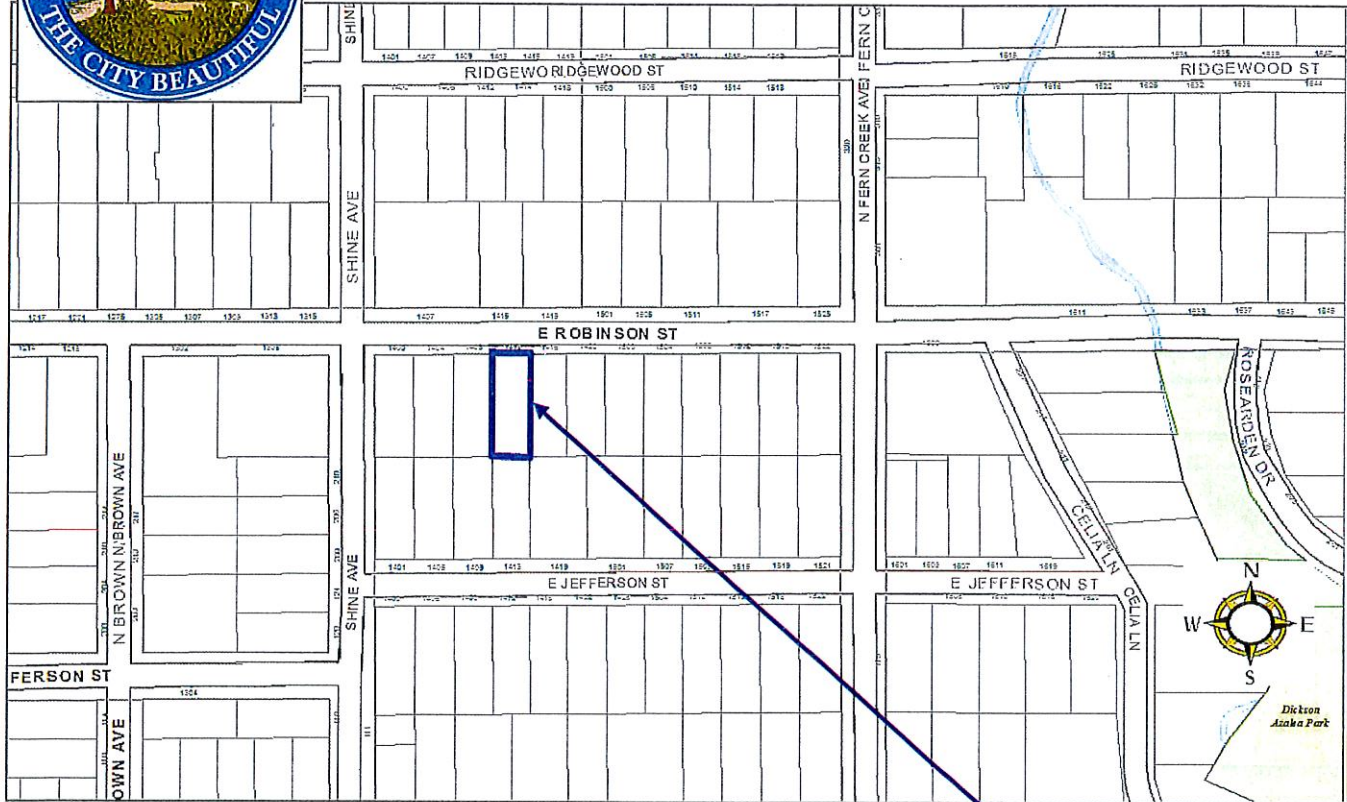




1412 E. ROBINSON ST. MALLEN OFFICE FRONT PARKING



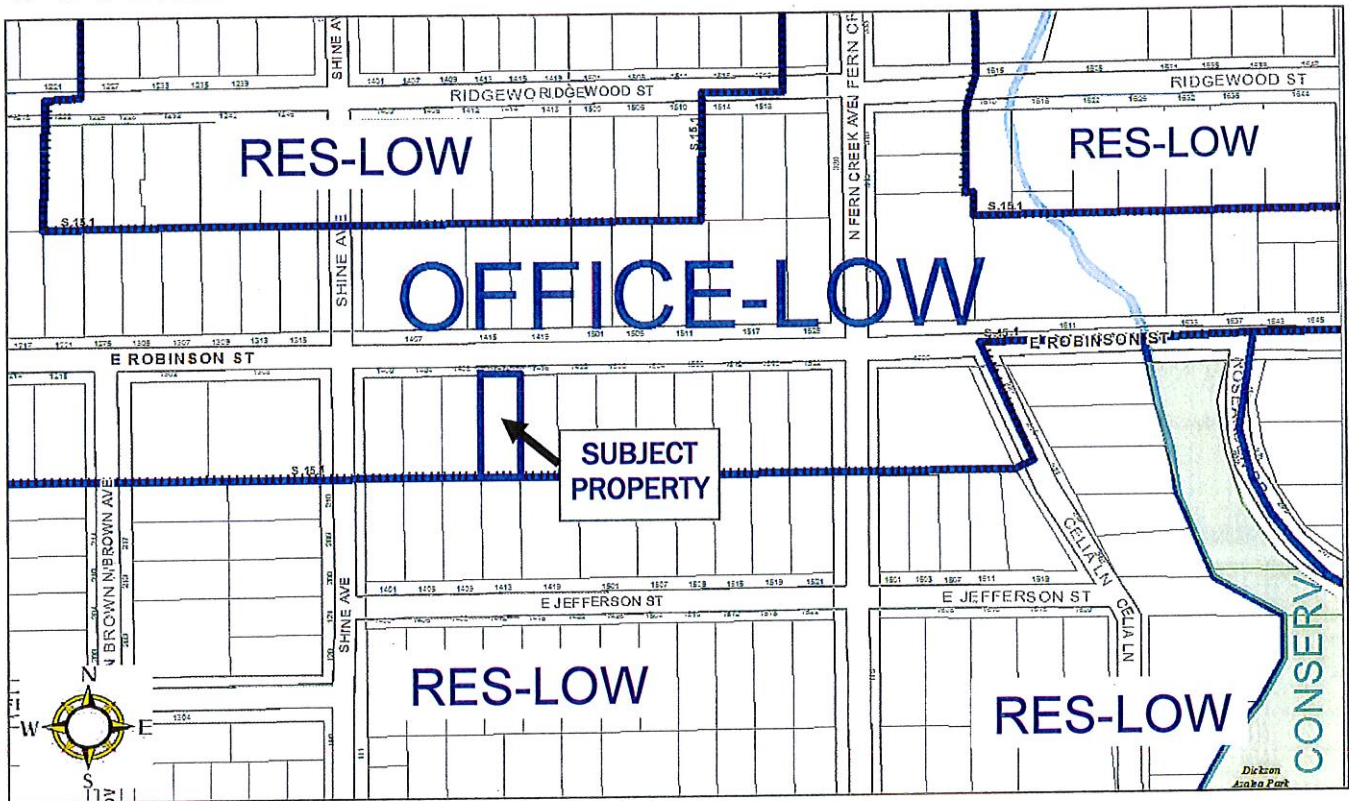
Location Map



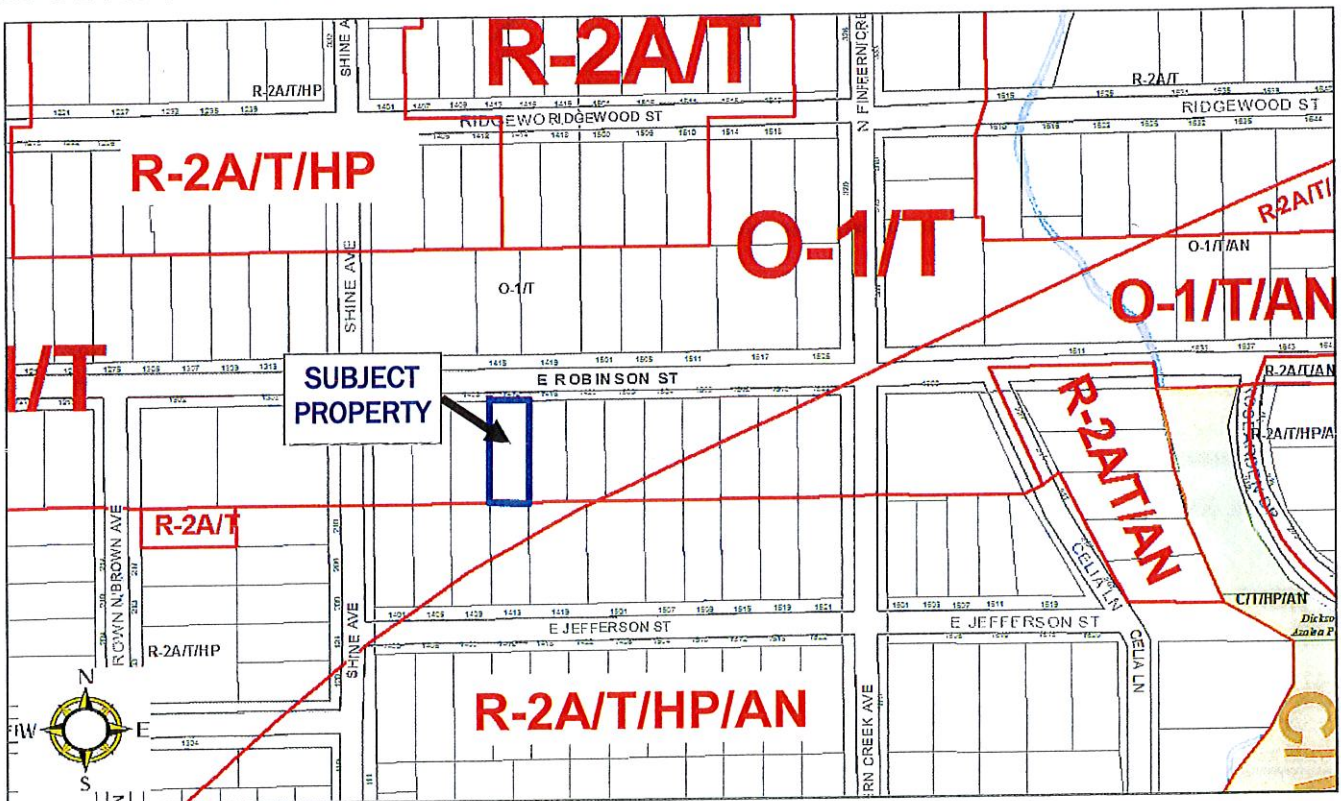
SUMMARY

<p>Applicant/Owner David Mallen SLM2, LLC</p> <p>Project Planner Jim Burnett, AICP</p> <p>Updated: November 16, 2015</p>	<p>Property Location: 1412 E. Robinson St. (Parcel ID #25-22-29-1012-01-090, on the south side of E. Robinson St., between Shine and N. Fern Creek Aves.)(±0.15 acres, District 4).</p> <p>Applicant's Request: The applicant is requesting several parking-related variances as a result of a code enforcement complaint on an existing professional office in the O-1/T zoning district, as follows:</p> <ul style="list-style-type: none"> A. Design Variance to allow accessory parking between the front lot line and the principal building facade; B. Variance to allow pavers as an alternative durable all-weather surface for the two (2) requested front parking spaces; C. Variance to allow 52% front yard impervious 	<p>surface coverage, where limited to 40%; and</p> <p>D. Design Variance to allow a post & panel sign in the Traditional City Overlay.</p> <p>Staff's Recommendation: Approval of Design Variances A and D and Variances B and C, per the conditions in the staff report.</p> <p>Public Comment Courtesy notices were mailed to property owners within 300 ft. of the subject property the week of November 9, 2015. As of the published date of this report, staff has not received any comments from the public concerning the variance requests. The applicant/owner has provided three (3) letters of support from adjacent neighbors.</p>
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FUTURE LAND USE MAP



