



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

August 3, 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-1.....	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
August 3, 2017**

<u>PUBLIC HEARING</u>	<u>APPLICANT</u>	<u>DISTRICT</u>	<u>BZA Recommendations</u>	<u>PAGE #</u>
VA-17-08-069	Laura Kelley	1	Approved w/Conditions	1
VA-17-08-070	Troy Filley	5	Approved w/Conditions	11
VA-17-08-071	William Whitaker	2	Approved w/Conditions	19
VA-17-08-072	Glen Schoen	5	Approved w/Conditions	30
VA-17-08-074	John Morris	5	Approved w/Conditions	40
VA-17-08-077	Marco Loleit	3	Approved w/Conditions	49
SE-17-08-075	Eastland Baptist Church, Inc.	3	Approved w/Conditions	58
VA-17-08-076	Michael Konze	3	Approved w/Conditions	68
SE-17-08-073	Enviro Tree Service, LLC	2	Request #1, Approved w/Conditions Requests #2 and #3, Withdrawn	77
VA-17-08-078	Sloan Engineering Group, Inc.	2	Approved w/Conditions	89
VA-17-08-079	Joel Buntin	3	Approved w/Conditions	100

LAURA KELLEY
VA-17-08-069

REQUEST: **Variances** in the R-1 zoning district for the following:
1) To allow the existing garage to remain 5 ft. from front (west) property line in lieu of 25 ft.; and
2) To convert existing covered porch into living area 6 ft. from front property line in lieu of 25 ft.
(Note: According to Property Appraiser's data, the home was built in 1945. Applicant purchased the home in 2010. Applicant proposes to renovate and expand existing residence.)

ADDRESS: 9020 Wilson Avenue, Gotha, FL 34734

LOCATION: East end of Wilson Avenue, approximately 400 ft. east of Woodlawn Cemetery Road and west of Lake Rose

S-T-R: 27-22-28

TRACT SIZE: 120 ft. x 211 ft. (AVG)

DISTRICT#: 1

LEGAL: 10096/4057 INCOMPLETE LEGAL LAKEVIEW HEIGHTS E/39 THE E3/4 OF E1/2 OF N1/2 OF LOT 50 & S 1/2 OF VAC RW ON N PER 9735/8000

PARCEL ID: 27-22-28-4880-00-501

NO. OF NOTICES: 105

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; 7-0):

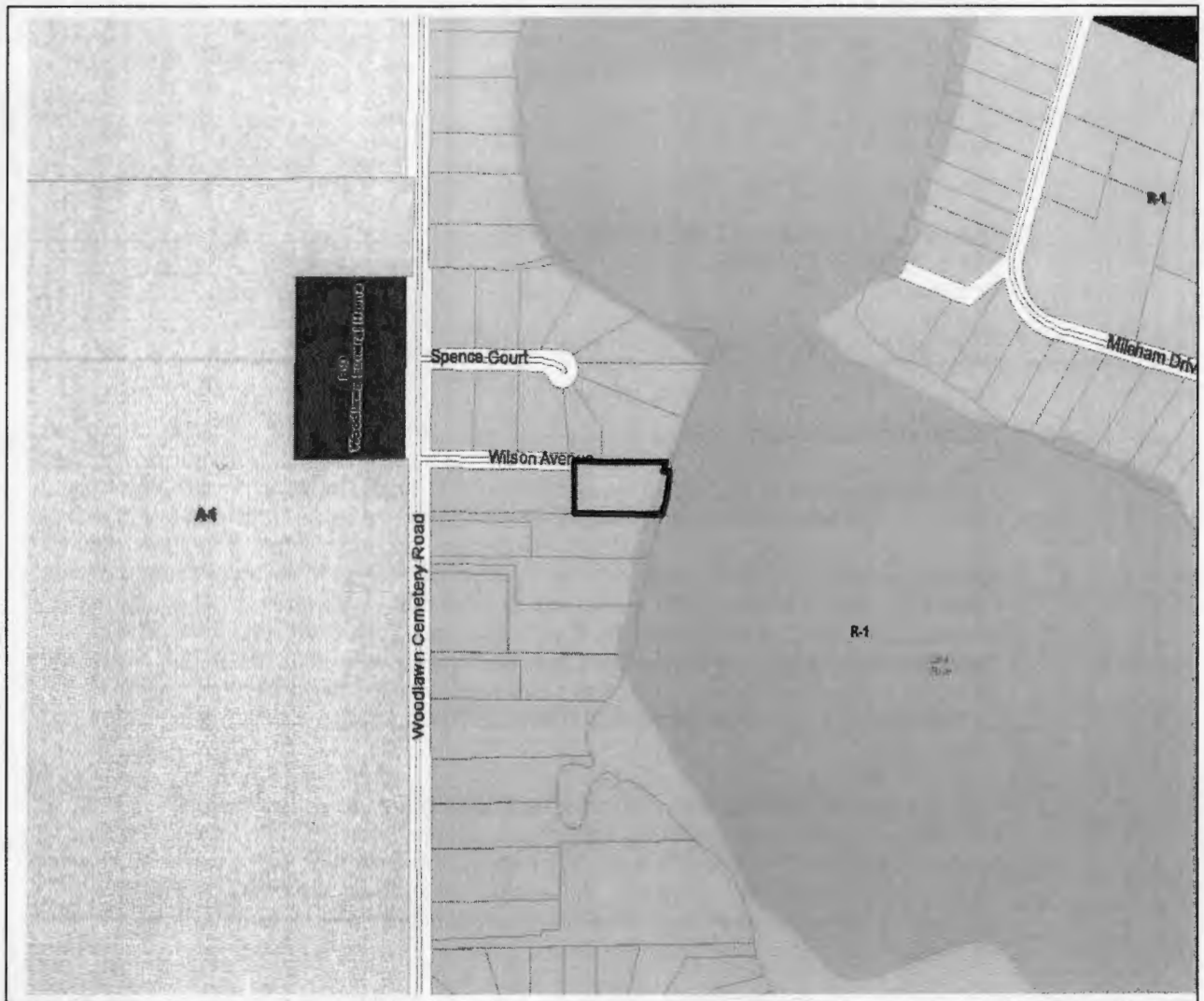
1. Development in accordance with site plan dated June 1, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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 residence is ever destroyed or demolished, the replacement home shall comply with all required setbacks unless variances are granted by the BZA.

SYNOPSIS: Staff explained the history of the property, noting that the existing structures had been built in 1945. Also, a review of the historic zoning maps used to verify whether a property existed to the point that it would be considered a parcel of record showed that the property was in its current configuration at that time. The applicant would suffer a hardship without the variance in that they would be forced to demolish the garage with the living space over it to reconstruct it twenty-five (25) feet from the west property line.

The applicant concurred with the staff recommendations and all conditions. There being no one in attendance to speak for or against the request, the public hearing was closed.

The BZA concluded that the variance was justified due to the history of the property and the hardship the applicant would suffer if the variances were not granted.



Applicant: Laura Kelley

BZA Number: VA-17-08-069

BZA Date: 08/03/2017

District: 1

Sec/Twn/Rge: 34-22-28-NW-B

Tract Size: 120 ft. x 211 ft. (AVG)

Address: 9020 Wilson Avenue, Gotha, FL 34734

Location: East end of Wilson Avenue, approximately 400 ft. east of Woodlawn Cemetery Road and west of Lake Rose

June 1, 2017

Orange County Board of Zoning Adjustments
201 S. Rosalind Avenue
Orlando, FL 32801

Subject: 9020 Wilson Avenue, Gotha, FL 34734

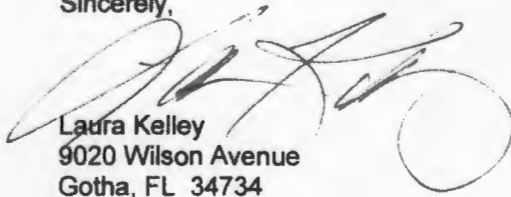
Ladies and Gentlemen:

My home is located at the end of an unmaintained Orange County dirt road (Wilson Avenue). The home was built in 1945 and was remodeled by the previous owner in 2007. I purchased the home in 2010. I would like to construct a bedroom, bathroom, half bath and entry way under an existing covered porch and walkway to expand my home and make it more livable. I also plan to re-side the entire house because there is considerable wood rot on parts of the existing siding. I am requesting a setback variance because the existing covered porch is 5 to 6 feet from the property line instead of 20. The adjacent property is a vacant lot owned by Woodlawn Cemetery. It used to be the cemetery maintenance yard, and was moved to another location a few years ago.

I would also like permission to keep the two doors on the left side of the house. Both doors open to the same undivided great room. The left side existing door on the east provides access to the lake. The left side door on the west near Wilson Avenue serves as the main entrance to the house. The main door will be shifted from under the walkway to create an entry way. The new main door will open up to an existing walkway.

The property survey, architectural plans and Zoning Adjustment Application is attached. Please contact me at 407-234-5970 if there are any questions. Thank you for your careful consideration.

Sincerely,

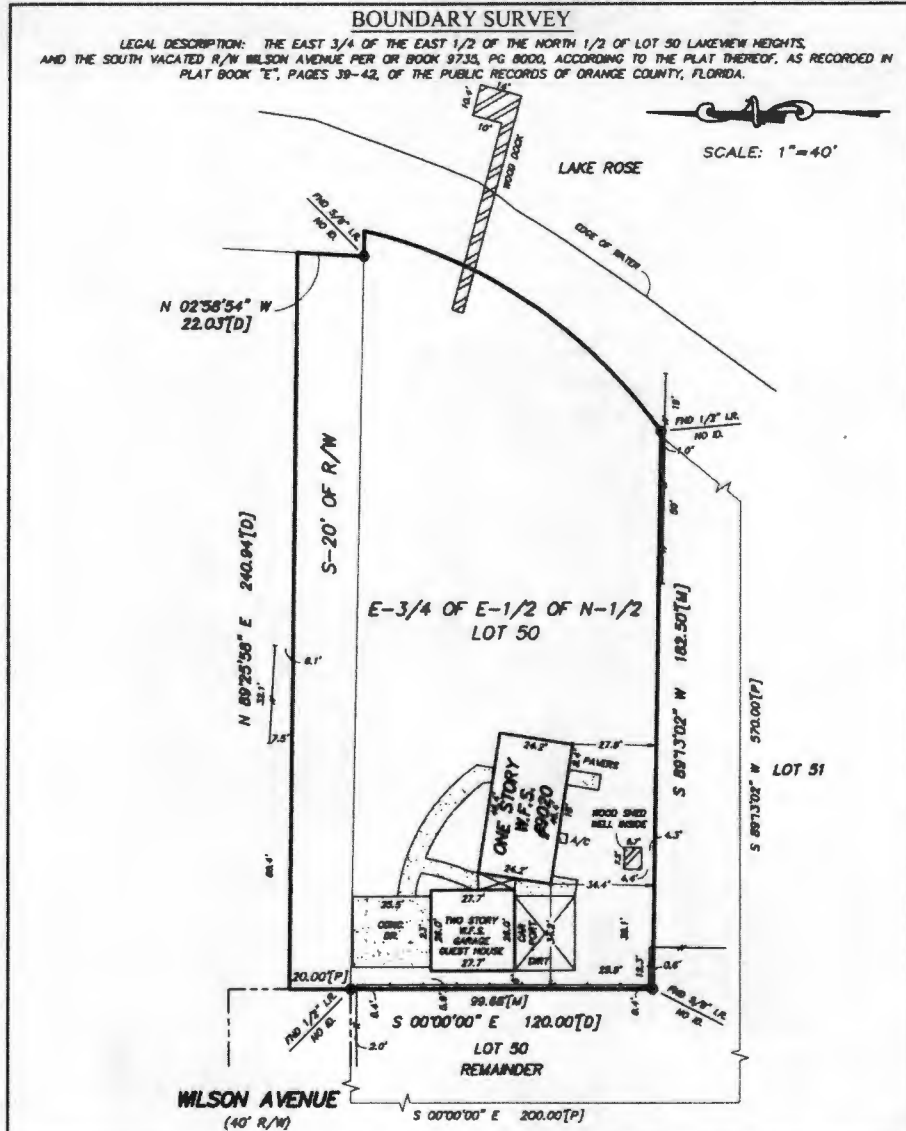


Laura Kelley
9020 Wilson Avenue
Gotha, FL 34734

RECEIVED

JUN 01 2017

Zoning Division



RECEIVED
JUN 01 2017
Zoning Division

 LONG SURVEYING, INC.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">RIGHT-OF-WAY LINE</th> <th style="text-align: left;">CENTERLINE</th> <th style="text-align: left;">BARRIERS FENCE</th> <th style="text-align: left;">WOOD FENCE</th> <th style="text-align: left;">CHAIN LINK FENCE</th> <th style="text-align: left;">PLASTIC FENCE</th> </tr> <tr> <td>A/C - AIR CONDITIONER</td> <td>L/C - R/W ROD & CAP</td> <td>L/C - R/W ROD & CAP</td> <td>P.O.C. - POINT OF COMMENCEMENT</td> <td>P.O.C. - POINT OF COMMENCEMENT</td> <td></td> </tr> <tr> <td>B/L - BLOCK</td> <td>L - ARC LENGTH</td> <td>L - LAND SURVEYING BUSINESS</td> <td>P.O.L. - POINT ON LINE</td> <td>P.O.L. - POINT ON LINE</td> <td></td> </tr> <tr> <td>C.B.S. - CHORD BEARING</td> <td>L.S. - LAND SURVEYING BUSINESS</td> <td>L.S. - LAND SURVEYING BUSINESS</td> <td>P.A.L. - PERMANENT REFERENCE</td> <td>P.A.L. - PERMANENT REFERENCE</td> <td></td> </tr> <tr> <td>C.B.S. - CONCRETE BLOCK STRUCTURE</td> <td>M - MEASURED</td> <td>M - MEASURED</td> <td>P.T. - POINT OF TANGENT</td> <td>P.T. - POINT OF TANGENT</td> <td></td> </tr> <tr> <td>C.M. - CONCRETE MONUMENT</td> <td>N - NORTH</td> <td>N - NORTH</td> <td>R - RANGES</td> <td>R - RANGES</td> <td></td> </tr> <tr> <td>C.M. - CONCRETE</td> <td>NAD - NAD AND DISK</td> <td>NAD - NAD AND DISK</td> <td>S/W - RIGHT OF WAY</td> <td>S/W - RIGHT OF WAY</td> <td></td> </tr> <tr> <td>D - DIRT</td> <td>P - PLAT</td> <td>P - PLAT</td> <td>S/W - SIDEWALK</td> <td>S/W - SIDEWALK</td> <td></td> </tr> <tr> <td>D.E. - DRAINAGE EASEMENT</td> <td>P.C. - POINT OF CURVATURE</td> <td>P.C. - POINT OF CURVATURE</td> <td>S - SOUTH</td> <td>S - SOUTH</td> <td></td> </tr> <tr> <td>E - EAST</td> <td>P.C.P. - POINT OF COMPOUND CURVATURE</td> <td>P.C.P. - POINT OF COMPOUND CURVATURE</td> <td>U.E. - UTILITY EASEMENT</td> <td>U.E. - UTILITY EASEMENT</td> <td></td> </tr> <tr> <td>F.F.E. - FINISHED FLOOR ELEVATION</td> <td>P.C.P. - PERMANENT CONTROL POINT</td> <td>P.C.P. - PERMANENT CONTROL POINT</td> <td>W - WEST</td> <td>W - WEST</td> <td></td> </tr> <tr> <td>FND - FOUND</td> <td>P.L. - PROPERTY LINE</td> <td>P.L. - PROPERTY LINE</td> <td>W.C.S. - WOOD FRAME STRUCTURE</td> <td>W.C.S. - WOOD FRAME STRUCTURE</td> <td></td> </tr> <tr> <td>IL - IDENTIFICATION</td> <td>P.O.B. - POINT OF BEGINNING</td> <td>P.O.B. - POINT OF BEGINNING</td> <td>O - SET 1/2" U.L.C. P.W. LAYOUT</td> <td>O - SET 1/2" U.L.C. P.W. LAYOUT</td> <td></td> </tr> <tr> <td>LP - IRON PIPE</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		RIGHT-OF-WAY LINE	CENTERLINE	BARRIERS FENCE	WOOD FENCE	CHAIN LINK FENCE	PLASTIC FENCE	A/C - AIR CONDITIONER	L/C - R/W ROD & CAP	L/C - R/W ROD & CAP	P.O.C. - POINT OF COMMENCEMENT	P.O.C. - POINT OF COMMENCEMENT		B/L - BLOCK	L - ARC LENGTH	L - LAND SURVEYING BUSINESS	P.O.L. - POINT ON LINE	P.O.L. - POINT ON LINE		C.B.S. - CHORD BEARING	L.S. - LAND SURVEYING BUSINESS	L.S. - LAND SURVEYING BUSINESS	P.A.L. - PERMANENT REFERENCE	P.A.L. - PERMANENT REFERENCE		C.B.S. - CONCRETE BLOCK STRUCTURE	M - MEASURED	M - MEASURED	P.T. - POINT OF TANGENT	P.T. - POINT OF TANGENT		C.M. - CONCRETE MONUMENT	N - NORTH	N - NORTH	R - RANGES	R - RANGES		C.M. - CONCRETE	NAD - NAD AND DISK	NAD - NAD AND DISK	S/W - RIGHT OF WAY	S/W - RIGHT OF WAY		D - DIRT	P - PLAT	P - PLAT	S/W - SIDEWALK	S/W - SIDEWALK		D.E. - DRAINAGE EASEMENT	P.C. - POINT OF CURVATURE	P.C. - POINT OF CURVATURE	S - SOUTH	S - SOUTH		E - EAST	P.C.P. - POINT OF COMPOUND CURVATURE	P.C.P. - POINT OF COMPOUND CURVATURE	U.E. - UTILITY EASEMENT	U.E. - UTILITY EASEMENT		F.F.E. - FINISHED FLOOR ELEVATION	P.C.P. - PERMANENT CONTROL POINT	P.C.P. - PERMANENT CONTROL POINT	W - WEST	W - WEST		FND - FOUND	P.L. - PROPERTY LINE	P.L. - PROPERTY LINE	W.C.S. - WOOD FRAME STRUCTURE	W.C.S. - WOOD FRAME STRUCTURE		IL - IDENTIFICATION	P.O.B. - POINT OF BEGINNING	P.O.B. - POINT OF BEGINNING	O - SET 1/2" U.L.C. P.W. LAYOUT	O - SET 1/2" U.L.C. P.W. LAYOUT		LP - IRON PIPE					
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NOTES: (1) This survey is based on the legal description as provided by the Client. (2) This Surveyor has not abstracted the land shown herein for easements, rights of way or restrictions of record which may affect the title or use of the land. (3) Do not reconstruct property lines from building lines. (4) No building or overhangs have been located except as shown. (5) No improvements or utilities have been located except as shown. (6) This survey is not valid without the signature and the original seal and of a Florida Licensed Surveyor and Mapper. Certifications: I certify that this survey was made under my direction and that it meets the minimum technical standards and facts for the Board of Professional Land Surveyors and Mappers in Chapter 6007-A, Florida Administrative Code, pursuant to Section 472.002, Florida Statutes.																																																																																							





STAFF REPORT

CASE #VA-17-08-069

Orange County Zoning Division

Planner: David Nearing, AICP

Board of Zoning Adjustment

August 3, 2017

Commission District: 1

GENERAL INFORMATION:

APPLICANT: Laura Kelley

REQUEST: Variances in the R-1 zoning district for the following:

- 1) To allow the existing garage to remain 5 ft. from front (west) property line in lieu of 25 ft.; and
- 2) To convert existing covered porch into living area 6 ft. from front property line in lieu of 25 ft..

(Note: According to Property Appraiser's data, the home was built in 1945. Applicant purchased the home in 2010. Applicant proposes to renovate and expand existing residence.)

LOCATION: East end of Wilson Avenue, approximately 400 ft. east of Woodlawn Cemetery Road and west of Lake Rose

PROPERTY ADDRESS: 9020 Wilson Avenue, Gotha, FL 34734

PARCEL ID: 27-22-28-4880-00-501

PUBLIC NOTIFICATION: 105

TRACT SIZE: 120 ft. x 211 ft. (AVG)

DISTRICT #: 1

ZONING: R-1

EXISTING USE(S): Single Family Residence w/Garage/Guest House

PROPOSED USE(S): Expanded Residence and Garage

SURROUNDING USES:
N - Single Family Residential
S - Single Family Residential
E - Lake Rose
W - Vacant Property Owed by Cemetery

STAFF FINDINGS AND ANALYSIS:

1. The applicant purchased the subject property in 2010 'as is'. According to the Property Appraiser's information, the home was built in 1945, twelve (12) years prior to the establishment of zoning in Orange County. The subject property is identified as a lawful parcel of record on the archived zoning maps.
2. Based on the interpretation of what constitutes the front yard, it was determined that the west property line is the front yard. The applicant proposes to attach the garage to the main house creating one single residence. It is located five (5) feet from the west property line.
3. Access to the property is from the northwest corner of the property, giving the appearance that the front of the property is actually the north side of the property.
4. Since the applicant purchased the property as is, the location of the garage is not the result of action by the applicant.
5. Without the variance, the applicant would be required to demolish the exiting fully functional garage/guest house and rebuild it twenty-five (25) feet from the west property line. This would impose a hardship on the applicant in that a functional living area would be destroyed to be rebuilt.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 1, 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. If the residence is ever destroyed or demolished, the replacement home shall comply with all required setbacks unless variances are granted by the BZA.

cc: Laura Kelley
9020 Wilson Avenue
Gotha, Florida 34734

TROY FILLEY
VA-17-08-070

REQUEST: **Variance** in the R-1A zoning district to enclose existing carport and convert into a garage 8 ft from the front property line in lieu of 25 ft.
ADDRESS: 1791 Killarney Drive, Winter Park, FL 32789
LOCATION: North side of Killarney Drive, approximately 90 ft. east of Clay Street
S-T-R: 12-22-29
TRACT SIZE: 0.73 acres
DISTRICT#: 5
LEGAL: FLAMINGO SHORES S/144 LOT 17 BLK C
PARCEL ID: 12-22-29-2722-03-170
NO. OF NOTICES: 301

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; 7-0):

1. Development in accordance with site plan dated June 9, 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 garage conversion shall match the main house.

