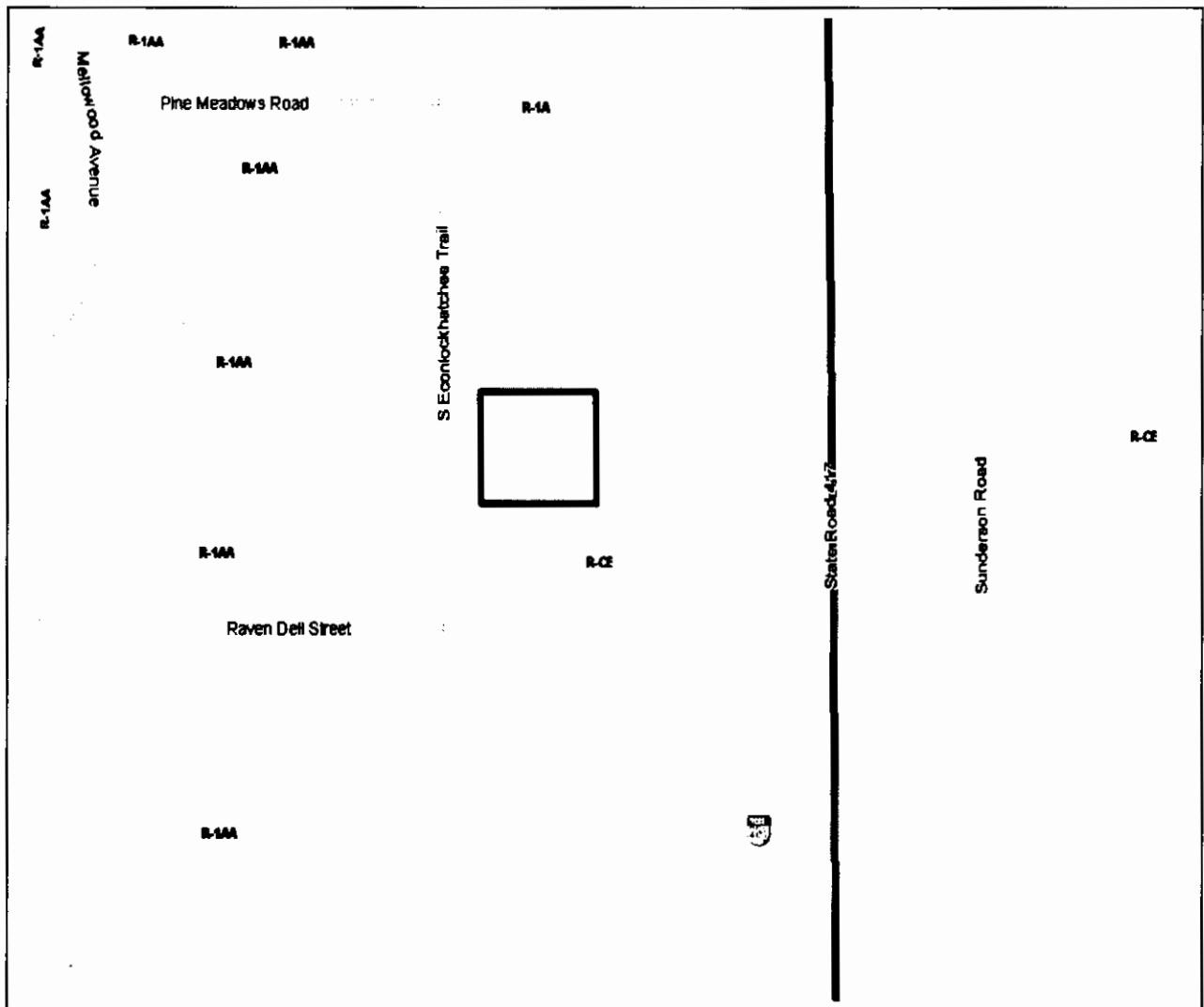
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. The accessory building shall be built with materials that are commonly used for single family house construction; and
5. Prior to the issuance of any permits for the new garage, the existing storage building shall be removed.

SYNOPSIS: The applicant removed the original shed on site. It was unsightly. He wants to replace it with a 1,000 sq. ft. garage which will match a house design.

Staff advised the BZA the new garage will be aesthetically pleasing. There is a 100 foot wide overhead transmission easement behind his house where the garage is proposed.

The applicant stated he thought he could replace his accessory building without the need for a variance.

There was no opposition. The BZA approved the request with conditions.



Applicant: Steven Vaught

BZA Number: VA-17-05-030

BZA Date: 05/04/2017

District: 3

Sec/Twn/Rge: 31-22-31-SE-D

Tract Size: 130 ft. x 125 ft.

Address: 1203 S. Econlockhatchee Trail, Orlando FL 32825

Location: East side of Econlockhatchee Trail, approximately 1,000 ft. north of Berry Dease Rd.

3/01/2017

Orange County Board of County
Commissioners
201 South Rosalind Ave
Orlando, FL 32802

RE: Variance 1203 Econlockhatchee Trl.
Orlando, FL 32825
31-22-31-0000-00-041

To Whom It May Concern,

This letter is a request for a variance to build an accessory building at the referenced site. I would like to build a 25x40x12 Detached Garage. The mentioned property is zoned R-CE, which only allows for a 500 sq ft. detached garage. The 25x40x12 is 1000 Sq Ft. and the proposed location of this is well inside the setbacks on the property. (94.91' From Front, 42.15' North Side, 49.3' South Side and 11.2' from the rear) Please consider this variance, this building would be a beautiful addition to my property and providing much needed storage.

The following is a description of the materials used:

25x40x12 3:12 Pitch

- Roof – Master Rib Gavalume Arctic White
- Walls – Master Rib Gavalume Lt Stone
- Trim – Gavalume – Lt Stone
- Fascia and box Soffit – Arctic White
- (2) Rollup Doors – Arctic White
- Entry Door – Arctic White

Enclosed please find a color chart and photos of similar buildings. If you have any questions or need any further information, you can contact me at (407) 592-7701, thank you.

Sincerely,



Mr. Vaught
Homeowner

SITE PLAN 25X40 DETACHED GARAGE
1203 S ECONLOCKHATCHEE TRAIL
ORLANDO, FL 32825
31-22-31-0000-00-041

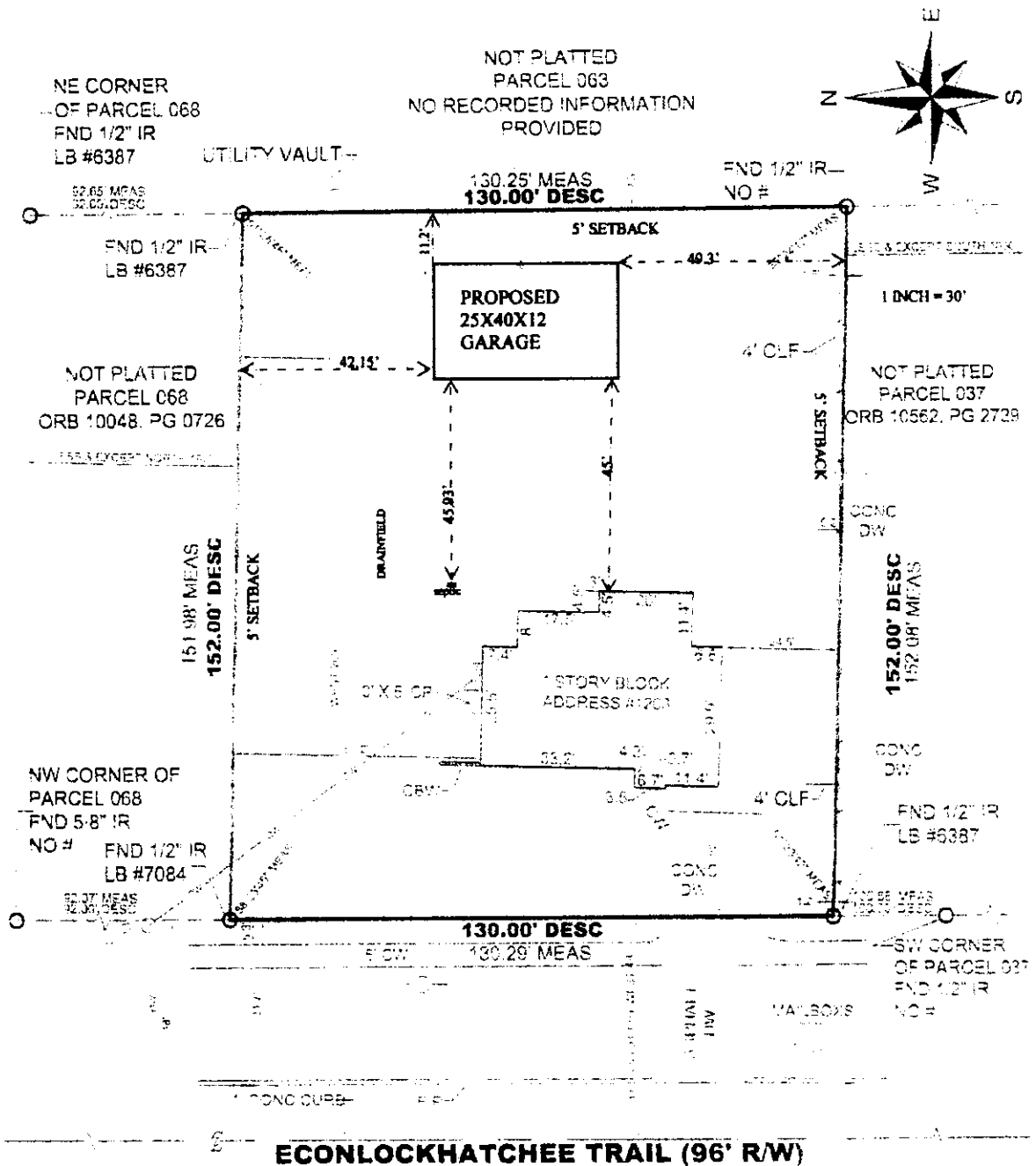
RECEIVED

MAR 08 2017

PLAT OF SURVEY DESCRIPTION

Zoning Division

THE WEST 200 FEET OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, LESS AND EXCEPT THE NORTH 192 FEET THEREOF AND THE SOUTH 1000 FEET THEREOF AND FURTHER LESS AND EXCEPT THE WEST 48 FEET FOR ROAD RIGHT AWAY, IN SECTION 31, TOWNSHIP 22 SOUTH, RANGE 31 EAST, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. A/K/A 1203 S ECONLOCKHATCHEE TRAIL, ORLANDO, FL 32822

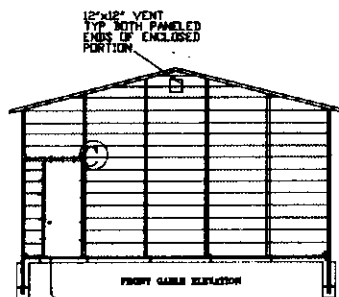
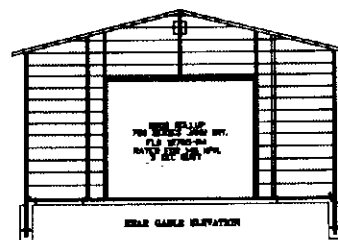
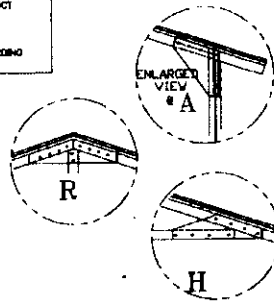
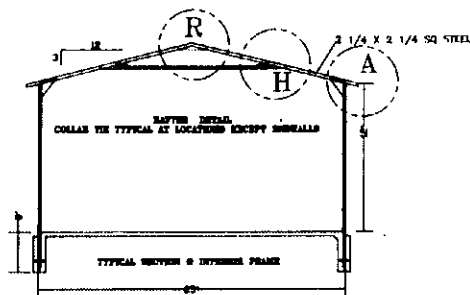


- ENGINEER'S NOTES**
- 1) THE BASIC DESIGN WIND SPEED=140 MPH, 3 SEC GUST
 - 2) BUILDING CATEGORY = I
 - 3) THE EXPOSURE CATEGORY = II
 - 4) THE INTERNAL PRESSURE COEFF. = $s/-0.18$ ENCLOSED GARAGE
 - 5) BUILDING CATEGORY I (ASCE 7-10 TABLE D.3)
 - 6) THE COMP. & CLADDING DESIGN PRESSURES ON = -81.2
ROOF = 19.05/-71.11, WALL = 30.48/-57.88
 - 7) RAFTER STEEL TUBING IS 48,000 PSI MIN YIELD STRENGTH
ASTM A500 GRADE B 50,000 PSI MIN. ULT. TENSILE

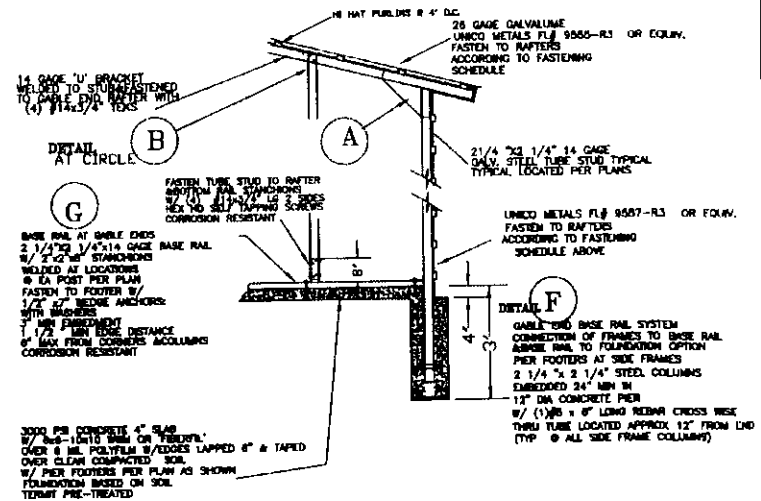
NOTE: DOOR MANUFACTURER TO PROVIDE RATING CERTIFICATION FOR THEIR PRODUCTS INDICATING DOORS WILL WITHSTAND THE PRESSURES RESULTING FROM 140 MPH WIND SPEED (3 SEC GUST)

NOTE: DOOR MANUFACTURER TO PROVIDE INSTALLATION INSTRUCTIONS FOR THEIR PRODUCT SUCH THAT WHEN INSTALLED PER THEIR INSTRUCTIONS THE RATED PERFORMANCE WILL BE ATTAINED.

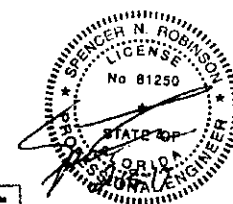
NOTE: CONTRACTOR TO INSTALL DOORS ACCORDING TO MANUFACTURER'S INSTRUCTIONS.



GENERAL ALUMINUM CO.
DESIGN PRESSURE: +78.0/-78.0
GASKETE INTERNATIONAL
RE RELIABLE ENTRY DOOR
FL # 4904-R7



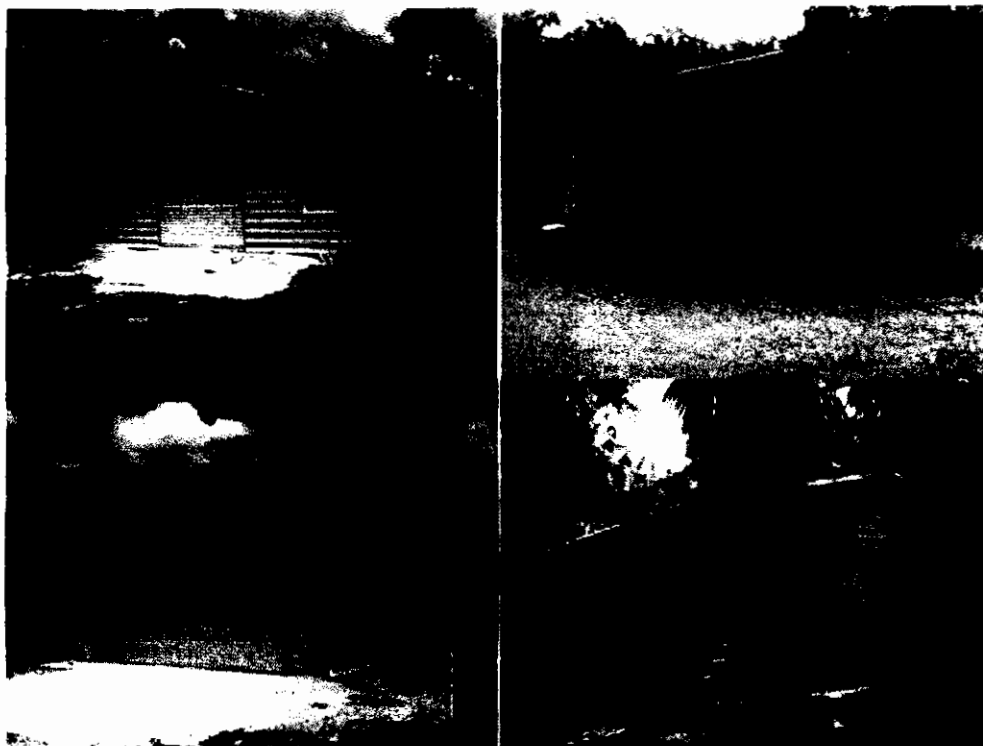
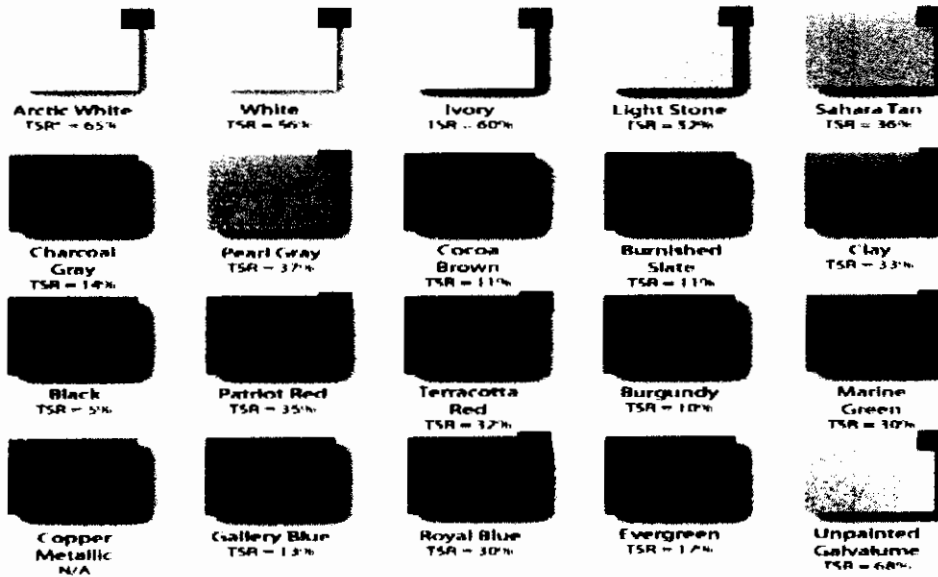
**CABLE END BASE RAIL SYSTEM
CONNECTION OF FRAMES TO BASE RAIL**



I hereby certify that I have calculated this plan and found it to be in accordance with ASCE 7-10 and Section 1809 of the Florida Building Code, 2014 5TH Edition.