ZONING MAP



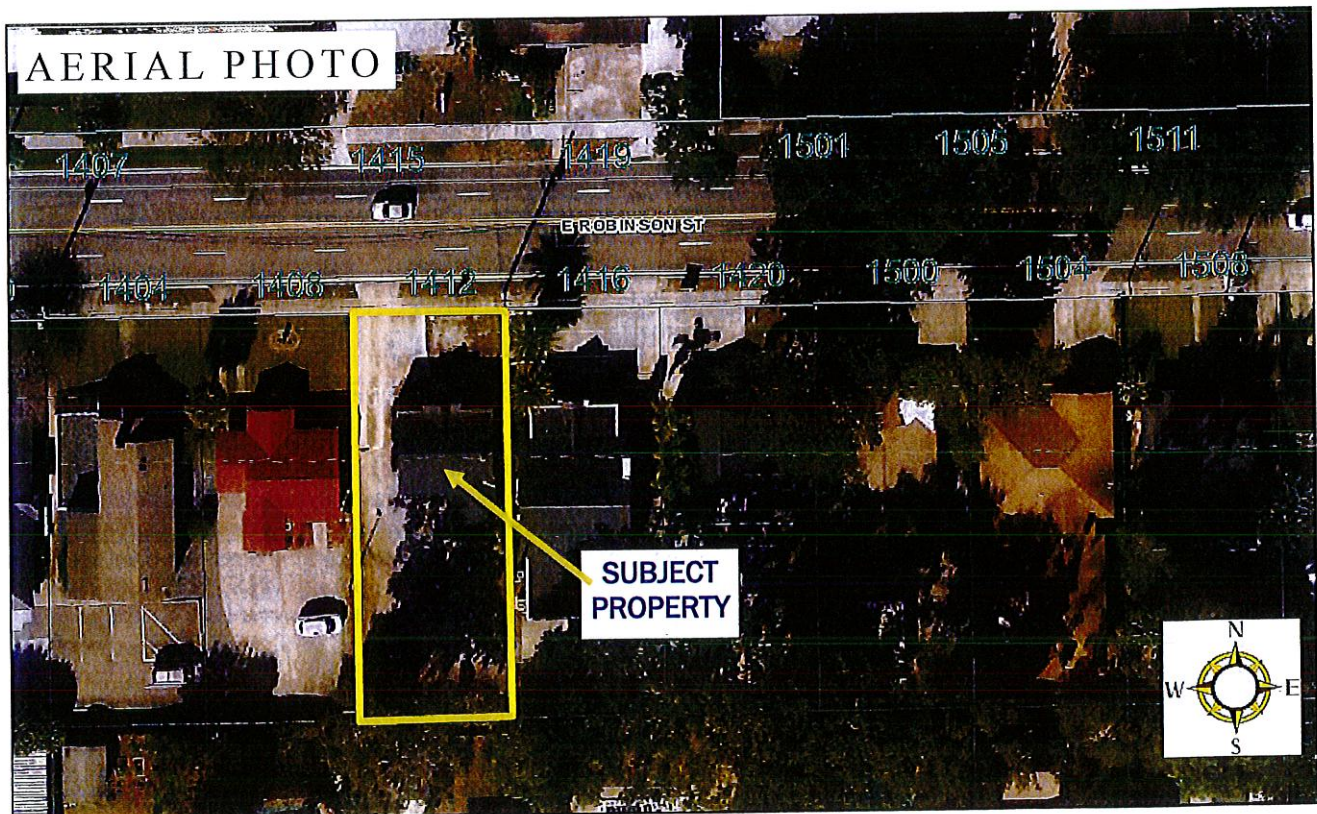
spaces, all to be located in the rear, and not in the front yard. Prior to 2005, the rear portions of the subject and adjacent properties were heavily wooded but have been heavily cleared out and partially redeveloped since the 2004 hurricanes, much of it without permits or variances. The applicant has noted that a portion of the rear parking area (adjacent to the property to the east) floods during rain events, creating a hardship when the applicant/owner has closings or other meetings requiring additional client parking. While a ramp is located behind the office, the site currently has no handicapped parking space (see survey on the next page).

The applicant has provided a site plan, with the intent of placing pavers across much of the front yard to continue having two (2) 10 ft. wide by 20 ft. deep parking spaces (Code minimum parking space dimensions are 9 ft. wide by 18.5 ft. deep). The Board fielded a similar variance request in June 2015, when the owner of a nearby law office (@ 1500 E. Robinson St.) needed variances to retain two (2) existing front yard parking spaces that had also not been previously approved. In that instance, staff recommended approval of only 1 front parking space with a front buffer, but the Board recommended approval of both front spaces and a minimal 2-ft. wide buffer, and City Council approved the variance in July 2015. Those improvements are in the process of being implemented.

Existing Front Yard Area	1,250 sq. ft.	Front IS Coverage
Max. impervious surface (IS) coverage	500 sq. ft.	(40%)
Existing Front Yard Impervious Area	630 sq. ft.	(50.4%)
With decreased driveway width and front steps (& no front parking)	480 sq. ft.	(38.4%)
+ one front parking space (9 x 18.5)	646.5 sq. ft.	(51.7%)
+ two front parking spaces (18 x 18.5)	813 sq. ft.	(65%)

The area between the front lot line and the front steps of the office is only 21 ft. deep (by 50 ft. lot width), which *could* allow for two (2) nine (9) ft. wide by 18.5 ft. deep parking spaces and a 3 ft. front buffer next to the sidewalk. However, LDC Section 61.302(f2) allows a maximum 40% impervious surface coverage within the front yard setback (see Table 3 above). Rather than trying to cram extra parking (above the maximum 4 spaces) into this tight space, staff recommends approval of the design variance but for only one (1) front parking space, to afford additional space for ingress and egress into the office building and out of the site onto E. Robinson St. Staff also recommends that cross-access be located along the east and west lot lines behind the office building to legally afford continued access to the office use to the east and future access to the office lot to the west. This recommendation will provide four (4) parking spaces (Code maximum) with sufficient maneuver space and the all-important cross-accesses to facilitate continued site circulation and existing and future parking lot connectivity for offices on the south side of E. Robinson St.

Variance B - Per LDC Section 61.303(a), "all parking lots, loading areas and vehicular use areas shall have a durable all-weather surface with drainage and surface water control as required by the City Engineer, and shall be continually maintained in satisfac-



PROJECT ANALYSIS

Project Description

The applicant/owner occupies an existing single-story office on E. Robinson St. and was recently cited by Code Enforcement for parking on an un-improved surface in front of the office building, which is prohibited in the Traditional City Overlay. The owner desires to retain the two (2) front parking spaces, requiring the following variances:

- A. Design Variance to allow accessory parking between the front lot line and principal building facade, where parking is required to be located behind the principal building facade or behind the front setback in the Traditional City Overlay;
- B. Variance to allow pavers as an alternative to a durable all-weather surface for the two (2) proposed front yard spaces;
- C. Variance of 12% to allow the front yard impervious surface coverage to not exceed 52%, where currently limited to 40%; and
- D. Design Variance to allow a post and panel sign in the Traditional City Overlay, where currently prohibited.

The property is zoned O-1/T (Low Intensity Office - Residential, Traditional City (T) Overlay) and is designated as Office Low Intensity on the City’s Future Land Use Map. Adjacent uses, zoning and future land use designations are per Table 1 below.

	<i>Future Land Use</i>	<i>Zoning</i>	<i>Adjacent Use</i>
North	(Across E. Robinson St.) Office Low Intensity/Residential (OFFICE-LOW)	O-1/T (Low Intensity Office - Residential, Traditional City Overlay)	Professional Offices
East	OFFICE-LOW	O-1/T	Professional & Medical Offices
South	Residential Low Intensity (RES-LOW)	R-2A/T/HP (One- and Two-Family Residential, Traditional City Overlay, Lake Eola Heights Historic Preservation District)	Single-Family Home
West	OFFICE-LOW	O-1/T	Professional Offices

Previous Actions:

- 1921: Property platted as a part of the Buena Vista Subdivision.
- 1939: 954 sq. ft. single-family home constructed.
- 1985: Property rezoned to O-1 (made nonconforming relative to lot dimensions and setbacks).
- 2009: Home converted for office use.
- 2013: Current owner purchased the property.
- 2014: Post & panel sign placed in the front yard (no variance granted or permit issued).
- 6/2015: Property cited for parking on dirt in front of the office (CE #410955).

Conformance with the LDC

As previously noted, the property is zoned O-1 and is located in the Traditional City (T) overlay, which denotes those areas located in the older areas of the city platted or developed prior to WW2. With lot dimensions of 50 ft. wide x 130.75 ft. deep (6,537.5 sq. ft.), the 0.15-acre lot was made legally non-conforming when the property was rezoned to O-1/T (required a wider side yard setback).

<i>Principal Setbacks</i>	<i>Front</i>	<i>Sides</i>	<i>Rear</i>	<i>ISR</i>	<i>FAR</i>
Max. Allowed	25 ft.	10 ft.	25 ft.	70%	0.40
Existing	28.9 ft.	4.1 ft. W 13.8 ft. E	66 ft.	±63%	0.14

Analysis

Design Variance A - Per Land Development Code (LDC) Section 62.604, “parking shall not be permitted between the principal building and the street or within the required front yard setback.” At some point within the past 10 years, the front driveway and a 10-ft. wide portion of the front yard was paved, with the rear parking area a mixture of gravel and dirt. When the adjoining properties to the east, at 1416-1420 E. Robinson St., were redeveloped into office uses (2005 or prior), the subject parcel was part of the overall traffic circulation pattern (the adjacent property owner owned the subject property prior to selling to the applicant in 2013). The single-vehicle wide driveway has an entry arrow pointing south, while the subject driveway (at 1412 E. Robinson St.) has an exit arrow pointing north towards E. Robinson St.

