OPENING SESSION

- Determination of a quorum.
- Avery Donaudy, Chairperson, called the meeting to order at 2:05 p.m.
- Pledge of Allegiance.
- The Board ACCEPTED the Minutes of the September 22, 2015 BZA Meeting as presented.

PUBLIC COMMENT

Chairperson Donaudy pointed out that any member of the public could be heard on any matter before the board; if an item was listed on the consent agenda, any member of the public could ask that the item be pulled and placed on the regular agenda.

AGENDA REVIEW

Executive Secretary Cechman reviewed the items on the consent agenda.

CONSENT AGENDA

1. VAR2015-00098    MILLENIUM AUDI DIGITAL BILLBOARD

Applicant: Chad Harvey, Outfront Media LLC, 2699 Lee Rd., Ste. 230, Winter Park, FL 32789

Owner (adjacent land): Luxury Orlando Imports Inc., 200 SW 1st Ave., 14th Fl., Ft. Lauderdale, FL 33301

Location: 4725 Vineland Rd. (±5.0 acres)

District: 4

Project Planner: Jim Burnett (407.246.3609 – james.burnett@cityoforlando.net)

Requested variance:

- Variance of 193 ft. to allow a new digital billboard face (replacing a tri-vision face) to be 207 ft. from an adjacent vacant R-3B-zoned property, where a minimum 400 ft. setback is required.

Recommended action: Approval of the requested variance, subject to the conditions in the staff report.

1. Development shall be in strict conformance with all conditions and the survey and site plans 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 visible portions of the back side of the off-premises digital billboard sign shall be painted monochromatic grey or other monochromatic neutral color that blends with the sky, especially as viewed from Vineland Rd. and eastbound traffic on Conroy Rd.

2. **VAR2015-00105**  
   **REFRESH @ MOSAIC SIGN**

   Applicant/Owner: Mike Van Den Abbeel, Mosaic Hair Studio, 2209 Howard Dr., Winter Park, FL 32789  
   Location: 537 & 541 Virginia Dr. (±0.28 acres)  
   District: 3  
   Project Planner: Jim Burnett (407.246.3609 – james.burnett@cityoforlando.net)

   Requested variance:

   - Variance to allow a second small post and panel sign on the same street face, where the site is only allowed one sign per street frontage.

   **Recommended action:** Approval of the requested variance, subject to the conditions in the staff report.

   1. Development shall be in strict conformance with all conditions and the survey 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 shall be required at time of permitting to ensure compliance with these conditions.
   4. The bottom of the lowest hanging portion of the sign shall be no lower than 18 inches above grade, in order to minimize the appearance of this sign being a monument sign.
   5. The new sign shall not be internally illuminated.

3. **VAR2015-00107**  
   **33 N. HAMPTON AVE.**

   Applicant/Owner: Raphael Lopez, 33 N. Hampton Ave., Orlando, FL 32803  
   Location: 33 N. Hampton Ave. (±0.20 acres)  
   District: 4  
   Project Planner: Michaëlle Petion (407.246.3837 – michaelle.petion@cityoforlando.net)

   Requested variance:

   - Variance of 5 ft. to allow an accessory cottage to remain at a 0 ft. side setback where 5 ft. is the minimum required.

   **Recommended action:** Approval of the requested variance, subject to the conditions in the staff report.

   1. Development shall be in strict conformance with all conditions and the site plans and elevations 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 other applicable state or federal permits must be obtained before commencing development.
   3. Appearance Review shall be required. Structures shall have the same exterior finish shall incorporate at least two similar architectural details found on such principal structure into their design. Examples of similar architectural details include, but are not limited to, windows, doors, roof style, cornice detailing, vents, and dormers.
   4. Landscaping shall be consistent with LDC section 60.223.
4. **VAR2015-00108 1800 NORTHUMBERLAND AVE.**

   **Applicant/Owner:** Keith Knapp, 1800 Northumberland Ave., Orlando, FL 32804

   **Location:** 1800 Northumberland Ave. (±0.23 acres)

   **District:** 3

   **Project Planner:** Katy Magruder (407.246.3355 - kathleen.magruder@cityoforlando.net)

   **Requested variance:**

   - Variance of 6 ft. to allow the construction of a two-car garage flush with the existing one-story house at a 14 ft. setback, where 20 ft. is the required street side yard setback for new garages.

   **Recommended action:** Approval of the requested variance, subject to the conditions in the staff report.

1. Development shall be in strict conformance with all conditions and the survey 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.

**Engineering/Zoning**

Based on the size of the addition and/or job cost this addition may trigger a Substantial Improvement or Enlargement. This may result in the need to replat, and the need to receive relief for the non conforming side yard setback. A substantial enlargement will trigger a landscape plan to be submitted at Building Permit.

1. Permitting supports the rear loaded option as the minimum solution.
2. Impact fees will be accessed at Building Permit.
3. Maintain the sidewalk to the front door.

**Urban Design**

1. A row of evergreen dwarf shrubs or tall groundcover plants shall be planted along the south facade of the addition and along the south edge of the proposed driveway.
2. A canopy tree shall be planted between the southwest corner of the property and the proposed driveway.
3. The south and west facades of the addition shall generally comply with the elevations proposed.