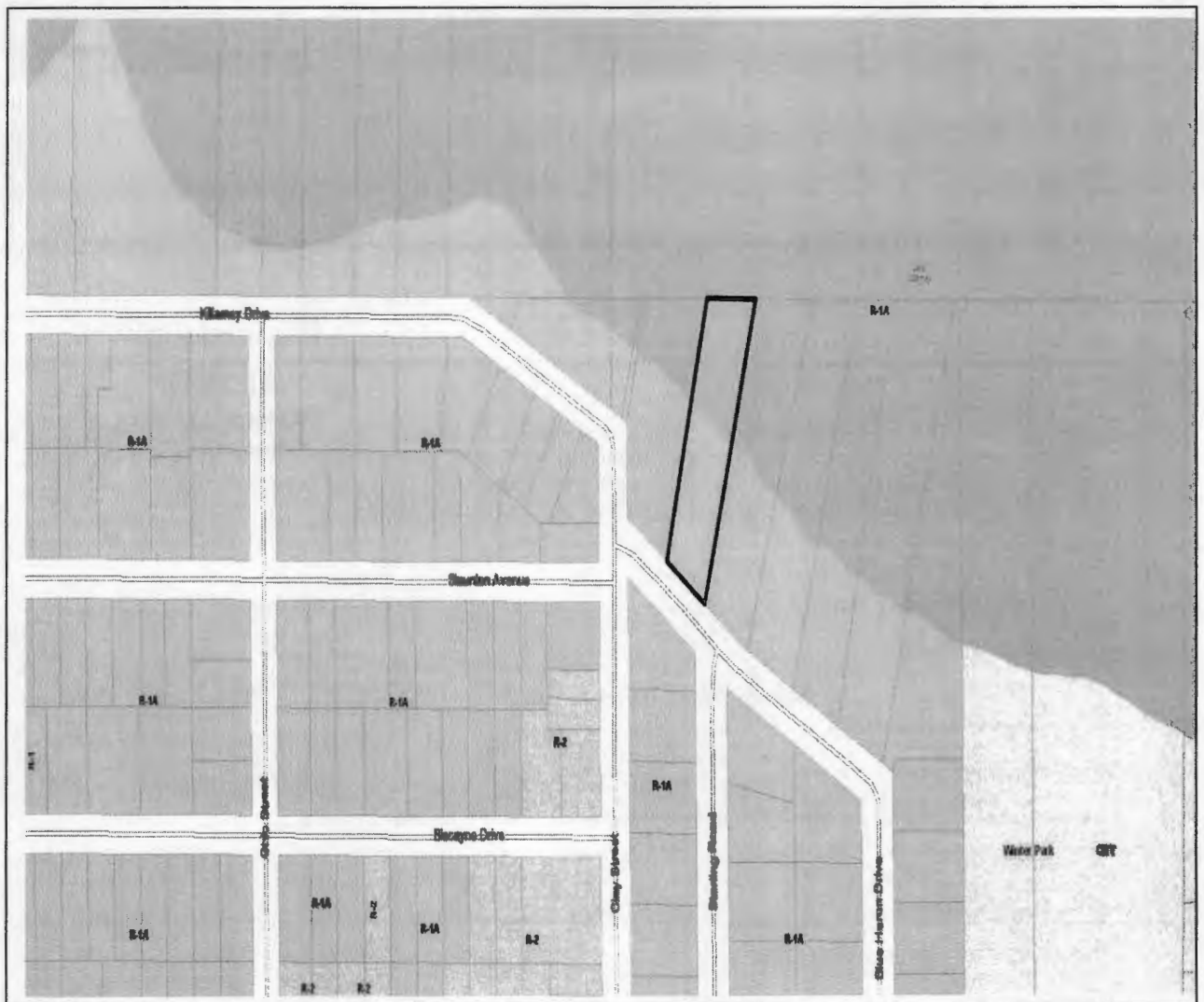
SYNOPSIS: Staff gave a presentation on the case. It addressed the request, location of the carport, site layout, and a brief analysis.

The applicant agreed with the staff analysis.

The BZA confirmed the carport was just being enclosed and no square footage was being added; and further, that the eight (8) foot setback was only on one (1) corner.

Staff received four (4) commentaries in favor of the application and one (1) in opposition. There was no opposition at the hearing.

The BZA approved the variance.



Applicant: Troy Filley

BZA Number: VA-17-08-070

BZA Date: 08/03/2017

District: 5

Sec/Twn/Rge: 12-22-29-NW-B

Tract Size: 0.73 acres

Address: 1791 Killarney Drive, Winter Park, FL 32789

Location: North side of Killarney Drive, approximately 90 ft. east of Clay Street

FSI Construction Inc.

145 Drennen Rd.
Orlando, FL 32806
321-228-6638
E-Mail: troyfilley@gmail.com
CBC#1256434

RECEIVED

JUN 09 2017

**ORANGE COUNTY
ZONING DIVISION**

Date: 6/8/17

Dear Zoning Official,

The purpose of this letter is to request a variance to validate an existing structure that is encroaching into the front yard setback approx. 16.5 feet, in lieu of the required 25 ft. We are proposing that we be able to enclose the existing carport (encroaching section of home) into a garage.

Zoning Variance Criteria

-Not self created:

Existing structure was in place when the home was purchased in March of 2017. We are simply looking to enclose what is existing.

-Minimum possible variance

We are looking for the minimum approval to enclose what is already in place.

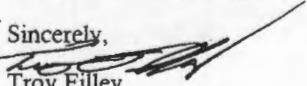
Notes:

-House was built in 1954

-House was purchased 3/13/17

Please feel free to contact me with any questions or additional information needed.

Sincerely,


Troy Filley

FSI Construction Inc.

**ORANGE COUNTY
ZONING DIVISION**

Benchmark Information-

Lot 18
Block "C"

N 12°37'00" E 160.44' (P)
N 12°37'00" E 160.85' (P)

◆ #1

Elevation

④ #2

Graphic Scale
0 15 30 60
Scale: 1"=30'

Legal Description:

FLORIDA.

CERTIFIED TO:



1791 KILLARNEY DR WINTER PARK, FLORIDA 32789

[illegible]

WINDOW SCHEDULE: (NEW WINDOWS ONLY)

MARK	SIZE	TYPE	MATERIAL	GLAZING	NOTES
A	4-5 X 4-3	SINGLE HUNG	VINYL	LOW-E, IG	

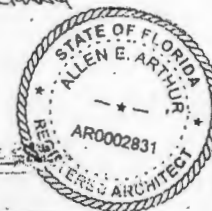
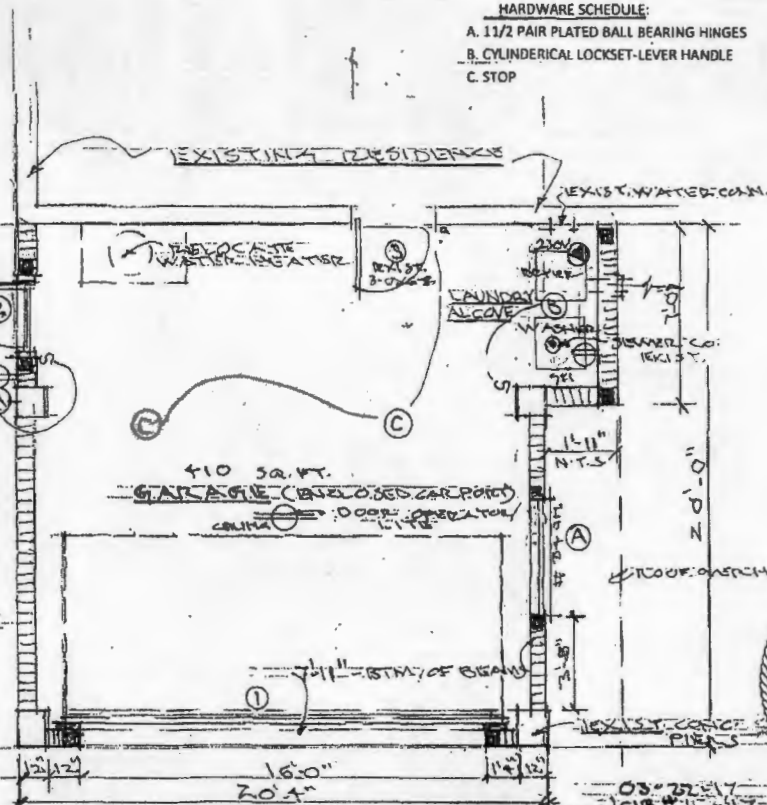
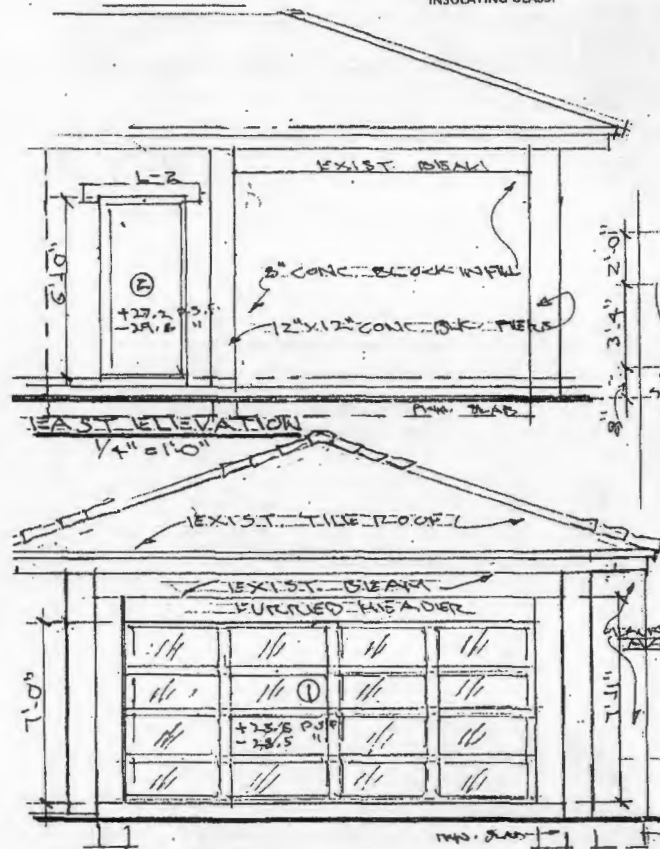
ALL WINDOWS SHALL EQUAL "PGT" "ENERGYVUE" SERIES, VINYL FRAME, WITH 3/4" LOW-E INSULATING GLASS.

DOOR SCHEDULE:

MARK	SIZE	TYPE	MATERIAL	FRAME	HARDWARE	NOTES
1	16-0 X 7-0	OVERHEAD	STEEL/GLASS	STEEL	LOCK /HASP	
2	3-0 X 6-8	FLUSH	FIBERGLASS	TRT. WOOD	A,B,C	

HARDWARE SCHEDULE:

- A. 1 1/2 PAIR PLATED BALL BEARING HINGES
- B. CYLINDRICAL LOCKSET-LEVER HANDLE
- C. STOP



2/3



STAFF REPORT
CASE #VA-17-08-070
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
August 3, 2017
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Troy Filley

REQUEST: Variance in the R-1A zoning district to enclose existing carport and convert into a garage 8 ft. from the front property line in lieu of 25 ft.

LOCATION: North side of Killarney Drive, approximately ninety (90) feet east of Clay Street

PROPERTY ADDRESS: 1791 Killarney Drive, Winter Park, FL 32789

PARCEL ID: 12-22-29-2722-03-170

PUBLIC NOTIFICATION: 301

TRACT SIZE: 0.73 acres

DISTRICT #: 5

ZONING: R-1A

EXISTING USE(S): Single family residence with carport

PROPOSED USE(S): Single family residence with garage

SURROUNDING USES: The property abuts single family residences in all directions and Lake Killarney to the north.

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to enclose an existing carport to convert it to a garage. The house was constructed in 1954 with a carport eight (8) feet from the front property line. Therefore, a zoning Variance for the front setback only is required.

2. The location of the septic tank and drainfield make it impossible to construct a front garage on the other side where the lot is deeper.
3. There is no room for vehicular access to the back yard and no space to construct a garage behind the house.
4. The carport is existing and enclosing the structure will be less intrusive than leaving it open.
5. The lot is oddly shaped with an angular frontage along the road. This data constitutes a special circumstance.
6. Approval of the request will not alter the character of the neighborhood.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 9, 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 garage conversion shall match the main house.

cc: Troy Filley
1516 Pine Bluff Avenue
Orlando, Florida 32806

WILLIAM WHITAKER
VA-17-08-071

REQUEST: **Variance** in the R-CE zoning district to allow existing 1,200 sq. ft. detached accessory building (garage/carport) to remain in front of the principal residence in lieu of rear or side of the residence.
(Note: This application is the result of code enforcement action.)

ADDRESS: 3615 Laughlin Road, Mount Dora, FL 32757

LOCATION: East side of Laughlin Road, approximately 850 ft. north of the N. Orange Blossom Trail, on the west side of Lake Maggiore

S-T-R: 15-20-27

TRACT SIZE: 1.5 acres

DISTRICT#: 2

LEGAL: TOWN OF ZELLWOOD A/122 BEG 470 FT S OF NW COR OF LOT 45, RUN TH N 80 FT, TH N89-50-21E 370 FT, N0E 50 FT, TH N89-50-21E 267 FT SWLY TO WATERS OF LAKE MAGGIORE, TH SWLY ALONG WATER 130 FT M/L, TH S89-50-21W 614 FT M/L ALONG CENTER OF WILLOW ST TO POB, BEIN

PARCEL ID: 15-20-27-9504-00-510

NO. OF NOTICES: 65

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; 7-0):

1. Development in accordance with site plan dated June 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.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. The applicant shall obtain all proper permits within 180 days or this approval becomes null and void.

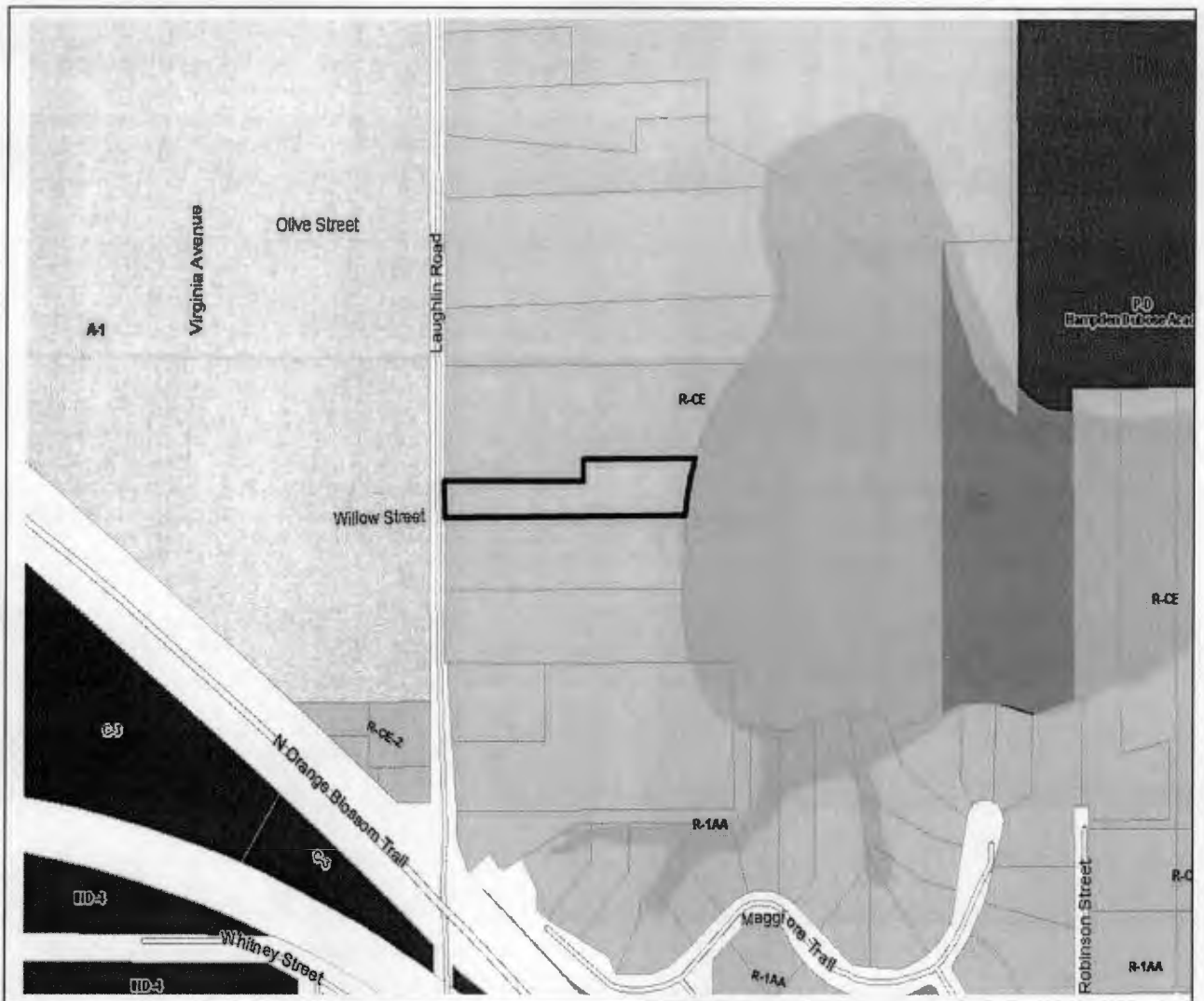
SYNOPSIS: The applicant requested a variance to allow an existing 1,200 sq. ft. detached accessory building (garage/carport) to remain in front of the principal residence in lieu of rear or side of the residence. The application was the result of code enforcement action.

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

The applicant spoke to the BZA and stated that he agreed with the staff report.

Staff received four (4) commentaries in favor and none in opposition. There being no one present to support or oppose the request, the public hearing was closed.

The BZA approved the variance with conditions.



Applicant: William Whitaker

BZA Number: VA-17-08-071

BZA Date: 08/03/2017

District: 2

Sec/Twn/Rge: 22-20-27-NW-B

Tract Size: 1.5 acres

Address: 3615 Laughlin Road, Mount Dora, FL 32757

Location: East side of Laughlin Road, approximately 850 ft. north of the N. Orange Blossom Trail, on the west side of Lake Maggiore

Variance Board

I, William A Whitaker living at 3615 Laughlin Rd Zellwood Florida ask the board to please consider a distance variance for my garage/out building. As seen on survey I have a very narrow and long lot. All sides and back of my house slopes down to the lake. North side has a 4 foot slope to neighbors fence , South side is the driveway and no room to build due to set backs and slope to lake, and the East side has steep slope to lake. So my only option is to build in front of house. The front of property is fairly level.

The building I had installed by a Company I was told would take care of all paperwork (my fault for not checking).The area I picked seemed to be the best spot (close enough to house and far from roadway and as little impact on neighbors as possible). The area has been landscaped and trees planted to have a good appeal.

The building as shows on survey is just on the west side of the half way point. If building would have been installed 40 back the impact from roadway would be the same and the neighbors would be looking at it through the windows (I would like to avoid that).The building is now 230 feet from front property line and 8feet from side line.

To move the building would be a financial burden at around 6000.00 dollars. I cannot afford this cost.

RECEIVED

JUN 12 2017

Zoning Division

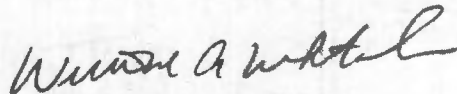
The building is 30feet long x 20feet wide x 12 feet high at center . Slab was poured 5inches thick 12x18 inch footers with steel. 4000psi fibermesh concrete. A 20feet long x 10 feet wide slated cover roof on side for boat storage.

My neighbors the North have written a letter in my behalf, the property to the South is vacant and run down (no one lives there at this time)No neighbors have ever complained about my property. I keep it up and maintained.