A 2010 Google aerial photo provided by the applicant/owner shows no parking in the front yard, but does show the paved front driveway and 10 ft. wide front parking space adjacent to the driveway. A 2011 Orange Co. Property Appraiser aerial photo and a 2012 Google aerial both show two (2) vehicles parked in the front yard. From other site photos, vehicles in front of the building park on dirt and not on a durable all-weather surface.

Per LDC Section 61.322 Figure 27, the 954 sq. ft. professional office is required to have a minimum 2 (maximum 4) parking

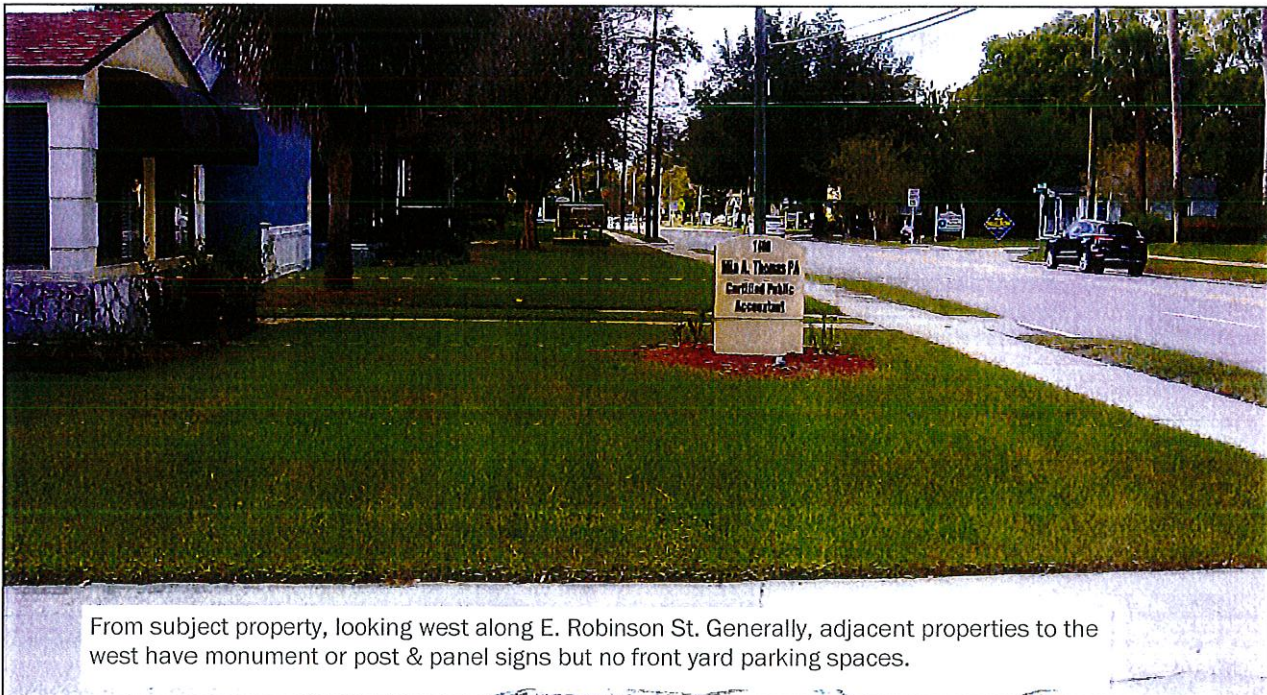
tory condition so as to be safe, attractive and free of hazard, nuisance or other unsafe conditions. For purposes of this Section, a durable all-weather surface shall mean an improved surface of concrete, brick, asphalt, open weave paver blocks (for one- or two-family dwellings only), or other permanent dust-free surfaces, but shall not include wood chips, mulch or other material subject to decay. Stone may be used as an alternative parking surface on commercial, office, or public benefit use properties, on a limited basis to achieve the tree protection requirements of Chapter 60, or for the continuance of legal, non-conforming stone parking lots.” At some point, possibly dating to when the site was a residential use, a portion of the front yard next to the front driveway was paved to create a 2nd parking space (parallel to the driveway). At some point, tenants began to park in the front yard, parallel to E. Robinson St. The applicant/owner now wishes to retain the two (2) front parking spaces but is willing to place semi-pervious pavers that, even if installed to manufacturers specs, might not actually be pervious. Again, there is no paved handicapped space on the property.

Staff recommends approval of Variance B for one (1) front parking space to be constructed of pervious pavers. The one (1) front parking space shall be landscaped on the north and east sides to shield view of the parking space from the front sidewalk and street and from the adjacent office use to the east (see landscaping conditions on page 11 of this report).

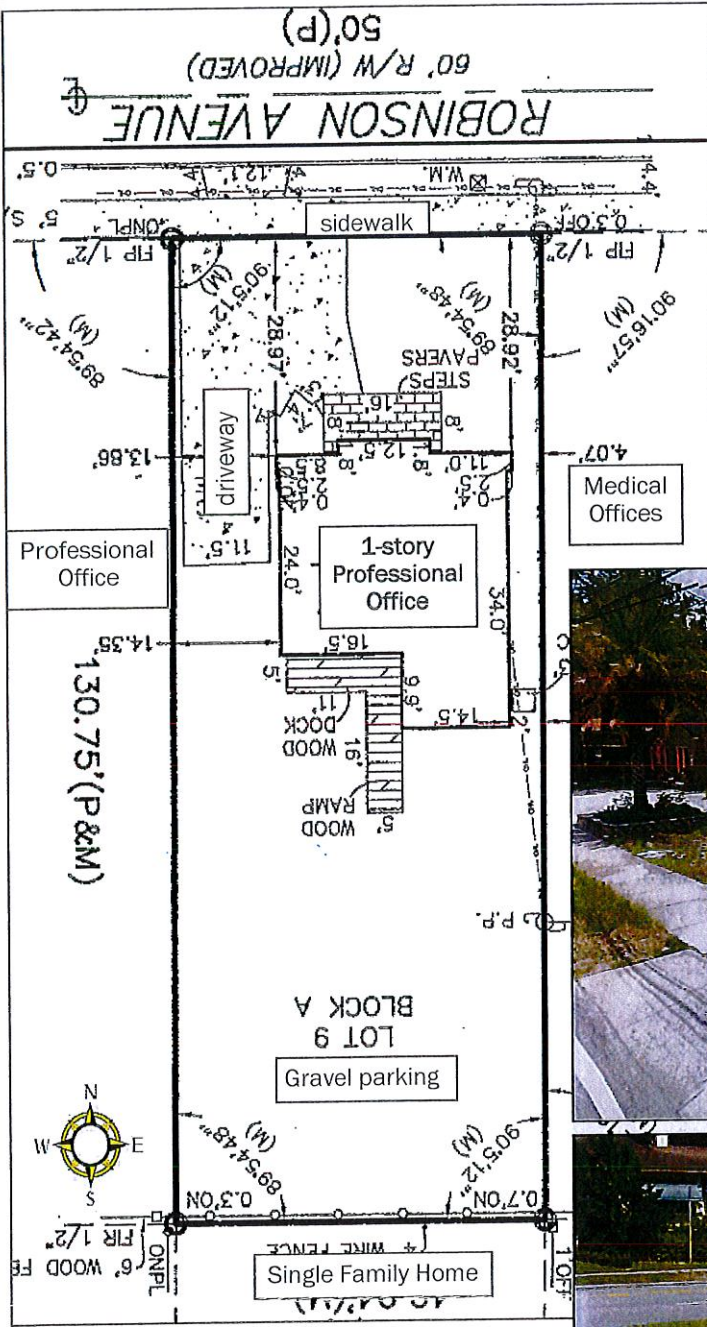
Variance C - As noted on Table 3 on the preceding page, a maximum 40% of the front yard can be covered with impervious surface (concrete, asphalt, pavers). If the front parking surface is ultimately considered to be impervious (when reviewed at time of permitting), then a variance is needed to increase the front yard impervious surface coverage to $\pm 52\%$ (for the one recommended front parking space), where currently limited to 40%. Staff supports this variance, but only for the one front parking space, not for two (2) parking spaces as requested by the applicant (two (2) front parking spaces would push the front yard impervious surface coverage to 65%).

Design Variance D - As noted under previous actions and identified in one of the site photos on page 7 of this report, the property has an existing post and panel sign in the front yard that was not previously permitted or allowed under a previous variance. Per LDC Section 64.228, only wall-mounted, marquee, window, projecting (blade) and awning signs are allowed when the building has less than a 35-ft. front setback (the subject site has a building setback of 28.9 ft.). A building permit was previously requested in Jan. 2014 (BLD2014-00220) for a 7.5 sq. ft. post and panel sign, but that permit was never issued.

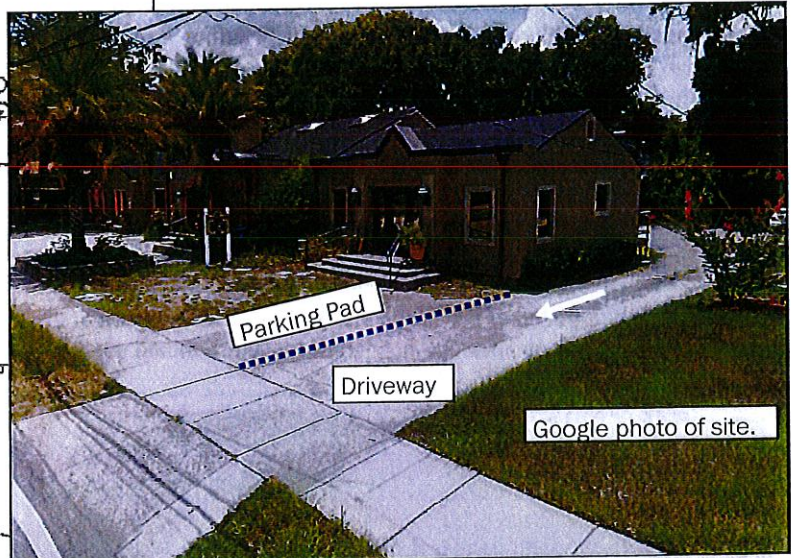
Per LDC Section 64.226, sign area within the O-1 district is limited to 1 sq. ft. per 4 linear ft. of building frontage facing E. Robinson St. The office building has 31 linear ft. of building frontage, which equates to 7.75 sq. ft. of sign area. A ground or pole sign cannot exceed 6 ft. in height, cannot be located in the front 12.5 ft. of the lot and can be no closer than 15 ft. from the adjacent lot line. The existing sign is 6 ft. tall and appears to be 7.5 sq. ft. in area. The sign also appears to be at least 15 ft. from the east lot line. Placement of one (1) paved front parking space (using the staff-preferred site plan) will not interfere with the existing sign location, but will serve to allow patrons to better see the sign, which is currently blocked from view by parked vehicles. Staff recommends approval of the design variance to allow retention of the existing post and panel sign in the O-1/T zoning district, subject to securing an after-the-fact permit for said sign and placing landscaping around the base of the sign.