Spencer N. Robinson, P.E.
STRUCTURAL ENGINEERING, INC.
1000 S. W. 10TH AVE. SUITE 100
MIAMI, FL 33135
PHONE: (305) 515-0543 FAX: (305) 515-0544
METAL STRUCTURES, LLC
341, N.W. 60th AVE. SUITE 100
MIAMI, FL 33147-1140

GARAGE/SHED 25X40X12		SHEET OF 1 OF 3	
SCALE 1/8"=1'-0"	DATE 2/10/2017	PART NO. VAUGHT 4735	





STAFF REPORT
CASE #VA-17-05-030
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
May 4, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Steven Vaught

REQUEST: Variances in the R-CE zoning district for the following:

- 1) Variance to construct an accessory structure (garage) with 1,000 sq. ft. of area in lieu of 500 sq. ft.;
- 2) Variance to validate a substandard parcel with .45 acres of lot area in lieu of 1 acre; and,
- 3) Variance to validate existing residence with a front setback of 27 ft. in lieu of 35 ft.

(Note: The subject property backs up to an overhead power line easement and the SR 417).

LOCATION: East side of Econlockhatchee Trail, approximately 1,000 ft. north of Berry Dease Rd.

PROPERTY ADDRESS: 1203 Econlockhatchee Trail, Orlando, FL 32825

PARCEL ID: 31-22-31-0000-00-041

PUBLIC NOTIFICATION: 41

TRACT SIZE: 130 ft. x 125 ft.

DISTRICT #: 3

ZONING: R-CE

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): 1,000 sq. ft. accessory building (Garage)

SURROUNDING USES: There are single family residences to the north, west and south. There is a 100 ft. wide overhead transmission easement and SR. 417 to the east.

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes a twelve (12) feet high 1000 sq. ft. detached garage.
2. The properties along this section of Econlockhatchee Trail backs up to a 100 feet wide overhead transmission easement.
3. The request constitutes a fifty percent (50%) deviation from code requirement. However, if the BZA wanted to approve this request, it could do so due to the following facts: a) In 2015, the BZA granted variance approval for a 1,340 sq. ft. garage in the rear yard to a parcel just to the south; b) staff would prefer that boats and other vehicles be stored indoors under roof; and, c) the proposed garage will only be partially visible from Econlockhatchee Trail.
4. The existing storage building shall be removed prior to the issuance of any permits for the new garage.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated March 8, 2017, 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 building shall be built with materials that are commonly used for single family house construction; and,

5. Prior to the issuance of any permits for the new garage, the existing storage building shall be removed.

cc: Steven Vaught, Applicant
605 S. Deerwood Avenue
Orlando, Florida 32825

Brandon R. Vaught, Property Owner
1203 S. Econlockhatchee Trail
Orlando, Florida 32825

JACK E. OWENS
VA-17-05-031

REQUEST: **Variances** in the C-3 zoning district as follows:
1) To place a refuse disposal dumpster 6 ft. from a side street property line in lieu of 15 ft.;
2) To validate a substandard lot with 63 ft. of frontage on a major road in lieu of 125 ft.;
3) To validate a substandard lot area of 9,536 sq. ft. in lieu of 12,000 sq. ft.; and,
4) To validate substandard parking of 12 parking spaces in lieu of 19 spaces.
(Note: The property is currently being used as a two-story professional office building, which is being renovated. The applicant has provided letters of support from two neighboring businesses. This is the result of code enforcement action.)

ADDRESS: 2731 Silver Star Road, Orlando FL 32808

LOCATION: Northwest corner of Silver Star Rd. and Clemson Rd., approximately 550 ft. west of John Young Parkway

S-T-R: 16-22-29

TRACT SIZE: 71.5 ft. x 115 ft.

DISTRICT#: 2

LEGAL: WILLIS R MUNGERS LAND SUB E/3 BEG 489.42 FT S OF NE COR OF LOT 24 RUN W 118.3 FT S 122.85 FT E 118.3 FT N 122.85 FT TO POB (LESS RD RW ON E & S)

PARCEL ID: 16-22-29-5844-00-240

NO. OF NOTICES: 80

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):

1. Development in accordance with site plan dated March 10, 2017, 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

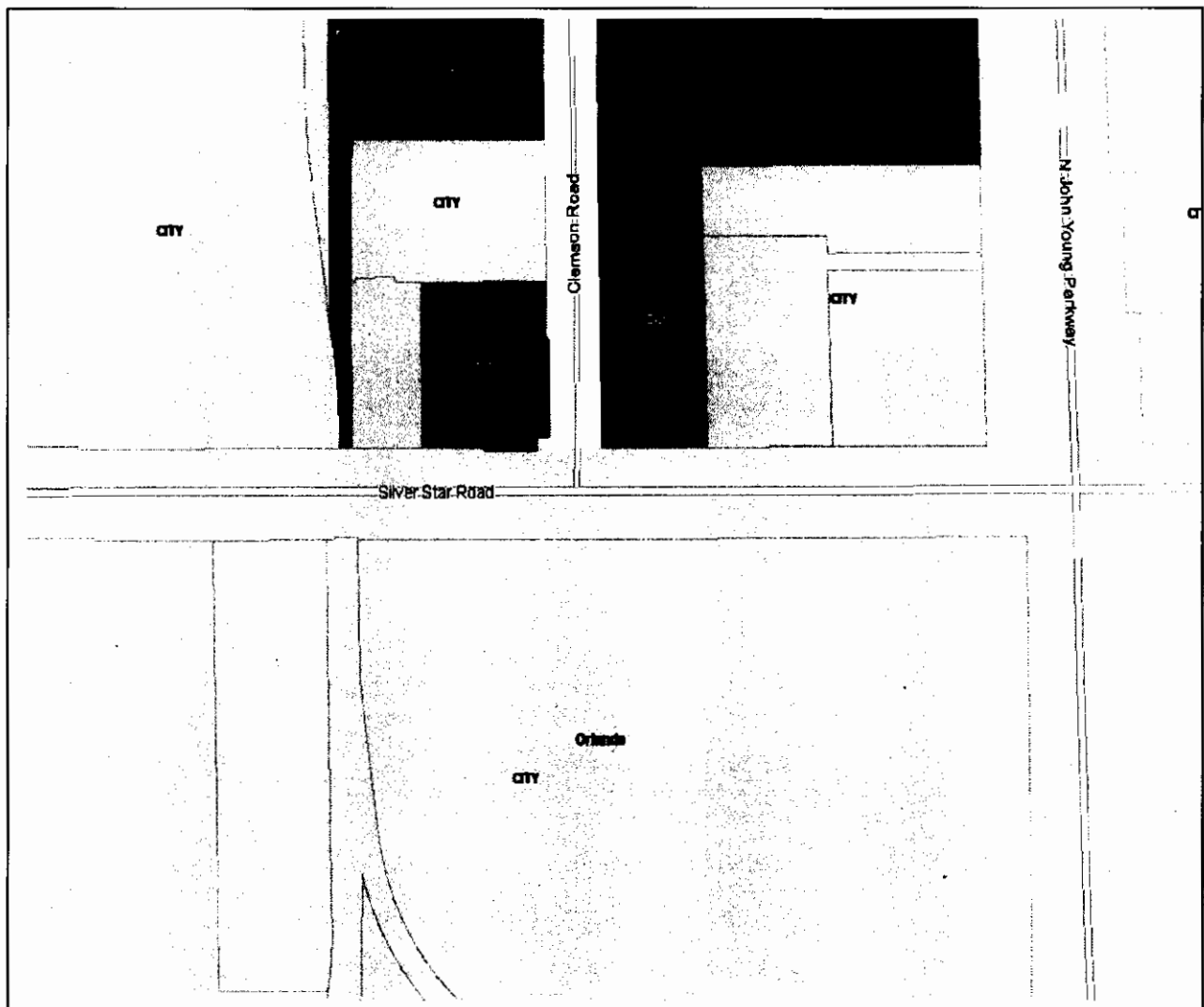
the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all 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 does not constitute approval of any new driveways or access points. Any new access point shall be subject to approval by the Public Works Department;
5. With the exception of the setback, the applicant shall provide a dumpster enclosure which complies with the requirements of Sec. 38-880(10) of the Orange County Code; and
6. The owner of the property shall be responsible for the repair of any damages to the sidewalk resulting from the use and maintenance of the dumpster. Enforcement of this condition shall be via the Code Enforcement Board, not the BZA.

SYNOPSIS: Staff explained the history of the property, including the fact that Silver Star Road was widened, which resulted in the loss of lot area and required parking. It rendered a lot which was already nonconforming even more so. Staff also noted that it was due to Code Enforcement action that this case came forward.

The applicant agreed with the staff recommendation and conditions. The Code Enforcement officer overseeing the case provided some additional backup information. There being no one at the hearing to speak in favor or in opposition, the public hearing was closed.

The BZA concluded that the required variances were necessary to allow the applicant to resolve the pending code violations, and to compensate for the past loss of parking, and other improvements due to road widening.



Applicant: Jack E. Owens

BZA Number: VA-17-05-031

BZA Date: 05/04/2017

District: 2

Sec/Twn/Rge: 16-22-29-NW-B

Tract Size: 71.5 ft. x 115 ft.

Address: 2731 Silver Star Road, Orlando FL 32808

Location: Northwest corner of Silver Star Rd. and Clemson Rd., approximately 550 ft. west of John Young Parkway

J. E. OWENS & COMPANY, P. A.
CERTIFIED PUBLIC ACCOUNTANTS

March 7, 2017

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

RE: Application to Board of Zoning Adjustments
2731 Silver Star road
Orlando, FL 32808

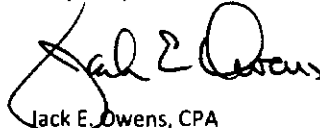
Dear Sirs:

This letter represents our request for a zoning variance for the construction of an enclosed dumpster pad at the above referenced address. This request is needed to comply with a code enforcement violation received by us from Orange County Code Enforcement. The enclosed dumpster pad will be constructed of concrete and concrete block and will be 11'4" X 8'8" with a height of 6'. The proposed pad will include a driveway to the street on Clemson Road for unloading purposes.

Per our discussions with the Orange County Zoning department the dumpster is required to be set back 15 feet for the property line. However, we do not have sufficient room for a setback of 15 feet and we are requesting a variance for a setback of 6 feet.

Thank you for your consideration in this matter. If you have any questions or need any additional information, please contact me at 407-293-2654 ext. 101.

Very Truly Yours

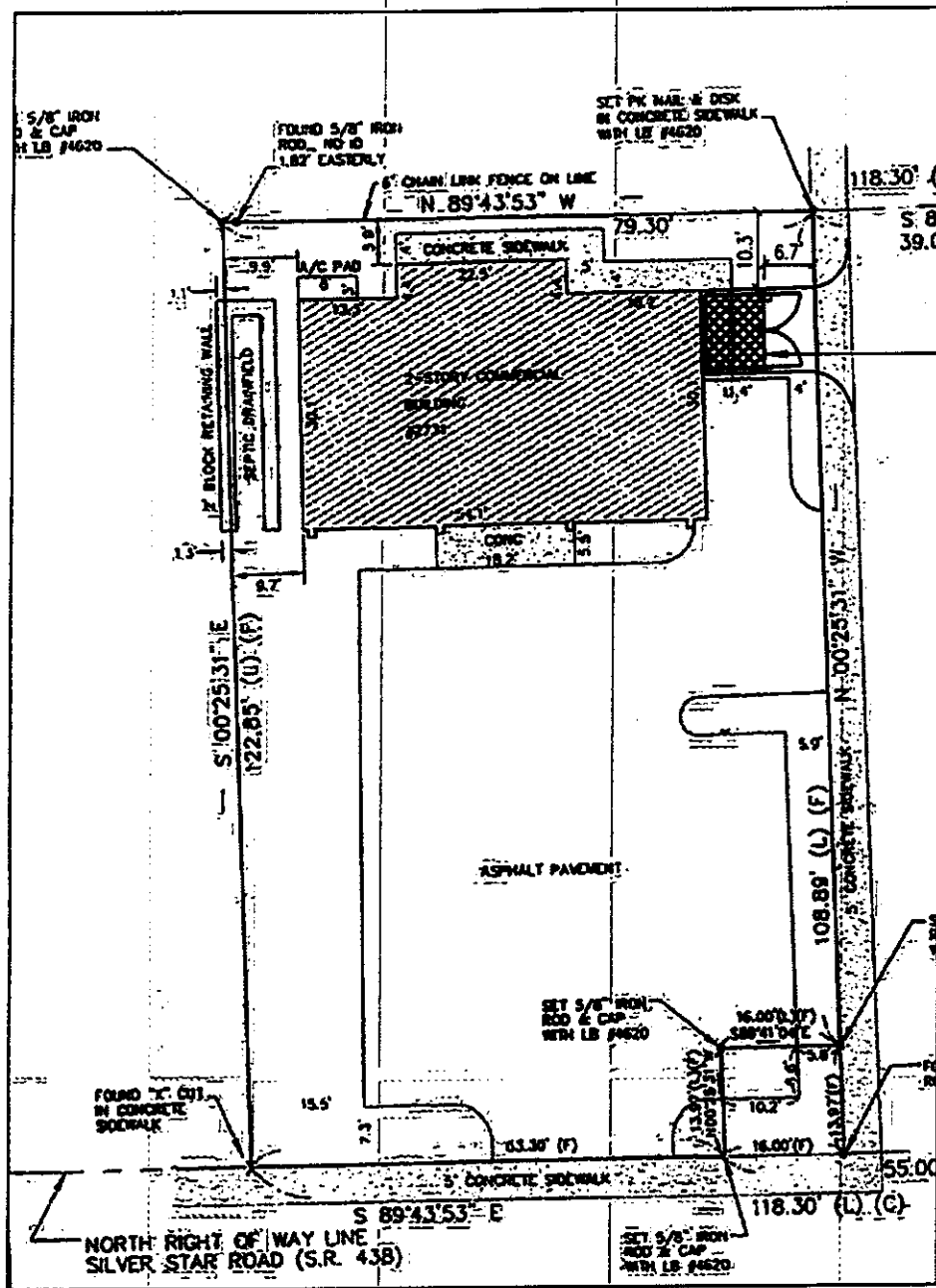


Jack E. Owens, CPA
President

JEOWens
tdr
enclosures

Members of AICPA and FICPA

2731 SILVER STAR ROAD, SUITE 100 ORLANDO, FL 32808-3935 (407) 293-2654 FAX (407) 295-0421



NOTE:
THIS IS NOT A SURVEY. INFORMATION FROM
SITE PLAN HAS BEEN TAKEN FROM BOUNDARY SURVEY
OWNER/CONTRACTOR TO VERIFY ALL DIMENSIONS & SET BACK
W/ SURVEYOR BEFORE CONSTRUCTION. KAD DESIGNS INC. &
ENGINEERING OF RECORDS IS NOT RESPONSIBLE FOR SITE ENGINEERING PLANS
DIMENSIONS & SETBACKS.

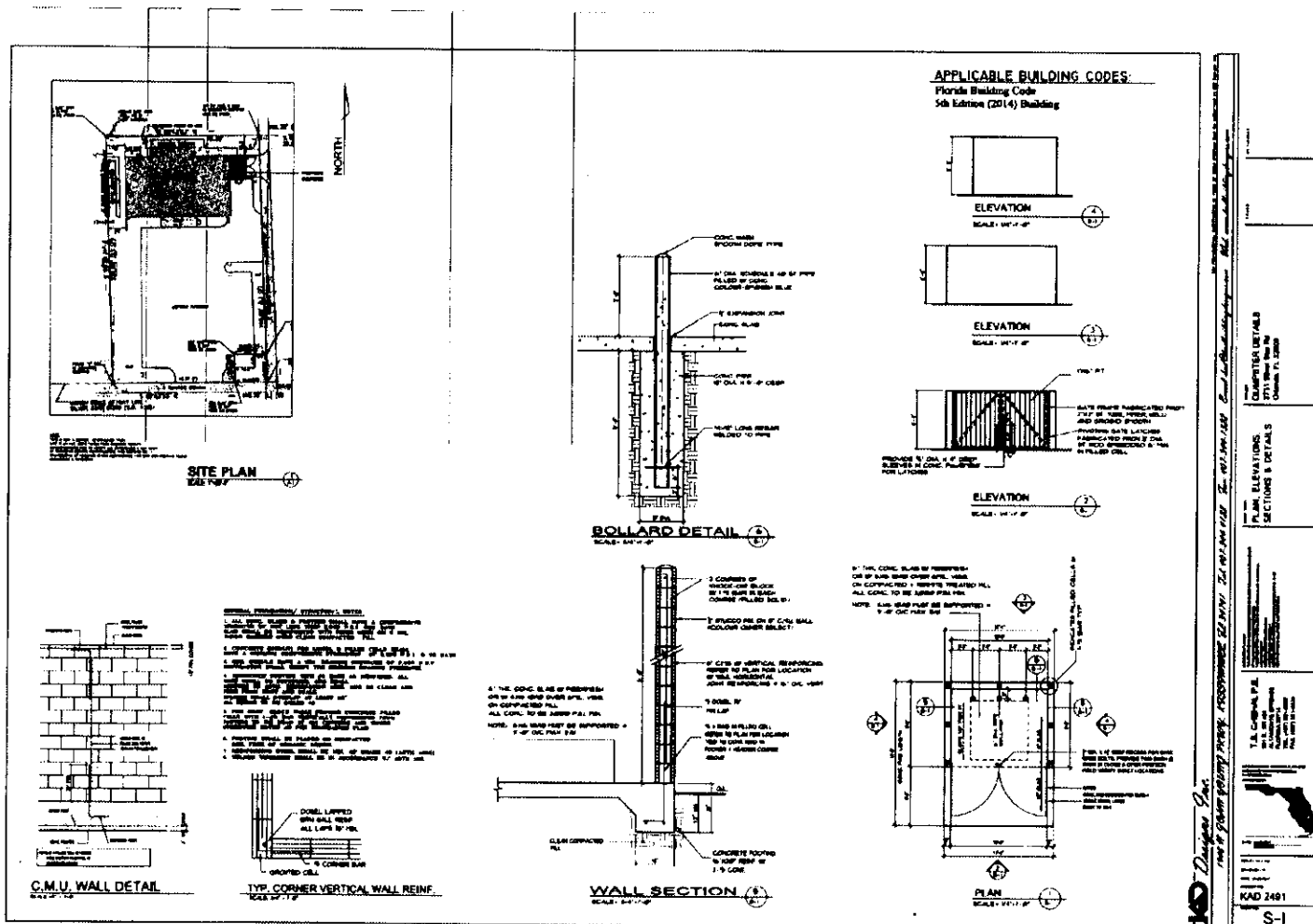
SITE PLAN

SCALE: 1"=20'-0"

1
A-1

RECEIVED
MAR 10 2017
Zoning Division

NORTH





STAFF REPORT
CASE #VA-17-05-031
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
May 4, 2017
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Jack E. Owens

REQUEST: Variances in the C-3 zoning district as follows:

- 1) To place a refuse disposal dumpster 6 ft. from a side street property line in lieu of 15 ft.;
- 2) To validate a substandard lot with 63 ft. of frontage on a major road in lieu of 125 ft.;
- 3) To validate a substandard lot area of 9,536 sq. ft. in lieu of 12,000 sq. ft.; and,
- 4) To validate substandard parking of 12 parking spaces in lieu of 19 spaces.