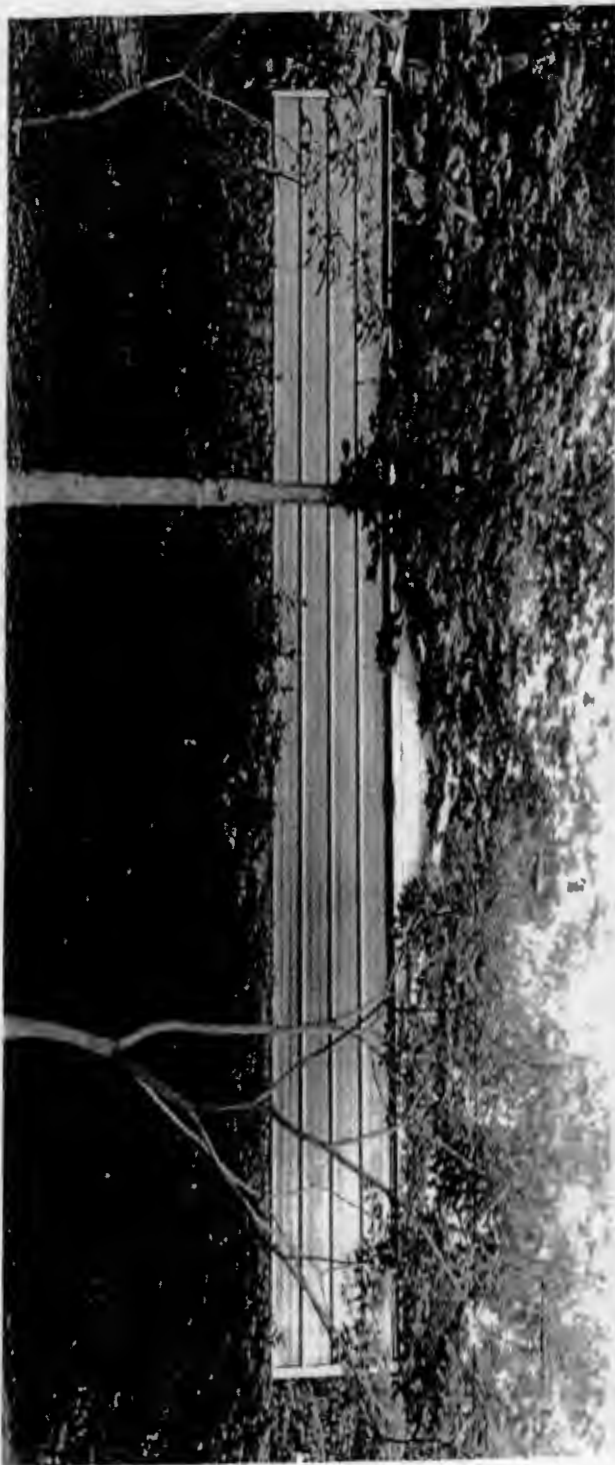
Please consider this variance,

Sincerely

William A Whitaker

A handwritten signature in dark ink, appearing to read "William A Whitaker", written in a cursive style.







STAFF REPORT
CASE #VA-17-08-071
Orange County Zoning Division
Planner: Marla Molina
Board of Zoning Adjustment
August 3, 2017
Commission District: 2

GENERAL INFORMATION:

APPLICANT: William Whitaker

REQUEST: Variance in the R-CE zoning district to allow existing 1,200 sq. ft. detached accessory building (garage/carport) to remain in front of the principal residence in lieu of rear or side of the residence.

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

LOCATION: East side of Laughlin Road, approximately 850 ft. north of the N. Orange Blossom Trail, on the west side of Lake Maggiore

PROPERTY ADDRESS: 3615 Laughlin Road, Zellwood, FL 32798

PARCEL ID: 15-20-27-9504-00-510

PUBLIC NOTIFICATION: 65

TRACT SIZE: 1.5 acres

DISTRICT #: 2

ZONING: R-CE

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): Detached Garage/Carport

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

STAFF FINDINGS AND ANALYSIS:

1. On May 23, 2017, the Code Enforcement Division issued a violation at the subject property for an accessory building (garage/carport) erected on the property without a permit.
2. According to the Orange County Property Appraiser's (PA) website the applicant purchased the home on February 24, 2012. Aerial photos from the PA's website show that the garage was constructed sometime in 2013.
3. The applicant states that he hired a company to install the structure and he was told that the company would take care of the permitting.
4. The applicant has planted trees and landscaping around the structure to lessen any impact to adjacent neighbors.
5. Due to the placement of the home there is insufficient space to place the structure to the rear of the residence. In addition, this is a lakefront lot and doing so would partly obstruct the view of the lake.
6. Staff prefers that boats, lawn equipment, and other household items be stored in a structure rather than outdoors.
7. Approval of the request will not adversely impact anyone as the garage is hidden from view of the street and is located approximately 230 feet from the front yard property line.
8. If approved, the variance will be in harmony with the purpose and intent of Zoning Regulations and such zoning variances will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
9. The most impacted neighbor has submitted a letter of support.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 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;
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 all proper permits within 180 days or this approval becomes null and void.

cc: William Whitaker
3615 Laughlin Road
Zellwood, Florida 32798

GLEN SCHOEN
VA-17-08-072

REQUEST: Variance in the R-1A zoning district to construct an accessory structure (garage) with 1,200 sq. ft. of floor area in lieu of 500 sq. ft.
ADDRESS: 3125 Cavalier Avenue, Orlando, FL 32833
LOCATION: East side of Cavalier Avenue, approximately 325 ft. south of Wembley Avenue
S-T-R: 10-23-32
TRACT SIZE: 150 ft. x 300 ft.
DISTRICT#: 5
LEGAL: CAPE ORLANDO ESTATES UNIT 12A 4/66 LOT 7 BLK 15 SEE 5550/1117
PARCEL ID: 10-23-32-1184-15-070
NO. OF NOTICES: 31

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; 7-0):

1. Development in accordance with site plan dated June 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. The accessory building shall be constructed of materials that are commonly used for single family home construction.
5. The accessory building shall be setback a minimum of twenty (20) feet from the side and rear (north, east, and south) property lines.

SYNOPSIS: The applicant requested a variance to construct a 1,200 sq. ft. detached accessory structure (shed) in lieu of 500 sq. ft.

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

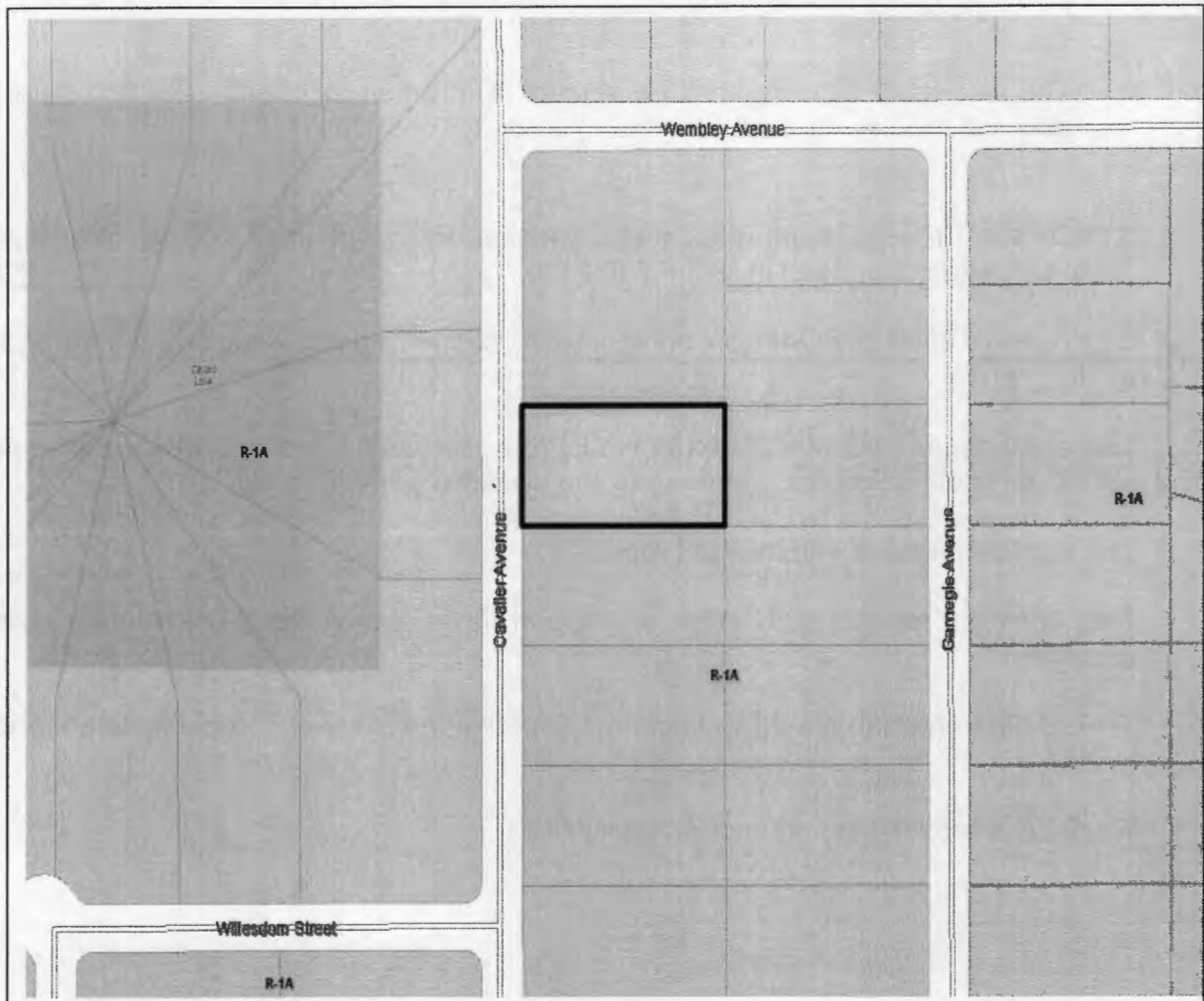
The applicant and his wife spoke to the BZA to discuss the reasons why the proposed structure should be placed in the requested location on the property.

The applicant agreed with the staff report.

The applicant provided a letter of support from the Wedgefield Home Owners' Association.

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

The BZA approved the variance with conditions.



Applicant: Glen Schoen

BZA Number: VA-17-08-072

BZA Date: 08/03/2017

District: 5

Sec/Twn/Rge: 11-23-32-SW-C

Tract Size: 150 ft. x 300 ft.

Address: 3125 Cavalier Avenue, Orlando, FL 32833

Location: East side of Cavalier Avenue, approximately 325 ft. south of Wembley Avenue

June 14, 2017

Orange County Zoning Division
201 S. Rosalind Avenue Post Office Box 2687
Orlando, Florida 32802-2687

RE: Application to Board of Zoning Adjustment – Variance for Accessory Structure
PARCEL ID: #10-23-32-1184-15-070 (Lot Size 1.03 acres)
Legal Description: Lot 7/Block 15/Cape Orlando Estates Unit 12A

Variance for Accessory Structure

The variance request is being made due to the land is zoned R-1A which only allows a 500 sq ft detached accessory structure. This property is over one (1) acre in size and should be allowed to have a large accessory structure per the neighborhood and the surrounding properties. The building will be used to store the family recreational vehicle. This accessory structure has been approved by the Wedgefield Homeowners Association, Inc.; paperwork has been included with this request. We have also received approval from Ranger Drainage District (permit D17-24) a copy of that permit is also included in this package.

Proposed Detached Accessory Building:

Building Size will be 1200 sqft a 30'x40'x16' A-Frame Enclosed with Vertical roof at 19.5', 26GA metal roof & stucco embossed siding per OC code, One (1) 10'x8' Roll up garage door (Front end wall), One (1) 12'x14' Roll up garage door (Front end wall), One (1) 3680 Standard walk door (right side wall), Four (4) PGT SH200 Windows (2 on each side walls).

The distances from property lines will be as follows for the accessory building:

Front: 125.00'

Rear: 133.00'

Left side: 7.50'

Right side: 112.00'

RECEIVED

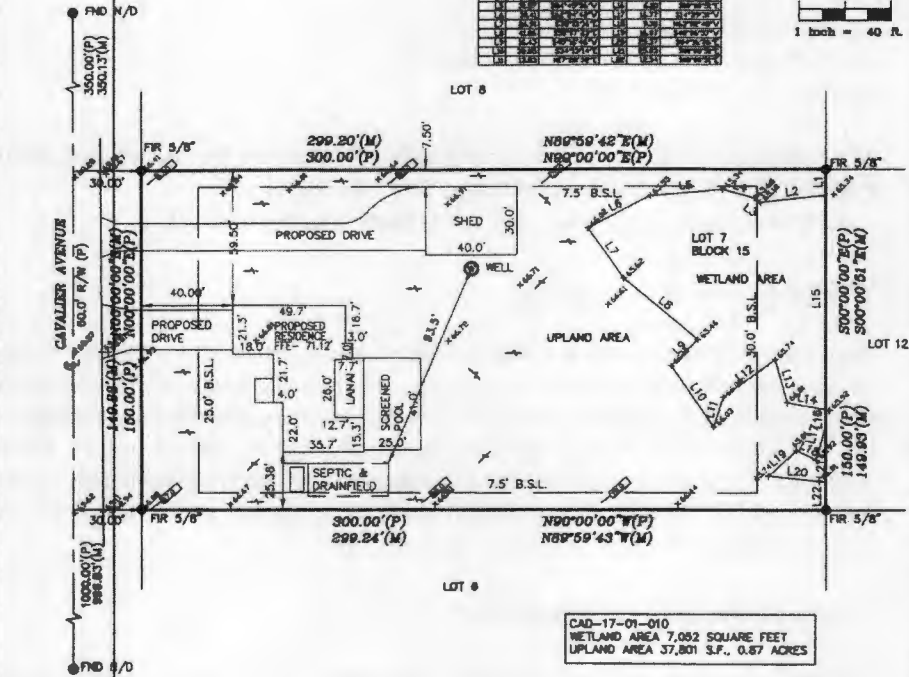
JUN 13 2017

Zoning Division



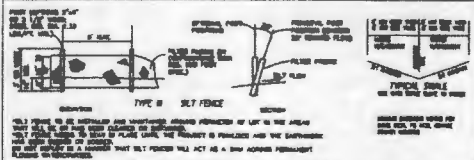
LEGAL DESCRIPTION
 LOT 7, BLOCK 15,
 CAPE ORLANDO ESTATES UNIT 12A,
 AS RECORDED IN PLAT BOOK 4, PAGES 66-70,
 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

WETLAND LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	10.40	S89°59'25"E	L11	88.68	N00°00'00"E
L2	10.40	S89°59'25"E	L12	88.68	N00°00'00"E
L3	10.40	S89°59'25"E	L13	72.71	S77°49'50"E
L4	10.40	S89°59'25"E	L14	54.55	S00°00'00"E
L5	10.40	S89°59'25"E	L15	46.40	S00°00'00"E
L6	10.40	S89°59'25"E	L16	38.25	S00°00'00"E
L7	10.40	S89°59'25"E	L17	30.10	S00°00'00"E
L8	10.40	S89°59'25"E	L18	21.95	S00°00'00"E
L9	10.40	S89°59'25"E	L19	13.80	S00°00'00"E
L10	10.40	S89°59'25"E	L20	5.65	S00°00'00"E



PROPERTY ADDRESS:
 CAVALIER AVENUE
 ORLANDO, FLORIDA 32833
 PARCEL ID #12-23-32-1184-15-070

LEGEND & ABBREVIATIONS	
FW	FOUNDED WOOD PILE
FR	FOUND IRON ROD
SR	SET IRON ROD
PSM	PROFESSIONAL SURVEYOR
M	MAPPER
FVE	FINISHED FLOOR ELEVATION
R/W	RIGHT OF WAY
CMON	CONCRETE MONUMENT
E/P	EDGE OF PAVEMENT
A/C	AIR CONDITIONER
LS	LOCKED BUSINESS
CSMC	CONCRETE
B.S.L.	BUILDING SETBACK LINE
PP	POWER POLE
(P)	PLAT
(A)	ADJUSTED
(C)	CALCULATED
(M)	MEASURED
(D)	DEED
(O)	OUTLINE
(A)	PROPOSED DRAINAGE
(A)	ARROW
(G)	GROUND ELEVATION
(P)	PROPOSED ELEVATION



- REMARKS:**
1. BASIS OF SURVEY - THE WESTERLY LINE OF LOT 7, BLOCK 15, CAPE ORLANDO ESTATES UNIT 12A, AS RECORDED IN PLAT BOOK 4, PAGES 66-70, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AS BEING N00°00'00"E, PER PLAT.
 2. DATE OF FIELD SURVEY: BOUNDARY - 12/8/16; SITE PLAN 3/20/17.
 3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
 4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING BUILDING TIES.
 5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
 6. BASED UPON MY REVIEW OF THE "FLOOD INSURANCE RATE MAP" OF ORANGE COUNTY, FLORIDA, COMMUNITY PANEL NO. 12085C000P, EFFECTIVE DATE SEPTEMBER 28, 2009, THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL FLOOD CHANCE FLOODPLAIN.
 7. THE WETLAND LINES WERE TAKEN FROM A PREVIOUS SURVEY PROVIDED BY THE CLIENT.
 8. SURVEY FILE NUMBER: 17-03-085 (16-11-043).
 9. ALL ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) SPECIFICALLY TO ORANGE COUNTY BENCHMARK "A1802013" SET SQUARE CUT IN C/L OF CONCRETE INTERED HEADWALL AT 3831 & 3761 DALLAS BLVD. HAVING AN ELEVATION OF 80.081 FEET.

BOUNDARY SURVEY

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

[Signature]

FAUN M. HOFFMAN, L.S. 6552
 HAHN SURVEY CONSULTANTS, LLC, L.S. 7821

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL PRINTED NAME OF A FLORIDA LICENSED SURVEYOR
 DATE OF SURVEY: MARCH 20, 2017

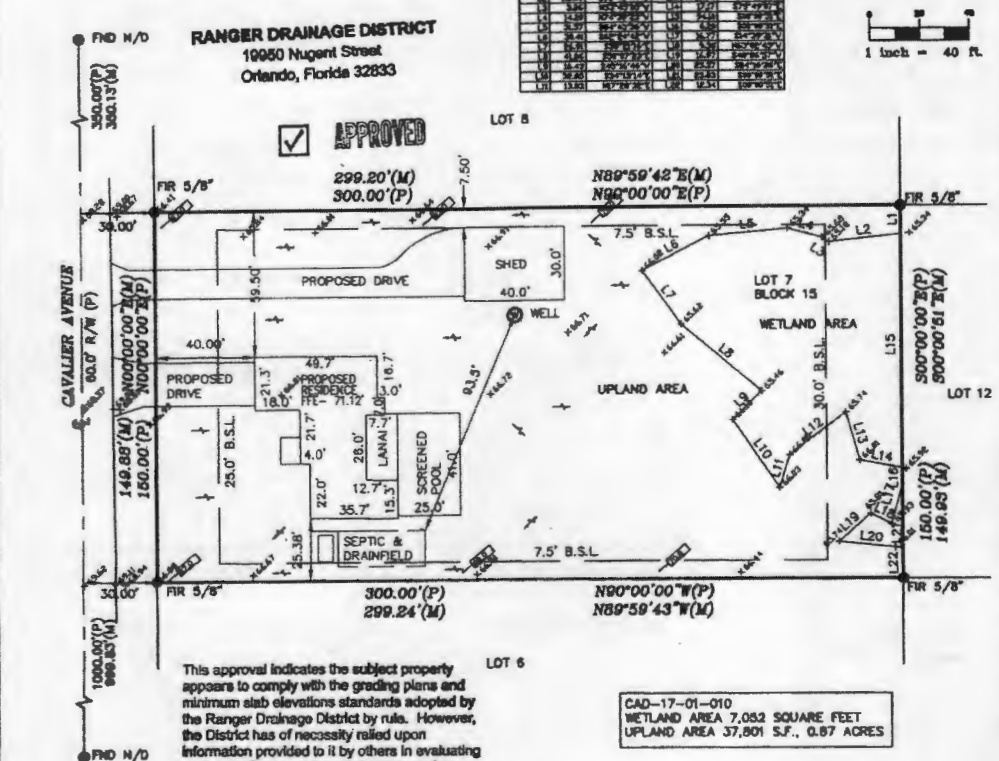
RECEIVED
 JUN 13 2017
 Zoning Division



MINIMUM FINISH FLOOR ELEVATION
NOT LESS THAN 1' ABOVE CROWN OF ROAD
Ranger Drainage District

LEGAL DESCRIPTION
LOT 7, BLOCK 13,
CAPE ORLANDO ESTATES UNIT 12A,
AS RECORDED IN PLAT BOOK 4, PAGES 66-70,
OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

LINE LENGTH	BEARING	LINE LENGTH	BEARING
12.14	S89°59'42"E(M)	12.14	S89°59'42"E(M)
12.14	S89°59'42"E(M)	12.14	S89°59'42"E(M)
12.14	S89°59'42"E(M)	12.14	S89°59'42"E(M)
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12.14	S89°59'42"E(M)	12.14	S89°59'42"E(M)
12.14	S89°59'42"E(M)	12.14	S89°59'42"E(M)

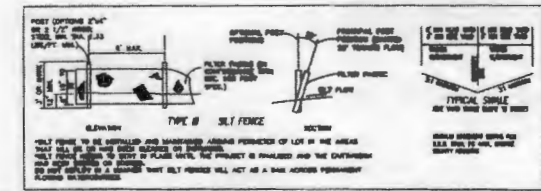


This approval indicates the subject property appears to comply with the grading plans and minimum slab elevations standards adopted by the Ranger Drainage District by rule. However, the District has of necessity relied upon information provided to it by others in evaluating such compliance, and cannot vouch nor be responsible for the accuracy of the approval or the information upon which it is based.