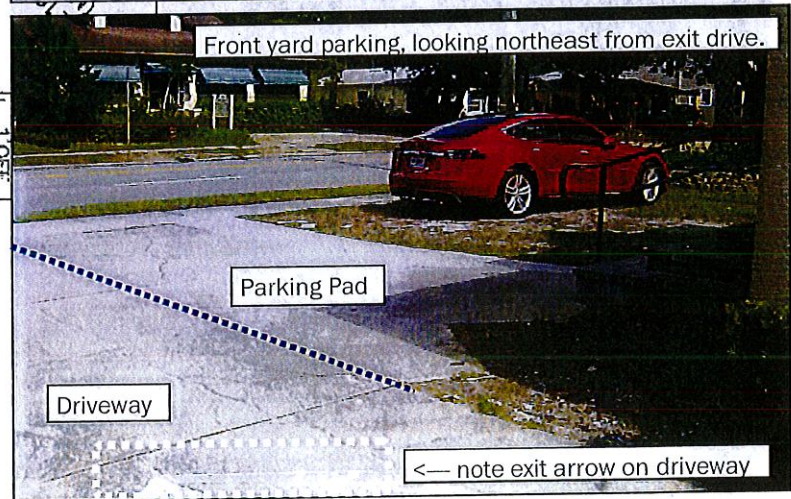
2013 SURVEY



SITE PHOTOS

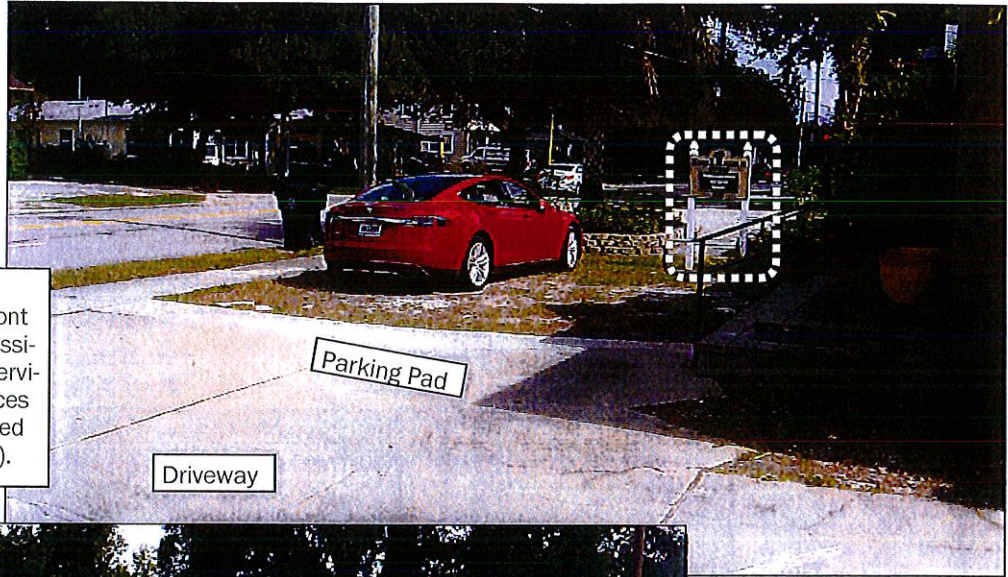


Google photo of site.



← note exit arrow on driveway

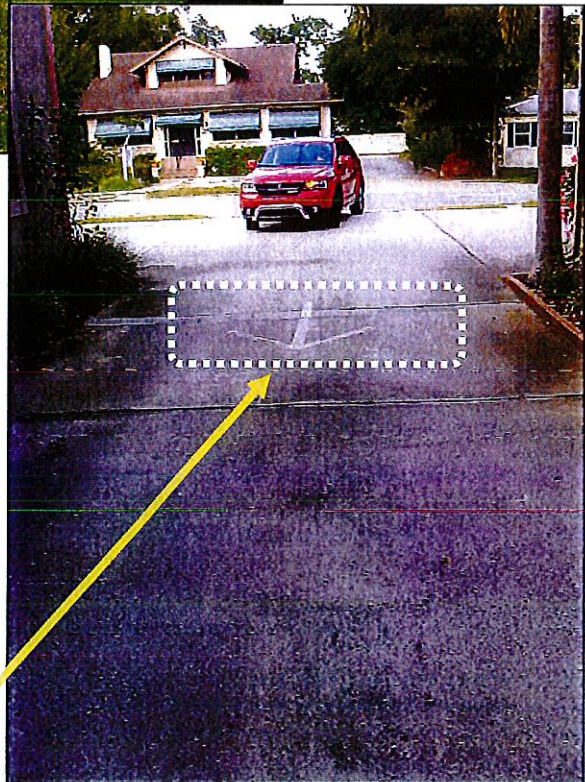
SITE PHOTOS



Front parking and drive aisle. Variances needed to retain front parking, use of pavers and possible increase in front yard impervious surface coverage (Variances A, B & C). Also note unpermitted post & panel sign (Variance D).



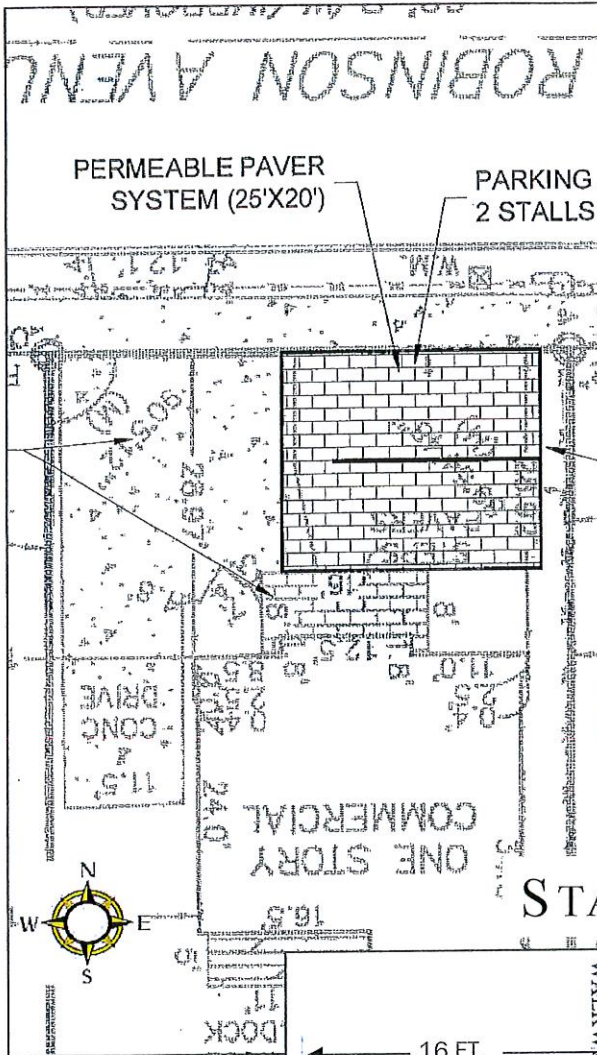
View of rear gravel and grass parking area for subject property, with access from adjacent offices to the east.



Driveway for office to the east (1416-1420 E. Robinson St.), with arrow pointing inward (south), with exiting driveway to the west on subject property (1412 E. Robinson St.).

not taking away lot parking - work w. neighbor to fix adj. lot

OWNER-PROVIDED SITE PLAN



Owner-suggested site plan provides no buffer between two (2) front parking spaces and front lot line, and very little buffer between spaces and east lot line.

DESIGN VARIANCE A - Parking in front of building in Traditional City Overlay.

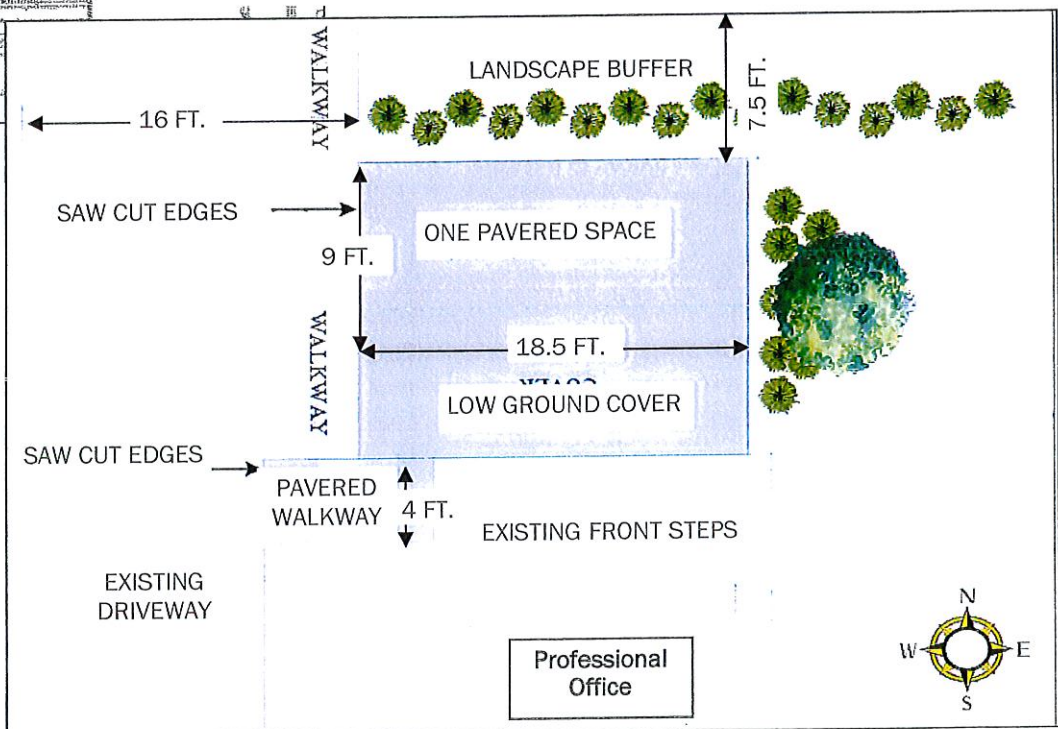
Staff Recommendation: **Approval of one (1) space only**, with minimum 7.5 ft. landscape buffer between parking space and front lot line and between parking space and east lot line, with groundcover or grass between the parking space and the front steps.