(Note: The property is currently being used as a two-story professional office building, which is being renovated. The applicant has provided letters of support from two neighboring businesses. This is the result of code enforcement action.)

LOCATION: Northwest corner of Silver Star Rd. and Clemson Rd., approximately 550 ft. west of John Young Parkway

PROPERTY ADDRESS: 2731 Silver Star Road, Orlando, FL 32808

PARCEL ID: 16-22-29-5844-00-240

PUBLIC NOTIFICATION: 80

TRACT SIZE: 71.5 ft. x 115 ft.

DISTRICT #: 2

ZONING: C-3

EXISTING USE(S): 2-Story Office Building

PROPOSED USE(S): Dumpster Enclosure

SURROUNDING USES: The subject property is surrounded by commercial land uses.

STAFF FINDINGS AND ANALYSIS:

1. The owner of the subject property is in the process of renovating the existing building, which is a two-story office building. According to the Property Appraiser's information, the building was constructed in 1985.
2. In reviewing historic aerials, it was found that between 2001 and 2003, a portion of the parking area nearest to Silver Star Road was lost to road widening. This reduced the parking area to its current configuration.
3. The need for the variance is in part due to code enforcement action. The applicant had the dumpster in this location, and due to the weight of the refuse collection vehicle, the sidewalk sustained damage. Staff is recommending that if the variances are granted, a condition be attached to ensure that the applicant will be liable for any future damage to the sidewalk due to the dumpster.
4. Given the size and configuration of the site, in part due to the widening of Silver Star Road, there is no other location where the dumpster can go, and still remain functional and not result in obstruction to other required site improvements, such as, parking.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated March 10, 2017, 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 does not constitute approval of any new driveways or access points. Any new access point shall be subject to approval by the Public Works Department;
5. With the exception of the setback, the applicant shall provide a dumpster enclosure which complies with the requirements of Sec. 38-880(10) of the Orange County Code; and,
6. The owner of the property shall be responsible for the repair of any damages to the sidewalk resulting from the use and maintenance of the dumpster.

cc: Jack E. Owens, Applicant
2731 Silver Star Road
Orlando, Florida 32808

BRUCE McLAY
VA-17-05-032

REQUEST: **Variance** in the A-2 zoning district to place a mobile home on 0.41 acres of land in lieu of 2 acres.
ADDRESS: 15731 Trigonía Street, Orlando FL 32828
LOCATION: Northeast corner of Trigonía St. and Mercury Avenue, 1/4 mile north of Sunflower Trail
S-T-R: 30-22-32
TRACT SIZE: 130 ft. x 138 ft.
DISTRICT#: 4
LEGAL: EAST PINE ACRES V/143 LOT 22 BLK K
PARCEL ID: 30-22-32-2338-11-220
NO. OF NOTICES: 62

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):

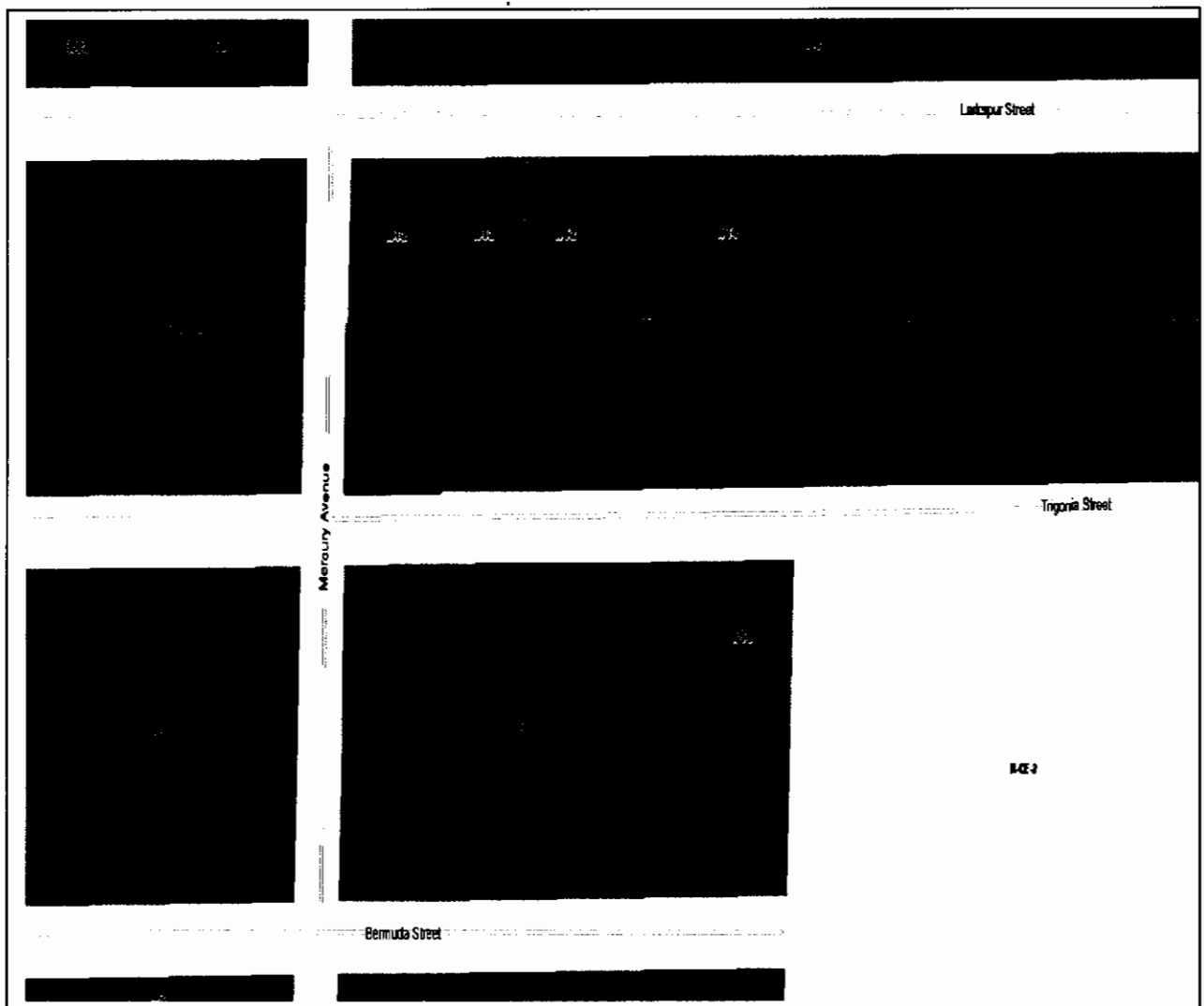
1. Development in accordance with site plan dated March 12, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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 presentation on the case and showed the location of mobile homes and single family homes in relation to the site.

The applicant agreed with the staff analysis.

The BZA confirmed the size of other lots with mobile homes. The BZA felt the request was reasonable and is consistent with the character of the area.

Staff received two (2) commentaries in favor of the application and one (1) in opposition. There was no opposition at the hearing. The BZA approved the variance.



Applicant: Bruce McLay

BZA Number: VA-17-05-032

BZA Date: 05/04/2017

District: 4

Sec/Twn/Rge: 30-22-32-NE-A

Tract Size: 130 ft. x 138 ft.

Address: 15731 Trigonía Street, Orlando FL 32828

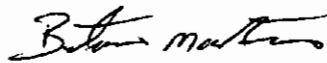
Location: Northeast corner of Trigonía St. and Mercury Avenue, 1/4 mile north of Sunflower Trail

To whom it may concern:

We are submitting this request because we have purchased this lot, 15731 Trigonía St, Orlando, FL, with expectations to put a mobile home on it. Given that all the surrounding lots have mobile homes on them, we assumed that by purchasing this vacant lot, we could do the same. The old owners have already started the process of putting a mobile home on the property and it was approved by the EPD last year, but due to health concerns they could not go forward with it and had to sell the property. That approved survey is attached. However with the lot being zoned agricultural, the zoning law states that the lot has to be a minimum of 2 acres in order to have a mobile home setup on the property. This lot is only 0.41 of an acre, however it will meet or exceed all setbacks given by the zoning department. The home that we wish to put on this lot is 1,352 sq ft and is 26' wide by 52' long. Once the home is setup it should be approximately 14' in height. Thank you for your consideration.

Sincerely,

Betina Martinez



Owner

L

SITE PLAN FOR:
15731 Trigonía St,
Orlando, FL 32828

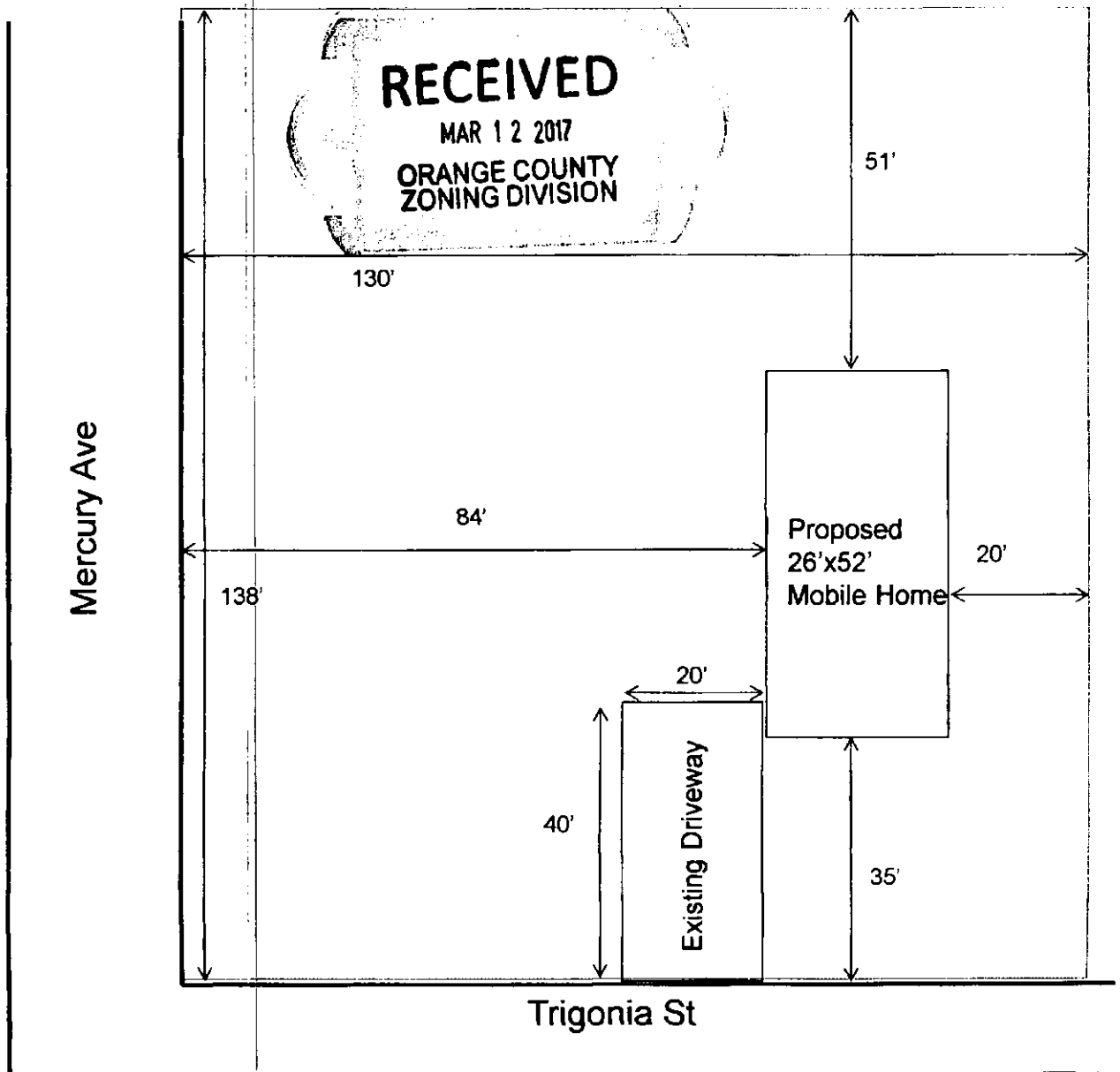
SCALE
1" = 20'

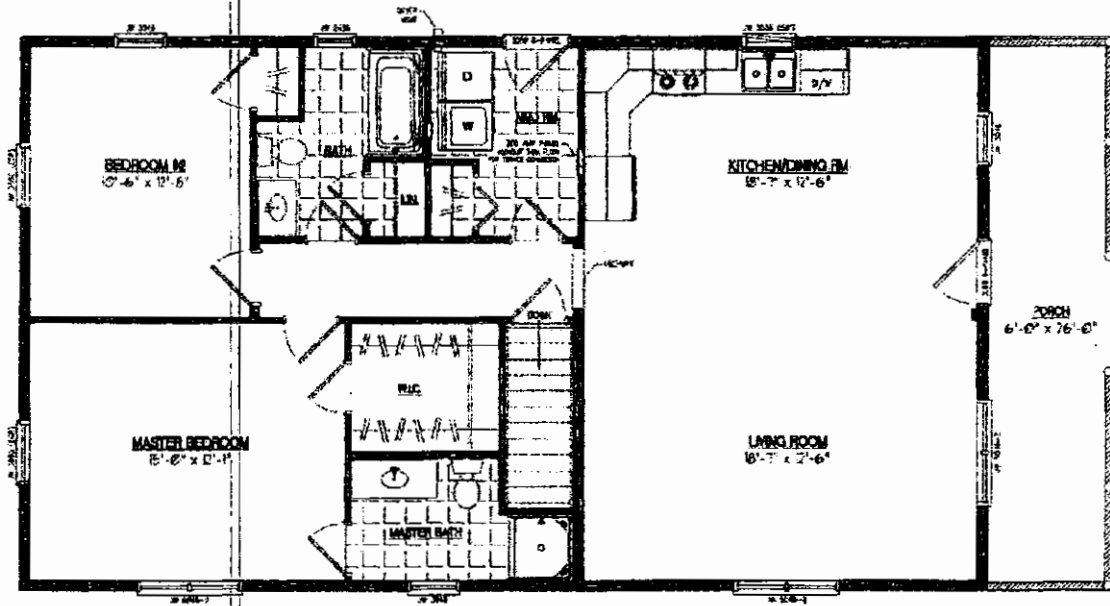
THIS DOES NOT
CONSTITUTE A
SURVEY

BRUCE MCLAY
STATE LIC#
IH1025426



LOT DIMENSIONS:
138'x130'





RECEIVED
MAR 12 2017
ORANGE COUNTY
ZONING DIVISION



STAFF REPORT
CASE #VA-17-05-032
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
May 4, 2017
Commission District: 4

GENERAL INFORMATION:

APPLICANT: Bruce McLay

REQUEST: Variance in the A-2 zoning district to place a mobile home on 0.41 acres of land in lieu of 2 acres.

LOCATION: Northeast corner of Trigonía St. and Mercury Avenue, 1/4 mile north of Sunflower Trail

PROPERTY ADDRESS: 15731 Trigonía Street, Orlando, FL. 32828

PARCEL ID: 30-22-32-2338-11-220

PUBLIC NOTIFICATION: 62

TRACT SIZE: 130 ft. x 138 ft.

DISTRICT #: 4

ZONING: A-2

EXISTING USE(S): Single Family Residence w/Sheds

PROPOSED USE(S): Detached Accessory Dwelling Unit

SURROUNDING USES: The site is surrounded by mobile homes, and a single family home to the west.

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to place a mobile home on a 0.41 acre lot. The code requirement for a mobile home is two (2) acres.

2. The area is characterized as having numerous similar sized lots containing mobile homes. Staff observed thirty-six (36) mobile homes and seventeen (17) single family residences in the immediate area. This request is consistent with the existing development trend of the area.

3. The BZA has approved three (3) similar variances in the area for mobile homes on lots less than two (2) acres.

STAFF RECOMMENDATION:

Staff will make a recommendation at the public hearing on May 4, 2017, after all the evidence and testimony has been entered into the record.