CAD-17-01-010
WETLAND AREA 7,082 SQUARE FEET
UPLAND AREA 37,801 S.F., 0.87 ACRES

PROPERTY ADDRESS:
CAVALIER AVENUE
ORLANDO, FLORIDA 32833
PARCEL ID #10-23-32-1184-15-070

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
FP	FOUND IRON PIPE	(P)	PLAT
FR	FOUND IRON ROD	(A)	ASSUMED
SR	SET IRON ROD	(C)	CALCULATED
PSM	PROFESSIONAL SURVEYOR & MAPPER	(M)	MEASURED
FTE	FINISHED FLOOR ELEVATION	(D)	DEED
R/W	RIGHT OF WAY	(E)	ENTRANCE
CHGN	CONCRETE MONUMENT	(D)	PROPOSED DRAINAGE
E/P	EDGE OF PAVEMENT	(A)	ARROW
A/C	AIR CONDITIONER	(G)	GROUND ELEVATION
LB	LICENSED BUSINESS	(P)	PROPOSED ELEVATION
CONC	CONCRETE		
B.S.L.	BUILDING SETBACK LINE		
PP	POWER POLE		



- SURVEYOR'S NOTES:**
1. BASIS OF BEARING - THE WESTERLY LINE OF LOT 7, BLOCK 13, CAPE ORLANDO ESTATES UNIT 12A, AS RECORDED IN PLAT BOOK 4, PAGES 66-70, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AS BEING N00°00'00"E, PER PLAT.
 2. DATE OF FIELD SURVEY: BOUNDARY - 12/8/18; SITE PLAN 3/20/17.
 3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
 4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING BUILDING TIES.
 5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
 6. BASED UPON MY REVIEW OF THE "FLOOD INSURANCE RATE MAP" OF ORANGE COUNTY, FLORIDA, COMMUNITY PANEL NO. 1209505000F, EFFECTIVE DATE SEPTEMBER 25, 2009, THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL FLOOD CHANCE FLOODPLAIN.
 7. THE WETLAND LINES WERE TAKEN FROM A PREVIOUS SURVEY PROVIDED BY THE CLIENT.
 8. SURVEY FILE NUMBER: 17-03-055 (16-11-043).
 9. ALL ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) SPECIFICALLY TO ORANGE COUNTY BENCHMARK "A1803013" SET SQUARE CUT IN C/L OF CONCRETE MITERED HEADWALL AT 3831 & 3761 DALLAS BLVD., HAVING AN ELEVATION OF 60.081 FEET.

BOUNDARY SURVEY

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

[Signature]
FAUN M. HOFFMEIER, P.S.M. LS 6552
HMH SURVEY CONSULTANTS, LLC LB 7821
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL BOUNDARY SEAL OF A FLORIDA LICENSED SURVEYOR
DATE OF SURVEY: MARCH 20, 2017



STAFF REPORT
CASE #VA-17-08-072
Orange County Zoning Division
Planner: Marla Molina
Board of Zoning Adjustment
August 3, 2017
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Glen Schoen

REQUEST: Variance in the R-1A zoning district to construct an accessory structure (garage) with 1,200 sq. ft. of floor area in lieu of 500 sq. ft.

LOCATION: East side of Cavalier Avenue, approximately 325 ft. south of Wembley Ave.

PROPERTY ADDRESS: 3125 Cavalier Avenue, Orlando, FL 32833

PARCEL ID: 10-23-32-1184-15-070

PUBLIC NOTIFICATION: 31

TRACT SIZE: 150 ft. x 300 ft.

DISTRICT #: 5

ZONING: R-1A

EXISTING USE(S): Vacant

PROPOSED USE(S): Single Family Residence w/Detached Garage

SURROUNDING USES: This property abuts vacant land to the north, south, and east. There is a single family residence to the west.

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to construct a 1,200 sq. ft. detached accessory structure (garage) in lieu of 500 sq. ft.

2. The proposed structure is approximately 120 feet from the front yard property line (west) and 7.5 feet from the side yard property line (north). The applicant has positioned the structure as to not encroach onto the wetland area and on any well.
3. The applicant has obtained permit approval from the Ranger Drainage District acknowledging the proposed improvements to the subject property.
4. The Environmental Protection Division reviewed the site plan and determined that wetlands are located on the site. Orange County Conservation Area Determination CAD-17-01-010 was issued for this property on February 8, 2017. Approval of this request does not authorize any direct or indirect conservation area impacts. The plan submitted with this application shows the wetland line from the CAD and the proposed garage is over twenty-five (25) feet away from the wetlands.
5. The amount of variance deviation requested is 140%. However, a review of the historical Board Zoning Adjustment approvals in this area shows that other properties were granted variances and special exceptions to build accessory structures ranging in size from 1,200 sq. ft. to 2,300 sq. ft.
6. Granting this variance would not confer any special privilege to this applicant that was not conferred to others in the same area.
7. Approval of the zoning variance will be in harmony with the character of the Wedgefield development.
8. The applicant has provided a letter of support from the Wedgefield Home Owners' Association.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 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. The accessory building shall be constructed of materials that are commonly used for single family home construction; and
5. The accessory building shall be setback a minimum of twenty (20) feet from the side and rear (north, east, and south) property lines.

cc: Tamara Edgington (Applicant's Representative)
2215 Cluster Oak Drive, Suite 2
Clermont, Florida 34711

Glen Schoen
4007 Coronet Avenue
Merritt Island, Florida 32953

JOHN MORRIS
VA-17-08-074

REQUEST: **Variance** in the R-1A zoning district to construct covered back porch 20 ft. from rear (south) property line in lieu of 30 ft.
(Note: The subject property backs up to a drainage canal).

ADDRESS: 20922 Nettleton Street, Orlando, FL 32833

LOCATION: South side of Nettleton Street, approximately 325 ft. west of Abalone Boulevard

S-T-R: 01-23-32

TRACT SIZE: 80 ft. x 125 ft.

DISTRICT#: 5

LEGAL: ROCKET CITY UNIT 4 Z/74 A/K/A CAPE ORLANDO ESTATES
UNIT 4 1855/292 LOT 18 BLK 58

PARCEL ID: 01-23-32-7602-58-180

NO. OF NOTICES: 64

DECISION: APPROVED the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 7-0):

1. Development in accordance with site plan dated June 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.

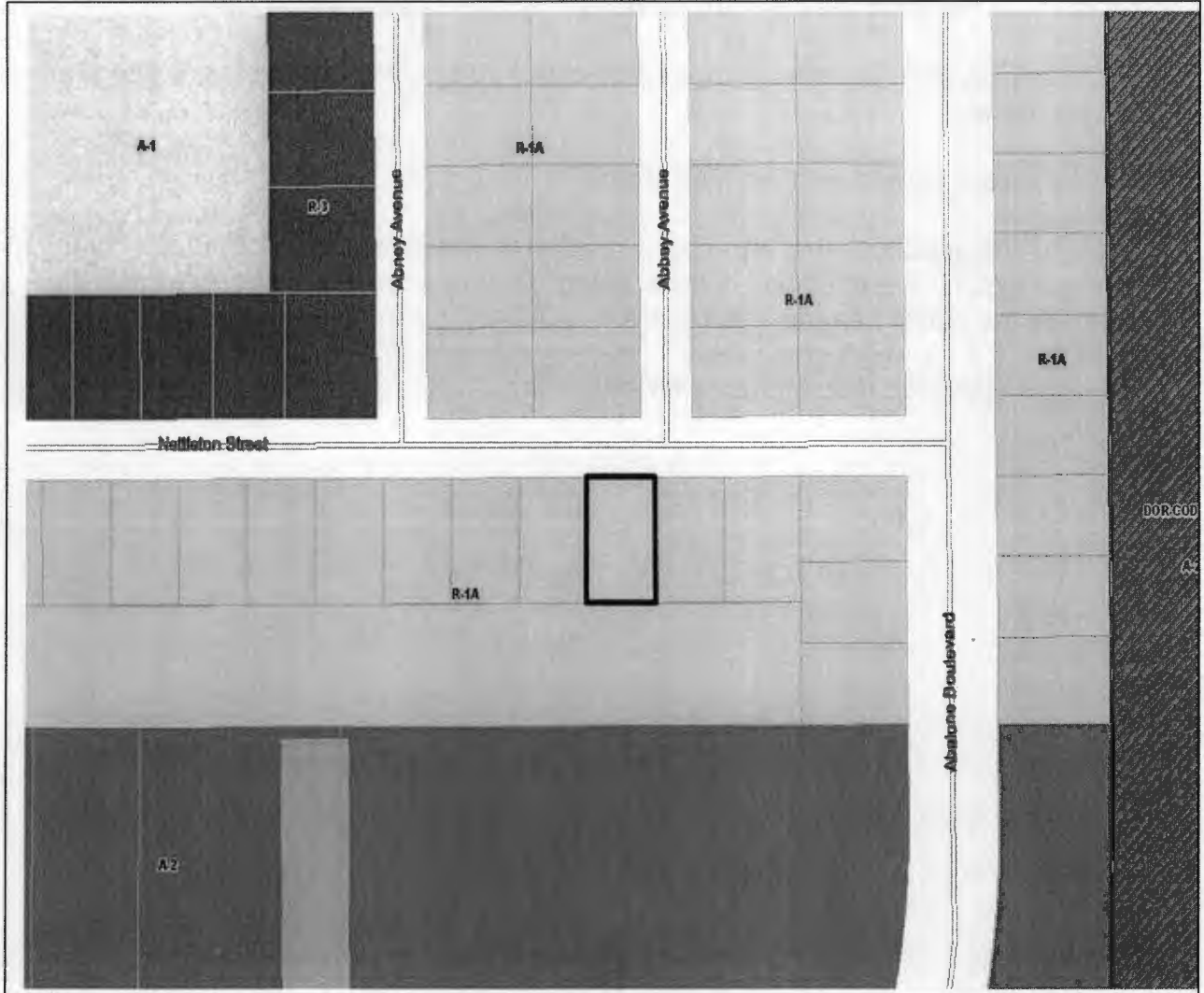
SYNOPSIS: The applicant requested a variance to construct covered back porch twenty (20) feet from rear (south) property line in lieu of thirty (30) feet.

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

The applicant agreed with the staff report.

Prior to the meeting, the applicant provided a letter of support from the Wedgefield Home Owners' Association. There being no one present to support or oppose the request, the public hearing was closed.

The BZA approved the variance with conditions.



Applicant: John Morris

BZA Number: VA-17-08-074

BZA Date: 08/03/2017

District: 5

Sec/Twn/Rge: 12-23-32-NE-A

Tract Size: 80 ft. x 125 ft.

Address: 20922 Nettleton Street, Orlando, FL 32833

Location: South side of Nettleton Street, approximately 325 ft. west of Abalone Boulevard

John Morris
20203 Peabody St.
Orlando, FL, 32833
772-971-5659

June 13, 2017

Orange County Planning and Zoning

Reference Property: 20922 Nettleton St. Orlando, FL, 32833

To Whom It May Concern,

This letter is to define the request for a variance to the rear yard setback of the above reference property. The lot was purchased for the purpose of building a new residential home. The new construction home will have 2,200 square feet of livable square footage. The home was designed prior to the lot purchase. The new home does abide front and side yard setbacks.

The new home's covered back porch infringes on the rear yard setback. The covered back porch is 10 ft. deep and 40 ft. wide. The covered back porch will be attached to the main structure of the home. It will be constructed with a reinforced concrete slab, block columns with a stucco finish, trusses, drywall ceiling, and asphalt shingle roof. The building materials of the covered back porch will be a part of and consistent with the main structure of the home. The covered back porch will add 400 square feet to the total square footage of the home. The variance request is to change the rear yard setback from 30 feet to 20 feet to accommodate the covered back porch. This request will still allow for the home to have a rather large yard. The purposed dimensions of the rear yard are 20 ft. deep by 80 ft. wide (approx. 1,600 sq. ft.).

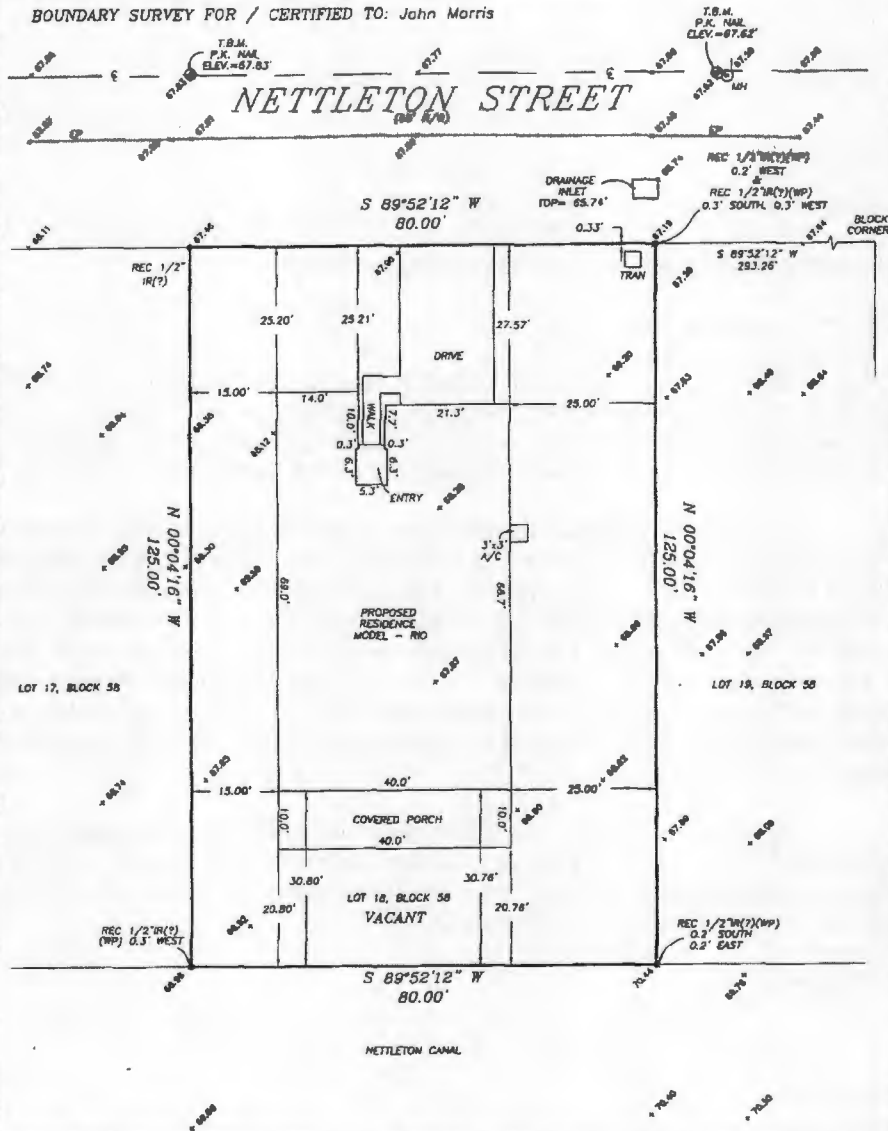
This request will have minimal impact on the community. There are neighbors on either side of the home. The rear of the home faces a power line easement where no homes can be constructed. There is an immediate plan to fence in the rear yard with a white or tan PVC style fence, once the home has been constructed and has Certificate of Occupancy.

Thank you,

John Morris

DESCRIPTION AS FURNISHED: Lot 18, Block 58, ROCKET CITY UNIT 4, as recorded in Plat Book Z, Pages 74 through 81 of the Public Records of Orange County, Florida.

BOUNDARY SURVEY FOR / CERTIFIED TO: John Morris



RECEIVED
JUN 13 2017
Zoning Division

GRUSENMEYER-SCOTT & ASSOC., INC. - LAND SURVEYORS

5400 E. COLONIAL DR. ORLANDO, FL 32807 (407)-277-3232 FAX (407)-658-1436

NOTES:

1. THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND APPROVED BY CHAPTER 33-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 475.027, FLORIDA STATUTES.
2. UNLESS INDICATED WITH SURVEYOR'S SIGNATURE AND ORIGINAL PAPER SEAL, THIS SURVEY MAP OR COPIES ARE NOT VALID.
3. THIS SURVEY HAS BEEN PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR EASEMENTS THAT AFFECT THIS PROPERTY.
4. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
5. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
6. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
7. BENCHMARKS ARE BASED ASSUMED DATUM AND ON THE LINE SHOWN AS BENCH BEARING (DUE).
8. DIMENSIONS, IF SHOWN, ARE BASED ON NORTH AMERICAN HORIZONTAL DATUM OF 1983, UNLESS OTHERWISE NOTED.
9. CERTIFICATE OF AUTHORIZATION NO. 4384.
10. BENCHMARK USED: ORANGE COUNTY BENCHMARK POINT-51377039 ELEV.-66.88' (WV0808)

CERTIFIED BY:

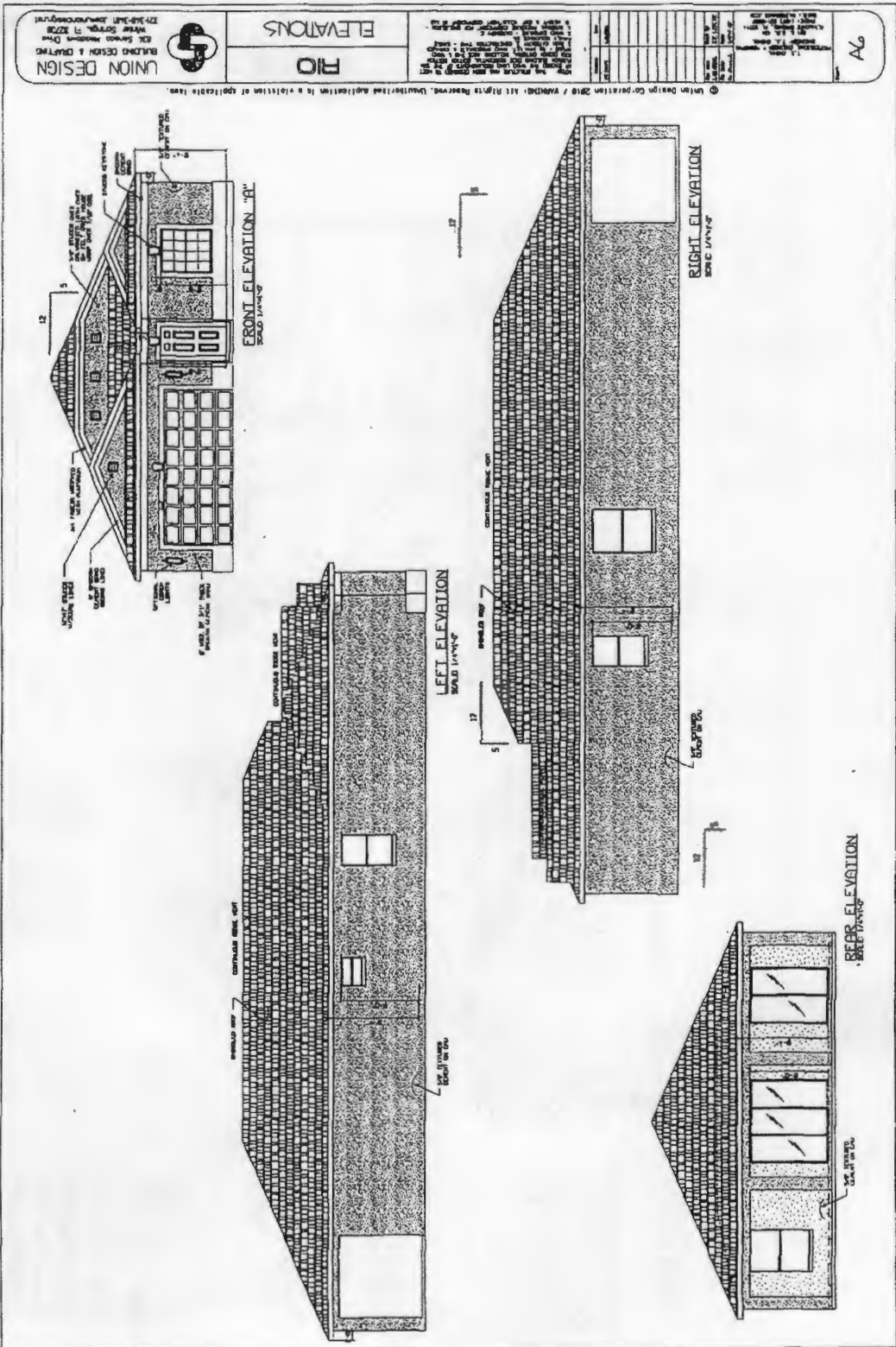
TOM V. GRUSENMEYER, R.L.S. # 4714
JAMES W. SCOTT, R.L.S. # 4801

SCALE 1" = 20'

DATE: BOUNDARY SURVEY/TOPOGRAPHY 04-14-2017
PLOT PLAN 05-25-2017

ORDER NO. 1384-17
1817-17

THIS BUILDING/PROPERTY DOES NOT LIE WITHIN THE ESTABLISHED 100 YEAR FLOOD PLANE AS PER "FIRM" ZONE "X" MAP # 12083C0318F (04-28-2009)



1. A HOUSE IN PARTIAL VIEW IS SHOWN
BASED ON THE HOUSE PLAN AND
1/4" SECTION VIEWS FOR THE HOUSE.

2. HOUSE IN PARTIAL VIEW IS SHOWN

3. HOUSE IN PARTIAL VIEW IS SHOWN
BASED ON THE HOUSE PLAN AND
1/4" SECTION VIEWS FOR THE HOUSE.

4. HOUSE IN PARTIAL VIEW IS SHOWN

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BASED ON THE HOUSE PLAN AND
1/4" SECTION VIEWS FOR THE HOUSE.

