

**CITY OF ORLANDO QUASI-JUDICIAL HEARING  
CASE NO. QJ 2016-004 (VAR 2015-00144)**

**CHRISTOPHER DEVERELL,**

Petitioner,

v.

**ECONOMIC DEVELOPMENT DEPARTMENT,  
CITY OF ORLANDO, FLORIDA,**

Respondent.

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ON APPEAL FROM THE BOARD OF ZONING ADJUSTMENTS OF THE  
CITY OF ORLANDO, LOWER CASE NO.: VAR2015-00144

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**STIPULATED SETTLEMENT ORDER**

**COMES NOW** the Economic Development Department of the City of Orlando, Florida (hereinafter referred to as “City-Respondent”), Petitioner, and Owner/Applicant (as defined herein), by and through their undersigned counsel, and pursuant to Article XXXII, Code of the City of Orlando, Florida (hereinafter referred to as the “Orlando City Code”), files this Stipulated Settlement Order on April \_\_\_\_, 2016, and states as follows:

**PROCEDURAL BACKGROUND**

1. This case arises from an application for a variance approval filed with the City of Orlando on December 21, 2015. The application was made pursuant to the regulatory procedures set forth in the Orlando City Code.

2. The application was filed by Mr. Christopher Deverell, licensed contractor who obtained the permit and performed permitted building renovations on the subject Property for the Owner/Applicant (hereinafter referred to as the “Petitioner”).

3. Jose and Geraldine Cardenas are the Owner/Applicant (“Owner/Applicant”) and the fee simple owner of the subject property located at 1416-1420 E. Robinson Street in Orlando, Florida (the “Property”).

4. Petitioner and the Owner/Applicant sought two variances to resolve code enforcement violations relating to the front parking spaces located on 1416-1420 E. Robinson Street, Orlando, Florida. In accordance with the Orlando City Code, the zoning variance application was heard and reviewed by the Board of Zoning Adjustment (“BZA”) on February 23, 2016. The BZA voted unanimously to recommend approval of the two zoning variances subject to the conditions in the Staff Report.

5. Mr. Christopher Deverell timely filed a request for quasi-judicial hearing of the BZA recommendation pursuant to Article XXIV, Orlando City Code, and requesting removal of the cross-access easement condition that was contained in the Staff Report and voted upon by the BZA.

6. On March 21, 2016, the Attorneys for Petitioner/Owner filed his Petition in Opposition requesting removal of the cross-access easement condition and relief by the Hearing Officer.

7. The City and Petitioner/Owner/Applicant agree to the relief requested by Petitioner as set forth herein.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Orlando City Council hereby finds that:

8. There are no disputed issues of material fact.

9. Based on the conditions of approval contained in the staff report on the zoning variance application to the BZA (entitled 1416-1420 E. Robinson Street VAR2015-00144 and hereinafter referred to as the “Staff Report” and attached to this Order as Exhibit “A”); the Board of Zoning Adjustment Minutes of February 23, 2016 (Item number 1, Regular Agenda and hereinafter referred to as the “BZA Minutes” and attached to this Order as Exhibit “B”) and the additional conditions of approval provided in this Order, that the zoning variance application may be determined to be consistent with the City of Orlando Land Development Code.

### **ORDER**

The zoning variance application is hereby approved, subject to the conditions of approval contained in the Staff Report, the BZA Minutes and the following additional conditions of approval:

10. Removal of the condition of the cross-access easement requirement due to the existing Property and low intensity of use on the Property.

11. Upon the approval of this Stipulated Settlement Order by the Orlando City Council and compliance therewith, the Petitioner agrees to not file an appeal of the Orlando City Council's action in Circuit Court.

**WHEREFORE**, having stated the above, City Respondent, Owner/Applicant and Petitioner, by and through their undersigned counsel, request that the Orlando City Council adopt this Stipulated Settlement Order as its Final Order in this matter; so filed April \_\_\_\_\_, 2016.

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