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

1. Development in accordance with site plan dated March 12, 2017, 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: Bruce McLay, Applicant
140 North Road
Lake Mary, Florida 32746

DEAN PULLER
VA-17-05-033

REQUEST: **Variances** in the R-1A zoning district as follows:
1) To allow accessory structures with a cumulative total of 1,008 sq. ft. of floor area in lieu of 500 sq. ft.;
2) To locate an accessory structure (carport) in front of the residence in lieu of alongside or rear; and,
3) To validate an existing shed with a 0 ft. setback from the side (south) property line in lieu of five (5) ft.
(Note: The applicant is proposing a 700 sq. ft. (20 ft. x 35 ft.) carport in front of their residence. The subject property is a lakefront lot. There is an existing 308 sq. ft. shed (14 ft. x 22 ft.) in the rear yard. The applicant has submitted 2 letters of support from neighbors.)

ADDRESS: 2824 Conway Gardens Road, Orlando FL 32806

LOCATION: West side of Conway Gardens Rd., 1/4 mile north of Lake Margaret Dr.

S-T-R: 08-23-30

TRACT SIZE: 100 ft. x 345 ft.

DISTRICT#: 3

LEGAL: N 100 FT OF S 200 FT OF E 345 FT OF N1/2 OF NW1/4 OF NW1/4 (LESS RD ON E) OF SEC 08-23-30

PARCEL ID: 08-23-30-0000-00-014

NO. OF NOTICES: 123

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):

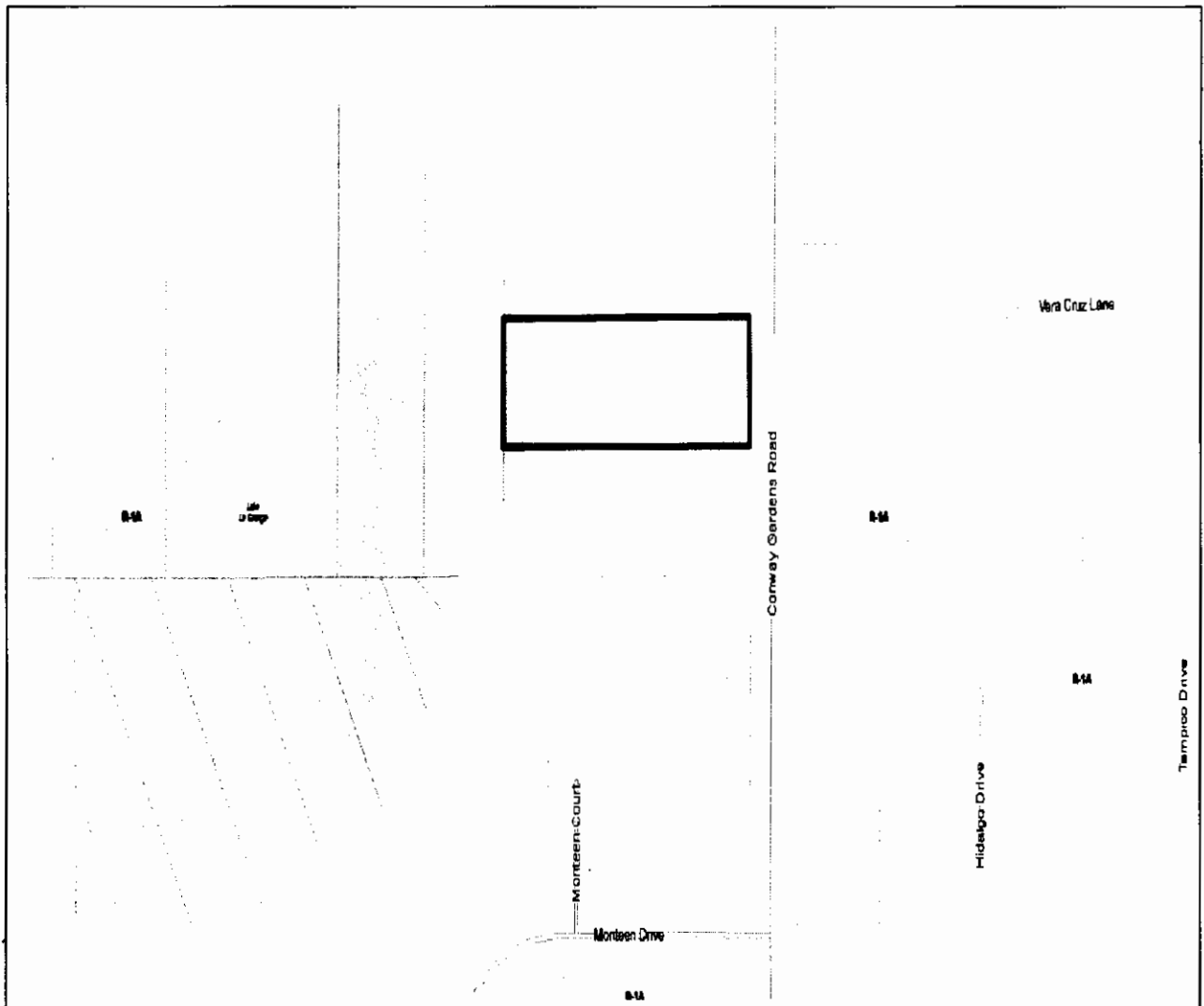
1. Development in accordance with site plan dated March 13, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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. If the existing shed is ever removed or destroyed, the replacement shed shall meet all required setbacks;
5. The carport shall match the design and colors of the residence;
6. Should the 308 sq. ft. detached accessory shed in the rear ever be removed or destroyed, it shall not be replaced without approval of the BZA, at which time there will be no guarantee that the original square footage shall be approved, if at all; and
7. Permits for the existing shed in the rear yard shall be obtained within 180 days of final County Action.

SYNOPSIS: Staff explained that the applicant was requesting a variance to allow the construction of a new carport for their existing residential vehicles. What is at issue is the existence of a 308 sq. ft. shed in the rear yard which was there when the applicant purchased the property. When added to the proposed carport, the variance exceeds hundred percent (100%). Staff noted that the subject property, and all properties to the west side of Conway Gardens Road were significantly larger than that required by the R-1A zoning district. Further, the proposed carport would be over 100 feet from the front property line. Staff also noted that four (4) residents, including those immediately north and south of the subject property, had submitted correspondence in support of the request, while no correspondence in opposition had been submitted. Finally, a past variance for a property on Lake La Grange had been approved in the past for a 750 sq. ft. accessory structure in lieu of 500 sq. ft.

The applicant explained that the prior owner had enclosed an attached carport, converting it to a master bedroom. They really needed a carport to protect their vehicles. The BZA asked if they could store what was in the shed under the new carport. The applicant explained that the carport would be open air on the sides and would offer no security for the lawn care and fishing equipment stored in the existing shed. They also offered that the owner of the property closest to the existing shed had no problem with it. There being no one to speak for or against the request. The BZA concluded the request was not adverse to the general public.



Applicant: Dean Puller

BZA Number: VA-17-05-033

BZA Date: 05/04/2017

District: 3

Sec/Twn/Rge: 08-23-30-NW-B

Tract Size: 100 ft. x 345 ft.

Address: 2824 Conway Gardens Road, Orlando FL 32806

Location: West side of Conway Gardens Rd., 1/4 mile north of Lake Margaret Dr.

Please find enclosed this request for a variance to build a detached carport in front of my home. I live on a lake and have minimal property on sides of my home which makes it unfeasible to put the carport in these areas. I am requesting approval to build this structure for a multiple of reasons. First this structure will add value to my home. Secondly this structure will add curb appeal to my home. Thirdly this structure will add protection from the elements that cause damage to my vehicles and boat. By building this carport I will be able to add value to my vehicles and boat as they will not be so weather beaten. This structure will complement the style of my home and be similar in style to other structures in my area. This carport will be constructed of 8x8 wooden posts, a metal roof of similar color to existing roof, wood trusses and be on a concrete slab. Concrete slab will be in same area of concrete and asphalt located on north east corner on front of my home. The carport size will be 20' wide by 35' deep. Total square footage will be 700 sqft. The max height will be 12'. Sides of carport will be open. Carport will be located on the north east front side of my home. Posts will be stained to match the same color as my wooden fence on sides of my home.

Thank you for your help in this matter,

Dean R. Puller

407-856-7961

2824 Conway gardens road Orlando Fla. 32806

Zoning Division

S LINE OF THE M 1/2 OF THE M 1/2 OF THE M 1/4 OF TOWNSHIP 28-23-S

7900 North S. Highway Drive, Suite 809
Maitland, Florida 32751
(305) 275-3655 Fax (305) 275-3496

3800 North Orange Blvd, Suite 201
West Palm Beach, Florida 33409
(407) 360-7800 Fax (407) 360-7879

246 Avila Avenue, Suite 1
Orlando, Florida 32804
(407) 317-7610 Fax (407) 317-7630

2187 United S Highway
Jacksonville, Florida 32237
(915) 366-6112 Fax (915) 366-6171

T.B. 6787 (FLORIDA)
In volume 6: T-667, T-668, T-669, T-686, T-687, T-688



STAFF REPORT
CASE #VA-17-05-033
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
May 4, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Dean Puller

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

- 1) To allow accessory structures with a cumulative total of 1,008 sq. ft. of floor area in lieu of 500 sq. ft.;
- 2) To locate an accessory structure (carport) in front of the residence in lieu of alongside or rear; and,
- 3) To validate an existing shed with a 0 ft. setback from the side (south) property line in lieu of five (5) ft.

(Note: The applicant is proposing a 700 sq. ft. (20 ft. x 35 ft.) carport in front of their residence. The subject property is a lakefront lot. There is an existing 308 sq. ft. shed (14 ft. x 22 ft.) in the rear yard. The applicant has submitted 2 letters of support from neighbors.)

LOCATION: West side of Conway Gardens Rd., 1/4 mile north of Lake Margaret Dr.

PROPERTY ADDRESS: 2824 Conway Gardens Road, Orlando, FL. 32806

PARCEL ID: 08-23-30-0000-00-014

PUBLIC NOTIFICATION: 123

TRACT SIZE: 100 ft. x 345 ft.

DISTRICT #: 3

ZONING: R-1A

EXISTING USE(S): SFR

PROPOSED USE(S): Accessory building in front yard

SURROUNDING USES: N - SFR's
 S - SFR
 E - SFR
 W - Lake La Grange

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to allow the construction of a 20 foot x 35 foot detached carport, which they intend to locate in front of their home. The home is a lakefront lot.
2. The applicant intends to locate all of his personal vehicles, including a boat, under the carport to prevent sun damage.
3. There is an existing shed in the rear yard which is located less than .5 feet from the side property line. The shed measures 308 sq. ft. in size. When this square footage is added to the proposed carport, the result is a total of 1,008 sq. ft. This results in a variance of slightly over 100%. Without the shed, the variance would be forty percent (40%). Staff research revealed another variance granted in 1994, on the same lake for an oversized accessory structure with 750 sq. ft. of floor area in lieu of 500 sq. ft.
4. The subject property is a deep lot containing over .7 acres. The minimum lot size in the R-1A zoning district is 7,500 sq. ft. The subject property is over four (4) times the size of an R-1A zoned parcel/lot.
5. If this request is approved, staff recommends the BZA attach a condition which requires that should the existing shed ever be removed or destroyed, the replacement shed shall meet all required setbacks.

STAFF RECOMMENDATION:

Staff has concerns regarding this request primarily due to the cumulative total square footage of the carport and the shed. Were the request only for the carport, the request would be more within the realm of prior variances granted by the BZA.

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

1. Development in accordance with site plan dated March 13, 2017, 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. If the existing shed is ever removed or destroyed, the replacement shed shall meet all required setbacks; and,
5. The carport shall match the design and colors of the residence.

cc: Dean Puller, Applicant
2824 Conway Gardens Road
Orlando, Florida 32806

ARIEL JIMENEZ
VA-17-05-034

REQUEST: **Variance** in the R-T-2 zoning district to permit a 6 ft. high fence in the front yard in lieu of 4 ft.
(Note: This is the result of Code Enforcement action.)

ADDRESS: 6604 Nassau Avenue, Orlando FL 32822

LOCATION: Southeast corner of Nassau Ave. and Papaya Rd.

S-T-R: 14-23-30

TRACT SIZE: 100 ft. x 143 ft.

DISTRICT#: 3

LEGAL: COCONUT GROVE V/57 LOT 1 BLK A

PARCEL ID: 14-23-30-1440-01-010

NO. OF NOTICES: 61

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):

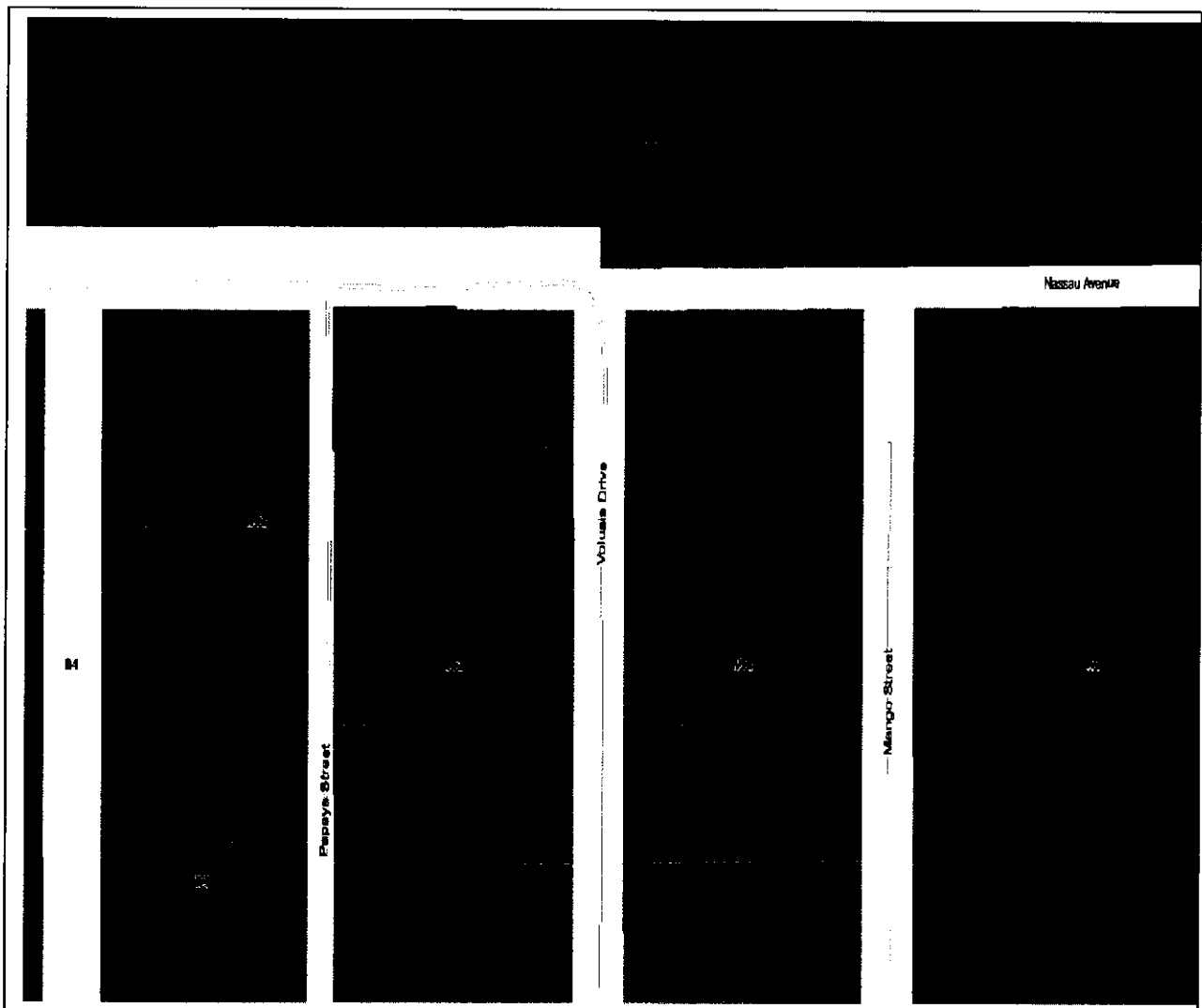
1. Development in accordance with site plan dated March 13, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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 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 photographs.

The applicant agreed with the Staff Report.

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 Variance.



Applicant: Ariel Jimenez

BZA Number: VA-17-05-034

BZA Date: 05/04/2017

District: 3

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

Tract Size: 100 ft. x 143 ft.

Address: 6604 Nassau Avenue, Orlando FL 32822

Location: Southeast corner of Nassau Ave. and Papaya Rd.

Ariel A. Jimenez
6604 Nassau Ave.
Orlando, FL 32822
March 13, 2017

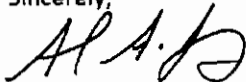
Orange County Zoning Division
201 Rosalind Ave,
Orlando, FL 32802

This letter is a request zoning variance. The chain link fence we have built on Papaya Street is 6' feet height. The currently zoning apparently requires 4' feet height. The reason for the chain link fence to be 6' feet height is because the property is in a wooded rural area where some homeless people roam and live. Our work hours start at 4am in the morning and ends at 5pm in the evening. This 6' feet height fence would provide security and protection we need.

A few months ago, we had a break in and had a loss of \$8,000. Cars and motorcycles would cross through our property. For that reason, we have invested in a security camera system, wrought iron doors front and back and would like to get a dog. Which would have to be fence in, one more reason for the fence to be height enough for it to not jump out. Eventually a garage will be built for our cars, motorcycle, ATV and valuable tools also.

This fence will add value to the property while having no negative impact on the neighborhood or our neighbor since it does not block their view. Also since the fence has been built the cars and motorcycles can't cross the property and we feel sense of security is. I appreciate your time in considering my request.