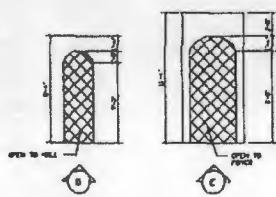
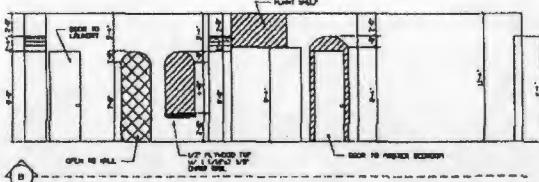
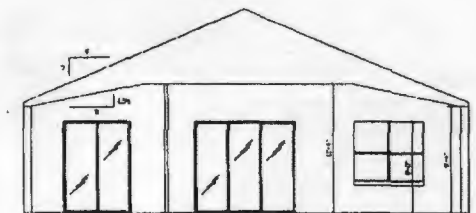
6. HOUSE IN PARTIAL VIEW IS SHOWN
BASED ON THE HOUSE PLAN AND
1/4" SECTION VIEWS FOR THE HOUSE.

GENERAL NOTES

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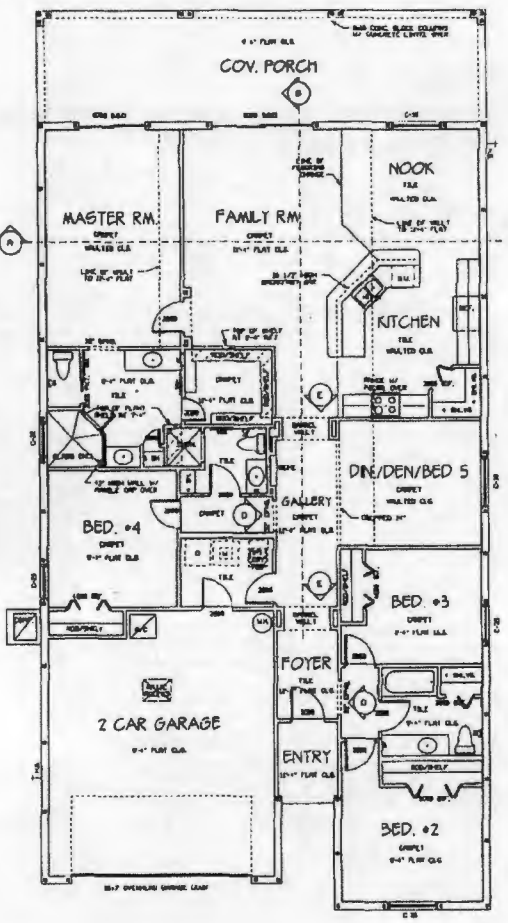
STRUCTURAL, MECH. & ELEC. NOTES

1. HOUSE IN PARTIAL VIEW IS SHOWN
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SQUARE FOOTAGE			
A/C LIVING	750	SQ. FT.	
KITCHEN	450	SQ. FT.	
COVERED PORCH	450	SQ. FT.	
COVERED ENTRY	37	SQ. FT.	
TOTAL UNDER ROOF 3080 SQ. FT.			

EXTERIOR DIMENSIONS:
46'0"



NOTES: 1. HOUSE IN PARTIAL VIEW IS SHOWN
BASED ON THE HOUSE PLAN AND
1/4" SECTION VIEWS FOR THE HOUSE.

UNION DESIGN
BUILDING DESIGN & DRAFTING
101 S. 1st St., Suite 100
Tulsa, OK 74103
Tel: 918.492.1234
Fax: 918.492.1235
www.uniondesign.com

FLOOR PLAN

A4



STAFF REPORT
CASE #VA-17-08-074
Orange County Zoning Division
Planner: Marla Molina
Board of Zoning Adjustment
August 3, 2017
Commission District: 5

GENERAL INFORMATION:

APPLICANT: John Morris

REQUEST: Variance in the R-1A zoning district to construct covered back porch 20 ft. from rear (south) property line in lieu of 30 ft.

(Note: The subject property backs up to a drainage canal.)

LOCATION: South side of Nettleton Street, approximately 325 ft. west of Abalone Boulevard

PROPERTY ADDRESS: 20922 Nettleton Street, Orlando, FL 32833

PARCEL ID: 01-23-32-7602-58-180

PUBLIC NOTIFICATION: 64

TRACT SIZE: 80 ft. x 125 ft.

DISTRICT #: 5

ZONING: R-1A

EXISTING USE(S): Vacant

PROPOSED USE(S): Single Family Residence

SURROUNDING USES: This property abuts single family residences to the north, east, and west. There is a drainage canal to the south.

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to construct a single family residence (2,200 sq. ft.) to include a covered porch twenty (20) feet from rear (south) property line in lieu of thirty (30) feet.

2. The subject property backs up to a drainage canal. No other single family residences will be constructed in the rear of the proposed structure.
3. The Environmental Protection Division reviewed the site plan and has no objections at this time.
4. The request constitutes infill development on a reasonable sized lot.
5. The amount of variance deviation requested is thirty-three percent (33%) and the proposal shows that the applicant has made efforts to design the structure by requesting a minimal variance.
6. Staff has no objections to this request since the variance request is minimal and it will make possible the reasonable use of the land, building, or structure.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 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; 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: John Morris
20203 Peabody Street
Orlando, Florida 32833

MARCO LOLEIT
VA-17-08-077

REQUEST: Variance in the R-1AA zoning district to erect fence in the front yard 6 ft. in height in lieu of 4 ft.
ADDRESS: 5516 Parkdale Drive, Orlando, FL 32839
LOCATION: West side of Parkdale Drive, south of W. Mary Jess Rd.
S-T-R: 23-23-29
TRACT SIZE: 2.9 acres
DISTRICT#: 3
LEGAL: REPLAT OF JESSAMINE BEACH R/37 LOTS 2 & 3 BLK B
PARCEL ID: 23-23-29-3984-02-020
NO. OF NOTICES: 345

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 (5 in favor and 2 opposed):

1. Development in accordance with site plan dated June 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.
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 and showed photographs of the location.

The BZA confirmed the location of the fence and the locations of the neighbors who were opposed. The BZA read an e-mail in opposition to the request.

A resident of the area spoke in opposition, stating that the area is an open neighborhood of older homes and that the applicant is trying to wall off part of a neighborhood. She also stated that the fence would impede visibility for traffic.

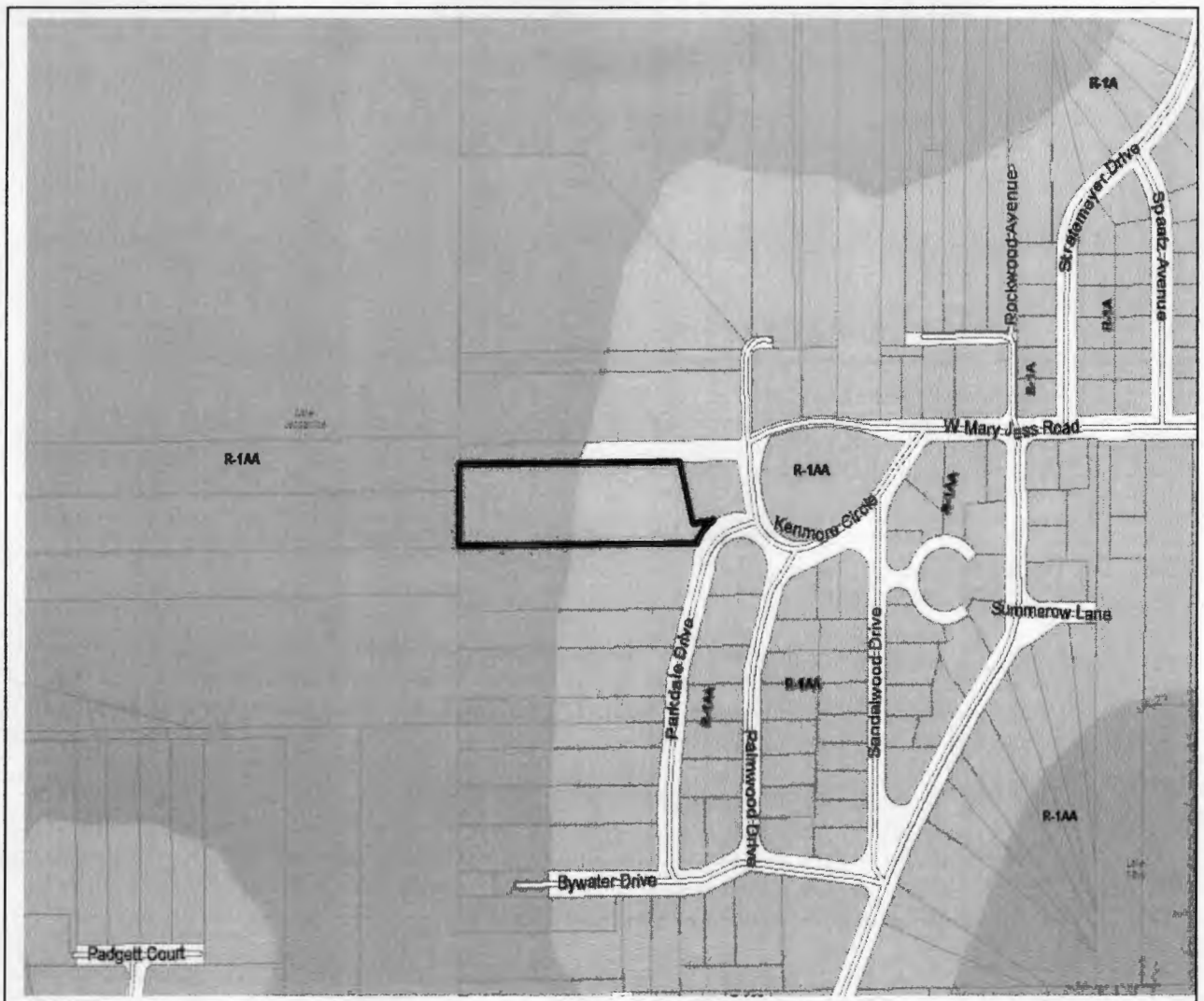
The applicant described the fence and gate, and, stated the property is heavily landscaped. The applicant stated that the fence is for privacy and security, and, will not affect visibility. The applicant, also, stated that there are special conditions and circumstances due to the shape of the lot and the unique stub out and setback lines, and it would not be viable to move the fence further back.

The BZA confirmed that a four (4) foot high fence could be built without a variance and noted there was a variance that was granted for an eight (8) foot high wall across the street.

The BZA debated if the fence could be out of character with the other homes on the lake as opposed to the homes across the street. The BZA did not agree the fence would impede traffic visibility.

Staff received three (3) commentaries in favor of the application and six (6) commentaries in opposition.

The BZA approved the variance.



Applicant: Marco Loliet

BZA Number: VA-17-08-077

BZA Date: 08/03/2017

District: 3

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

Tract Size: 2.9 acres

Address: 5516 Parkdale Drive, Orlando FL 32839

Location: West side of Parkdale Drive, south of W. Mary Jess Road



REPLY TO: WINTER GARDEN

June 14, 2017

VIA HAND DELIVERY

Rocco Relvini
Orange County Zoning
201 S. Rosalind Avenue
Orlando, Florida 32802

Re: 5516 Parkdale Drive – Application for Variance

Dear Mr. Relvini:

Our firm represents Marco Loleit, who is the owner of the property located at 5516 Parkdale Drive, Orlando, Florida ("Property"). The Property is located on Lake Jessamine, west of Orange Avenue and north of Oak Ridge Road. In 2015, Mr. Loleit built a custom home on the Property which is his permanent residence.

Enclosed is an Orange County Board of Zoning Adjustment Application, together with the applicable fee of \$638.00, requesting approval of a variance to install approximately eighty-four (84) linear feet of a six (6) foot tall composite fence toward the front of the Property with a matching cantilever gate across the driveway for privacy and noise attenuation. Presently, there is an existing aluminum rod-iron style fence in the subject location.

As briefly discussed below, we respectfully submit that the subject request satisfies the variance criteria in Section 30-43(3) of the Orange County Code:

- **Special Conditions and Circumstances:** As reflected by the enclosed boundary survey, the eastern portion of the Property is uniquely shaped, which gives rise to a peculiar and narrow front entryway for purposes of access, building setbacks, and fencing purposes. Additionally, traffic associated with the industrial/commercial uses located at Mary Jess Road and Orange Avenue in close proximity to the Property inadvertently travel on Parkdale Drive at times, resulting in adverse noise impacts.
- **Not Self-Created:** The unique and peculiar shape of the Property is not self-created or self-imposed by the Applicant.

TALLAHASSEE
433 NORTH MAGNOLIA DRIVE
TALLAHASSEE, FLORIDA 32308
(850) 224-7332
FAX: (850) 224-7662

WINTER GARDEN
12200 WEST COLONIAL DRIVE, SUITE 300C
WINTER GARDEN, FLORIDA 34787
(407) 347-5388
FAX: (407) 264-6132

www.thertiaquelaw.com

Rocco Relvini
Orange County Zoning
June 14, 2017
Page 2

- No Special Privilege: The granting of the requested variance would not confer on the Applicant any special privilege that is denied to other lands in the same zoning district.
- Deprivation of Rights: Absent the requested variance, the ability of the Applicant to fence and gate the entry/driveway to his custom built home will be precluded or otherwise severely limited, thereby depriving the Applicant of needed privacy and noise attenuation.
- Minimum Possible Variance: The request seeks approval of a minor variance to allow a six (6) foot tall composite fence to extend beyond the thirty (30) foot building setback line as depicted on the enclosed boundary survey, together with a matching cantilever gate across the driveway, for privacy and noise attenuation. The requested fence will not otherwise impede the views from the front yards of the neighboring properties and the requested cantilever gate will move side-to-side and not open outward toward the right-of-way.
- Purpose and Intent: The requested variance is in harmony with the purpose and intent of the County's zoning regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. To the contrary, the high-end, horizontal composite fence the Applicant intends to install will enhance the area.

We appreciate Orange County Zoning Staff's support of the requested variance for the Property. As always, please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,



S. Brent Spain

Enclosures



General Job Description: The installation of approximately one hundred twenty-seven (127) linear feet of six foot in height charcoal gray, **Santa Fe Style, horizontal** composite fence by Natures Composites with one custom 12' slide gate. Materials will consist of eight foot on center horizontal board panels which include two posts and two rails each, slats sizes will be 1" x 6" x 8' T&G, posts size will be 2" x 2" x 8' with 60 lbs. of concrete per post. All materials are warranted by a limited lifetime warrantee as provided by the manufacturer. There is a one year craftsmanship warrantee on all work.

Legend:

6' HT Santa Fe Installation and Removal:

12' 4" Slide Gate:



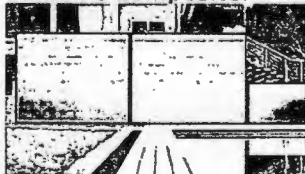
Stretch Indicator:



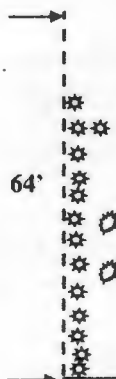
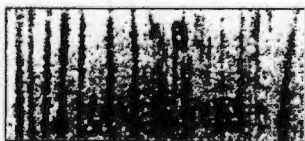
Stretch Note:



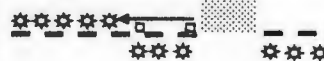
Santa Fe Composite:



Charcoal Gray Coloring:



In order for Slide Gate To Work, pudocurps will need to be place to the outside of fence line

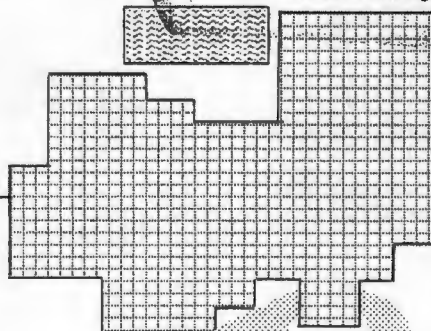


47.2'

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JUN 14 2017

**ORANGE COUNTY
ZONING DIVISION**



16



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JUN 14 2017
ORANGE COUNTY
ZONING DIVISION

- NOTES:**
1. The survey was made from the original survey of the land and the original survey of the land is the best evidence of the boundaries of the land.
 2. The survey was made from the original survey of the land and the original survey of the land is the best evidence of the boundaries of the land.
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 15. The survey was made from the original survey of the land and the original survey of the land is the best evidence of the boundaries of the land.

SHEET 1 OF 1 DATE: 06-14-17 DRAWN BY: [Signature] CHECKED BY: [Signature] APPROVED BY: [Signature]	FOR: MARCO LOEIT	BOUNDARY & TOPOGRAPHIC SURVEY OF 5516 PARKDALE DRIVE SECTION 23, TOWNSHIP 23 SOUTH, RANGE 28 EAST ORANGE COUNTY, FLORIDA	ALLEN COMPANY 18101 N. W. 10th Ave. Suite 200 Fort Lauderdale, FL 33305 (407) 834-0335
	100' SCALE 1" = 100'	100' SCALE 1" = 100'	100' SCALE 1" = 100'



STAFF REPORT
CASE #VA-17-08-077
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
August 3, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Marco Loliet

REQUEST: Variance in the R-1AA zoning district to erect fence in the front yard 6 ft. in height in lieu of 4 ft.

LOCATION: West side of Parkdale Drive, south of W. Mary Jess Rd.

PROPERTY ADDRESS: 5516 Parkdale Drive, Orlando, FL. 32839

PARCEL ID: 23-23-29-3984-02-020

PUBLIC NOTIFICATION: 345

TRACT SIZE: 2.9 acres

DISTRICT #: 3

ZONING: R-1AA

EXISTING USE(S): Single family residence

PROPOSED USE(S): 6 ft. high fence in the front yard

SURROUNDING USES: The property abuts single family residences in all directions and Lake Jessamine to the west.

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to construct a six (6) feet high fence and gate for an eighty-four (84) feet portion of the property that stubs out along the road.
2. The BZA approved a variance in 1979, for an eight (8) feet high wall in the front yard on a property located across the street.

3. The applicant stated the fence is for privacy and noise abatement purposes, and will be constructed out of aesthetically pleasing composite material with a matching cantilever gate.
4. The property is uniquely shaped with a narrow road frontage for driveway access.
5. Due to the curvature of the road, the proposed fence will not affect traffic visibility and will not impede views from front yards of adjacent properties.
6. Approval of the request will not adversely impact anyone and will not cause any negative impacts to the neighborhood.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 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: Brent Spain (Applicant Representative)
12200 W. Colonial Drive, Suite 300C
Winter Garden, Florida 34787

Marco Loliet
5516 Parkdale Drive
Orlando, Florida 32839

EASTLAND BAPTIST CHURCH, INC.
SE-17-08-075

REQUEST: **Special Exception** in the R-1AA zoning district to construct a 12,000 sq. ft. multipurpose building on the existing church campus.
(Note: The applicant had obtained approval for a 9,000 sq. ft. multipurpose building in 2008. However, due to the downturn in the economy they chose not to construct the structure and the approval expired.)

ADDRESS: 9000 Lake Underhill Road, Orlando FL 32825

LOCATION: South side of Lake Underhill Road, approximately 1/2 mile west of S. Econlockhatchee Trail

S-T-R: 31-22-31

TRACT SIZE: 19.3 acres

DISTRICT#: 3

LEGAL: THE W1/2 OF NW1/4 OF NW1/4 (LESS N 50 FT FOR RD) OF SEC 31-22-31

PARCEL ID: 31-22-31-0000-00-007

NO. OF NOTICES: 192

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 as amended (unanimous; 6-0, 1 abstained):

1. Development in accordance with site plan dated June 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. 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 project shall comply with Article XVI of Chapter 9 of the Orange County Code, Exterior Lighting Standards. All lighting shall be directional fixtures downlit in the dark skies method.
6. The exterior of the multipurpose building shall be painted to match or complement the colors of the existing building.
7. The multipurpose building shall not exceed 12,000 sq. ft. of air conditioned floor area.
8. No more than four (4) outdoor special events per calendar year and the hours of such events shall be limited from 8:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of thirty (30) days prior to the date of each event.
9. Prior to the issuance of permits the applicant shall complete an updated Conservation Area Determination.
10. The interior of the building will be insulated to reduce sound emissions from within.

SYNOPSIS: Staff explained the history of the property, including past Special Exceptions on the property. One of the past approvals was for a 9,000 sq. ft. multipurpose building. However, due to economic reasons, the building was never constructed, and the approval lapsed. Staff noted that the proposed building would be over 140 feet from the side (west) property line and over 430 feet from the rear (south) property line. Staff noted that they had received two (2) correspondences in support and three (3) correspondences in opposition.

The applicant's agent indicated that they were in agreement with the staff recommendation, however, they would like to omit the requirement for stuccoing the metal exterior of the building since it was behind the sanctuary/school and set back far from any property line. Plus, there is an existing wetland along the west property line

which contains a significant tree stand which cannot be altered. There being no one in attendance to speak for or against the request, the public hearing was closed.

One member of the BZA stated that they had graduated from the school, and that their children attend the school. In order to avoid any appearance of a conflict, this Board member chose to recuse himself from the case.

In their deliberation, the BZA asked the applicant if they would be willing to paint the building a color matching or complimentary to that of the main building. The applicant agreed. A motion was made and seconded to recommend approval of the Special Exception with the modified condition regarding the building exterior.



Applicant: Eastland Baptist Church, Inc.