**Transportation Engineering**

1. The existing driveway on W. New Hampshire St. that will no longer be utilized due to new driveway design shall be removed and the owner shall restore all curbs, gutters, parkways and sidewalks to Orlando Engineering Standards Manual (ESM) requirements and standards.

5. **VAR2015-00109 CROWNPOINTE TRAILER PARKING**

   **Applicant:** Jackson Taunton IV, Colliers, 4830 W. Kennedy Blvd., Ste. 300, Tampa, FL 33609

   **Owner:** TR Crownpointe Corp., 13155 Noel Rd., Ste. 500, Dallas, TX 75240

   **Location:** 7469 Kingspointe Pkwy. (±11.4 acres)

   **District:** 6

   **Project Planner:** TeNeika Neasman (407.246.4257 – teneika.neasman@cityoforlando.net)

   **Requested variance:**

   - Variance of 4% to allow an 84% impervious surface coverage for additional trailer parking, where 80% is the maximum allowed in the I-P zoning district.

   **Recommended action:** Deferral of the requested variance by the applicant.

*Board member Hodges moved APPROVAL of the CONSENT AGENDA. Vice Chairperson Pathak SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.*
REGULAR AGENDA

6.  VAR2015-00104  6485 FORECASTLE CT.

Applicant:  Thiago Davila, US Aluminum Services Corp., 2211 W. Washington St., Orlando, FL 32805
Owner:  Nancy Suggs, 6485 Forecastle Ct., Orlando, FL 32807
Location:  6485 Forecastle Ct. (+0.29 acres)
District:  2

Project Planner:  Katy Magruder (407.246.3355 – kathleen.magruder@cityoforlando.net)

Requested variance:

- Variance of 4 ft. to the side yard setback to allow an existing pergola to remain encroaching 3.5 ft. into the required 7.5 ft. setback.

Recommended action:  Denial of the requested variance.

Katy Magruder, Planner I, City Planning Division, gave an overview of the case using PowerPoint. She noted that the pergola (already constructed) was encroaching into the side setback and utility easement. She cited possible confusion over the size of the structure, as the plans submitted to the Permitting office indicated a smaller pergola than what was installed. The permit was issued in July but at the time of final inspection, the City building inspector noted the deviation from the original plans. Board member Tuura asked if the property were to be sold, would the easement rights transfer? Assistant City Attorney Brackin replied that the easement was on the deed and survey. Ms. Tuura then asked what would happen if the BZA denied the variance. Ms. Magruder explained that the owner would have to move the pergola to a code-compliant location.

Chris Pope, 2211 W. Washington St., Orlando, FL 32805, spoke as the applicant’s representative in support of the request. He said that U. S. Aluminum acknowledged the error in the placement of the pergola. The structure was not a solid roof, just rafters. He stated that he wanted to do whatever was necessary to make the situation right for the homeowner.

Nancy Suggs, 6485 Forecastle Ct., Orlando, FL 32807, spoke as the homeowner in support of the request. She said she loved the pergola and that her back yard was her hobby. The pergola was constructed after her husband’s death and reminded her of him. Board member Tuura asked if the contractor would incur the cost of moving the structure. Mr. Pope said yes. Vice Chairperson Pathak asked what would be involved in making the structure code compliant. Mr. Pope explained the four support posts were buried underground and the entire pergola would essentially have to be rebuilt in a new location, at a cost of about $5,000 to $6,000. Board member Sanchez wondered what would happen if the contractor went out of business in the future and the pergola needed to be moved. Ms. Suggs said she would have to find a solution if that happened. Executive Secretary Cechman explained the need for utility easements.

Board member Tuura moved APPROVAL of the VARIANCE, subject to the following conditions:

1. Development shall be in strict conformance with all conditions and the survey 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 shall be obtained before commencing development.

Engineering/Zoning

1. If in the future, if utilities within the easement are accessed and the pergola has to be removed, the new accessory structure shall require proper setback when rebuilt.

Urban Design

1. A row of tall-growing evergreen shrubs (such as sweet viburnum or Walter’s viburnum), columnar trees (such as Italian cypress), or clumping bamboo shall be installed on maximum 5’ spacing along the southeast property line between the pergola and the property line. The row of plants shall be at least 40’ in length, centered on the pergola, and the plants shall have a minimum height of 36” at time of installation.

Board member Wilson SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.
OTHER BUSINESS

- Recording Secretary Ed Petersen noted that the coming month’s BZA meeting was scheduled for November 24, 2015, shortly before Thanksgiving. After polling the board members on their potential attendance, it was determined that a quorum would be maintained and the November meeting would not need to be rescheduled.
- Mr. Petersen noted that the date of the December BZA hearing was being moved up a week to December 15, 2015 to accommodate the Christmas holiday.

ADJOURNMENT

Chairperson Donaudy adjourned the meeting at 2:30 p.m.

STAFF PRESENT

Mark Cechman, City Planning
Karl Wielecki, City Planning
Katy Magruder, City Planning
Jacques Coulon, City Planning
Michaëlle Petion, City Planning
Jim Burnett, City Planning
Ken Pelham, City Planning

Mark Cechman, AICP, Executive Secretary

Richard Forbes, City Planning
Brian Ford, City Planning
Terrence Miller, City Planning
Keith Grayson, Permitting Services
John Groenendaal, Permitting Services
Alison Brackins, City Attorney’s Office

Ed Petersen, BZA Recording Secretary