Sincerely,



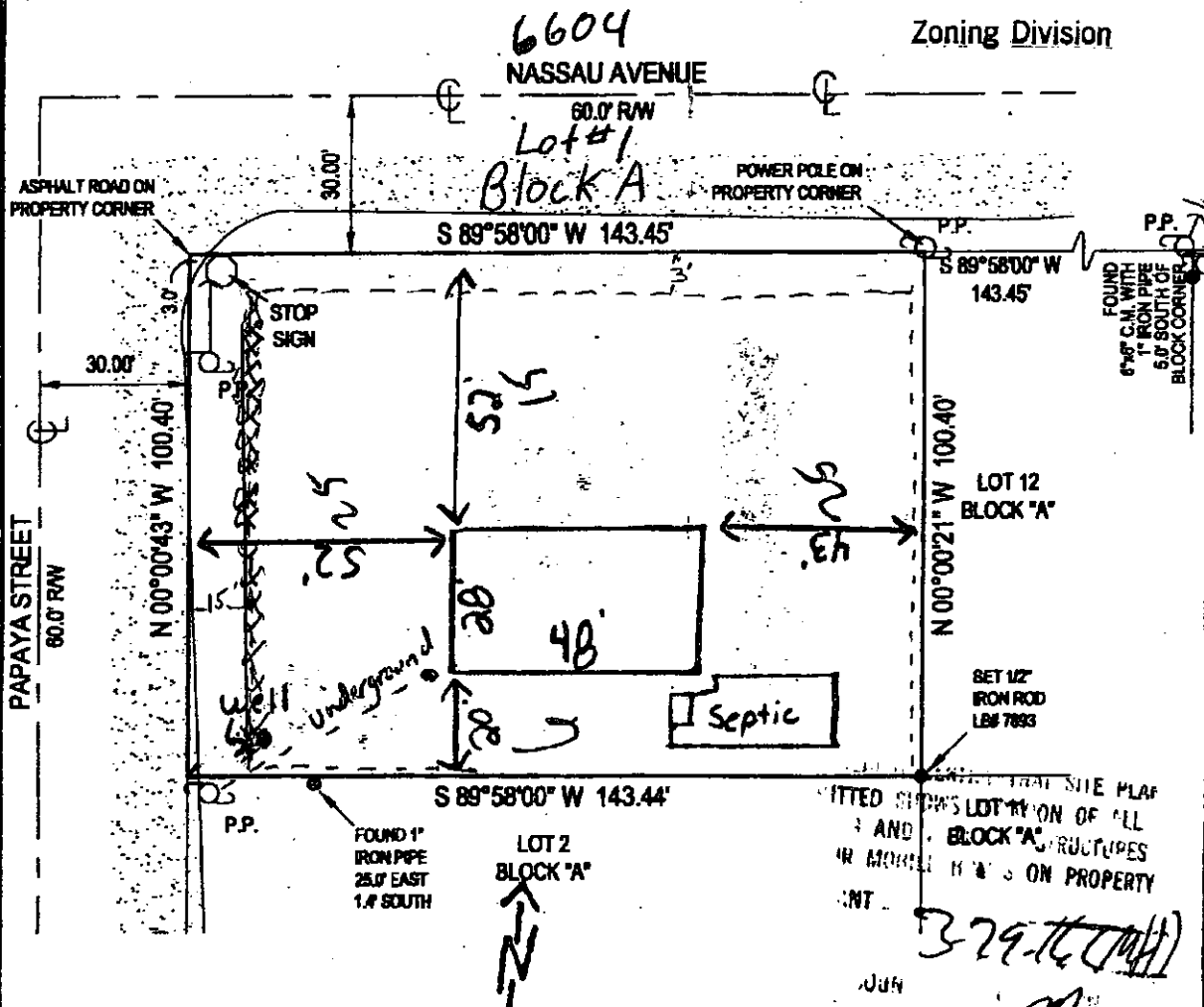
Ariel A. Jimenez

SURVEY #: 231059

RECEIVED

MAR 13 2017

Zoning Division

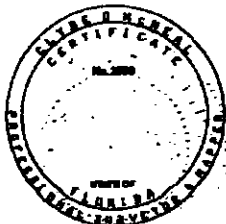


SURVEY NOTES
ASPHALT ROAD CROSSING PROPERTY
BOUNDARY ON WESTERLY SIDE OF LOT

6604 Nassau Ave

PAGE 2 OF 2 PAGES

BOUNDARY SURVEY



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL, OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Clyde G. Mineral

CLYDE G. MINERAL, PROFESSIONAL SURVEYOR AND MAPPER 231059



**TARGET
SURVEYING, LLC**

SERVING ALL FLORIDA COUNTIES

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
PHONE (561) 940-4800
FACSIMILE (561) 940-0578
STATEWIDE PHONE (800) 226-4807
STATEWIDE FACSIMILE (800) 741-0878



STAFF REPORT
CASE #VA-17-05-034
Orange County Zoning Division
Planner: Marla Molina
Board of Zoning Adjustment
May 4, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Ariel Jimenez

REQUEST: Variance in the R-T-2 zoning district to permit a 6 ft. high fence in the front yard in lieu of 4 ft.

(Note: This is the result of code enforcement action.)

LOCATION: Southeast corner of Nassau Avenue and Papaya Road

PROPERTY ADDRESS: 6604 Nassau Avenue, Orlando, FL 32822

PARCEL ID: 14-23-30-1440-01-010

PUBLIC NOTIFICATION: 61

TRACT SIZE: 100 ft. x 143 ft.

DISTRICT #: 3

ZONING: R-T-2

EXISTING USE(S): 6 ft. High Chain Link Fence

PROPOSED USE(S): 6 ft. High Chain Link Fence

SURROUNDING USES: N – Vacant
S - Mobile Home
E - Mobile Home
W - Mobile Home

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to allow the existing fence to remain at six (6) feet high in lieu of four (4) feet high within the front yard setback.
2. The applicant constructed the fence without obtaining a fence permit and was cited by Code Enforcement.
3. The applicant states in his cover letter that his property has been burglarized and constructed the fence for security reasons. However, the applicant did not submit any supporting documentation regarding this information.
4. The fence is consistent with other fences in this subdivision.
5. Staff supports the request for the following reasons:
 - (a) the fence is chain link and not opaque;
 - (b) the fence will not obstruct any traffic views; and,
 - (c) the fence does not adversely impact any surrounding neighbors.
6. To date, staff has received one (1) commentary in favor from a neighbor and none in opposition.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated March 13, 2017, 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 within 180 days or this approval becomes null and void.

cc: Ariel Jimenez, Applicant
6604 Nassau Avenue
Orlando, Florida 32822

ROBERT PRICE
VA-17-05-035

REQUEST: Variance in the R-1AAAA zoning district to construct a 750 sq. ft. accessory building (garage) in lieu of 500 sq. ft.
ADDRESS: 2905 Donald Avenue, Zellwood FL 32798
LOCATION: East side of Donald Ave., north of N. Orange Blossom Trail.
S-T-R: 27-20-27
TRACT SIZE: 71 ft. x 115 ft.
DISTRICT#: 2
LEGAL: BECKS ADDITION TO ZELLWOOD Q/124 LOT 7 & 8 (LESS W 200 FT LOT 8) BLK A
PARCEL ID: 27-20-27-0560-01-070
NO. OF NOTICES: 74

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):

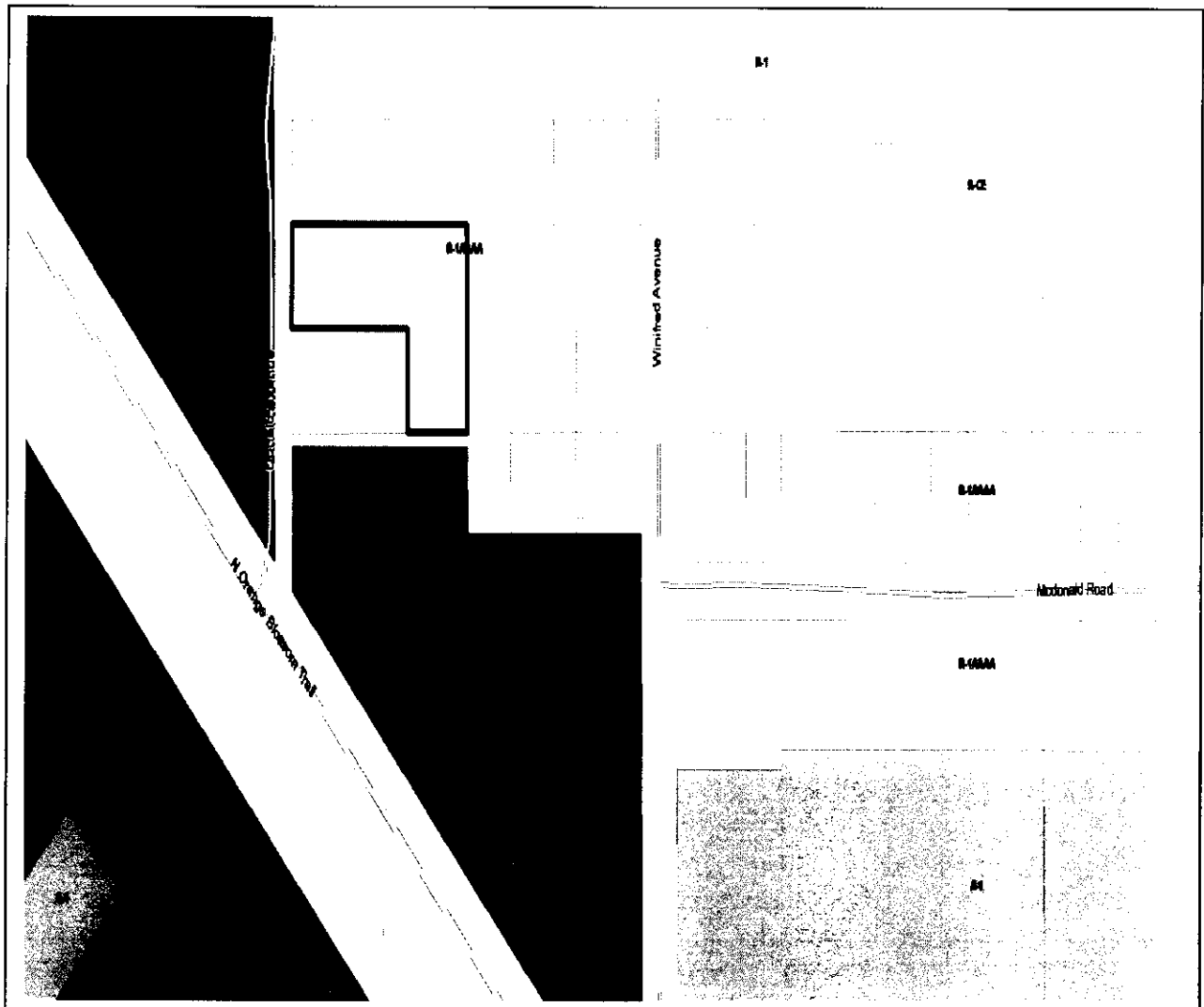
1. Development in accordance with site plan dated March 14, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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 presentation on the case. It addressed the request, the building location, the zoning, and a brief analysis.

The applicant agreed with the staff analysis.

The BZA confirmed the size of the lot and felt the request was reasonable.

Staff received four (4) commentaries in favor and one (1) commentary in opposition. There was no opposition at the hearing. The BZA approved the variance.



Applicant: Robert Price

BZA Number: VA-17-05-035

BZA Date: 05/04/2017

District: 2

Sec/Twn/Rge: 27-20-27-NE-A

Tract Size: 71 ft. x 115 ft.

Address: 2905 Donald Avenue, Zellwood FL 32798

Location: East side of Donald Ave., north of N. Orange Blossom Trail.

2/20/2016

Orange County Board of County
Commissioners
201 South Rosalind Ave
Orlando, FL 32802

RE: Variance 2905 Donald Ave
Zellwood, FL 32798

To Whom It May Concern,

This letter is a request for a variance to build an accessory building at the referenced site. I would like to build a 25x30x9 Detached Garage. The mentioned property is zoned R-1AAA, which only allows for a 500 sq ft. detached garage. The 25x30x9 is 750 Sq Ft. and the proposed location of this is well inside the setbacks on the property. (120' from the front, 37.5' North Side, 150' South Side and 60' from the rear) Please consider this variance, this building would be a beautiful addition to my property and provide much need storage.

The following is a description of the materials used:

25x30x9 3:12 Pitch

- Roof – Master Rib Gavalume Pearl Gray
- Walls – Master Rib Gavalume Pearl Gray
- Trim – Gavalume - Arctic White
- (2) Rollup Doors – Arctic White
- Entry Door – Arctic White

Enclosed please find a color chart and photos of similar buildings. If you have any questions or need any further information, you can contact me at (407) 592-7701, thank you.

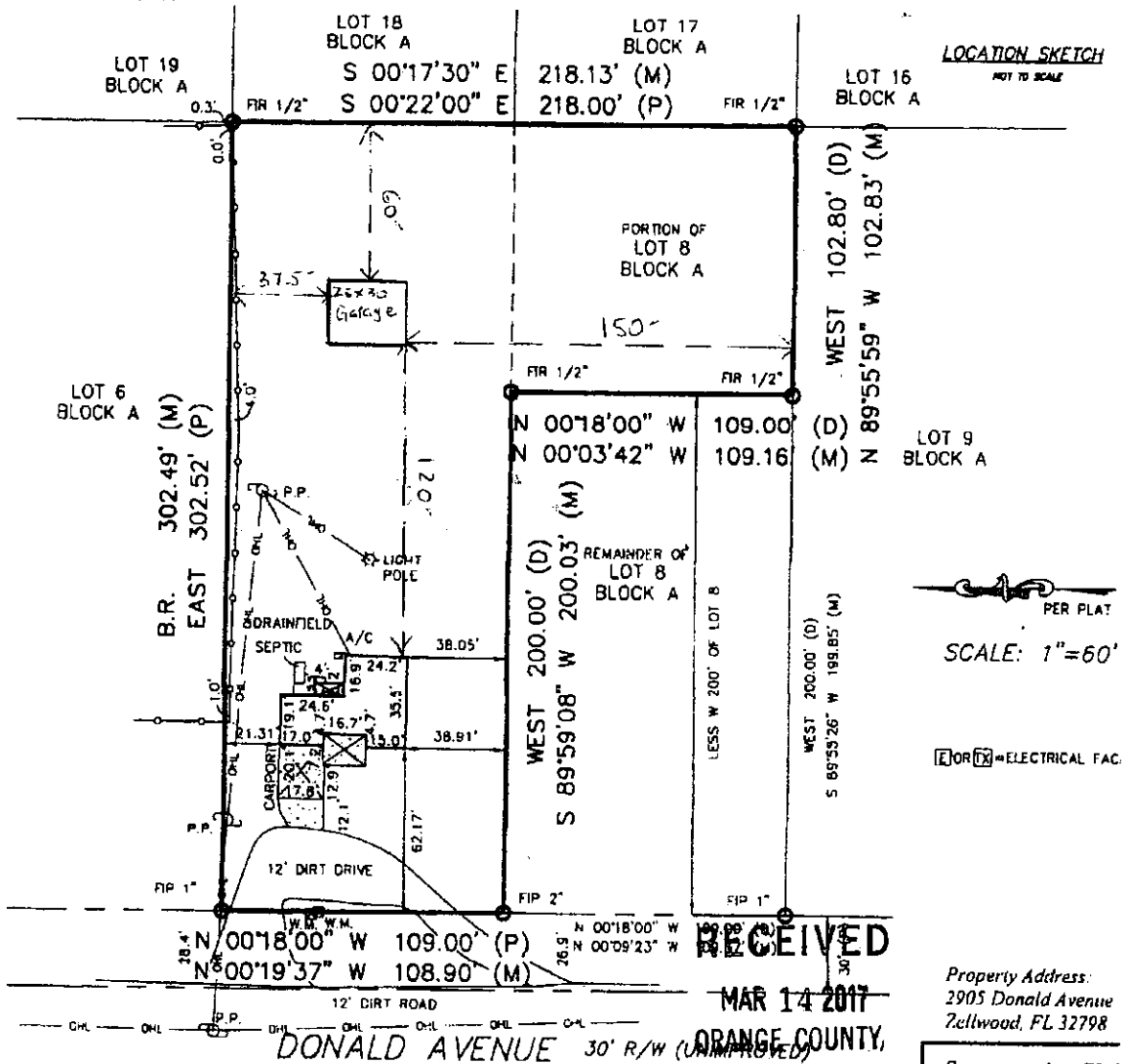
Sincerely,
*I HAVE 3 ANTIQUE CARS THE HOUSE HAS NO GARAGE.
SHED* CONTRACTOR STATED NO VARIANCE. ~~WAS NOT TALKED ABOUT~~
WAS NEEDED AT THE TIME*

Mr. Robert Price
Homeowner

RECEIVED

MAR 14 2017
ORANGE COUNTY
ZONING DIVISION

Certified to:
Martha Price; Robert E. Price; Brokers Title of Central Florida, LLC;
Commonwealth Land Title Insurance Company; Roundpoint Mortgage
Servicing Corporation, its successors and/or assigns as their interests
may appear.



LEGEND

W.F. Wire Fence
W.D. Wood Fence
O.U. Overhead Utilities
P.P. Power Pole
W.M. Water Meter
A. Asphalt
B. Block Wall
B.P. Brick/Pavers
C. Concrete
C.A. Covered Area
C.L. Centerline
C.A.D. Central Angle/Delta
L. Line Break Not to Scale
A/C. Air Conditioning
B.R. Bearing Reference
B.M. Bench Mark
C.F. Cable Filer
C. Calculated
C.L.F. Chain Link Fence
C. Chord
C.B. Chord Bearing
C.M. Concrete Monument
C.O. Covered
D. Description or Deed
D.E. Drainage Easement

D.U.E. Drainage & Utility Easement
D.W. Driveway
E.S.M. Easement
E.O.P. Edge of Pavement
E.O.W. Edge of Water
E.N.C.R. Encroachment
F. Field
F.D. Found
F.D.M.D. Found Nail & Disk
F.C.M. Found Concrete Monument
F.I.P. Found Iron Pipe
F.I.R. Found Iron Rod
L. Length
L.B. Licensed Business
M. Field Measured
M.H. Manhole
N.D. Nail & Disk
O.R.B. Official Records Book
O.N.P.L. On Property Line
P.O. Page
P.V.C. Vinyl Fence
P.V.M.T. Pavement
P.C.P. Permanent Control Point
P.R.M. Permanent Reference Monument
P. Plat
P.B. Plat Book

P.E. Pool Equipment
P.O.B. Point of Beginning
P.O.C. Point of Commencement
P.C. Point of Compound Curve
P.C. Point of Curvature
P.I. Point of Intersection
P.R.C. Point of Reverse Curvature
P.T. Point of Tangency
P.O.L. Point on Line
P.L. Property Line
R. Record
R.W. Right of Way
S.I.R. Set Iron Rod & Cap
S.W.K. Sidewalk
T.E.L. Telephone Facilities
T.O.B. Top of Bank
T.Y.P. Typical
U.E. Utility Easement
W.F. Wood Fence
W.C. Witness Corner

GENERAL NOTES

1. Legal description provided by others.
2. There may be additional easements and/or restriction either recorded or unrecorded not shown hereon that may affect this property.
3. Underground portions of footings, foundations or other improvements were not located.
4. Building lines are to the face of the wall.
5. Only visible encroachments located.
6. No identification found on property corners unless noted.
7. Dimensions shown are plat and measured unless otherwise noted.
8. This is a BOUNDARY SURVEY unless otherwise noted.
9. Not valid unless sealed with the signing surveyors embossed seal.
10. No title commitment used in the preparation of this document unless noted otherwise.
11. All lines are not radial unless otherwise noted.
12. This survey is not to be used as a site plan for construction of any kind.
13. Recertification does not indicate.
14. Unless otherwise noted, information provided by other is approximate only and are visual location only. No attempt made to verify their location, consult with the appropriate company to confirm the actual.
15. The closure of structures may not be to building imperfections and decor.
16. Poles and/or paces may be an approximation and not fully due to irregular shape.
17. Fence locations along property exaggerated for clarity.
18. The nature, extent or existence rights is not addressed hereon.
19. The survey meets or exceeds 1 technical standards promulgated by the American Land Surveyors, S.I. 17.
20. American Land Surveyors, S.I. 17.
21. American Land Surveyors, S.I. 17.