BZA Number: SE-17-08-075

BZA Date: 08/03/2017

District: 3

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

Tract Size: 19.3 acres

Address: 9000 Lake Underhill Road, Orlando, FL 32825

Location: South side of Lake Underhill Road, approximately 1/2 mile west of S. Econlockhatchee Trail



CIVIL ENGINEERING
CONSULTANTS

June 13, 2017

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

RE: Eastland Baptist Church Activity Center
BEI Job No. 1708.10

Dear BZA:

On behalf of Eastland Baptist Church, Inc., **Burkett Engineering, Inc.** is requesting a Special Exception for the Eastland Baptist Church Activity Center located at 9000 Lake Underhill Road.

In support of the Special Exception request we are submitting herein the following:

1. Two copies of the Site Plan (24"x36")
2. BZA Application w/ Relationship Disclosure, Project Expenditure and Agent Authorization forms
3. Orange County Tax information including the Legal Description
4. 2009 Special Exception Approval (SE-09-01-014)
5. Articles of Incorporation
6. One copy of the Site Plan (8 ½"x11")
7. \$1,355.00 check for Special Exception fee

The 19.3 +/- acre site consists of water, sanitary, drainage and paving facilities in support of the existing church and private school facilities. A special exception was approved in 2008 for an 11,050-square foot gymnasium activity center on site (SE-08-01-009). This facility was not constructed and the Special Exception approval has expired.

Eastland Baptist Church is proposing to demolish one existing building onsite and construct a new 12,000 +/- square foot building for use as an Activity Center. The activity center will consist of a gymnasium to be used for classes and other school activities for the 500+/- students. Two additional handicap accessible parking spaces will be provided in proximity to the new building. Please see the attached site plans for locations of all existing and proposed improvements.

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JUN 13 2017

Zoning Division

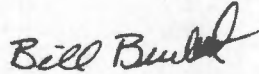
Engineering with Integrity

105 E. Robinson Street, Suite 501, Orlando, Florida 32801 Phone: 407.246.1260 Fax: 407.246.0423 www.burkettengineering.com

Orange County
June 13, 2017
Page 2

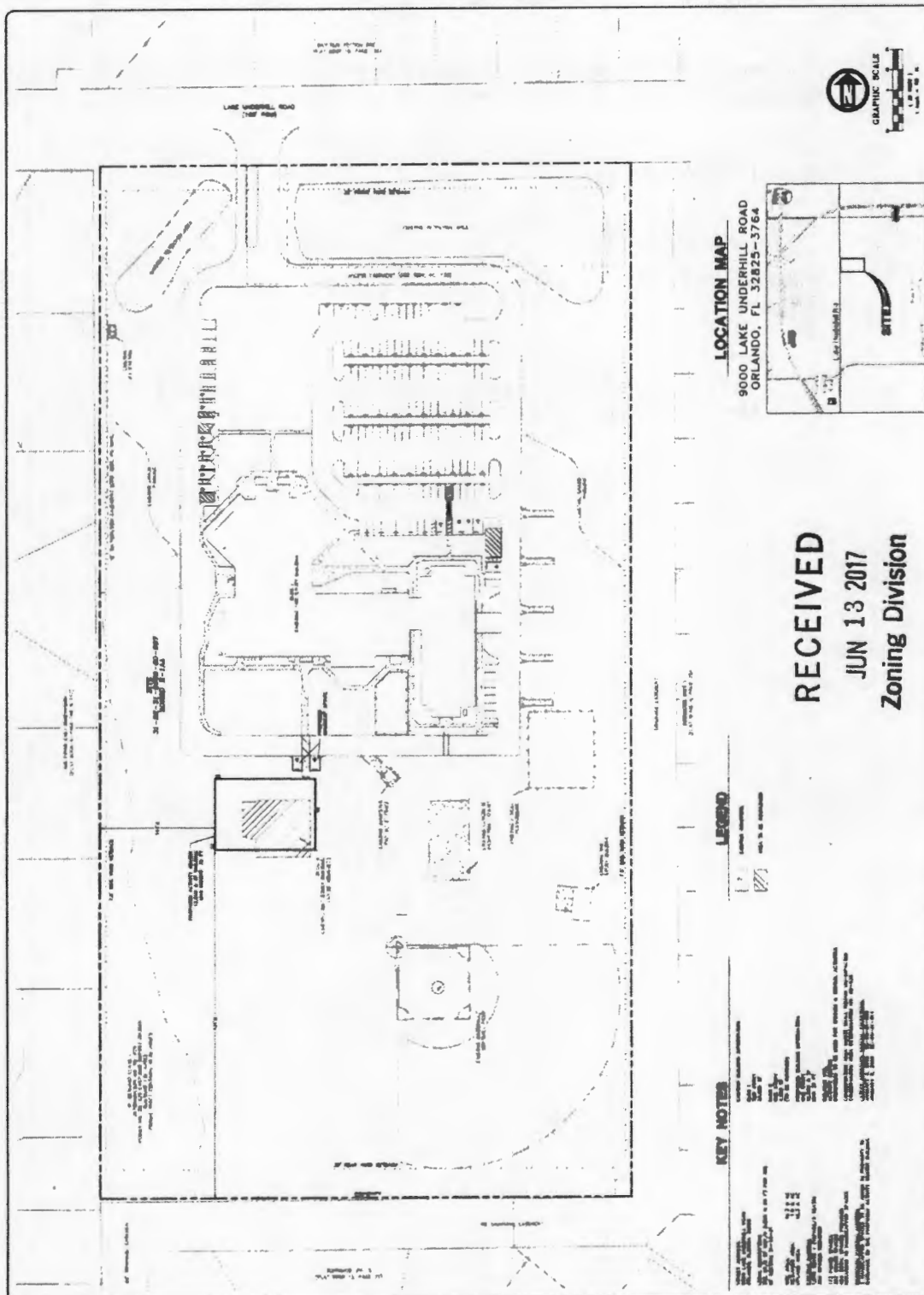
Please call if you have any questions regarding the enclosed information. Thank you for your assistance in processing this application.

Sincerely,
Burkett Engineering, Inc.

A handwritten signature in black ink, appearing to read "Bill Burkett", written in a cursive style.

William E. Burkett, PE
President

c: Mr. Ted Hollingsworth – Eastland Baptist Church, Inc. (w/o encl.)
Mr. Mark Meyers – Foundry (w/o encl.)





STAFF REPORT
CASE #SE-17-08-075
Orange County Zoning Division
Planner: David Nearing
Board of Zoning Adjustment
August 3, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Eastland Baptist Church, Inc.

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exception in the R-1AA zoning district to construct a 12,000 sq. ft. multipurpose building on the existing church campus.

(Note: The applicant had obtained approval for a 9,000 sq. ft. multipurpose building in 2008. However, due to the downturn in the economy they chose not to construct the structure and the approval expired.)

LOCATION: South side of Lake Underhill Road, approximately 1/2 mile west of S. Econlockhatchee Trail

PROPERTY ADDRESS: 9000 Lake Underhill Road

PARCEL ID: 31-22-31-0000-00-007

PUBLIC NOTIFICATION: 192

TRACT SIZE: 19.3 acres

DISTRICT #: 3

ZONING: R-1AA

EXISTING USE(S): Church Sanctuary w/School

PROPOSED USE(S): Multipurpose Building

SURROUNDING USES: The subject property is generally surrounded by single family residences.

STAFF FINDINGS AND ANALYSIS:

1. The applicant is proposing a 12,000 sq. ft. multipurpose building located behind the Sanctuary and school.
2. The property has a history of BZA action. In January 2001, a Special Exception (SE) was approved to permit four modular classrooms. In April 2001, an SE was approved to allow paving a parking lot in front of the Sanctuary Building. In January 2008, the BZA approved a request for an indoor gymnasium, but continued the portion of the request for a baseball field, softball field, and football field. The gymnasium was never constructed. In January 2009, the BZA approved an SE to allow a baseball field and softball field, but not a football field. Ultimately, only one ball field was constructed which could be used for both baseball and softball.
3. The placement of the proposed multipurpose building will be located 143 +/- feet from the west side property line and 431 +/- feet from the south rear property line.
4. There is an existing wetland along the west property line which is located in what was a conservation easement. The applicant cannot disturb this natural buffer without permission from the BCC. In addition, the site is nearly twenty (20) acres in size.
5. The property had a Conservation Area Determination (CAD) approved in 2008. However, it expired in 2013. An updated CAD should be completed before permits are issued for the new building.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 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. 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 project shall comply with Article XVI of Chapter 9 of the Orange County Code, Exterior Lighting Standards. All lighting shall be directional fixtures downlit in the dark skies method;
6. The exterior of the multipurpose building shall be finished with stucco and painted to match or complement the colors of the existing building;
7. The multipurpose building shall not exceed 12,000 sq. ft. of air conditioned floor area;
8. No more than four (4) outdoor special events per calendar year and the hours of such events shall be limited from 8:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of thirty (30) days prior to the date of each event;
9. Prior to the issuance of permits the applicant shall complete an updated Conservation Area Determination; and
10. The interior of the building will be insulated to reduce sound emissions from within.

cc: William Burkett (Applicant's Representative)
105 E. Robinson Street, Suite 501
Orlando, Florida 32801

MICHAEL KONZE
VA-17-08-076

REQUEST: **Variances** in the R-1A zoning district as follows:
 1) To construct a 750 sq. ft. accessory building (garage) in lieu of 500
 sq. ft.; and
 2) To allow the proposed accessory building (garage) in the front yard
 in lieu of rear or side yard.

ADDRESS: 501 29th Street, Orlando, FL 32805

LOCATION: North side of 29th Street and approximately 120 ft. west of W.
 Michigan Street

S-T-R: 03-23-29

TRACT SIZE: .63 acres

DISTRICT#: 3

LEGAL: ANGEBILT ADDITION H/79 LOTS 13 & 14 (LESS RD RW) BLK 55

PARCEL ID: 03-23-29-0180-55-130

NO. OF NOTICES: 59

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; 7-0):

1. Development in accordance with site plan dated June 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.
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 garage shall be setback at least twenty (20) feet from the south and east property lines.
5. Accessory structure shall not exceed 750 cumulative square feet.
6. The accessory structure shall be constructed of materials which are similar to the principal residence.

SYNOPSIS: The applicant requested variances to construct a 750 sq. ft. accessory building (garage) in lieu of 500 sq. ft. and to allow the proposed accessory building (garage) in the front yard in lieu of rear or side yard.

Staff gave a brief presentation on the case and requested a discussion between the BZA and the applicant regarding the placement of the garage. The applicant explained to the BZA that he has plans to add square footage to the existing home and that there is a septic field located on the west side of the residence which makes it difficult to place the garage on the west side of the property. The BZA agreed with the applicant.

The applicant agreed with the staff report. Staff received one (1) commentary in favor and none in opposition. There being no one present to support or oppose the requests, the public hearing was closed.

The BZA approved the variance with conditions.



Applicant: Michael Konze

BZA Number: VA-17-08-076

BZA Date: 08/03/2017

District: 3

Sec/Twn/Rge: 02-23-29-SW-C

Tract Size: .63 acres

Address: 501 29th Street, Orlando, FL 32805

Location: North side of 29th Street and approximately 120 ft. west of W. Michigan Street

Variance from Front yard accessory structure and overall structure size

501 29th Street, Orlando, FL

Property Owners: Michael Konze and Joelle Konze

Detailed Description of the Variance:

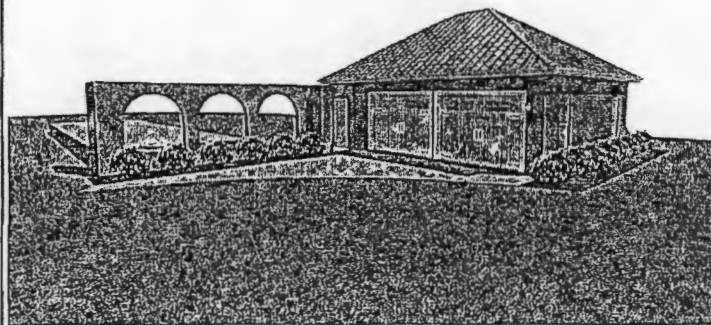
We are requesting a variance from the front yard garage setback to allow from an accessory structure (garage) to be added in front (South-east side) of our existing home.

To allow 750 sq. ft. for the accessory building in lieu of 500 sq. Ft

To allow the proposed accessory building (garage) 20 ft in the front property line in lieu of 25 ft.

All aspects of the proposed structure will be in-line with the existing home style and shall be designed with detail treatment and articulation the same as the primary structure, with particular attention to similar roof lines, roofing material, finish, gables, brackets, window patterns, molding, wainscot, etc.

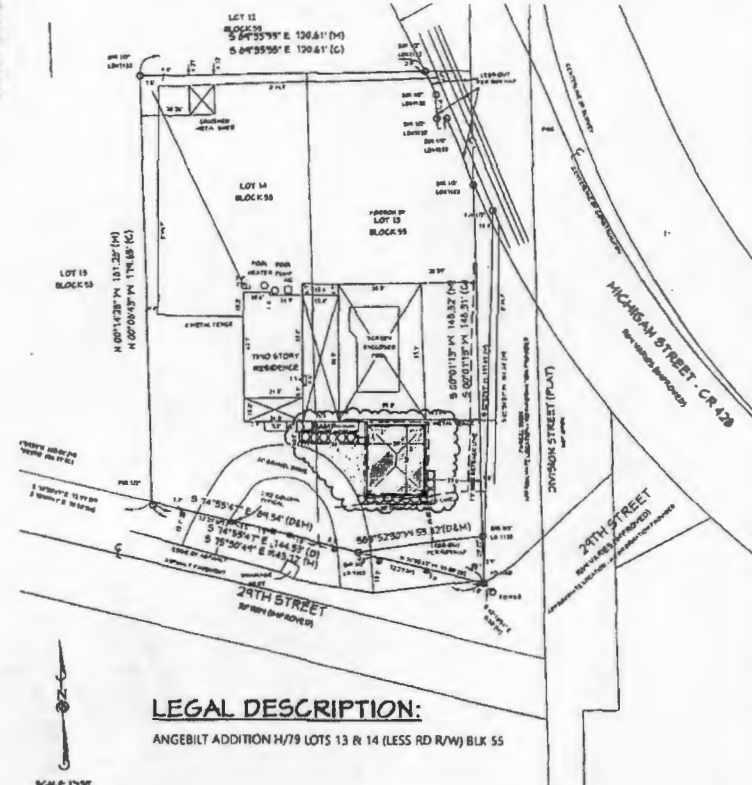
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ORANGE COUNTY
ZONING DIVISION



Camera 2

LAYOUT PAGE TABLE		
LABEL	TITLE	COMMENTS
P-1	PROJECT OVERVIEW	
A-1	FLOOR PLAN - PROPOSED ELEVATIONS	

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LEGAL DESCRIPTION:
ANGEBILT ADDITION H/79 LOTS 13 & 14 (LESS RD R/W) BLK 55

Proposed Plot Plan

To the best of our knowledge these plans are drawn in conformity with owner's and/or builder's specifications and any changes made on them after plans are made will be done at the owner's and/or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. Southern Integrity Enterprises, Inc. is not liable for errors once construction has begun. These construction plans are made in the possession of the owner. The contractor shall check all dimensions and other details prior to construction and be solely responsible therefor.



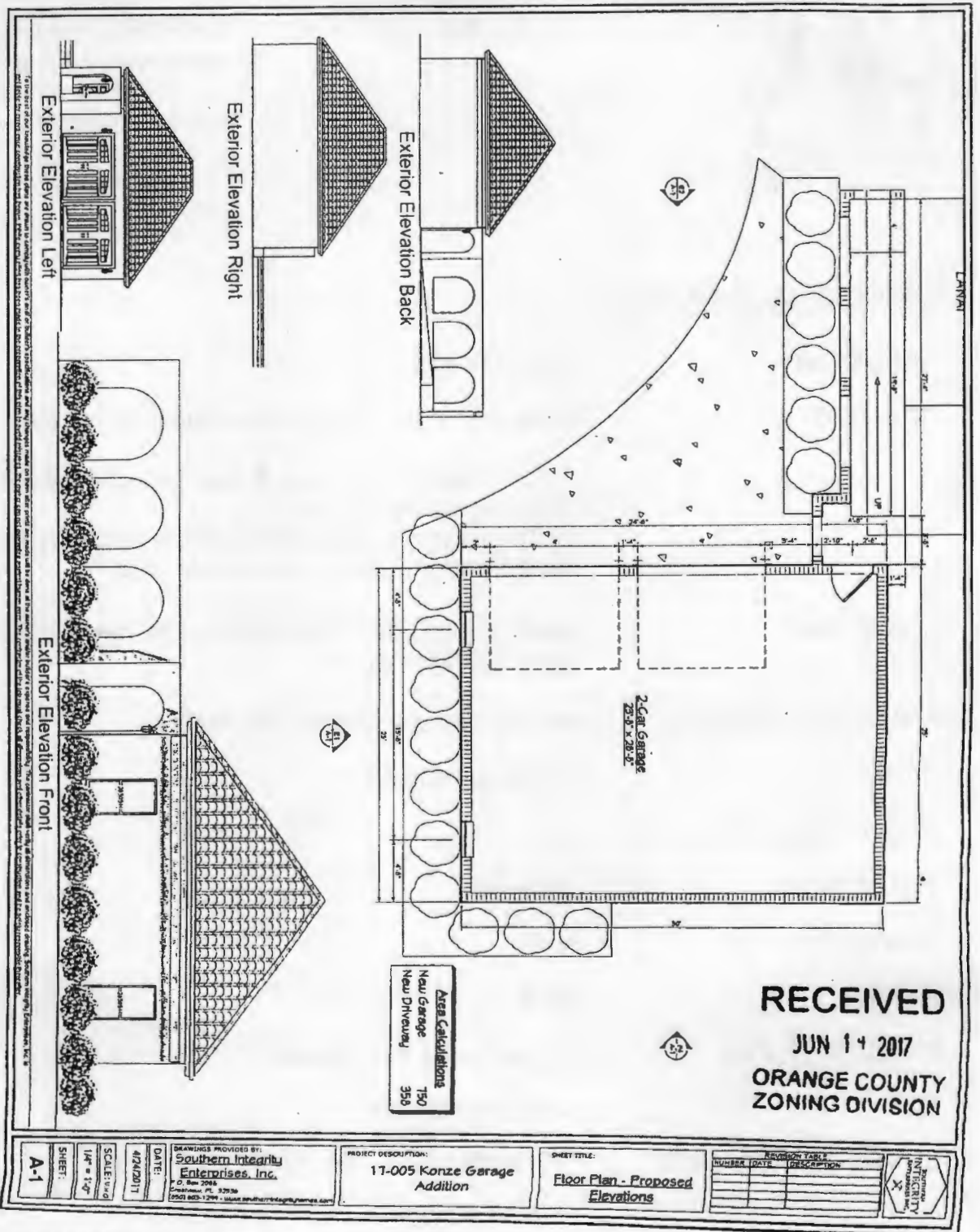
REVISION TABLE		
NUMBER	DATE	DESCRIPTION

SHEET TITLE:
Project Overview

PROJECT DESCRIPTION:
17-005 Kanze Garage Addition

DRAWING PROVIDED BY:
Southern Integrity Enterprises, Inc.
P.O. Box 2046
Orlando, FL 32816
(407) 623-1747 - www.southernintegrity.com

DATE:
4/24/2017
SCALE: UNK
1/4" = 1'-0"
SHEET:
P-1





STAFF REPORT
CASE #VA-17-08-076
Orange County Zoning Division
Planner: Marla Molina
Board of Zoning Adjustment
August 3, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Michael Konze

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

1) To construct a 750 sq. ft. accessory building (garage) in lieu of 500 sq. ft.; and
2) To allow the proposed accessory building (garage) in the front yard in lieu of rear or side yard.

LOCATION: North side of 29th Street and approximately 120 ft. west of W. Michigan Street

PROPERTY ADDRESS: 501 29th Street, Orlando, FL 32805

PARCEL ID: 03-23-29-0180-55-130

PUBLIC NOTIFICATION: 59

TRACT SIZE: .63 acres

DISTRICT #: 3

ZONING: R-1A

EXISTING USE(S): Single Family Residential

PROPOSED USE(S): Detached Garage

SURROUNDING USES: N - Single Family Residential
S - ROW/Single Family Residential
E - Lake Holden Stormwater Treatment Building, operated by the City of Orlando
W - Single Family Residential

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting variances to construct a 750 sq. ft. accessory building (garage) in lieu of 500 sq. ft.; and, to allow the proposed accessory building (garage) in the front yard in the rear or side yard.
2. Staff requests a discussion with the Board and the applicant as to why the garage is not constructed on the west side.
3. Although, the request represents a fifty percent (50%) deviation from the code requirements, there is a practical reason for the garage to be placed at this location: 1) the circular driveway will make it easier for the applicant to secure his vehicle and property; and, 2) placing the garage in the front of the home will make it easier for the applicant to access the residence.
4. The applicant is making every opportunity to construct the garage with materials that are consistent with the existing structure and the character of the neighborhood.
5. Staff has no objections to this request since the request will not adversely impact any quality of life circumstances.
6. Approval of the zoning variance will be in harmony with the purpose and intent of the Zoning Regulations and such zoning variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
7. To date, adjacent neighbors have not provided any feedback to the proposed structure.

