



Interoffice Memorandum  
Zoning Division

06-25-18A10:49 RCVD

06-25-18A1 1:37 RCVD


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Continue public  
hearing to  
SEP 18 2018

DATE: June 21, 2018

TO: Katie A. Smith, Deputy Clerk of the  
Board of County Commissioners,  
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor,  
Agenda Development Office

FROM: Carol L. Knox, Manager, Zoning Division 

CONTACT PERSON: **Sean Bailey, Chief Planner**  
**Zoning Division 407-836-5806**  
**Sean.Bailey@ocfl.net**

SUBJECT: Request for Public Hearing before Board of  
County Commissioners (BCC) to Consider Appeal  
of June 7, 2018 Board of Zoning Adjustment  
(BZA) Recommendation on BZA Case # VA-18-  
06-060

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Appellant: Mohammad Ali

Commission District: 1

General Location: West S. Apopka Vineland Rd., East of Kilgore Rd.

BCC Public Hearing  
Required by: Ch. 30, Orange County Code

Clerk's Advertising  
Requirements: (1) At least 15 days before the BCC public hearing  
date, publish an advertisement in the Legal  
Notices section of *The Orlando Sentinel* describing  
the particular appeal, the general location of the  
subject property, and the date, time, and place  
when the BCC public hearing will be held;

and

July 31, 2018  
@2pm

(2) At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.

Advertising Language: Variance in the R-CE zoning district to allow a chicken coop 12 ft. from the property line in lieu of 30 ft.

**Material Provided:**

- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*);
- (2) Location map (*to be mailed to property owners*); and
- (3) Copy of appellant's notice of appeal (*to be mailed to property owners*).

**Special Instructions to the Clerk:**

- (1) The BCC public hearing must be held within 45 days after June 20, 2018, which was the date the notice of appeal was filed, or as soon thereafter as the BCC's calendar reasonably permits.
- (2) Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachments (location map and notice of appeal)

c: Chris R. Testerman, AICP, Assistant County Administrator  
Jon V. Weiss, Director, Community Environmental Development Services  
Department



**Appellant Information**

Appellant: 9853 Kilgore Road Land Trust

Address: 9853 Kilgore Road Orlando, FL 32836

Email: taali2016@gmail.com Phone #: 321-806-5380

BZA Case # and Applicant: VA -18-06-060

Date of BZA Hearing: 06/07/2018

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

Please see attached page

Date: 06-20-18 Signature of Appellant: [Signature]

STATE OF FL  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of June, 2018, by Ali Mohammed who is personally known to me or who has produced FL DL as identification and who did/did not take an oath.

[Signature] Notary Stamp:  
Notary Public Signature



LISAL HILL  
Commission # GG 175928  
Expires January 16, 2022  
Bonded Thru Budget Notary Services

Fee: \$691.00 (make check payable to the Orange County Zoning Division)

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

June 20, 2018

Board of County Commissioners

Orange County

201 S Rosalind Avenue

Orlando, FL 32801

Re: 9853 Kilgore Road

Orlando, FL 32836

04-24-28-0000-00-061

Dear County Commissioners,

This is a request for an appeal to a variance denied by the Board of Zoning Adjustment (BZA) for the property at 9853 Kilgore Road. We are requesting a minimum possible variance to make reasonable use of land possible. At the original hearing, all complaints from neighbors were taken at face value and were not confirmed nor factual, as there is a major difference in zoning and they do not agree with permitted uses on our Rural zoned R-CE property. As a solution we have addressed concerns that were raised by erecting a wooden fence on the perimeter and also a fence that will not allow our pet chickens to be in the 30 foot setback on the Brentwood Club side.

We request the hearing be in September as we will be traveling consistently in July and August. This will also allow Orange County to properly investigate this appeal and find a reasonable solution to this problem as it is permitted to keep chickens in R-CE. Our 1 property abuts 6 Brentwood Club lots and that should be taken into consideration.

Our property at 9853 Kilgore Road has a strip which is only 50 feet wide on the north side of lot yet it has a considerable length of over 200 feet. To use the strip of land without a variance the width must be almost 70 feet wide. The BZA staff recommendation was based on the wrong analysis and the staff stated that there were other areas that the coop could be placed on the property. At the hearing it was confirmed that no other location existed where the coop could be placed other than on the strip.

The strip abuts 9809, 9837 and 9769 Kilgore Road on the west side. As it is required that any structure placed must have a 30 foot setback from all property lines we are applying for a variance due to hardship with an inability to place the structure elsewhere on the property. Since the strip is only 50 feet wide we are applying for a variance with a reduced setback to place a

small chicken coop for raising of poultry which is permitted in R-CE. Also, if we were to build a house, the setbacks are only 10 feet from the sides of the home.

We have no objection letters from neighbors that reside at 9869, 9871, 9809 and 9769 Kilgore Road. On the west side of our property the owners of 9809 and 9769 have no objection to the reduced variance for the coop. The chicken coop will remain 30 feet away from properties on the east side which abut Camberley Circle and satisfies the setback of 30 feet. This should nullify any objections that are raised by Brentwood Club residents.