VARIANCE B - Allow use of pervious pavers in lieu of durable all-weather driving and parking surface in front parking space(s).

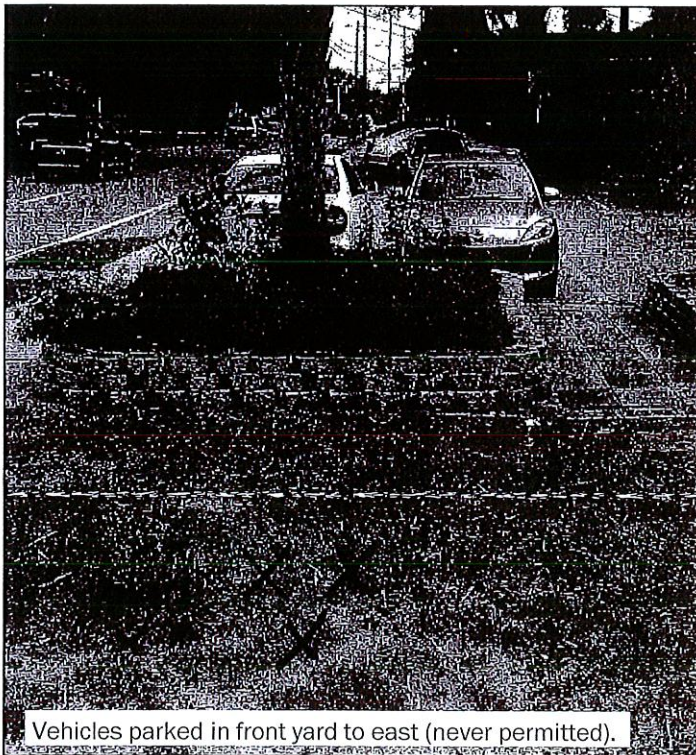
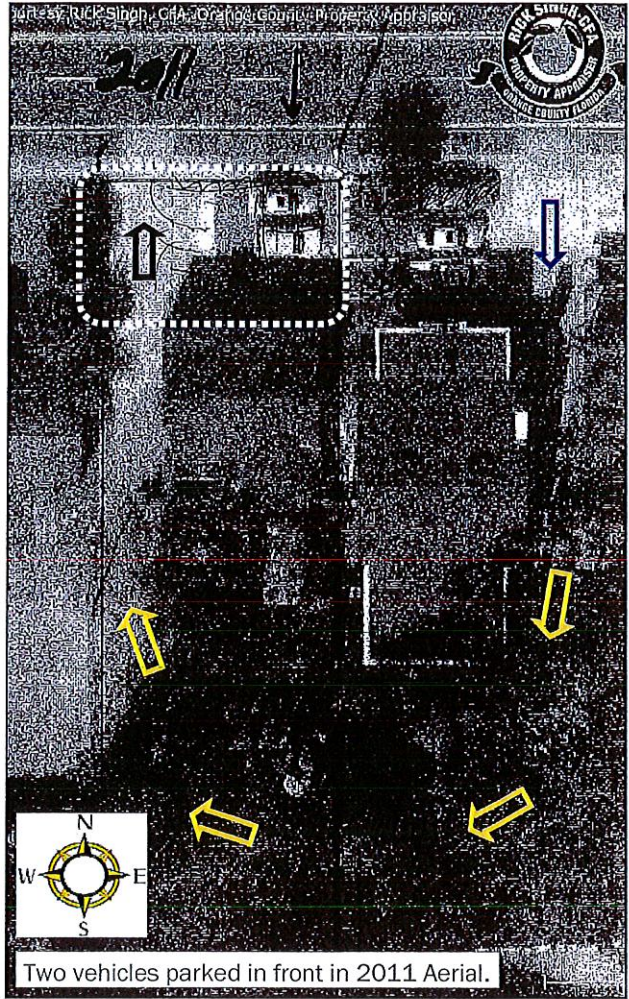
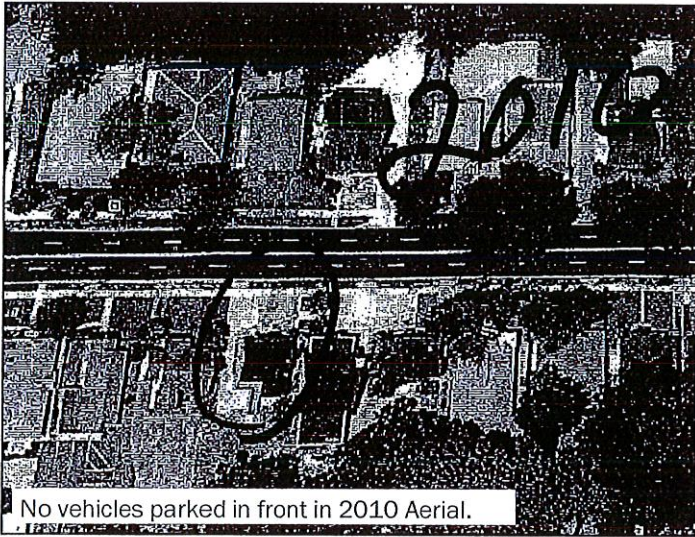
Staff Recommendation: **Approval**, with installation of pervious pavers for the **one front parking space**.

(3rd variance needed for front yard impervious surface coverage if front space is impervious).

STAFF-PREFERRED SITE PLAN

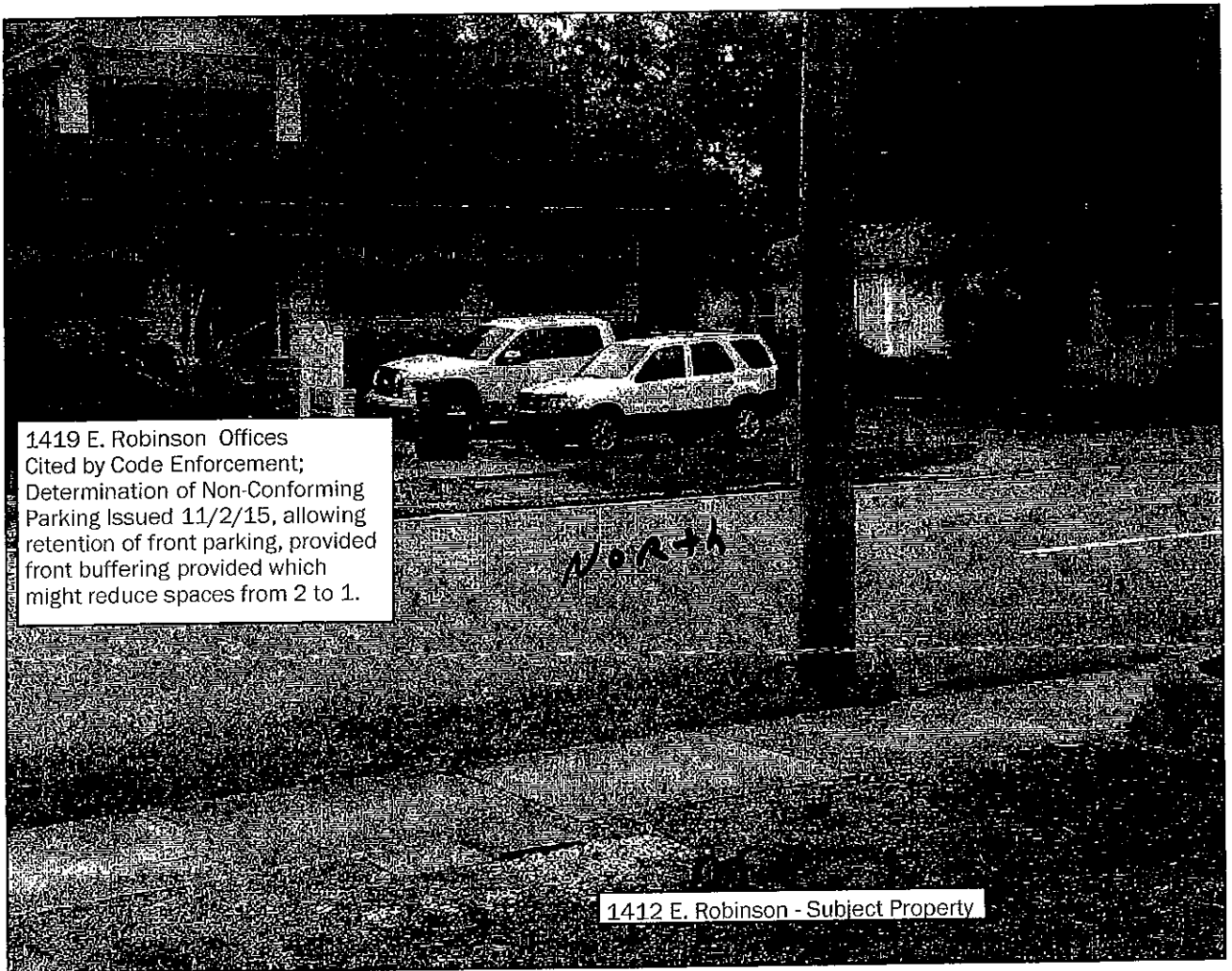
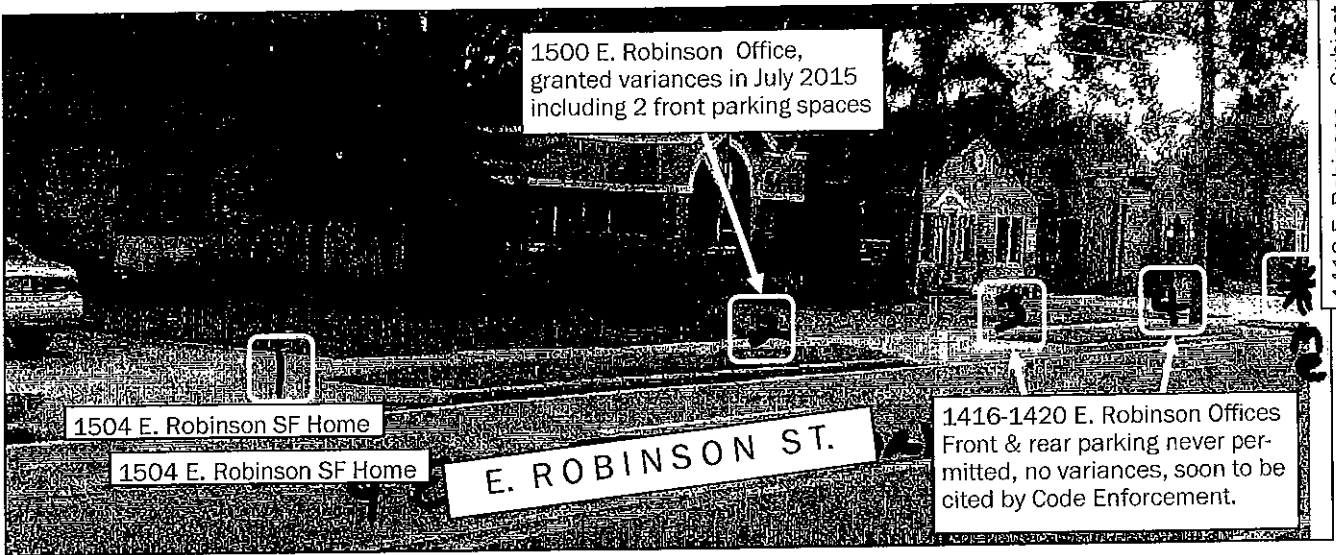