STAFF RECOMMENDATION:

If the BZA approves this request, the following conditions are recommended:

1. Accessory structures shall not exceed 750 cumulative square feet, and shall meet all required setbacks;
2. Development in accordance with site plan dated June 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;

3. 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;
4. 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;
5. The garage shall be setback at least twenty (20) feet from the south and east property lines;
6. Accessory structure shall not exceed 750 cumulative square feet; and
7. The accessory structure shall be constructed of materials which are similar to the principal residence.

cc: Michael Konze
501 29th Street
Orlando, Florida 32805

ENVIRO TREE SERVICE, LLC
SE-17-08-073

REQUEST: **Special Exceptions** in the A-1 zoning district for the following:
1) To operate a landscaping and tree trimming service;
2) To operate a yard waste recycling facility; and
3) To operate a wood chipping operation.

ADDRESS: 3202 Phils Lane, Apopka FL 32712

LOCATION: West side of Phils Lane, approximately .25 mil. north of W. Ponkan Road

S-T-R: 24-20-27

TRACT SIZE: 650 ft. x 646 ft. (9.6 acre)

DISTRICT#: 2

LEGAL: N1/2 OF S1/2 OF W1/2 OF NW1/4 OF SE1/4 & S1/2 OF S1/2 OF W1/2 OF NW1/4 OF SE1/4 OF SEC 24-20-27 & (LESS W 30 FT THEREOF TAKEN FOR R/W PER 10757/5097)

PARCEL ID: 24-20-27-0000-00-001

NO. OF NOTICES: 77

DECISION: APPROVED the Special Exception Request **#1**, in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions as amended; and, the Special Exception Requests **#2** and **#3**, were **WITHDRAWN** (5 in favor and 2 opposed):

1. Development in accordance with site plan dated July 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. Hours of operation shall be 7:00 a.m. to 5:30 p.m., Monday through Friday, only. No grinding, chipping, or mulching shall be allowed on the subject property.

5. Burning is prohibited.

6. Storage of landscape materials shall be limited to no more than 6,000 cubic yards of finished materials at any one time. Storage of unprocessed yard waste and debris, including tree trunks, shall be prohibited. The finished material shall be stored in one (1) or more, three (3) sided masonry walled container structures.

7. All setbacks shall be as shown on plan dated 'Received July 13, 2017'.

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

9. No more than one (1) ground sign at six (6) feet high and at a maximum of thirty-two (32) sq. ft. of copy area shall be allowed for this project.

10. The subject property shall be available for inspection by EPD staff during normal business hours.

11. This approval shall be for the applicant, Enviro Tree Service, LLC, only. Any proposed use by a future owner which is not permitted by right must obtain a new Special Exception through the BZA.

12. 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.

13. There shall be no retail sales from the subject property.

14. Any violation of the conditions of this approval shall be treated as a code violation subject to action by the Code Enforcement Board, not the BZA.

SYNOPSIS: Staff noted that as a result of the Community Meeting held on July 24, 2017, the Yard Waste Recycling Facility request is being withdrawn by staff. This use was included by staff to ensure that the public hearing would not need to be continued if it was determined that the applicant was in fact a yard trash processing facility.

Staff indicated that due to the significant opposition expressed at the Community Meeting, primarily regarding the use of the wood chipper, staff could not support the current request.

The applicant's agent explained the history of the property has had a landscaping and irrigation service located there from 1994 to 2012. This data made the applicant believe that they could simply move in and begin operations.

There was no one in attendance to speak in favor of the proposed use. There were twelve (12) persons present in opposition. Most were residents of the area. Nine (9) persons gave their time to one (1) spokesperson who explained that the current operation was creating impacts which included: noise; dust; vibration; and vermins. Two (2) additional persons spoke to other impacts and concerns on their livestock and the impact large trucks would have on Phils Lane.

In the applicant's rebuttal, due to comments from neighbors during this public hearing, they agreed that they would cease all wood chipping operation on site once the existing debris was removed. Therefore, the only Special Exception being considered is that for the landscaping and tree trimming service.

The BZA deliberated the use of the property as a landscaping and tree trimming business with no chipping taking place on site. Staff provided revised conditions based on no wood chipping taking place. A motion was made to recommend approval of the Special Exception for the landscape and tree trimming service only, with no wood chipping allowed on site. The motion passed by a vote of 5 in favor and 2 opposed.



Applicant: Enviro Tree Service, LLC

BZA Number: SE-17-08-073

BZA Date: 08/03/2017

District: 2

Sec/Twn/Rge: 24-20-27-SE-D

Tract Size: 650 ft. x 646 ft. (9.6 acre)

Address: 3202 Phils Lane, Apopka, FL 32712

Location: West side of Phils Lane, approximately 1/4 mile North of W. Ponkan Road



**KELLY,
COLLINS &
GENTRY, INC.**

ENGINEERING / PLANNING

June 13, 2017

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

RECEIVED
JUN 13 2017
Zoning Division

Attn: David Nearing

Re: Enviro Tree Service
3202 Phils Lane, Apopka, Florida 32712
Parcel Id: 24-20-27-0000-00-001

Special Exception Use Application for Tree Service

Dear Mr. Nearing:

On behalf of Enviro Tree Service, please find attached the complete application packet for Special Exception Use to allow a tree service use with wood chipping / mulching on the above referenced property.

Enviro Tree Service (ETS) is a family run local tree care and arborist service. With five ISA Certified Arborists on staff, ETS provides professional tree care services to residential and commercial properties for pruning, palm planting and tree removal if necessary. ETS provides regular service to numerous hotels and resorts as well as residential properties throughout the Central Florida.

The subject property is a ± 9.68 acre rectangular shaped tract designated Rural on the future land use map and zoned A-1 within unincorporated Orange County. Site improvements include an existing $\pm 1,980$ sf office constructed in 1999 (commercial building permit B99901978 issued 7/20/99) served by an onsite potable well and individual septic / drain field system, a pond area, and 6 ft high perimeter chain link fencing. In addition, the property consists of numerous mature canopy trees to remain on site.

Enclosed in this submittal:

- Orange County Tax information
- Code Enforcement Violation
- Property Sketch / Site Plan
- Orange County Building Department records 1994 to Present
- Aerial Location Map & Historical record of aerial images (google earth)
- BZA Application with applicable forms

1700 NORTH ORANGE AVENUE, SUITE 400, ORLANDO, FLORIDA 32804
407/ 898-7858. FAX: 407/ 898-1488

Permit History:

Orange County permit history indicates the subject property has been operating as a commercial use dating back to 1994, specifically a landscaping contractor known as "Southern Landscaping and Irrigation". Please find attached within the application packet, a complete list of permits issued to the subject property as well as historical aerials showing the commercial landscaping operation active from at least 1999 through 2012. Based on conversations with neighbors, Southern Landscaping operated approximately 20 crews from this property.

Enviro Tree Service:

The proposed tree service use is similar to the historical use of the property dating back some 20 years. ETS is not open to the public and clients do not meet at the property for any kind of retail sales. ETS deploys four or five crews depending on the season / work load to various locations around Central Florida Monday – Friday between 7:30 am and 5:00 pm (closed Sat / Sun). Onsite there are two full time employees Monday – Friday between 7:00 am and 5:30 pm (also closed Sat/Sun).

A substantial amount of ETS commercial clients manage excess debris / clippings on the job site; however, a limited amount is brought back to the subject property to be chipped / mulched and repurposed on other job sites. The chipper is portable and can be brought to the job site as well. Therefore, this application includes wood chipping / mulching as an accessory use to the tree service. On site, all activities associated with the wood chipping will be managed at the interior most portion of the subject property, a minimum of 100 ft from the north, east and south property lines and a minimum of 50 ft from the west (rear) property line.

Surrounding Development Pattern:

As indicated on the attached aerial location map, the surrounding area / neighborhood is comprised of a mix of residential and non-residential uses ranging from a horse training facility adjacent to the north to a variety of fairly intensive Agricultural – Commercial operations as follows:

- Cantero Holdings (±81 acres borrow pit),
- Hubbard Construction (±101 acres cleared mining / borrow pit),
- Mid-Florida Materials Corp (±120 acres of cleared mining / borrow pits),
- Orange County Highway Dept. (±39.5 acres warehouse / land clearing),
- City of Apopka (±103 acres largely cleared),
- Headwater Farms, LLC (±39.5 acres cleared / borrow pit), and others.



These numerous large mining / borrow pit / land clearing operations are located immediately north and west of the subject property. Additionally, recent right of way acquisition and construction of the SR 429 highway has begun immediately to the east. By comparison, the proposed tree service use on the subject property is much less intensive in noise, vibration, dust, and other characteristics associated with a majority of the uses in the neighborhood. Additionally, the proposed tree service use shall maintain the existing mature trees on site allowing the natural tree canopy to buffer the normal operations associated with the use.

Summary:

Enviro Tree Service will not be detrimental or intrusive to the majority of existing uses or permitted uses within the neighborhood. The tree service use is consistent and compatible with the development pattern in the surrounding area and remains similar to the historic use of the property. Further, Enviro Tree Service has spoken with the neighbor adjacent to the south who has verbally expressed no objection to the tree service use. Enviro Tree Service will strive to build and maintain positive relationships with all neighbors.

We appreciate your consideration of this request and remain available to answer any questions that might arrive during review of the application.

Respectfully Submitted,

KELLY, COLLINS & GENTRY, INC.


Scott Stuart
Planning Director

Enclosures

cc: Josh & Melinda Tankersley, Owner, Enviro Tree Service
Dave Scharr, Enviro Tree Service

KCG

- 1. 1/2" = 10' (Horizontal Scale)
- 2. 1/4" = 5' (Vertical Scale)
- 3. 1/8" = 2.5' (Vertical Scale)
- 4. 1/16" = 1.25' (Vertical Scale)
- 5. 1/32" = 0.625' (Vertical Scale)
- 6. 1/64" = 0.3125' (Vertical Scale)
- 7. 1/128" = 0.15625' (Vertical Scale)
- 8. 1/256" = 0.078125' (Vertical Scale)
- 9. 1/512" = 0.0390625' (Vertical Scale)
- 10. 1/1024" = 0.01953125' (Vertical Scale)
- 11. 1/2048" = 0.009765625' (Vertical Scale)
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- 124. 1/21267647932558653966460912964485513216" = 9.394329806578300063748037264461497371250281363538270726574410218748515625E-37' (Vertical Scale)
- 125. 1/42535295865117307932921825928971026432" = 4.6971649032891500318740186322307486856251406817691353632872051093742578125E-37' (Vertical Scale)
- 126. 1/85070591730234615865843651857942052864" = 2.34858245164457501593700931611537434281257034088456768164360255468712890625E-37' (Vertical Scale)
- 127. 1/170141183460469231731687303715884105728" = 1.174291225822287507968504658057687171406285170442283840821801277343564453125E-37' (Vertical Scale)
- 128. 1/340282366920938463463374607431768211456" = 5.871456129111437539842523290288435857031425852211419204109006386717282265625E-38' (Vertical Scale)
- 129. 1/680564733841876926926749214863536422912" = 2.9357280645557187699212616451442179285157129261057096020545031933586411328125E-38' (Vertical Scale)
- 130. 1/1361129467683753853853498429727072845824" = 1.467864032277859384960630822572108964257856463052854801027251596679320564453125E-38' (Vertical Scale)
- 131. 1/2722258935367507707706996859454145691648" = 7.3393201611392969248031541128605448212892823152642740051362579833966028125E-39' (Vertical Scale)
- 132. 1/5444517870735015415413993718908291383296" = 3.66966008056964846240157705643027241064464115763213700256812899169830140625E-39' (Vertical Scale)
- 133. 1/10889035741470030830827987437816582766592" = 1.834830040284824231200788528215136205322320578816068501284064495849150703125E-39' (Vertical Scale)
- 134. 1/21778071482940061661655974875633165533184" = 9.174150201424121156003942641075681026611602894080342506420322479245751453125E-40' (Vertical Scale)
- 135. 1/43556142965880123323311949751266331066368" = 4.5870751007120605780019713205378405133058014470401712532101612396228757265625E-40' (Vertical Scale)
- 136. 1/87112285931760246646623899502532662132736" = 2.29353755035603028900098566026892025665290072352008562660508061981143786328125E-40' (Vertical Scale)
- 137. 1/174224571863520493293247799005065324265472" = 1.146768775178015144500492830134460128326450361760042



STAFF REPORT
CASE #SE-17-08-073
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
August 3, 2017
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Enviro Tree Service, LLC

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exceptions in the A-1 zoning district for the following:

- 1) To operate a landscaping and tree trimming service;
- 2) To operate a yard waste recycling facility; and
- 3) To operate a wood chipping operation.

LOCATION: West side of Phils Lane, approximately 1/4 mile North of W. Ponkan Road

PROPERTY ADDRESS: 3202 Phils Lane

PARCEL ID: 24-20-27-0000-00-001

PUBLIC NOTIFICATION: 77

TRACT SIZE: 650 ft. x 646 ft. (9.6 acre)

DISTRICT #: 2

ZONING: A-1

EXISTING USE(S): Landscape business with associated wood chipping (not permitted)

PROPOSED USE(S): Landscape business with associated wood chipping

SURROUNDING USES: N – Single Family Residence w/Stables and Horse Training Facilities
S – Mobile Home
E – Single Family Residence w/Pasture Land
W - Vacant Municipal (City of Apopka) Land

STAFF FINDINGS AND ANALYSIS:

1. Staff cannot support this request because it is not compatible with the surrounding land uses. The surrounding land uses are predominately single family residences with some equestrian facilities. While it is true that there is a sand mining operation to the northwest of the site, that use is located in the City of Apopka, and has not been reviewed by County staff.
2. The applicant conducted a community meeting on Monday, July 24, 2017. Approximately twenty-eight (28) residents attended, including the applicant, staff, and the District #2 County Commissioner. The residents did not embrace this project, and have the following concerns:
 - a) noise;
 - b) quantity and unsightliness of stockpiled materials;
 - c) vermin infestation due to the presence of debris;
 - d) diminished property values;
 - e) road maintenance;
 - f) disease spread to their livestock and horses by tainted mulch; and
 - g) a repeat of the massive stockpile of materials inside the setbacks that occurred earlier this year resulting in code enforcement.Given these concerns, the use cannot meet Special Exception Criteria #3: "The use shall not act as a detrimental intrusion into a surrounding area." The neighbors oppose this use being allowed in their rural neighborhood.
3. While it may be true that a prior user operated a landscape nursery and service from the site, according to residents' recollections of that operation, they did not employ a chipper, or store large quantities of debris and debris derived materials on the site.
4. Special Exception Criteria #5 states: "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." Use of a commercial chipper, even on a limited basis, cannot meet this criteria.
5. Zoning district boundaries are intended to ensure compatibility with adjacent uses and to protect the health safety and general welfare of our residents. The residents clearly believe that this use is incompatible, and will negatively affect their general welfare, and staff concurs.

STAFF RECOMMENDATION:

Staff cannot support the request for the following reasons:

1. As expressed at the Community Meeting, the neighbors feel that the use is an intrusion into their rural way of life.

2. The use will generate noise, vibration and dust which is not commonly found in this rural residential neighborhood.
3. The proposed use of the chipper will have a detrimental impact on the residents' general quality of life, contrary to the basic principles of the concept of zoning.

However, should the BZA find that the use does meet the criteria to recommend approval of a Special Exception; staff recommends the following conditions be attached:

1. Development in accordance with site plan dated July 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. Hours of operation shall be 7:00 a.m. to 5:30 p.m., Monday through Friday, only. No grinding, chipping or mulching shall be allowed before 8:00 a.m.;
5. Burning is prohibited;
6. The piles of raw and finished materials shall be restricted to the center of the site as depicted on the plan dated July 13, 2017, maintaining a minimum setback of 150 feet from any perimeter property line;
7. In accordance with 32-214(c)(9)iv of the Orange County Code, no more than a combined total of 12,000 cubic yards of yard trash and yard trash derived materials may be stored on the site at any given time;

8. All setbacks shall be as shown on the plan dated 'Received July 13, 2017';
9. Permits shall be obtained within two (2) years of Orange County approval or this approval becomes null and void;
10. No more than one (1) ground sign at six (6) feet high and at a maximum of thirty-two (32) sq. ft. of copy area shall be allowed for this project;
11. The subject property shall be available for inspection by EPD staff during normal business hours;
12. This approval shall be for the applicant, Enviro Tree Service, LLC, only. Any proposed use by a future owner which is not permitted by right must obtain a new Special Exception through the BZA;
13. 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; and
14. Any violation of the conditions of this approval shall be treated as a code violation subject to action by the Code Enforcement Board, not the BZA.

cc: Scott Stuart (Applicant's Representative)
3202 Phils Lane
Apopka, Florida 32712

SLOAN ENGINEERING GROUP, INC.
VA-17-08-078

REQUEST: **Variance** in the IND-4 zoning district to allow parking 40.5 ft. from centerline of Apopka Boulevard in lieu of 50 ft.
(Note: The additional parking is required for the proposed office expansion.)

ADDRESS: 2400 Apopka Boulevard, Apopka, FL 32703

LOCATION: South side of S. Apopka Boulevard, south side of Vulcan Rd., north of SR 414

S-T-R: 24-21-28

TRACT SIZE: 53.87 acres

DISTRICT#: 2

LEGAL: HI ALTA SUB P/12 BEG 200 FT E OF SW COR OF SE1/4 OF SE1/4 RUN N 305 FT E TO E R/W LINE OF SR 424 SELY TO S LINE OF SE1/4 OF SE1/4 W TO POB HI ALTA SUB P/12 BEG SE COR OF SW1/4 OF SE1/4 RUN E 200 FT N 305 FT W 200 FT S 305 FT TO POB & NW1/4 OF NE1/4 LYING

PARCEL ID: 24-21-28-3508-01-000

NO. OF NOTICES: 210

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; 7-0):

1. Development in accordance with site plan dated June 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.

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 project shall comply with Article XVI of Chapter 9 of the Orange County Code, Exterior Lighting Standards, and provide downlit lighting which does not interfere with traffic on South Apopka Boulevard.

SYNOPSIS: Staff noted that the applicant is in need of expanding their offices to accommodate their growth. The expansion requires additional parking and there is no other location for the new parking other than where it is being proposed. Staff noted that they checked with the Public Works Division and there are no short-term or long-term plans to widen Apopka Boulevard. The variance is the minimum needed, and without it, the expansion of the business would be restricted.

The applicant's engineer indicated his agreement with the staff recommendation and conditions of approval. There being no one in attendance to speak for or against the request, the public hearing was closed.

The BZA concluded that the variance was the minimum needed, and that without it, this long established business could ultimately be forced to leave this site.



Applicant: Sloan Engineering Group, Inc.

BZA Number: VA-17-08-078

BZA Date: 08/03/2017

District: 2

Sec/Twn/Rge: 24-21-28-SE-D, 25-21-28-NE-A

Tract Size: 53.87 acres

Address: 2400 Apopka Boulevard, Apopka, FL 32703

Location: South side of S. Apopka Boulevard, south side of Vulcan Road, north of SR 414



SLOAN
Engineering Group

P.O. Box 253, Bartow, Florida 33831
Office: (863) 800-3046
Fax: (863) 800-1159

June 14, 2017

Marla Molina
Board of Zoning Adjustment
Orange County
201 South Rosalind Avenue
Orlando, FL 32802

RECEIVED
JUN 14 2017
ORANGE COUNTY
ZONING DIVISION

**RE: Zoning Variance Application
Finrock Office Expansion and Parking
Permit No: B17902250
SEG Project No: 1632**

Dear Marla,

We currently have a project under review with Orange County and we recently received a comment from the zoning plan reviewer, Kristina Rodreick, requesting that we meet the required centerline setback for the parking. The actual comment is copied below ..

- Major street setbacks required from centerline to parking. Please show measurements from centerline to parking.

Apopka Boulevard is classified as an urban collector road, which requires a 50 foot setback to parking. Our proposed design includes parking that is located 40.5 feet from the centerline of Apopka Boulevard. This represents a 9.5 foot encroachment into that required distance.

The existing building, parking and infrastructure were constructed in 1990. The creation of the parking lot fit the needs of the building at that time and over the past 27 years the company, Finrock Construction, has grown considerably. Over the years many expansions have taken place. With every expansion, the site has made efforts to improve the surrounding aesthetics, from an industrial, dusty lay-down yard, to now clean, maintained landscaping and office buildings. This project will finalize the complete surrounding of the lay-down yard with landscaped office features. To maintain the existing features, the only option for the parking area was to connect the existing office parking area with the parking area, that was added to the eastern side of the Apopka Blvd. frontage, in 2015.

Zoning Variance Criteria Met ..:

- **Minimum Possible Variance**

The minimum possible distance to finalize the parking area was taken. The parking spaces along the northern side of the proposed parking area were taken down to the absolute minimum available by Orange County LDC, 18 feet deep. The only natural



expansion of the existing parking lot is to continue the existing office parking drive aisle on toward the east, and then a connection. The existing condition is dusty industrial lay-down yard abutting the right of way. This project intends to beautify the roadway, shrinking the lay-down yard and buffering it with a well maintained landscaping buffer, parking area and pond. We attempted to keep the encroachment of the centerline setback to a minimum, and were successful, only encroaching 9.50 feet.

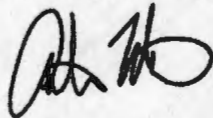
- **Purpose and Intent**

The purpose and intent of this 50' centerline setback regulation is to make sure that parking is a well enough distance away from the urban collector (Apopka Blvd.). The design proposed maintains that purpose and intent, by only being setback 9.50 feet less than the requirement. Curbing is added to the spaces to provide a measure of separation from the road. A heavy landscaping buffer is also included in this project, to provide the aura of separation.