The chicken coop will be located behind 9809 Kilgore Road and will be 12 feet away from the property line instead of 30 feet. The coop is constructed out of pressure treated outdoor wood panels which are 8 feet each along with a small chicken run. The structure including the run is only 92 square feet within a fenced area of 50 x 208 feet.

I have enclosed the complete application along with the site plan and letters from neighbors stating they have no objection were presented at the prior hearing.

If you have any question regarding this application, please contact me at your convenience.

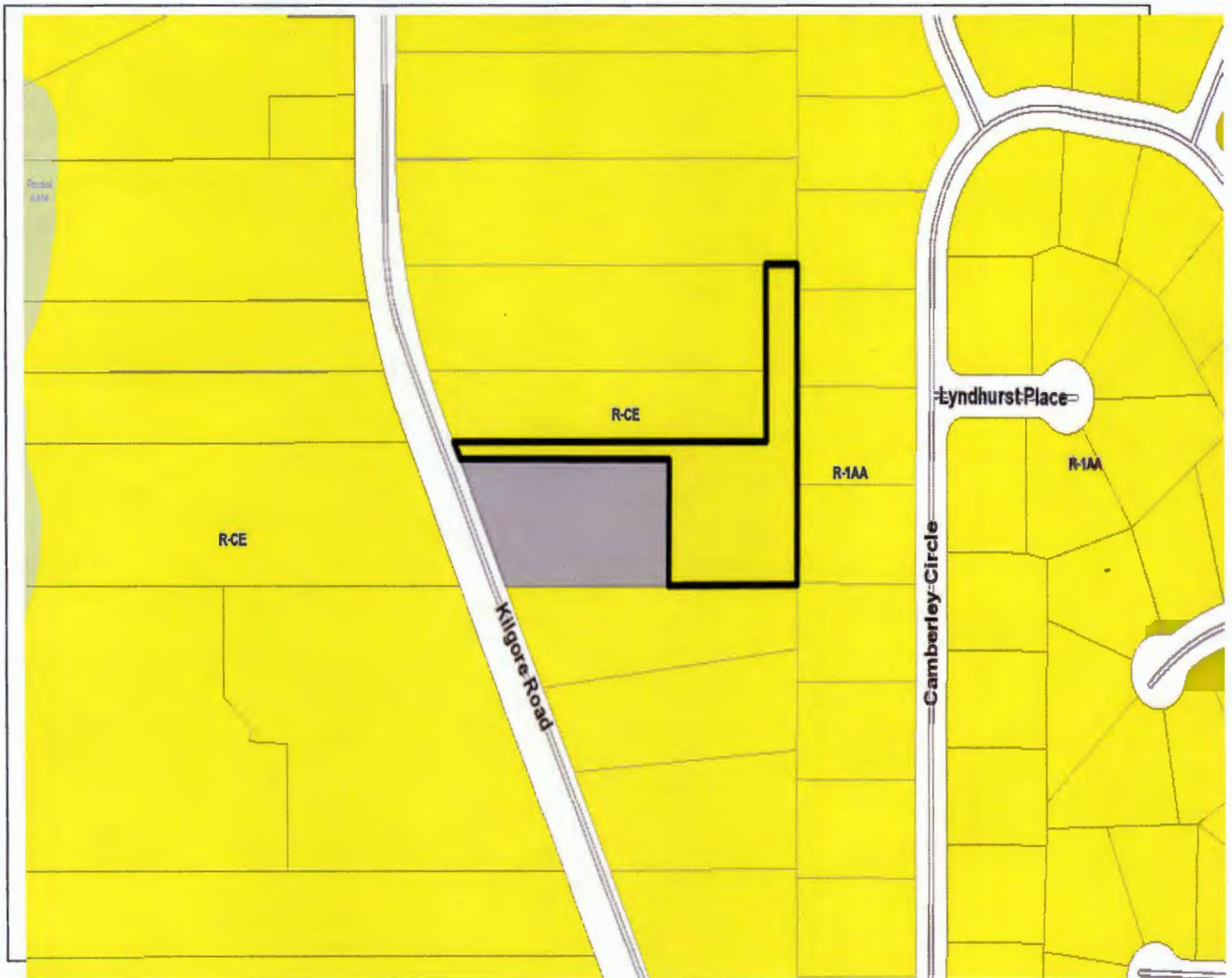
Thank you for your time and consideration.

Sincerely,

9853 Kilgore Road Land Trust

9853 Kilgore Road

Orlando FL 32836



**Applicant:** MOHAMMAD ALI

**BZA Number:** VA-18-06-060    **BZA Date:** 06/07/2018

**District:** 1

**Sec/Twn/Rge:** 04-24-28-SE-D

**Tract Size:** 166 ft. x 205 ft. (AVG)

**Address:** 9853 Kilgore Road, Orlando FL 32836

**Location:** West of S. Apopka Vineland Rd., east of Kilgore Rd.

**If you have any questions  
regarding this map, please call  
Sean Bailey  
at 407.836.5806.**