OWNER-PROVIDED SITE PHOTOS



OWNER-PROVIDED SITE PHOTOS

1412 E. Robinson - Subject Property



FINDINGS AND RECOMMENDATIONS

VARIANCES FOR PARKING & A SIGN IN FRONT OF A PROFESSIONAL OFFICE

- A. Design Variance to allow parking in the front yard setback, where parking is required to be behind the principal building facade or front setback (per LDC Section 62.604);
- B. Variance to allow semi-pervious pavers as an alternative to a durable all-weather parking surface (per LDC Section 61.303(a));
- C. Variance of 12% to allow the front yard impervious surface coverage to not exceed 52%, where currently limited to 40% (per LDC Section 61.302(f2)); and
- D. Design Variance to allow a post and panel sign in the Traditional City Overlay, where currently prohibited (per LDC Section 64.228).

Staff Recommendation: Approval of Design Variances A & D, based on the finding that said design variances meet at least 51% of the applicable standards for approval of a design variance; and approval of Variances B & C, based on the finding that said variances meet all six (6) standards for approval of a variance, per the conditions below:

1. Development shall be in strict conformance with all conditions and the site plan and photographs found in this report, subject to any modification by the Board of Zoning Adjustment (BZA) and/or City Council. Minor modifications to the approved variance may be approved by the Zoning Official. Major modifications, as determined by the Zoning Official, shall require additional review by the BZA.
2. All applicable City, county, state or federal permits must be obtained before commencing development.
3. Appearance Review will be required during permitting to ensure compliance with the variance conditions.
4. No vehicles shall back onto E. Robinson St. All turning movements shall be within the property.
5. A minimum 7.5-ft. deep landscape area is required between the property boundary along E. Robinson St. and the proposed front parking space. This landscape area shall be screened with low growing plantings and or shrubs, including African Iris (*Dietes iridioides*), Dwarf Yaupon Holly (*Illex vomitoria 'Nana'*), or Indian Hawthorn (*Rhaphiolepis indica*).
6. In an effort not to block sight lines, a palm or understory tree shall be installed east of the parking stall away from power lines. Said tree shall be 10-12 ft. in overall height with a minimum caliper of 2.5 inches and shall be installed in accordance with City Code.
7. A direct pedestrian access walkway shall be provided from the front entrance steps of the principal building to the existing concrete driveway and out to the front public sidewalk. Proper application and detailing of materials shall be applied at the locations where the concrete and pavers meet. All concrete cuts shall be precise.
8. The existing driveway at the front lot line shall not exceed 16 ft. in width where shown on the site plan within this report.
9. A minimum 10-ft. wide cross-access easement shall be recorded along the east and west sides of the property to facilitate existing and future connectivity to other rear parking lots on the south side of E. Robinson St.
10. Additional landscaping shall be placed around the base of the sign and along the eastern end of the parking stall. Plant types shall be similar to those provided under condition #5.
11. All site improvements, including an after-the-fact permit for the existing post & panel sign, shall be permitted prior to installation, and final inspections shall be requested in order to close out said permits.
12. Pre- and post-construction calculations of the impervious surface area shall be provided at time of permitting to illustrate how the increased stormwater (from adding pavers to the front yard) will be addressed.

Note to Applicant: The proposed variance only addresses the Land Development Code standards expressly represented in this staff report and any relief to such standards as approved. The relief granted through the variance is restricted to the subject property as noted in the staff report and is not transferable to other parcels of land.

The next step in this variance request is City Council consideration of the Board of Zoning Adjustment's recommended action (provided it is not appealed) at an upcoming City Council meeting. Possible City Council approval of this variance request does not constitute final approval to carry out the development proposed in this application. The applicant shall comply with all other applicable requirements of the Land Development Code, including any additional review requirements, and shall receive all necessary permits before initiating development. Please contact the Permitting Services Division of the City of Orlando to inquire about your next steps toward receiving a building permit. Also, please provide a copy of the Variance approval letter with conditions of approval with any permits requested for said project.

STANDARDS FOR DESIGN VARIANCE APPROVAL	DESIGN VARIANCES A & D: ALLOW FRONT PARKING & A POST & PANEL SIGN IN THE TRADITIONAL CITY OVERLAY		
<i>Conformance to the Code and the GMP</i>	Meets Standard	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Pedestrian-, not vehicle-, oriented design is consistent with the Growth Management Plan and Land Development Code.		
<i>Logic of Design</i>	Meets Standard	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Maximum allowed parking (4 spaces) is easily accommodated within the rear gravel parking lot. Additional parking spaces in the front yard is a luxury for this parcel. The post & panel sign is currently blocked from view by vehicles in the front yard.		
<i>Exterior Space Utilization</i>	Meets Standard	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Placement of one (1) parking space in the front yard, along with retention of the existing sign, would be a beneficial use of exterior space for the office use.		
<i>Attractiveness</i>	Meets Standard	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Allowing one (1) paved or pavered front parking space, and the existing sign, with appropriate landscaping, would greatly enhance the attractiveness of this property.		
<i>Materials Selection</i>	Meets Standard	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Use of pavers or stamped or colored concrete would be much better than parking on gravel or dirt. Via the materials used, the sign blends with the office building.		
<i>Compatibility with Surrounding Properties</i>	Meets Standard	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Six (6) other office uses along this portion of E. Robinson St. have front parking spaces but only two (2) of those site have received variances, determinations or permits allowing parking in the front yard. Many properties have detached front signs.		
<i>Circulation & Parking, Vehicular & Pedestrian</i>	Meets Standard	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	One (1) front parking space, between the office building and the front lot line, will assist with vehicle circulation within the office site. The sign has no impact.		
<i>Accepted Architectural Principles</i>	Meets Standard	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	If paved or pavered, said front parking space would adhere to accepted architectural principles. The existing sign appears to adhere to architectural principles.		
<i>Protection of Property Values</i>	Meets Standard	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Placement/retention of one (1) improved front parking space, with retention of the existing post and panel sign, will serve to protect property values.		
<i>Revitalization of Depressed Areas</i>	Meets Standard	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Not applicable - not a depressed area.		

STANDARDS FOR VARIANCE APPROVAL	VARIANCES B & C: USE OF SEMI-PERVIOUS PAVERS FOR FRONT PARKING SPACE & INCREASED FRONT IMPERVIOUS COVERAGE
<p><i>Special Conditions and Circumstances</i></p> <p>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.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The property consists of a parking-constrained O-1/T zoned lot on E. Robinson St. in the Lawsona/Fern Creek neighborhood. The owner/applicant is currently parking on dirt/grass in front of the office use. The overall site is below the maximum ISR but improvements to the front of the site will increase the front yard impervious surface coverage.</p>
<p><i>Not Self-Created</i></p> <p>The special conditions and circumstances do not result from 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.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The owner purchased the property in 2013 "as is", not realizing that pre-existing front parking on a non-improved surface was not allowed by City Code (despite other nearby uses having similar situations). Placement of pavers to bring the front parking space up to Code will increase the front yard impervious surface coverage so as to no longer meet Code, hence, the variance request.</p>
<p><i>No Special Privilege Conferred</i></p> <p>Approval of the Zoning Variance requested shall not confer on the applicant any special privilege that is denied by this Chapter to other lands, buildings, or structures in the same zoning district.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Approval of the variances should not confer a special privilege, based on the special conditions and circumstances of the property, and provided that vehicles are parked on semi-pervious pavers or more durable surfaces on other nearby properties (some approved, some not).</p>
<p><i>Deprivation of Rights</i></p> <p>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 shall not constitute grounds for approval of any variance. Purchase of property with intent to develop in violation of the restrictions of this Chapter shall also not constitute grounds for approval.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Denial of the variances would require that the owner pave the front parking space(s), at additional cost to himself. Other property owners in the area and in a similar situation have been allowed to use semi-pervious pavers for the front parking spaces.</p> <p>As for the sign, denial of the variance would require removal of the existing sign, at additional cost to the owner/applicant, and less visibility to patrons using the services of the owner/applicant.</p>
<p><i>Minimum Possible Variance</i></p> <p>The Zoning Variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The variances requested are the minimum possible variances to allow the continued use of one front parking space on semi-pervious pavers and use of the existing post & panel sign in front of the office.</p>
<p><i>Purpose and Intent</i></p> <p>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.</p>	<p><i>Meets Standard</i> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Approval of the variances would be viewed as being harmonious with the purpose and intent of the Code. Continued use of the property within Code requirements will promote the appearance and character of the immediate neighborhood. Granting the variances would not be detrimental to the public welfare.</p>

APPLICANT'S RESPONSES TO DESIGN VARIANCE REQUEST

Thank you for considering my design variance application. I am seeking to maintain front parking as it existed for years before I purchased the building in 2013. The existing parking pattern is safer for sidewalk pedestrians and vehicle traffic than any alternative. I will gladly supply any further information needed.

CONFORMANCE TO THE CODE AND THE GMP MAP

This proposed design meets the of the Code and the Growth management plan as it helps to promote the public health, safety, comfort, appearance and general welfare. The plan increases pedestrian and car safety. The proposed design perpetuates and enhances the positive design character within the traditional city. The design is very simple, conservative, and is in harmony with the other business on Robinson St.

LOGIC OF DESIGN

Parking is at a premium for this professional office parcel. The 4 spaces in the rear are routinely not useable as they flood with rainwater from multiple neighboring paved properties, some fully paved front to rear, while I am the only unpaved property, only about 35% impervious surface. Continued use of front parking is not a luxury, but is necessary to do business.