Ralph Seward
Raymond Paul Gutherland
Registered Land Surveyor
Registered Surveyor and Map



STAFF REPORT
CASE #VA-17-05-035
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
May 4, 2017
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Robert Price

REQUEST: Variance in the R-1AAAA zoning district to construct a 750 sq. ft. accessory building (garage) in lieu of 500 sq. ft.

LOCATION: East side of Donald Ave., north of N. Orange Blossom Trail.

PROPERTY ADDRESS: 2905 Donald Avenue, Zellwood, Florida, 32798

PARCEL ID: 27-20-27-0560-01-070

PUBLIC NOTIFICATION: 74

TRACT SIZE: 71 ft. x 115 ft.

DISTRICT #: 2

ZONING: R-1AAAA

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): Single Family Residence with accessory structure

SURROUNDING USES: N – Single Family Residence
S – Single Family Residence and Commercial land uses
E – Single Family Residences
W - Vacant Commercial zoning

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance for accessory building size.
2. The house was constructed without a garage and the applicant wishes to house and secure his antique cars.

3. Although the deviation is fifty percent (50%), a 750 sq. ft. accessory building is not oversized for a lot that is over one (1) acre in size.
4. Staff prefers that cars, lawn equipment, and other household items be stored in a structure rather than outdoors.
5. The three (3) most impacted property owners have submitted letters of no objection.
6. Approval of the request will not adversely impact anyone as the garage will be hidden from view behind the house, and will be located over 215 feet from the front property line.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated March 14, 2017, 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: Robert Price, Applicant
P.O. Box 448
Zellwood, Florida 32798

WALDON PROFESSIONAL FUNERAL & CREMATION SERVICES, LLC
SE-17-05-038

REQUEST: **Special Exception** in the A-2 zoning district to allow a funeral home and crematory.

ADDRESS: 3560 Plymouth Sorrento Road, Apopka FL 32712

LOCATION: Northwest corner of Hideaway Road and Plymouth Sorrento Road.

S-T-R: 24-20-27

TRACT SIZE: 4.91 acres

DISTRICT#: 2

LEGAL: BEG 33 FT W & 329.94 FT N OF E1/4 COR OF SEC RUN N 329.95 FT W 650.44 FT S 329.10 FT E 651.16 FT TO POB IN SEC 24-20-27

PARCEL ID: 24-20-27-0000-00-031

NO. OF NOTICES: 728

DECISION: A motion was made by Gregory A. Jackson, seconded by Eugene Roberson, Jr. voting AYE by voice vote, and Carolyn Karraker, Deborah Moskowitz, Jessica Rivera, Wes A. Hodge voting No by voice vote (Jose A. Rivas, Jr. was absent), to **APPROVE** the Variance request. The motion **FAILED** for lack of a majority vote (2 in favor, 4 opposed and 1 absent).

DENIED the Special Exception request in that the Board finds it did not meet the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does adversely affect general public interest (4 in favor, 2 opposed and 1 absent).

SYNOPSIS: The applicant is proposing a 4,100 sq. ft., one-story funeral home and crematory. The applicant notified staff that its current lease is expiring and they would like to relocate the funeral home and crematory to the proposed site. The existing facility is located on SR 46 in Sanford, Florida.

Staff gave a brief presentation regarding the case, and advised the BZA that the proposed funeral home and cremation facility is not consistent with the development trend of the area and is not compatible with the surrounding land uses.

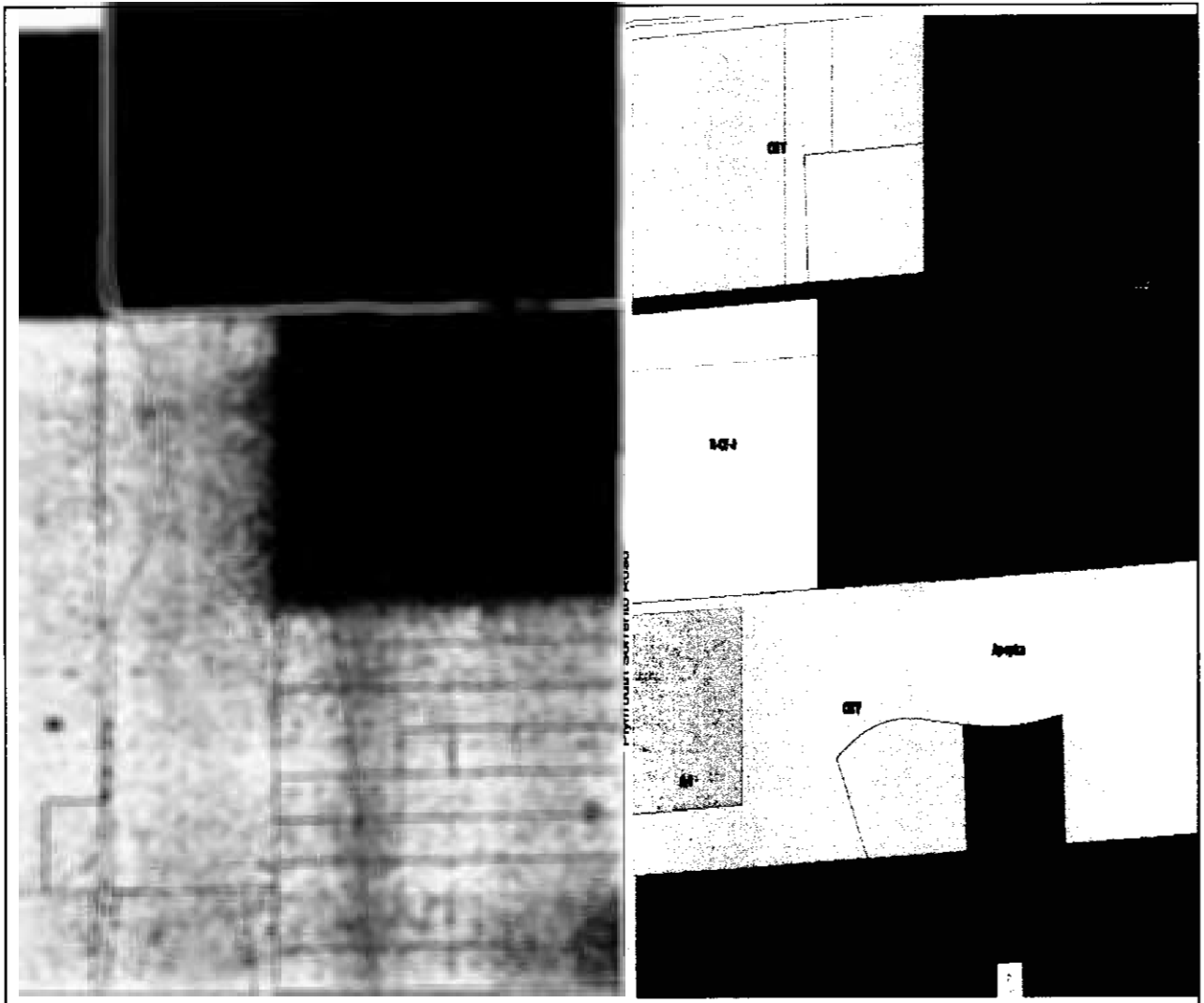
The applicant presented their case and spoke to the findings and analysis in the Staff Report. The applicant clarified, that at their current location in Sanford, Florida, cremations are currently preformed off-site (outsourced). The applicant also discussed cemeteries and animal crematories located near the subject property. The applicant pointed out other crematoriums and funeral homes that were located on two (2) lane roadways. Some of these were in conjunction with a cemetery principal use.

A crematory expert spoke about the state-of-the-art technology and the current processes related to cremations. He stated that there are no longer issues with smoke or odor with the new technology.

There were two other speakers who spoke in favor of the applicant's request. Staff has received sixteen (16) commentaries in opposition, including one (1) correspondence from the City of Apopka, and there were no commentaries in favor. There was no opposition at the hearing.

The BZA closed the public hearing and discussed the case, in regards to traffic concerns. Staff advised that if this request was approved, it could set a precedent for additional commercial uses in an agricultural area.

A motion was made to approve the request but did not pass due to lack of a majority vote. A second motion was made to deny the request and it passed on a 4-2 vote.



Applicant: Waldon Professional Funeral & Cremation Services, LLC

BZA Number: SE-17-05-038

BZA Date: 05/04/2017

District: 2

Sec/Twn/Rge: 24-20-27-NE-A

Tract Size: 4.91 acres

Address: 3560 Plymouth Sorrento Road, Apopka FL 32712

Location: Northwest corner of Hideaway Road and Plymouth Sorrento Road.



710 Lexington Green Lane Sanford, Florida 32771

COVER LETTER

Purpose: We are requesting a zoning change for the property at 3560 Plymouth Sorrento Road Apopka, FL 32712 from the current zoning use (A2) to a special exception. Our plan is to use the current building and land for the use of a Funeral Home and Crematory.

Size: The current size of the building is approximately 4100 square feet. We are looking to add approximately 20 more feet on the back of the existing building to meet the needs of the Funeral Home and Crematory. We look to include one large Chapel that will partition off into two viewing rooms (seating for approximately 100 people), two arrangement rooms, four bathrooms, kitchen, a large office to partition off into four office spaces, lobby, embalming room, walk in cooler area for the deceased and space for a crematory.

Number of Buildings: There is currently one building on this property.

Existing Use: The building on the property was previously used for a tissue culture laboratory. The current building is vacant and has been for some time now.

Number of Clients: There are currently no clients that visit the property at 3560 Plymouth Sorrento Road. Waldon Funeral Home can expect to serve approximately 100 families a year.

Employees: Once Waldon Funeral Home occupies the building there will be between one and six employees on the premises daily.

Days and Hours of Operations: Daily Hours of Operation are Monday through Friday 9am to 5pm; however funeral and viewing hours will vary based on the need of the funeral home and the convenience of each family we serve.

Outdoor Activities: We do not foresee any outdoor activities or events at this time.

Landscaping: Currently the property is fenced and has grass (cleared land) on most of the 4.9 acres; trees outline the property where the fencing is installed. Plans are to remove trees immediately in front of the building to make the building visible to the public.

Entrance/Exit: Currently there is one entrance/exit on to the property. No plans have been made or proposed at this time for anything other than what currently exist.

Parking: There are currently paved and unpaved parking areas.



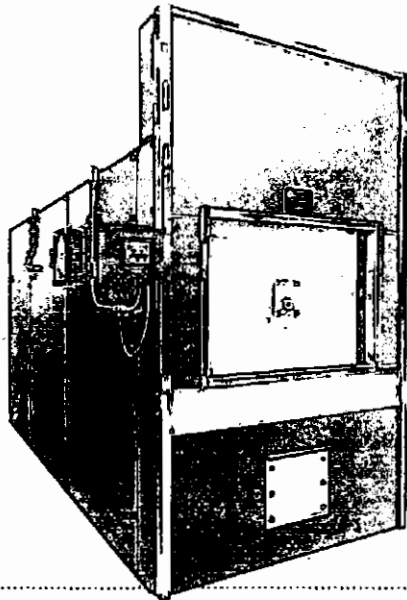
The Fuel Efficient "Classic" Cremators

As the cost of fuel continues to escalate fuel consumption has become a critical issue in the operation of a crematory. We have been able to verify that the fuel efficiency of our "Classic" line of cremators is superior to other units on the market. There are several variables in fuel efficiency such as preheat time, the interval between consecutive cremations, weight and size of the body, cremation time, and quality of the cremated remains. During preheat, and once combustion commences heat is absorbed into the refractory walls, roof and hearth and the body provides auxiliary fuel. Proper operating temperature can be maintained by controlling the combustion air supply.

The preheat time must always be included in fuel usage for the first cremation of the day. Subsequent cremations require little or no pre-heat time depending upon how much cool down is allowed. Most cremators require a minimum of 30 minutes or up to one hour cool down to prevent the cremator from overheating and emitting visible emissions (smoke) during the next cremation. **"Classic" cremators require no cool down and will not generate smoke due to overheating.** This unique feature of the control system results in substantial fuel savings, particularly when performing several cremations per day.

Eliminating cool down can save up to 50% of fuel usage in the next and subsequent cremations. The primary and secondary chambers retain heat and this can shorten the cremation cycle by as much as 20%. By the third consecutive cremation of the day the secondary burner is firing primarily in a low-fire mode and chamber temperatures are maintained by controlling combustion air. Keep in mind this is being accomplished without emitting smoke common in other units. Depending on the model "Classic" cremators are capable of cremating 6 to 10 bodies in a 10 to 12 hour workday with an average cremation time ranging between 65 and 90 minutes. Moreover, they can accommodate large and obese bodies ranging from 800 to 1200 lbs.

A cremation is only complete when there is no black ash and the cremated remains are white and very brittle. There can be considerable variation between bodies. The muscle mass, fat content and even health issues prior to death will affect the combustion process. Large and obese bodies contain a great deal of fat which have a high BTU (heat) content. Unless the rate of combustion is controlled a cremator can easily overheat resulting in smoke from the stack and other emissions exceeding regulatory limits. U.S. Cremation Equipment's control system is designed to automatically account for these differences and maintain the combustion rate at safe levels.



Since the Classic was introduced to the cremation industry, it's been turning heads. Cremation professionals have asked, "Does this machine have the technology and design to deliver notable fuel efficiency and significantly increased production – and be a cost-effective investment?" We, of course, answer with a hands-down "Yes." But we're not the ones to ask. It's our customers whose opinions matter.

"I have operated equipment for 15 years before buying your unit and I must say that nothing can cremate a sizable person better or give me a cheaper gas/electric bill"

G. David Keller • High Point Funeral Home, Memphis, TN

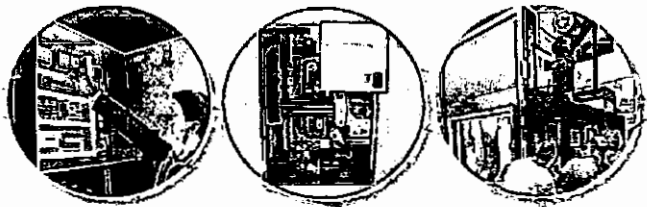
"They encouraged me to check the competition. I did, but no one came close in expertise, support and customer service."

Danny Losee, President • Perry Mount Park Cemetery, Pontiac, Michigan

"I shopped all the major manufacturers and was immediately impressed with U.S. Cremation Equipment's personnel and product."

David Krohn, CEO • Everglades Crematorium, Hollywood, Florida

STANDARD FEATURES OF THE CLASSIC



- **Continuous Operation:** Heavy-duty insulation and state-of-the-art drafting allows for continuous operation, no cool-downs between cremation cycles.
- **Increased Productivity:** The Classic can complete a cremation every 75 to 90 minutes, for up to six cremations in ten hours.
- **Complete Automation:** A PLC controls the entire cremation from start to finish.
- **Fuel Efficiency:** Faster cremation cycles and "Hot Hearth" design can save up to 50% in fuel usage when performing more than one cremation in a day.
- **Environmental Safety:** Complete combustion is achieved in the Pollution Control Chamber, eliminating smoke and odor.
- **Special Case Conditions:** A large primary chamber and an operating system that controls the rate of combustion enable safe cremation of obese cases up to 800 pounds.
- **User-Friendly System with One-Touch Screens:** Operating conditions are displayed on various screens for monitoring and control during each stage of the cremation cycle.
- **Safety Compliance:** The "Classic" complies with nationally recognized safety standards and has been tested and listed by Underwriters Laboratories, Inc. (UL) - file MH 47704.

The Classic is the standard-size cremator of choice. Give us a call and we'll put you in touch with the people who use our product every day. Contact the cremation professionals, 321.282.7357.

Assistance is always a phone call away.