If you have any questions regarding this letter or the attachments, please call our office at (863) 800-3046 or email me at amedina@sloaneg.com.

Sincerely,

SLOAN ENGINEERING GROUP, INC



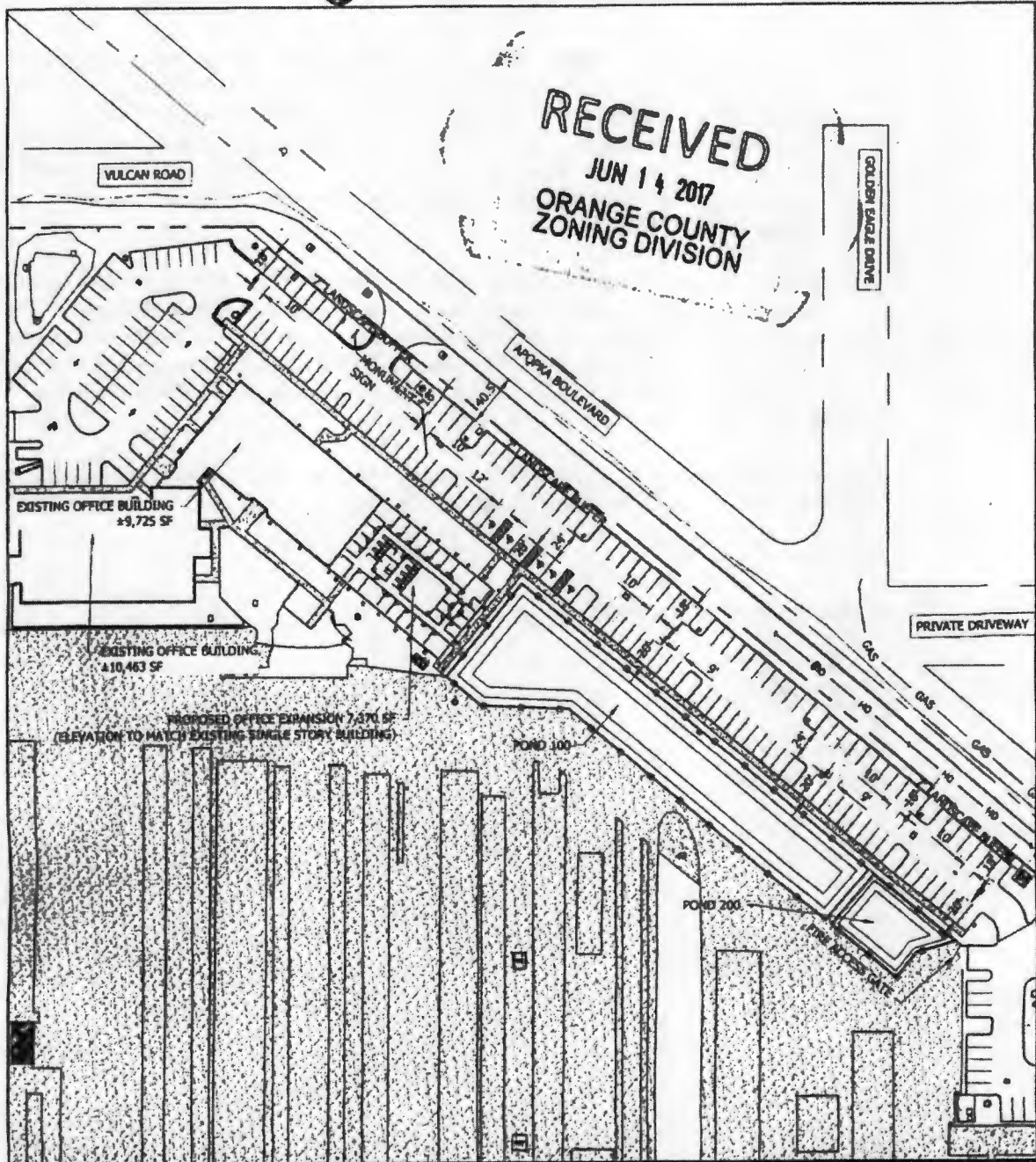
Andy Medina
Project Manager



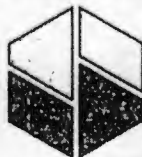
RECEIVED

JUN 14 2017

ORANGE COUNTY
ZONING DIVISION



NORTH
SCALE: 1"=100'



SLOAN
Engineering Group

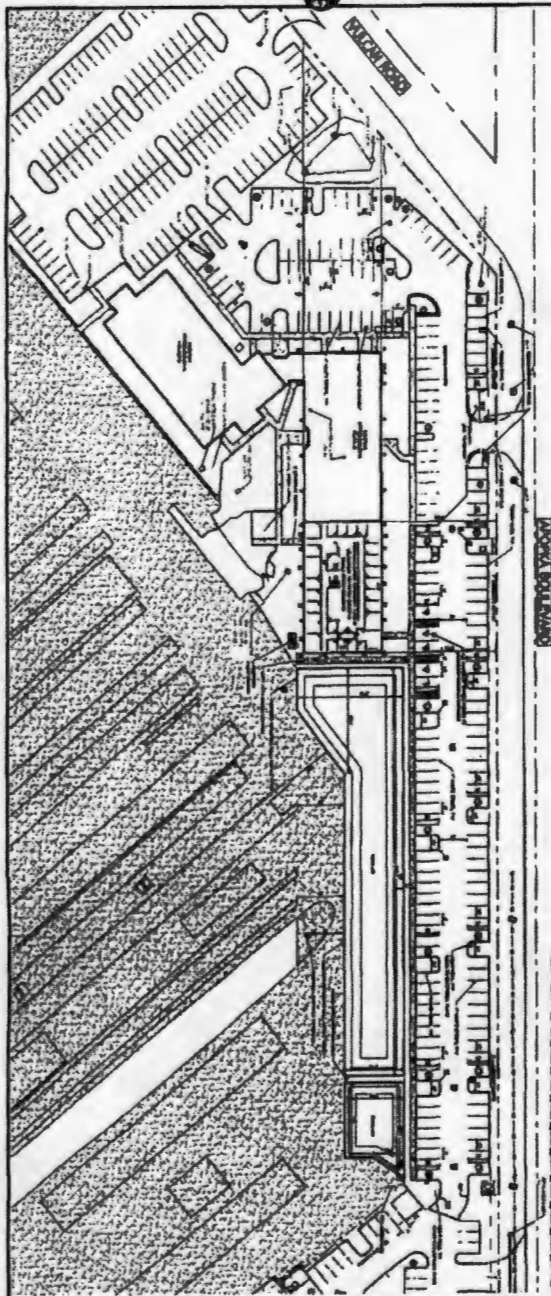
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3044 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FCA) #26247

FINROCK-OFFICE EXPANSION
Section 24, Township 21S, Range 28E

REDUCED SITE PLAN
MAP C

SLOAN ENGINEERING GROUP, INC.

JOB # 1632



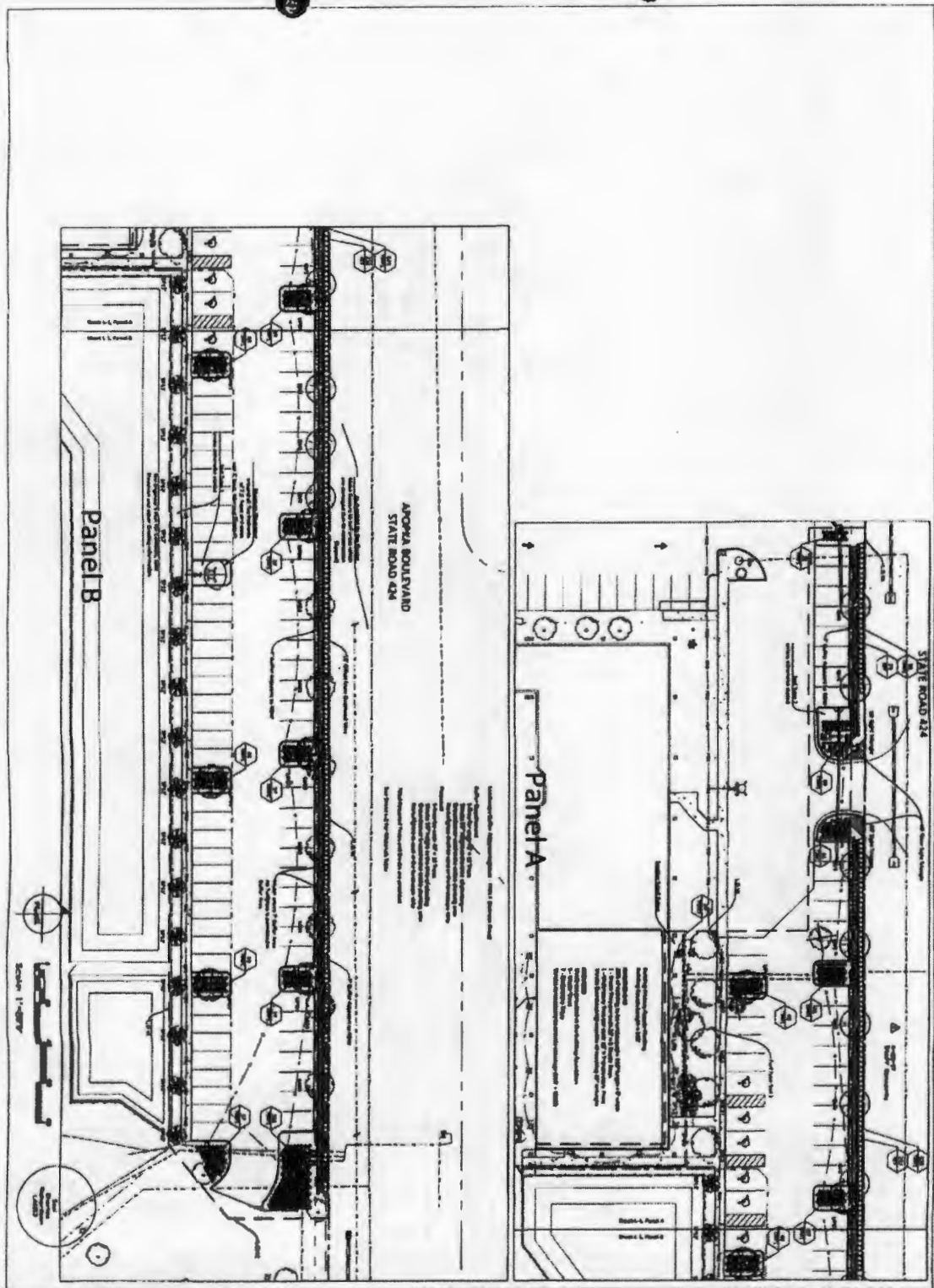
RECEIVED
 JUN 14 2017
 ORANGE COUNTY
 ZONING DIVISION

NO.	DATE	REVISIONS
1		
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GENERAL NOTES	
1.	ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND THE CALIFORNIA ELECTRICAL CODE.
2.	ALL UTILITIES SHALL BE LOCATED AND DEPTHS SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
3.	THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
4.	THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5.	ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY ENGINEER.



158 Highway 158 Orange County, CA	Project: OFFICE AND PARKING EXPANSION Site Plan APN: 000-000-000	 SLOAN Engineering Group 1000 Main Street, Suite 100 Orange, CA 92668 Phone: (714) 550-1234 Fax: (714) 550-1235 Email: info@sloaneng.com	Date: 06/14/2017 Drawn By: [Name] Checked By: [Name] Approved By: [Name]
	Scale: 1" = 40'		



L-1
 1/4" = 1'-0"
 1/8" = 1'-0"
 1/16" = 1'-0"

Finfrock
Office and Parking Expansion
 Appleton Blvd.
 Ridge County, Florida

Celebration Landscape Design
 Landscape Architect

301 Eastwood Avenue
 Celebration, Florida 32810

Phone: 352-201-0000

This plan was prepared for the use of the client and is not to be used for any other purpose without the written consent of Celebration Landscape Design.



STAFF REPORT
CASE #VA-17-08-078
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
August 3, 2017
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Sloan Engineering Group, Inc.

REQUEST: Variance in the IND-4 zoning district to allow parking 40.5 ft. from centerline of Apopka Boulevard in lieu of 50 ft.

(Note: The additional parking is required for the proposed office expansion.)

LOCATION: South side of S. Apopka Boulevard, south side of Vulcan Road, north of SR 414

PROPERTY ADDRESS: 2400 Apopka Boulevard, Apopka, FL 32703

PARCEL ID: 24-21-28-3508-01-000

PUBLIC NOTIFICATION: 210

TRACT SIZE: 53.87 acres

DISTRICT #: 2

ZONING: IND-4

EXISTING USE(S): Manufacturing Building

PROPOSED USE(S): Manufacturing Building

SURROUNDING USES: The subject property is located in an area comprised of predominately industrial uses, with some commercial and nonconforming residential.

STAFF FINDINGS AND ANALYSIS:

1. The applicant is proposing to expand the office use on the site. Due to the irregular shape of the lot, they have no other area to place the parking other than as proposed. If the variance is not granted, it will restrict the expansion of the business.
2. A review of historic aerials shows that the applicant has been using some of the area which is to be used as a paved parking area as stabilized informal parking for employees for some time.
3. Due to the lot sizes and depths of adjacent properties with commercial and industrial zoning, those properties may require a similar variance when they attempt to redevelop or expand.
4. The requested variance is equal to just under twenty percent (20%) of code requirements, thus the minimum necessary. Given the intensity of the use and the property's zoning, the proposed expansion meets the purpose and intent of the zoning ordinance and the zoning district and will not be injurious to the community, as landscaping and proper parking is being provided.
5. According to the Property Appraiser's data, the first warehouse was constructed in 1974, and the existing office facilities were constructed in 1990. This manufacturer is a well-established business with no other place to locate the proposed parking.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 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;

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; and
5. The project shall comply with Article XVI of Chapter 9 of the Orange County Code, Exterior Lighting Standards, and provide downlit lighting which does not interfere with traffic on South Apopka Boulevard.

cc: Sam Medina (Applicant's Representative)
P.O. Box 253
Bartow, Florida 33831

JOEL BUNTIN
VA-17-08-079

REQUEST: **Variance** in the R-1A zoning district to construct single family residence on a lot containing 73 ft. of lot width in lieu of 75 ft.
(Note: All building setbacks will be met).
ADDRESS: 1139 Holden Avenue, Orlando, FL 32839
LOCATION: North side of Holden Avenue, approximately 875 ft. east of S. Orange Blossom Trail
S-T-R: 10-23-29
TRACT SIZE: 73 ft. x 120 ft.
DISTRICT#: 3
LEGAL: BEG 360 FT W & 30 FT N OF SE COR SEC RUN W 73 FT N 120 FT E 73 FT TH S 120 FT TO POB IN SEC 10-23-29
PARCEL ID: 10-23-29-0000-00-059
NO. OF NOTICES: 102

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; 7-0):

1. Development in accordance with site plan dated June 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. All building setbacks shall be met.

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

The applicant requested confirmation that the variance will stay with the property if he sells it.

The BZA felt this request was reasonable and not injurious to the area.

Staff received two (2) commentaries in favor of the application and none in opposition. There was no opposition at the hearing.

The BZA approved the variance.



Applicant: Joel Buntin

BZA Number: VA-17-08-079

BZA Date: 08/03/2017

District: 3

Sec/Twn/Rge: 10-23-29-SE-D

Tract Size: 73 ft. x 120 ft.

Address: 1139 Holden Avenue, Orlando, FL 32839

Location: North side of Holden Avenue, approximately 875 ft. east of S. Orange Blossom Trail

TO: Orange County Board of Zoning Adjustment
Orange County Administration Building, Orlando, Florida

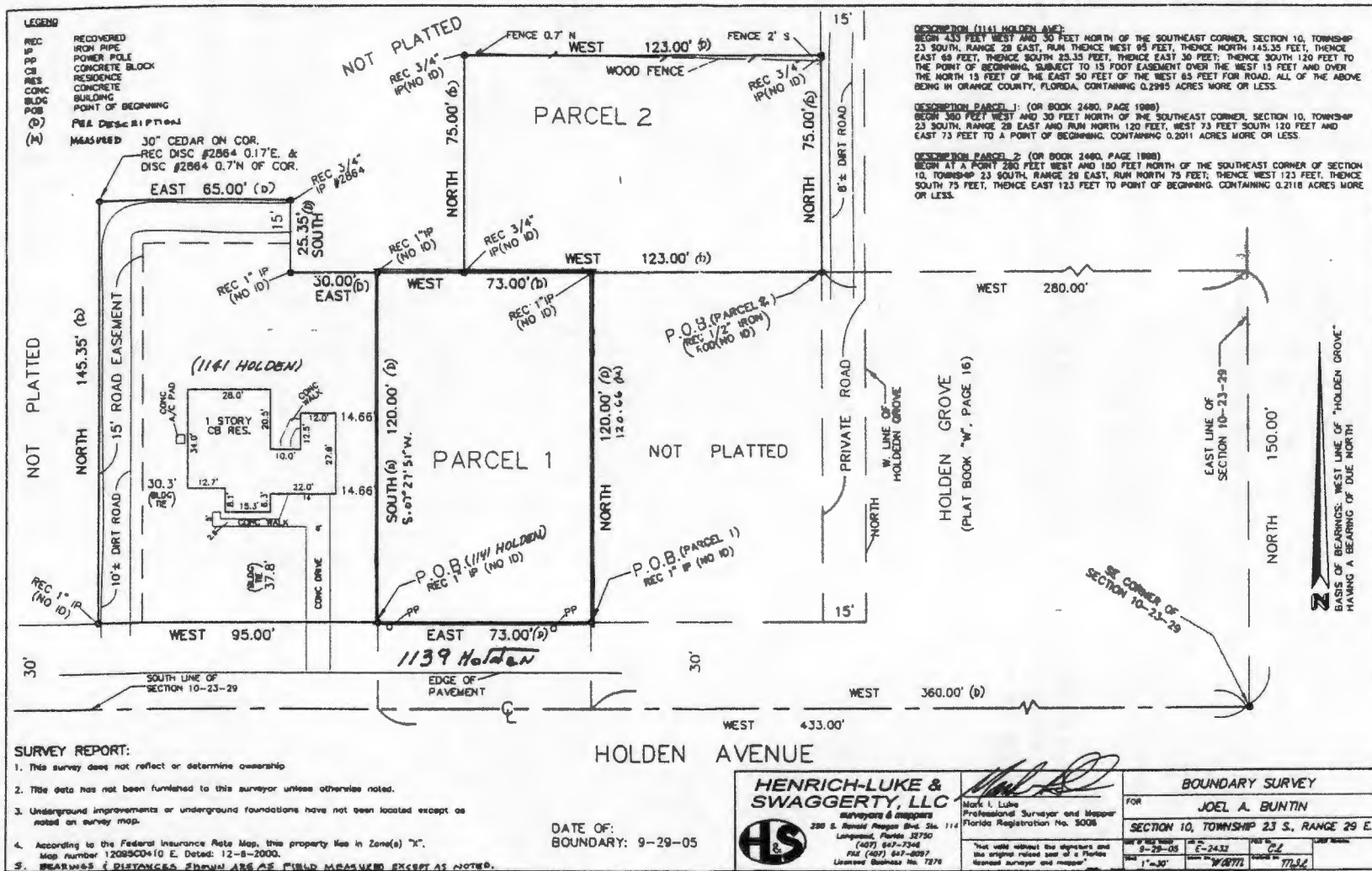
FROM: Joel A. Buntin [407 257-4548] jabuntin66@aol.com

DATE: June 14, 2017

SUBJECT: Requesting Variance 1139 Holden Avenue, Orlando, Florida
Tax I.D. # 10-23-29-0000-000-59

I am requesting a variance to permit construction of a single-family residence on a sub-standard lot [73' width] at 1139 Holden Avenue, Orlando, FL. Currently this lot is for sale, but not saleable for building without this variance.

RECEIVED
JUN 13 2017
Zoning Division



FILE: 151-05-M

RECEIVED
JUN 13 2017
Zoning Division



STAFF REPORT
CASE #VA-17-08-079
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
August 3, 2017
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Joel Buntin

REQUEST: Variance in the R-1A zoning district to construct single family residence on a lot containing 73 ft. of lot width in lieu of 75 ft.

(Note: All building setbacks will be met.)

LOCATION: North side of Holden Avenue, approximately 875 ft. east of S. Orange Blossom Trail

PROPERTY ADDRESS: 1139 Holden Avenue, Orlando, FL 32839

PARCEL ID: 10-23-29-0000-00-059

PUBLIC NOTIFICATION: 102

TRACT SIZE: 73 ft. x 120 ft.

DISTRICT #: 3

ZONING: R-1A

EXISTING USE(S): Vacant

PROPOSED USE(S): Single family residence

SURROUNDING USES: The site is surrounded by single family residences

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes a residence on this parcel. The on-site zoning requires a minimum lot width of seventy-five (75) feet. The subject lot is only seventy-three (73) feet. Therefore, a zoning variance for lot width only is required.

2. This request is an example of infill development. The area is largely developed with similarly sized lots.

3. Approval does not grant this applicant any special privileges that were not granted to other properties in the area; other properties in areas are similar in size and have houses on them.

4. Approval will be in harmony with the purpose and intent of code which promotes infill development.

5. The proposed lot width constitutes a minimal variance and does not alter the character of the neighborhood.

STAFF RECOMMENDATION:

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

1. Development in accordance with site plan dated June 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. All building setbacks shall be met.

cc: Joel Buntin
3515 Kramer Lane
Orlando, Florida 32806