EXTERIOR SPACE UTILIZATION

The proposed plan is efficient exterior space utilization which also increases pedestrian safety and car safety. Any other plan eliminates all maneuverability and requires cars drive straight in then back out across the pedestrian sidewalk onto Robinson St.

ATTRACTIVENESS

Paver blocks will match the existing brick stairway and materials. Keeping existing 2 front parking spaces increases the attractiveness of the property rather than driveway parking, matches the neighboring properties with front, and eliminates potential hazards of driveway parked vehicles with the rear end near the pedestrian sidewalk, vehicles backing out across the pedestrian sidewalk onto Robinson St. This more attractive, safer plan increases the value of this and neighboring properties.

MATERIALS SELECTION

Paver blocks will allow draining and also match the existing brick stairway and building materials.

APPLICANT'S RESPONSES TO DESIGN VARIANCE (CONT'D)

COMPATIBILITY WITH SURROUNDING PROPERTIES

The proposal is completely consistent with surrounding offices on Robinson St. that already offer clients front parking. The 4 properties to the east and the 2 properties directly across the street all have front parking as the multiple photos demonstrate, as do many others in the area. (Neighboring front parking photos attached).

The requested parking has existed for years, before I bought this building in 2013, as shown by the attached 2010, 2011 and 2012 Orange County photos and overheads.

Surrounding property owners do not object and have signed affidavits. (attached).

CIRCULATION AND PARKING - VEHICULAR AND PEDESTRIAN

The proposed design considers vehicle and pedestrian traffic, which are significant factors to this request. The proposal is consistent with existing neighborhood parking and traffic flow, and there would be no adverse effect nor any change from current patterns if granted. Denial of the variance will require cars to back out across the pedestrian sidewalk on to Robinson St. from a spot directly in front of the building's former garage, increasing risk of hazard to both sidewalk pedestrians and to vehicles. (Picture Attached)

PROTECTION OF PROPERTY VALUES

The proposed variance maintains the value of the property, a professional office. Neighboring businesses are doctors, accountants, lawyers, and chiropractors.

I can not operate my law or mediation practice with parking only for the 4 employees, but none for clients, a court reporter and opposing attorneys. Nor could my neighboring businesses operate on this parcel if the application were denied. The plan increases the value of this and all neighboring professional properties by increasing safety and allowing professional use.

APPLICANT'S RESPONSES TO VARIANCE REQUESTS

NO SPECIAL PRIVILEGE CONFERRED:

Approval of this design variance does not confer any special privilege nor allow me to do something different than other similar owners for many reasons.

1. Neighboring professional offices already have similar front parking. The 4 lots to my East each have 3 front spaces, 4 front spaces, 2 front spaces and 1 front space (Attached EAST photos). The 2 lots across from me also have 1 front and 2 front parking spaces (attached NORTH photos). There is also front parking on countless other lots down Robinson St.

2. Just 4 months ago the City approved a variance at 1500 E. Robinson, 3 doors away on my block, to allow 2 front parking spaces with brick pavers. I am seeking to keep similar parking, which existed before I purchased, and at the same time eliminate an awkward front parking space to decrease public hazard and avoid backing out across the pedestrian sidewalk and onto Robinson St.

3. The attached 2010, 2011 and 2012 Orange County photos and overheads show front parking existed before I purchased the building in 2013. Only recently was I made aware the City would require this design application process for the parking which existed before I purchased. Attached is an affidavit from prior owner Mrs. Barrett that front parking existed years before I purchased the building.

DEPRIVATION OF RIGHTS:

Denial would deprive me of rights now enjoyed by other similarly situated owners on Robinson St., for many reasons:

1. Denial would cause extreme undue hardship. If it rains I lose 2 - 3 rear parking spaces due to water from neighboring owners draining to my land, as the attached photos show. The rear lots of my 6 nearest neighbors are all 100% paved. I am ZERO% rear paved. Water from the 6 neighboring fully paved rear lots, East and West, drain to me making 2-3 spaces wet and unusable, therefore the existing front parking is critical to doing business. My impervious ratio is very low, about 35%, far lower than any neighbor. I would be punished for not paving like my neighbors.

2. Denial would deprive me of the same rights as other owners. The City 4 months ago approved 1500 E. Robinson for a similar variance to allow 2 front parking spaces with brick pavers. I wish to keep the existing parking, using pavers as just approved.

3. Front parking existed before I bought the building, and front parking is needed to use this building as a professional office. The attached 2010, 2011 and 2012 Orange County photos and overheads, and attached affidavit from the prior owner, all show front parking existed before I purchased, as needed to do business.

4. My neighboring professional businesses on Robinson St. offer clients front parking necessary to do business, which I also need to do business.

APPLICANT'S RESPONSES TO VARIANCE REQUESTS (CONT'D)

Denial would preclude me from conducting business here. I have a busy law practice, including a mediation practice. I have a 4 employees here daily. Plus on any day I have depositions I also require parking for a court reporter, an opposing attorney and at least 1 client or witness, and clients also stop here throughout the day to deliver or sign medical or legal documents. For a mediation I must also have 2 attorneys, and clients, and clients also come in daily. Again 4 spots for only my employees would precludes conducting business at this location. If the front parking which existed before I purchased is denied it would create an undue hardship that would eliminate my business, or any other business here.

5. Denial requires reverting to a more dangerous condition by requiring the frontgarage spot to back out across a pedestrian sidewalk onto Robinson Street. This is an undue hardship which increases liability, and deprives me from being able to mitigate any danger.

PURPOSE AND INTENT:

Approval would not be injurious to the neighborhood and there is no adverse effect to adjacent properties or neighborhood. This is completely consistent with the professional use of the neighborhood. New medical practices next door and near me are far busier, and these neighboring owners already enjoy the privilege of front parking. This application is in harmony with them.

This proposed parking plan is safer for both traffic control and pedestrians on the sidewalk. To instead use the 1 front space to the left of the driveway, in front of the former garage, the vehicle rear is up to the pedestrian sidewalk, and must back out onto Robinson St. Denial would deprive me of my intent to reduce the danger and avoid forcing cars to back across the pedestrian sidewalk and onto Robinson Street.

The proposed parking plan is intended to greatly improve safety and aesthetics as follows:

1. Eliminate cars backing out across a pedestrian sidewalk;
2. Eliminate cars backing out onto Robinson Street;
3. Eliminate a car rear end near the pedestrian sidewalk;
4. Improve aesthetics.
5. Increase value of all neighboring properties

Under this design, I eliminate 1 awkward front garage space on left side of the driveway, and use only the 2 parallel spaces which were already there years before purchasing the building in 2013. This is just 1 net new space. This design is safer, and harmonious with neighboring properties, and keeps the parking in use for years before I purchased and is the same parking used by my neighbors.

AFFIDAVIT FROM FORMER OWNER

AFFIDAVIT

COMES NOW affiant, Roberta H. Barrett, who swears or affirms as follows:

- 1) That I am Manager of Orange/Robinson, LLC as stated in the State of Florida's public records.

That my company, Orange Legal, operated out of three (3) contiguous buildings on Robinson Street spanning three (3) separate decades, before moving to our larger location in Orlando. These buildings are:

- 1420 E. Robinson
- 1416 E. Robinson
- 1412 E. Robinson

- 2) I purchased 1416 E. Robinson in April 1998. There was parking in the front along E. Robinson St. the entire time since 1998, with no objection of any kind from the City or neighbors. In addition to the 5 rear spaces, front parking already existed at 1416 E. Robinson under prior owners before I purchased it, dating back many years.
- 3) I purchased 1420 E. Robinson in April 1998. There was parking in the front along E. Robinson St. the entire time since 1998, with no objection of any kind from the City or neighbors. In addition to the 7 rear spaces, front parking already existed at 1420 E. Robinson under prior owners before I purchased it, dating back many years.
- 4) As my business grew, we bought a third building at 1412 E. Robinson St. in 2009. There was a parking in the front along E. Robinson St. the entire time with no objection of any kind from the City or neighbors. In addition to the rear parking, front parking also existed at 1412 E. Robinson under prior owners and before I purchased it, dating back many years, including the decade that I owned the two neighboring buildings at 1416 and 1420.
- 5) During this time, there was also front parking on E. Robinson at the two (2) properties directly east of my three (3) buildings, 1450 E. Robinson and 1504 E. Robinson, which both remain with front parking today.
- 6) At this same time there was also front parking on Robinson St. directly across from my buildings at both 1419 E. Robinson and also at 1415 E. Robinson, both of which remain today with front parking, as do many other parcels along Robinson St.
- 7) During three (3) separate decades, since 1998, there was no complaint from the City or any neighbor regarding front parking along Robinson St.
- 8) The palm tree was added after the parking already existed.

STATE OF FLORIDA, COUNTY OF ORANGE

Before me the undersigned authority authorized to administer oaths and take acknowledgments personally appears Roberta H. Barrett who is personally known to me and who did take an oath, on this 31st day of July, 2015, who upon being duly sworn certifies that the information furnished by her as incorporated in the foregoing Affidavit is true.

Roberta H. Barrett
 Affiant

Malena Stewart
 Signature of Notary Public
 My Commission Expires March 4, 2016



SUPPORT LETTERS

I have reviewed the proposed variances which have been requested by David E. Mallen, owner of the property located at 1412 E. Robinson Street, Orlando, Florida 32801 :

1. Two parking spaces in front of subject property.
2. Waiving the required buffer between the front property line and sidewalk
3. Installation of pervious eco-friendly pavers.

I hereby state that I have no objections to any proposed changes with respect to the property located at: 1412 E. Robinson Street, Orlando, Florida 32801

STATE OF FLORIDA
COUNTY OF ORANGE

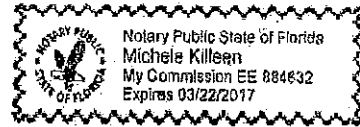
WEST NEIGHBOR

Before me the undersigned personally appeared Mia A. Thomas, who resides at or owns the property located at 1408 E. Robinson Street, Orlando, FL 32801

And after being duly sworn says

Sworn to and subscribed before me this day of October 20, 2015

Michele Killeen
Notary Public



STATE OF FLORIDA
COUNTY OF ORANGE

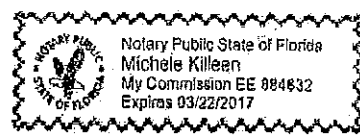
EAST NEIGHBOR

Before me the undersigned personally appeared [Signature] who resides at or owns the property located at 1412 E. Robinson Street Orlando, FL 32801

And after being duly sworn says

Sworn to and subscribed before me this 21 day of October, 2015

Michele Killeen
Notary Public



STATE OF FLORIDA
COUNTY OF ORANGE

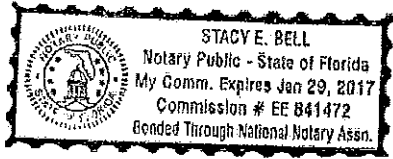
NORTH NEIGHBOR

Before me the undersigned personally appeared Charles Parker, who resides at or owns the property located at 1419 E. Robinson St

And after being duly sworn says

Sworn to and subscribed before me this 20 day of October, 2015

Stacy E. Bell
Notary Public



SWERDLOFF & PERRY

SURVEYING, INC.