598 Northlake Blvd., Suite 1016 • Altamonte Springs, FL 32701 | 321.282.7357 | www.uscremationequipment.com

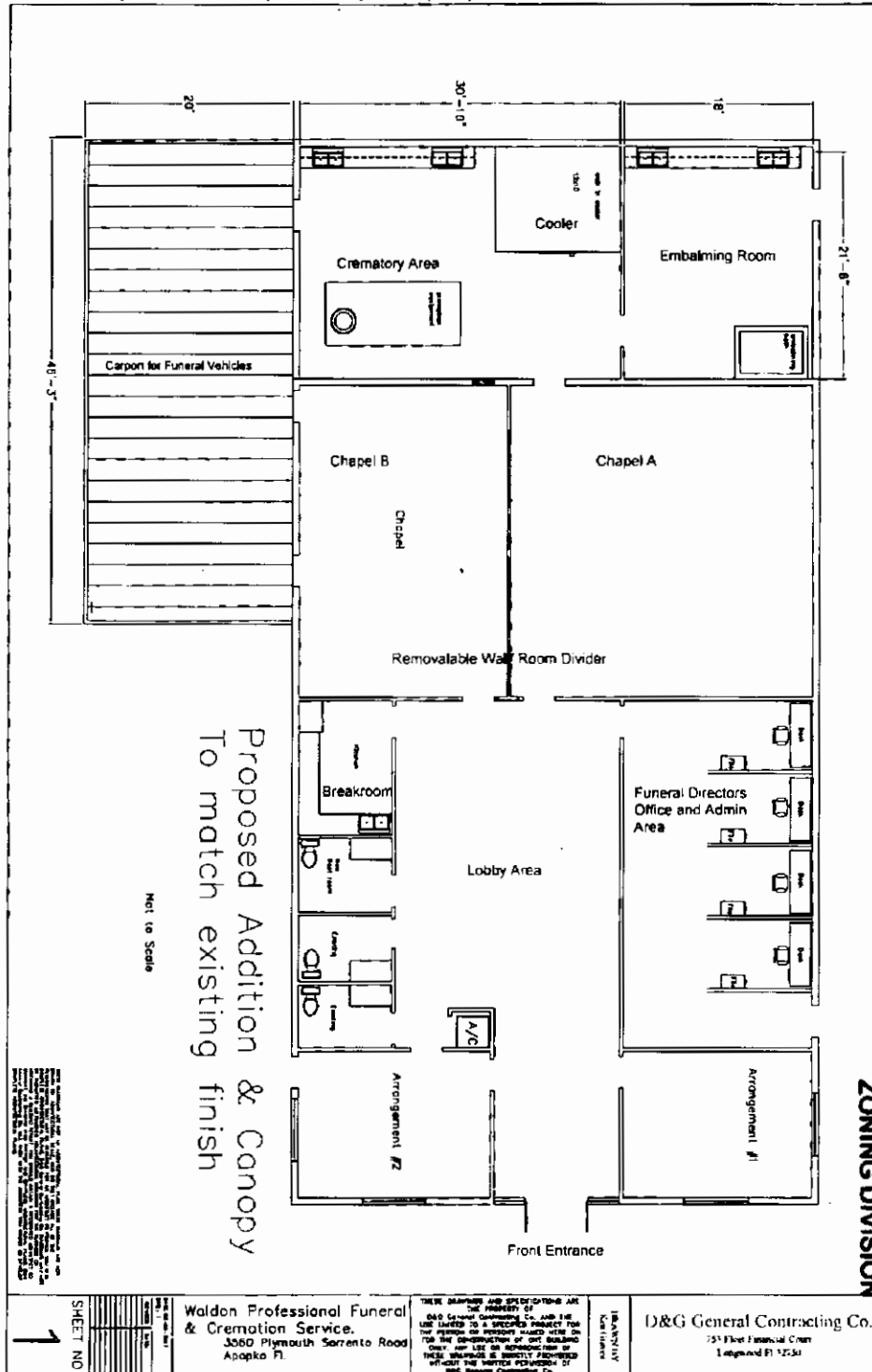
RECEIVED
APR 19 2017
ORANGE COUNTY
ZONING DIVISION

[illegible][illegible]

SUBJECT PROPERTY CONTAINS - 1/2 ACRES MORE OR LESS

 a. solid
 b. white
 c. black & white
 d. black & white

Please note: any notes included for explanation was provided by Kristy Waldon with Waldon Funeral Home 04/11/2017



RECEIVED

APR 11 2017

ORANGE COUNTY
ZONING DIVISION

Arrangement 1/2= Offices where families will meet to make final funeral arrangements. This room will include a table, chairs and funeral merchandis
Chapel A and B= Location where funeral services and viewing of the deceased will take place. These room will include removable seating (non fixed)
Cooler= Where the deceased will be housed and kept cool until final disposition. This room will have shelves to place the deceased on.
Embalming Room= Where the deceased will be embalmed, dressed and casketed for final disposition. Embalming equipment and tables needed.
Crematory= Where deceased will be cremated, reduced from whole body to cremated remains. Cremation chamber and other needed items included
Kitchen/Breakroom will NOT have a stove, but will include a microwave and refrigerator.



STAFF REPORT
CASE #SE-17-05-038
Orange County Zoning Division
Planner: Marla Molina
Board of Zoning Adjustment
May 4, 2017
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Waldon Professional Funeral & Cremation Services, LLC

REQUEST: Special Exception in the A-2 zoning district to allow a funeral home and crematory.

LOCATION: Northwest corner of Hideaway Road and Plymouth Sorrento Road.

PROPERTY ADDRESS: 3560 Plymouth Sorrento Road, Apopka, Florida 32712

PARCEL ID: 24-20-27-0000-00-031

PUBLIC NOTIFICATION: 728

TRACT SIZE: 4.91 acres

DISTRICT #: 2

ZONING: A-2

EXISTING USE(S): Vacant Building

PROPOSED USE(S): Funeral Home/Crematory

SURROUNDING USES: N – Nursery
S – Single Family Residence
E – Vacant Residential
W – Single Family Residence

STAFF FINDINGS AND ANALYSIS:

1. Waldon Professional Funeral & Cremation Services, LLC is proposing a 4,100 sq. ft., one-story funeral home and crematory. The applicant notified staff that its

current lease is expiring and they would like to relocate the funeral home and crematory to the proposed site.

2. The proposed crematory will utilize state-of-the-art technology. The applicant provided documentation detailing the techniques used during the cremation process, which will further minimize odor, noise, and ash concerns. The proposed crematory building will be architecturally designed to be consistent with an office appearance, similar to the existing funeral home.
3. On April 14, 2017, staff inspected the proposed site. The area is characterized by large agriculturally zoned tracts, some of which have agri-businesses, such as, landscape nurseries and citrus groves. This section of Plymouth-Sorrento Road is a two (2) lane roadway with high speed motor vehicle traffic, such as, but not limited to, dump trucks and tractor trailers. The average traveling speed on this section of roadway is approximately fifty-five (55) to sixty (60) miles per hour. Currently, the applicant operates its funeral home and crematory in Sanford, Florida, located on State Road 46, which is a four (4) lane divided principal arterial roadway.
4. Staff has concerns about this request. The proposed funeral home and cremation facility is not conducive to the character of this area and is not compatible with the existing land uses. The expectation from the property owners in this area are single family uses and agri-business uses. The facility should be located on principal arterial roadways, similar to where the current business is operated in Sanford, Florida. The proposed land use is a commercial/office land use, which should be located on commercially zoned roadways with safe ingress/egress improvements. Therefore, staff cannot support this request.
5. To date, staff has received three (3) commentaries in opposition, one (1) from the City of Apopka and two (2) from neighbors, and no commentaries in favor.

STAFF RECOMMENDATION:

Staff has concerns about this request. Specifically, that the location is not conducive with the proposed use. If the BZA approves this request, the following conditions should apply:

1. Development in accordance with site plan dated April 19, 2017, 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. Development shall comply with Chapter 24 (Landscaping) except where conflicts exist. In the event there is a conflict between Chapter 24 and the site plan, the provisions of Chapter 24 shall prevail;
5. The stacks (chimney-like structures) shall not be visible from Plymouth Sorrento Road and blowers shall be noise-baffled as determined by the Building Department; and,
6. Construction plans shall be submitted within three (3) years or this approval becomes null and void.

cc: Waldon Professional Funeral & Cremation Services, LLC
c/o Kristy Waldon
710 Lexington Green Lane
Sanford, Florida 32771

AARON VIERBICKY
VA-17-05-040

REQUEST: **Variances** in the R-1AA zoning district as follows:
1) To permit construction of an addition 25 ft. from the rear property line in lieu of 35 ft.; and,
2) To validate existing residence located 28 ft. from the front property line in lieu of 30 ft.

ADDRESS: 2917 Timberlake Drive, Orlando FL 32806

LOCATION: North side of Timberlake Dr., approximately 775 ft. north of Pershing Ave., on the southeast side of Lake Margaret

S-T-R: 07-23-30

TRACT SIZE: .96 acres (approx. .34 acres submerged)

DISTRICT#: 3

LEGAL: WYLDWOODE V/124 LOT 9 BLK D & BEG AT NE COR RUN N 38.32 FT W TO W LN OF NE1/4 OF SE1/4 SEC 7-23-30 S 30 FT E TO A PT LYING 7.9 FT N OF NW COR LOT 9 S TO NW COR LOT 9 E TO POB

PARCEL ID: 07-23-30-9492-04-090

NO. OF NOTICES: 93

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):

1. Development in accordance with site plan dated March 15, 2017, 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,

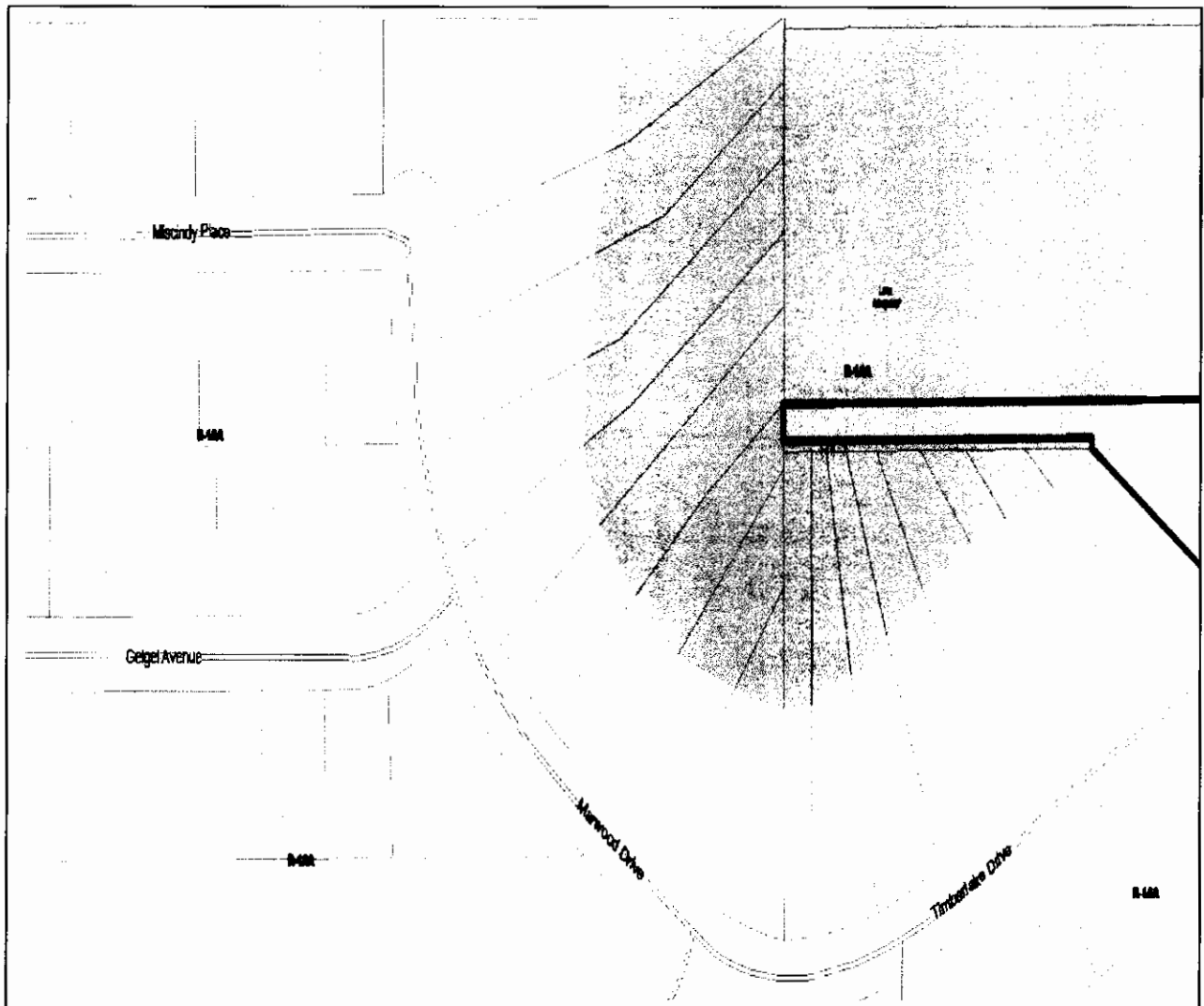
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

SYNOPSIS: Staff gave a brief presentation on the case, addressing the location, the site plan, and photographs.

The applicant agreed with the Staff Report.

The BZA observed that the applicant has made efforts to design the addition to follow the angle of the rear property line.

Staff received five (5) commentaries in favor and none in opposition. There was no opposition at the hearing. The BZA approved the Variance with conditions.



Applicant: Aaron Vierbicky

BZA Number: VA-17-05-040

BZA Date: 05/04/2017

District: 3

Sec/Twn/Rge: 07-23-30-SE-D

Tract Size: .96 acres (approx. 34 acres submerged)

Address: 2917 Timberlake Drive, Orlando FL 32806

Location: North side of Timberlake Dr., approximately 775 ft. north of Pershing Ave., on the southeast side of Lake Margaret

**Aaron & DeAnna Vierbicky
2917 Timberlake Drive
Orlando, FL 32806
(407)401-2258
Parcel Identification # 07-23-30-9492-04-090
3-14-17**

We are requesting a variance of 10'-0" or 29% into the 35'-0" rear setback as determined by the Orange County Board of Zoning Adjustment.

We are proposing a new Master Suite and Porch Addition attached to the rear of the existing structure.

The reason for the request is due to the irregular shape of the lot and the orientation of the house on the property that does not allow for the best use of the property creating a hardship under the current zoning requirements.

The original homeowner placed the rear of the house facing the Northern most lot line, instead of towards the property line located on Lake Margaret, as the adjacent properties have orientated their homes.

Had this orientation occurred, the Northern most lot line would be determined by the Orange County Board of Zoning Adjustment as a 7'-6" side setback instead of a 35'-0" rear setback.

Please refer to Preliminary Site Plan C201 dated 3/14/17

The addition proposes: Concrete block construction to match existing structure.
774 square feet of living area under air conditioning
Dimensions are 33'-8" x 23'-0".
530 square feet of 10'-0" deep L shaped covered porch.
Dimensions are 40'-0" x 23'-0".
Overall Addition Dimensions are 73'-8" x 23'-0"
Building Height is 21'-8" above existing finished floor elevation.

Distance to property lines:	North Side	25'-0"
	West Rear High water line	72'-4"
	South Side	76'-11"
	East Side	24'-9"

Thank you for your consideration,

BOUNDARY SURVEY OF:

Lot 9, Block 3, MYLWOOD, according to the plat thereof as recorded in Plat Book "V", Page 124, Public Records of Orange County, Florida.

Parcel A: From the Northeast corner of the Southeast 1/4 of Section 7, Township 23 South, Range 30 East, run South 485 feet; thence West 6 1/4 chains, thence North 165 feet; thence West 245 feet to Point of Beginning, run thence West 83 50 feet; South approximately 7.9 feet to the North line of MYLWOOD SUBDIVISION, as recorded in Plat Book V at Page 124, Public Records of Orange County, Florida, thence East along said North line 83 50 feet to a point South of Point of Beginning, thence North approximately 8.3 feet to the Point of Beginning.

Parcel B: From the Northeast corner of the Southeast 1/4 of Section 7, Township 23 South, Range 30 East, run South 485 feet; thence West 6 1/4 chains, thence North 165 feet; thence West 245 feet to Point of Beginning, run thence West 83 50 feet; thence North 30 feet; thence East 83 50 feet to a point North of Beginning, thence South 30 feet to Point of Beginning.

Parcel C: the South 30 feet of the following described property: Begin at the Northwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 7, Township 23 South, Range 30 East, Orange County, Florida, thence run East 8 88 chains, thence South 5 chains, thence West 8 88 chains, thence North 5 chains to Point of Beginning.

And Parcel D: From the Northeast corner of Lot 9, Block 3, MYLWOOD, as recorded in Plat Book V at Page 124, Public Records of Orange County, Florida, run North 89°44'00" West, 83 50 feet to the Point of Beginning, thence run North 89°44'00" West 178 12 feet to the Northwest corner of said Lot 9, thence run North 30°15'00" West, approximately 7.9 feet to the South line of the South 30 feet of the North 130 feet of the Northeast 1/4 of the Southeast 1/4 of Section 7, Township 23 South, Range 30 East, Orange County, Florida, thence run Easterly along said South line 178 12 feet; thence run South approximately 7.9 feet.

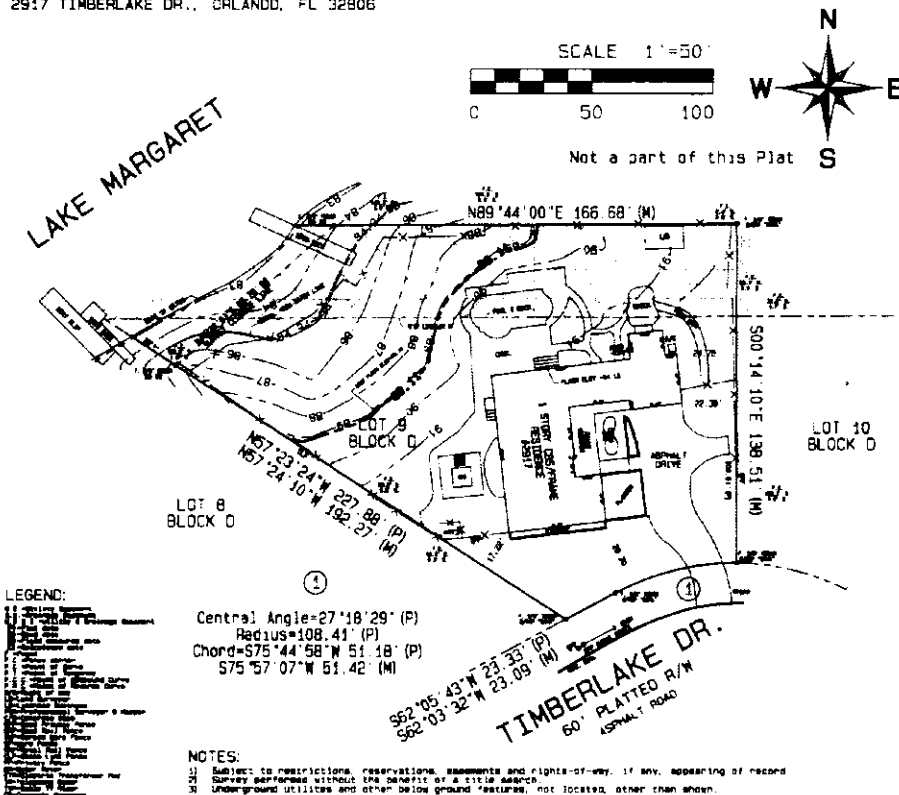
BEARINGS BASED ON ASSUMED DATUM--The Northerly line of subject property being N 89°44'00"E

FLOOD CERTIFICATION:

This is to certify that I have consulted the National Flood Insurance Flood Hazard Boundary Map and found the subject property is partly within a special flood hazard area, according to Map No. 12095C 0266F, dated 9/25/2009. (ZONES A & X)
 BASE FLOOD ELEVATION 89.11' (per Orange County)
 NORMAL HIGH WATER LINE ELEVATION 84.94' (per Orange County)

PROPERTY ADDRESS:

2917 TIMBERLAKE DR., ORLANDO, FL 32806



This survey is certified to be correct for the purposes of the survey.