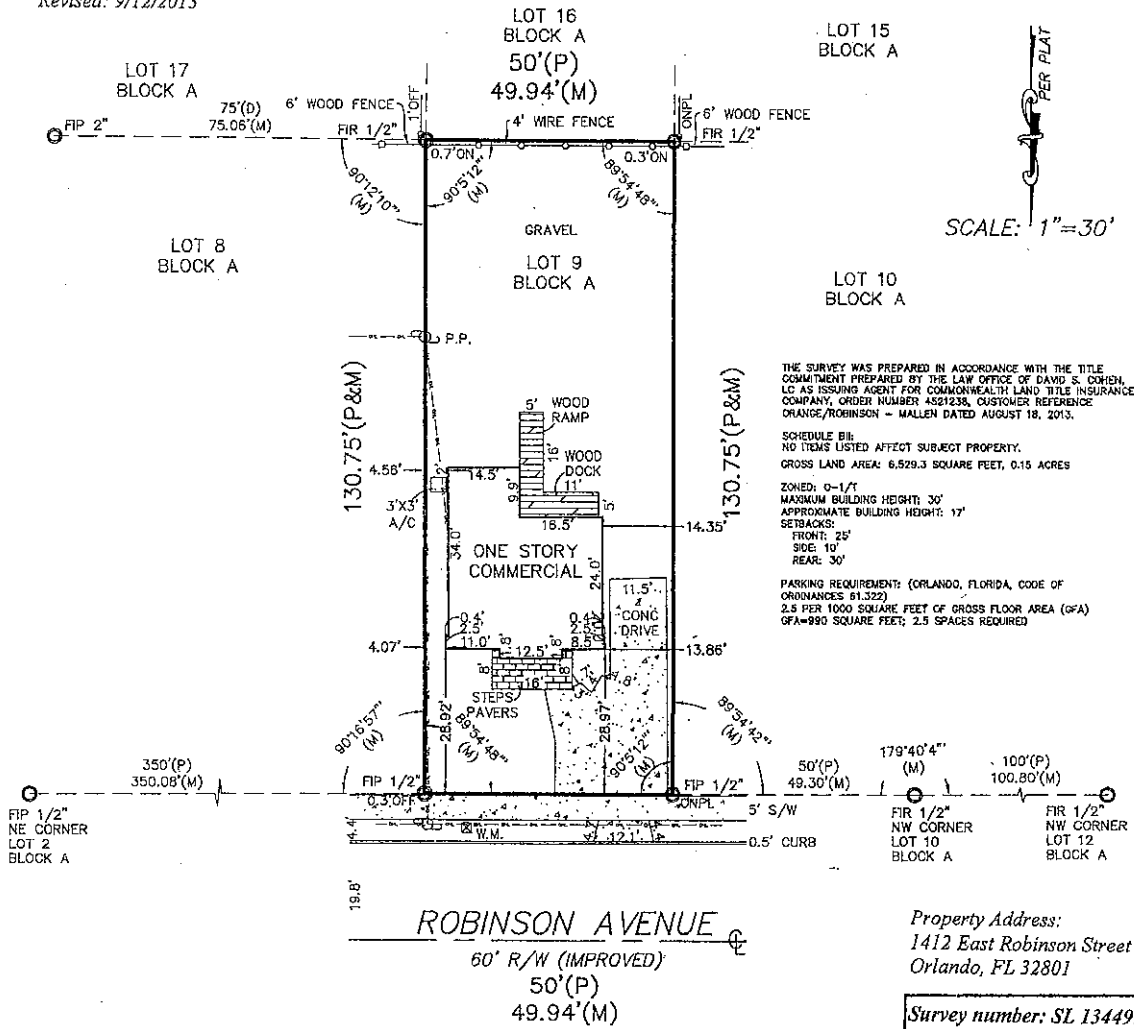
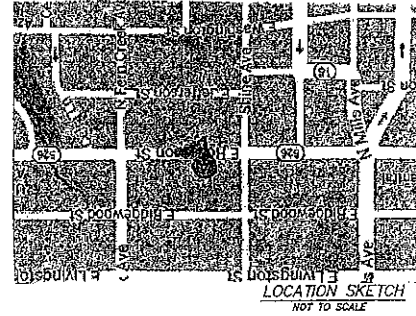
370 Waymont Court • Lake Mary, FL 32746 • Voice 407.688.7631 • Fax 407.688.7691 • sandpsurveying@gmail.com

Lot 9, Block A, BUENA VISTA, according to the plat thereof, as recorded in Plat Book Plat Book E, Page(s) 105, of the Public Records of Orange County, FL.

Community number: 120186 Panel: 0265
 Suffix: F.F.I.R.M. Date: 9/25/2009 Flood Zone: X
 Date of field work: 9/6/2013 Completion Date: 9/12/2013

Certified to:
 SLM2, LLC, a Florida limited liability company; Law Offices of David S. Cohen, LC; Commonwealth Land Title Insurance Company; its successors and/or assigns.

Revised: 9/12/2013



THE SURVEY WAS PREPARED IN ACCORDANCE WITH THE TITLE COMMITMENT PREPARED BY THE LAW OFFICE OF DAVID S. COHEN, LC AS ISSUING AGENT FOR COMMONWEALTH LAND TITLE INSURANCE COMPANY, ORDER NUMBER 4521233, CUSTOMER REFERENCE ORANGE/ROBINSON - MALLIN DATED AUGUST 18, 2013.

SCHEDULE B/L NO ITEMS LISTED AFFECT SUBJECT PROPERTY.
 GROSS LAND AREA: 6,529.3 SQUARE FEET, 0.15 ACRES

ZONED: O-1/T
 MAXIMUM BUILDING HEIGHT: 30'
 APPROXIMATE BUILDING HEIGHT: 17'

SETBACKS:
 FRONT: 25'
 SIDE: 10'
 REAR: 30'

PARKING REQUIREMENTS (ORLANDO, FLORIDA, CODE OF ORDINANCES 61.322)
 2.5 PER 1000 SQUARE FEET OF GROSS FLOOR AREA (GFA)
 GFA=990 SQUARE FEET; 2.5 SPACES REQUIRED

Property Address:
 1412 East Robinson Street
 Orlando, FL 32801

Survey number: SL 134495

LEGEND

	ASPH	Asphalt	P.R.M.	Permanent Reference Monument
	B.W.	Block Wall	P	Plat
	BR	Brick	P.B.	Plat Book
	C	Centerline	P.O.B.	Point of Beginning
	CONC	Concrete	P.O.C.	Point of Commencement
	CA	Covered Area	P.C.C.	Point of Compound Curve
	LB	Line Break Not to Scale	P.C.	Point of Curvature
	FL	Property Line	PI	Point of Intersection
	WF	Wire Fence	P.R.C.	Point of Reverse Curvature
	WF	Wood Fence	P.T.	Point of Tangency
	A/C	Air Conditioning	P.O.L.	Point on Line
	B.R.	Bearing Reference	P.P.	Power Pole
	B.M.	Bench Mark	RAD	Radial
	CATV	Cable Riser	R	Radius (Radial)
	C	Calculated	R/W	Right of Way
	C.L.F.	Chain Link Fence	R.O.E.	Roof Overhang Easement
	CH	Chord	S.I.R.	Set from Rod & Cap
	CB	Chord Bearing	S/W	Sidewalk
	CONC	Concrete	TEL	Telephone Facilities
	C.M.	Concrete Monument	T.B.M.	Temporary Bench Mark
	D.B.	Deed Book	T.O.B.	Top of Bank
	D	Description or Deed	TX	Transformer
	D.U.E.	Drainage & Utility Easement	TYP	Typical
	DE	Drainage Easement	U.E.	Utility Easement
	D.H.	Drill Hole	W.M.	Water Meter
	ESMT	Easement	W.C.	Witness Corner
	E.O.P.	Edge of Pavement		
	E.O.W.	Edge of Water		
	EB	Electric Box		
	ELEV	Elevation		
	ENCR	Encroachment		
	EE	Existing Elevation		
	F	Field		
	M	Field Measured		
	FF	Finished Floor		
	FD	Found		
	F.C.M.	Found Concrete Monument		
	F.I.P.	Found Iron Pipe		
	F.I.R.	Found Iron Rod		
	F.N.	Found Nail		
	F.P.K.	Found Parker-Kalon Nail		
	L	Length		
	L.B.	Licensed Business		
	M.H.	Manhole		
	N&D	Nail & Disk		
	N.T.S.	Not to Scale		
	O.R.	Official Records		
	O.R.B.	Official Records Book		
	O.H.	Overhead Lines		
	PG.	Page		
	P.V.M.T.	Pavement		

GENERAL NOTES

- Legal description provided by others.
- The lands shown hereon were not abstracted for easements or other recorded encumbrances not shown on the plat.
- Underground portions of footings, foundations or other improvements were not located.
- Wall ties are to the face of the wall.
- Only visible encroachments located.
- No identification found on property corners unless noted.
- Dimensions shown are plat and measured unless otherwise noted.
- This is a BOUNDARY SURVEY unless otherwise noted.
- Not valid unless sealed with the signing surveyors embossed seal.
- Where plat or deed bearing is identical to measured, this shall serve as the basis of bearings, unless noted otherwise.
- All lines are not radial unless otherwise noted.
- Unless otherwise noted, flood zone information provided by others.
- Septic tank and/or drainfield locations are approximate, and shall be verified by appropriate utility location companies.
- Detail dimensions of pools not shown.
- The closure of structures may not be precise due to imperfections and decorative terms.
- Survey is for reference only unless signed and sealed by a Florida Registered Land Surveyor.
- Recertification does not indicate an update.
- This survey meets all applicable accuracy requirements.
- This survey is in accordance with the Minimum Technical Standards promulgated by the Florida Board of Professional Land Surveyors, 53-17, of the Florida Administrative Code, Section 471.027, Florida Statutes.

I hereby certify that this survey is a true and correct representation of a survey prepared under my direction.