There are no additional restrictions, reservations, easements or rights-of-way shown on this plat.

3/11/2017 ADD BFE CONTOUR JPL

Langford Surveying CFL, Inc.
 5415 Lake Howell Rd. #160
 Winter Park, FL 32792
 407-332-7202 Fax 800-654-2339
 www.langfordsurveying.com
 jim@langfordsurveying.com

DATE SIGNED: 3/11/2017
 JAMES D. LANGFORD, P.L.S. 36902
 VALID ONLY WITH AN AUTHENTICATED ELECTRONIC OR EMBOSSED SURVEYOR'S SEAL & SIGNATURE

Date of Survey:	Drawn by:	Checked by:	Scale:	File name/no.
02/04/2017	JPL	JPL	1"=50'	17-02/

RECEIVED
 MAR 15 2017
 Zoning Division

Zoning Division



1990

C201



STAFF REPORT
CASE #VA-17-05-040
Orange County Zoning Division
Planner: Marla Molina
Board of Zoning Adjustment
May 4, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Aaron Vierbicky

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

1. To permit construction of an addition 25 ft. from the rear property line in lieu of 35 ft.; and,
2. To validate existing residence located 28 ft. from the front property line in lieu of 30 ft.

LOCATION: North side of Timberlake Dr., approximately 775 ft. north of Pershing Ave., on the southeast side of Lake Margaret

PROPERTY ADDRESS: 2917 Timberlake Drive, Orlando, FL 32806

PARCEL ID: 07-23-30-9492-04-090

PUBLIC NOTIFICATION: 93

TRACT SIZE: .96 acres (approximately .34 acres submerged)

DISTRICT #: 3

ZONING: R-1AA

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): Master Suite & Porch Addition

SURROUNDING USES: N - Single Family Residence
S - Single Family Residence
E - Lake Margaret
W - Single Family Residence

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to construct an addition (master suite and porch) to the existing single family residence, twenty-five (25) feet from the rear property line in lieu of thirty-five (35) feet, and to validate the existing residence located twenty-eight (28) feet from the front property line in lieu of thirty (30) feet.
2. Since the home was originally built in 1959, Variance #2 should be approved.
3. The lot is odd shaped and the angle of the rear yard on the north side makes it difficult to comply with the rear yard setback on that portion of the lot.
4. The proposal shows that the applicant has made efforts to design the house to follow the angle of the rear property line.
5. The requested variance constitutes a twenty-nine percent (29%) deviation from the rear yard setback.
6. Staff reviewed this request and has no objections to the variance or validating the existing residence. The request substantially complies with the zoning variance criteria and constitutes a valid hardship on the land.
7. To date, staff has received four (4) commentaries in favor from the neighbors and none in opposition.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated March 15, 2017, 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: Aaron Vierbicky, Applicant
2917 Timberlake Drive
Orlando, Florida 32806

KEITH PRZECLAWSKI
SE-17-05-041

REQUEST: **Special Exception and Variances** in the R-1AA zoning district as follows:
1) Special Exception: To allow existing detached Accessory Dwelling Unit (ADU) to remain;
2) Variance: To validate an existing detached ADU with 1,596.8 sq. ft. in lieu of 1,000 sq. ft.;
3) Variance: To add a 20 ft. x 50 ft. carport/shed to the front of the ADU;
4) Variance: To allow a carport/shed addition to the front of the existing ADU which will extend beyond the front building line of the principal residence in lieu of alongside or rear; and,
5) Variance: To allow the addition to the ADU 21 ft. from the front property line in lieu of 25 ft.
(Note: The parents reside in the ADU. The son and his family reside in the main residence. According to Property Appraiser's data, the ADU was constructed in 1960, and the main residence in 1964. There is a private 30 ft. wide easement along the front of the property adjacent to Sterling Lane.)

ADDRESS: 3352 Sterling Lane, Orlando FL 32817

LOCATION: West side of Sterling Lane, east side of Lake Irma, approximately 475 ft. northwest of SR-417

S-T-R: 12-22-30

TRACT SIZE: 1.5 acres

DISTRICT#: 5

LEGAL: N 180 FT OF E 150 FT OF S 310 FT OF E1/2 OF NE1/4 OF SE1/4 & BEG 130FT N 150 FT W & 44.1 FT N OF SE COR OF NE 1/4 OF SE1/4 RUN N 75 DEG W 533.07 FT N 10.85 FT E 517.16 FT S 135.9 FT TO POB IN SEC 12-22-30 SEE 3176/130 & ALSO SEE 3854/2978 FOR INGRESS/EGRE

PARCEL ID: 12-22-30-0000-00-005

NO. OF NOTICES: 181

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, **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):

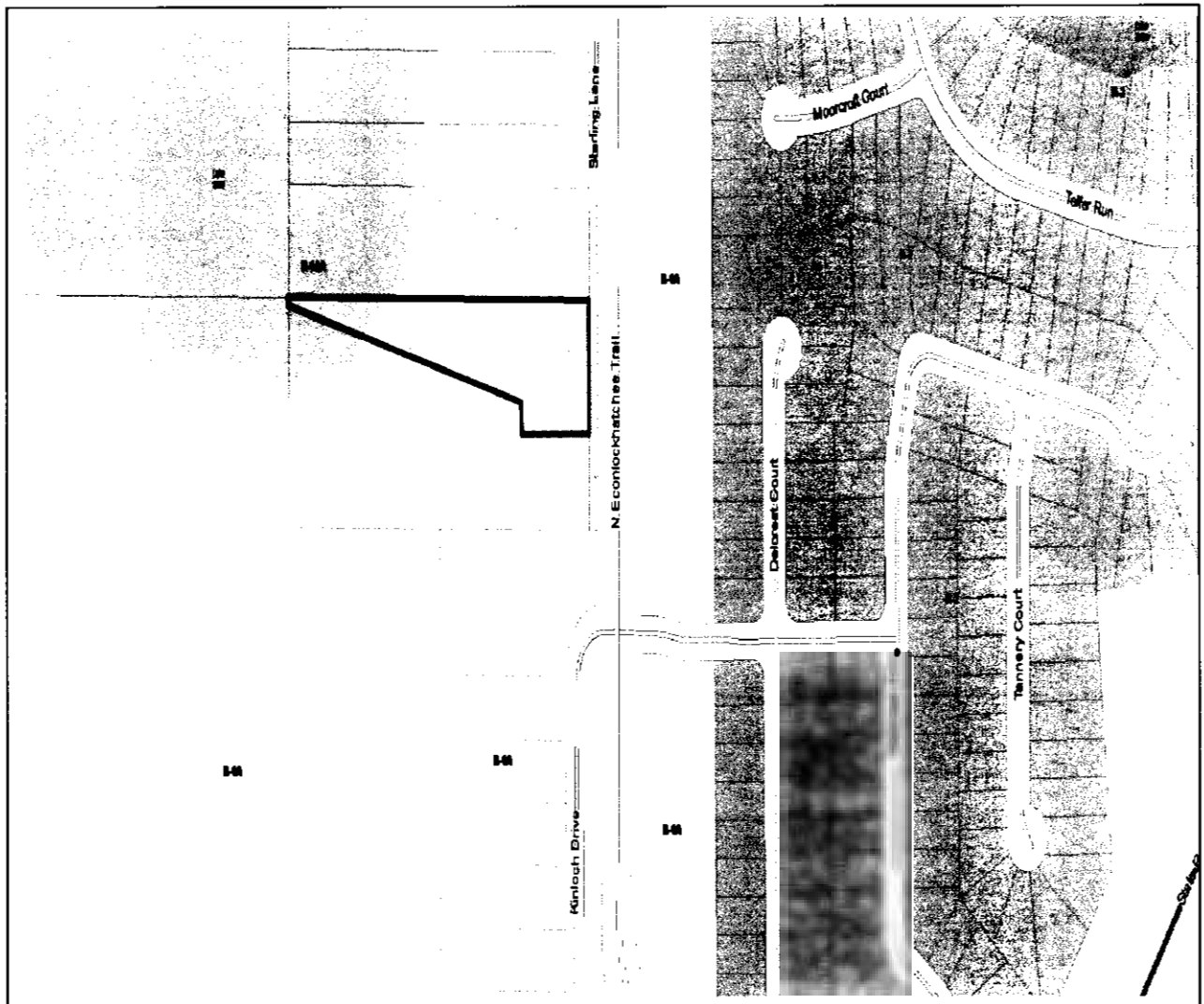
1. Development in accordance with site plan dated March 15, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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. If the carport encroaches into the thirty (30) foot easement along the east property line, prior to the issuance of any permits for the carport the applicant shall submit a letter of approval from the easement holders, or the easement shall be extinguished; and
5. The exterior of the addition to the ADU shall match the exterior of the existing structure with respect to color and roof materials.

SYNOPSIS: Staff explained that the variances were to validate the existing residence in which the applicant's parents resided as an ADU.

This home was actually built in 1960. There will be no additional living area over the existing 1,596 sq. ft. All new additions to the ADU will be non-living space. Staff also explained that Sterling Lane is actually located on a private parcel of land, not right of way, which is jointly owned by every residence fronting on it. There is also a cross-access easement located across the front of each parcel fronting Sterling Lane.

The applicant indicated that they were in agreement with the staff recommendation and the proposed conditions. There being no one in attendance to speak for or against the request, the public hearing was closed.

The BZA found that this was primarily to validate several existing conditions, and to allow some minor accessory improvements. The BZA approved the request.



Applicant: Keith Przeclawski

BZA Number: SE-17-05-041

BZA Date: 05/04/2017

District: 5

Sec/Twn/Rge: 12-22-30-SE-D

Tract Size: 1.5 acres

Address: 3352 Sterling Lane, Orlando FL 32817

Location: West side of Sterling Lane, east side of Lake Irma, approximately 475 ft. northwest of SR-417

Orange County Zoning Department
201 S Rosalind Ave. 1st floor
Orlando, Florida 32801

Re: 3352 Sterling Lane Orlando FL 32817

To whom it may concern,

We are requesting a special exception to validate our existing accessory dwelling unit (ADU).

My husband and I moved into the primary residence on this property April 1, 1981. Our son was born April 11, 1981. We have lived continuously on this property ever since; our children were born and grew up here. When the big house became too much for us, my husband and I moved into the small ADU. Our son, his wife and our beautiful grandson now live in the primary residence.

We would like to add an attached structure to the ADU. This structure will be a 20' by 50' sized carport and shed. The ADU is lakefront and the attached structure will extend 17.8 feet from the front plane of the primary residence. It will encroach into the 25 foot setback by 3.5 feet. However the entire property is hidden away. The carport and shed we need to add would not be visible from the road or from any neighbor's house. It would only be visible from the primary residence, and my son and family are in very much in favor of the addition.

I thank you in advance for your consideration of our request.

Sincerely,

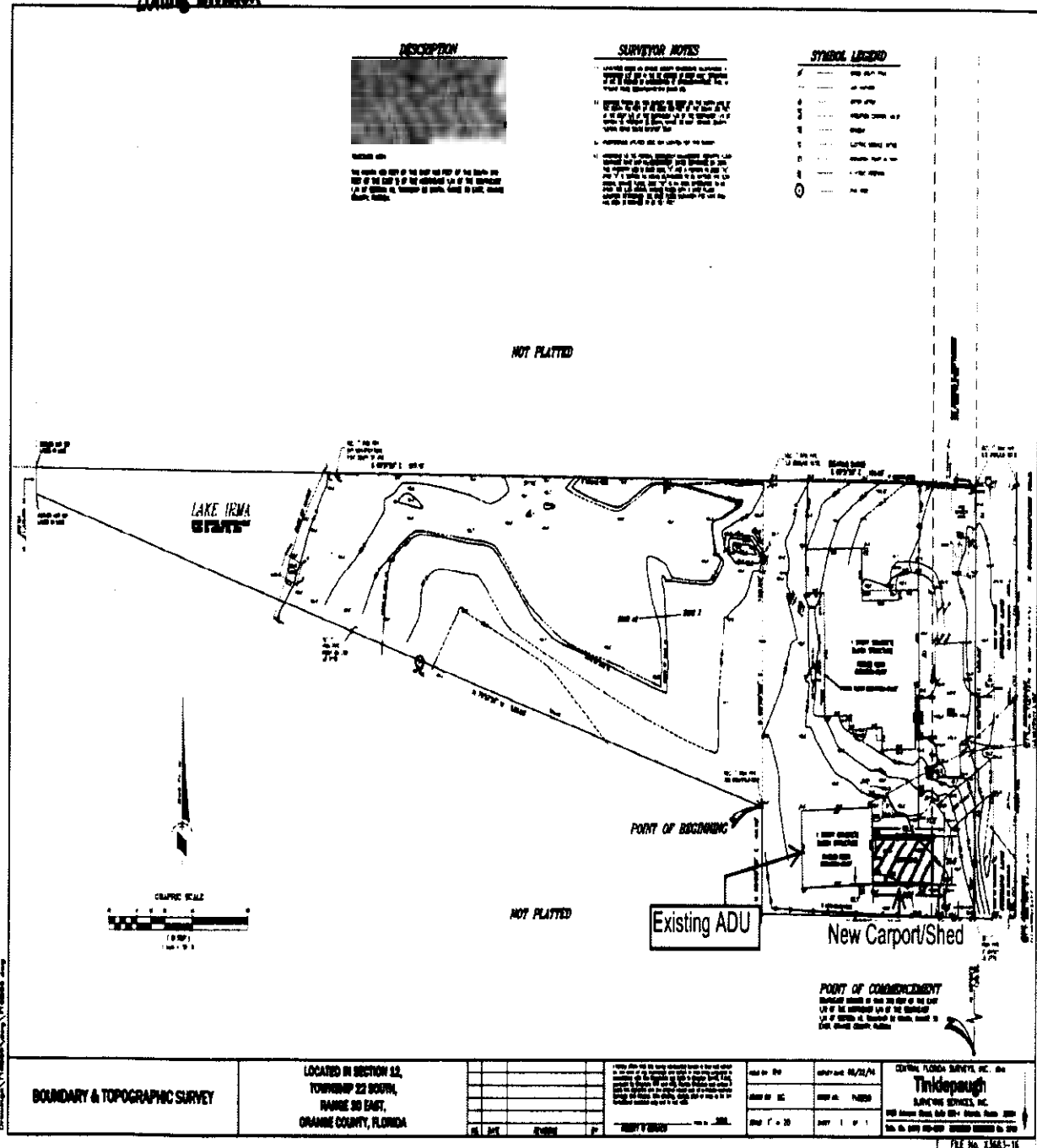
A handwritten signature in black ink, appearing to read "Keith Przecławski". The signature is fluid and cursive, with the first name "Keith" being more prominent and the last name "Przecławski" written in a more compact, flowing style.

John and Gail Przecławski
Keith Przecławski

RECEIVED

MAR 15 2017

Zoning Division





STAFF REPORT
CASE #SE-17-05-041
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
May 4, 2017
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Keith Przeclawski

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

- 1) Special Exception: To allow existing detached Accessory Dwelling Unit (ADU) to remain;
- 2) Variance: To validate an existing detached ADU with 1,596.8 sq. ft. in lieu of 1,000 sq. ft.;
- 3) Variance: To add a 20 ft. x 50 ft. carport/shed to the front of the ADU;
- 4) Variance: To allow a carport/shed addition to the front of the existing ADU which will extend beyond the front building line of the principal residence in lieu of alongside or rear; and,
- 5) Variance: To allow the addition to the ADU 21 ft. from the front property line in lieu of 25 ft.

(Note: The parents reside in the ADU. The son and his family reside in the main residence. According to Property Appraiser's data, the ADU was constructed in 1960, and the main residence in 1964. There is a private 30 ft. wide easement along the front of the property adjacent to Sterling Lane.)

LOCATION: West side of Sterling Lane, east side of Lake Irma, approximately 475 ft. northwest of SR-417

PROPERTY ADDRESS: 3352 Sterling Lane

PARCEL ID: 12-22-30-0000-00-005

PUBLIC NOTIFICATION: 181

TRACT SIZE: 1.5 acres

DISTRICT #: 5

ZONING: R-1AA

EXISTING USE(S): Single Family Residence w/Existing ADU

PROPOSED USE(S): ADU w/Attached Carport & Storage Shed

SURROUNDING USES: N – Single Family Residence
S – Single Family Residence
E – Lake Irma
W - Sterling Rd & Econ. Trail right-of-way, then major power line right-of-way

STAFF FINDINGS AND ANALYSIS:

1. The unit for which the application has been submitted, is actually the original home on the property, constructed in 1960. According to the Property Appraiser's information, this unit is a one bed, one bath home with 1,584 sq. ft. of living area. The second home was constructed in 1966, and contains 3,022 sq. ft. of living area, including four (4) bedrooms. Staff was unaware of the circumstances under which two (2) homes were allowed to occupy the same lot.
2. The proposed ADU is occupied by the parents of the primary residence, which is a homesteaded property.
3. The proposed addition to the ADU is to provide for covered parking for the residents of the ADU, and for storage of traditional residential equipment for lawn maintenance and gardening.
4. The proposed addition will extend beyond the front building line of the principal residence, thus, necessitating the need for the variance. It will also encroach into the front setback, which also contains a cross-access easement for the eight (8) residences fronting on Sterling Lane.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated March 15, 2017, 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. If the carport encroaches into the thirty (30) feet easement along the east property line, prior to the issuance of any permits for the carport, the applicant shall submit a letter of approval from the easement holders or the easement shall be extinguished; and,
5. The exterior of the addition to the ADU shall match the exterior of the existing structure with respect to color and roof materials.

cc: Keith Przecławski, Applicant
3352 Sterling Lane
Orlando, Florida 32817