OPENING SESSION

- Vice Chairperson Fennessy called the meeting to order at 2:00 pm, after determination of a Quorum.
- The meeting was opened with the Pledge of Allegiance.
- Consideration of Minutes for Meeting of September 26, 2017.
  - Board member Lloyd MOVED approval of the Board of Zoning Adjustment Meeting Minutes of September 26, 2017, as written. Board member Sanchez SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote.

PUBLIC COMMENTS

- No speaker requests were received.

CONFLICT DECLARATIONS

- No Board members declared any conflicts.

AGENDA REVIEW

- Mark Cechman, Executive Secretary, reviewed the Consent Agenda.

CONSENT AGENDA

1. **VAR2017-10016**
   - **Applicant:** Kevin Mineer, Genesis Group, 3910 US Hwy. 301, Ste. 140, Tampa, FL 33619
   - **Owner:** Shooter’s World Orlando LLC, 9625 Wes Kearney Way, Riverview, FL 33578
   - **Location:** 4850 Lawing Ln. (± 3.0 acres)
   - **District:** 6
   - **Project Planner:** Jim Burnett (407.246.3609, james.burnett@cityoforlando.net)
Requested variances:

A. Variance to allow the new building to be 12 ft. from the front lot line (Lawing Ln.), where a minimum 35 ft. front setback is required;
B. Variance to allow the new building to be 10 ft. from the rear (S. Kirkman Rd.) lot line, where a minimum 35 ft. setback is required; and
C. Variance of 2.5 to 4.8 ft. to allow parking lot landscaping buffers 2.7 to 5 ft. wide, where minimum 7.5 ft. buffers are required.

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

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. As provided by subsection 166.033(5), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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. In accordance with subsection 166.033(5), Florida Statutes, it is hereby made a condition of this permit that all other applicable state or federal permits be obtained before commencement of the development.
4. Expiration of the Zoning Variance. A building permit for the work requiring the zoning variance must be received within one year of the zoning variance approval. If the building permit is not received within the year, then the zoning variance is no longer valid and a new variance must be requested.
5. Administrative Extension of the Zoning Variance. The zoning official may extend a zoning variance by up to six months. The holder of the zoning variance must request such an extension by application for a zoning official determination at least 30 days, but not more than 90 days, before the expiration of the zoning variance.
6. A landscape area must be provided at the end of each parking row, per City Code Chapter 61, Part 3B. Sawcut and remove pavement at all parking row ends as needed to create landscape areas at least 10 ft. in wide. Each landscape area must have at least one tree, per Code.
7. Provide a landscape area at least 3 ft. wide/deep between the building and vehicular use areas (per LDC Chapter 61, Part 3B).
8. Install street trees in the Lawing Lane right-of-way (per LDC Section 60.216) or on the site adjacent to said right-of-way.
9. Landscaping and irrigation must comply with LDC Chapter 60, except where otherwise allowed by these variances.
10. Landscaping along the South Kirkman Rd. building façade must include tall-growing evergreen trees and plants that will fit into the reduced setback. ‘Little Gem’ magnolia and Italian cypress are suggested as examples. Wall-attached green screens with climbing vines are also suggested for this area.
11. The retail and office spaces in the front part of the building (facing Lawing Ln.) must have transparency in the exterior building façade, to be provided with clear glass (minimum light transmittance of 80% or low-e glass with minimum light transmittance of 60%) located at the pedestrian level, 2.5- to 8 ft. above grade. This will require the bottoms of the windows (as shown on the electronic plans) to be lower. Storefront glass in the entrance must also be clear.
12. All exterior doors must have a sheltering feature above, such as a canopy.
13. The parking lot must be lit, with site lighting to comply with the City exterior lighting code (Chapter 63, Part 2M). Light pole placement must be coordinated with the landscape plan to avoid conflicts with trees.
14. Rooftop HVAC equipment must be completely screened to at least the height of said equipment.
15. Additional variations in parapet or wall height must be included in the wall along South Kirkman Road.

Informational comments

1. A City owned sanitary sewer main is located along the north property boundary within an easement. No buildings or permanent structures shall be placed within said easement or within 10 feet of the actual location of said sewer main.
2. Demolition and construction activities shall protect the existing sewer main from damage.
3. The site plan depicts a transformer pad within the easement. The Wastewater Division does not support placement of an electric transformer within a sanitary sewer easement.
4. Wall signage must be located at or below 30 ft. in elevation or said signage will be considered high-rise.
Board member Sanchez moved APPROVAL of item VAR2017-10016, subject to the conditions in the staff reports. Board member Pieters SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

2. VAR2017-10017 1824 WOODWARD ST.

Applicant: Stephen Cold, Architect, 1341 S. Grant St., Longwood, FL 32750
Owner: Jianfeng Zhang, 2409 Illinois St., Orlando, FL 32803
Location: 1824 Woodward St. (± 0.16 acres)
District: 4
Project Planner: Katy Magruder (407.246.3355, kathleen.magruder@cityoforlando.net)

Requested variance:
- Variance of 5 ft. for an in-line addition, where both side setbacks total 10 ft. within the O-1/T/SP/AN zoning district, where the requirement is a total of 15 ft.

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 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. As provided by subsection 166.033(5), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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. In accordance with subsection 166.033(5), Florida Statutes, it is hereby made a condition of this permit that all other applicable state or federal permits be obtained before commencement of the development.
4. Expiration of the Zoning Variance. A building permit for the work requiring the zoning variance must be received within one year of the zoning variance approval. If the building permit is not received within the year, then the zoning variance is no longer valid and a new variance must be requested.
5. Administrative Extension of the Zoning Variance. The zoning official may extend a zoning variance by up to six months. The holder of the zoning variance must request such an extension by application for a zoning official determination at least 30 days, but not more than 90 days, before the expiration of the zoning variance.
6. The driveway must be brought into compliance with all city codes.
7. The addition must match the existing building exterior details, finished, roofing, window sizes and proportions, window trims, eaves, and colors.
8. The addition constitutes a substantial enlargement and therefore the single family residential landscape requirements and street tree requirements, as outlined in Chapter 60, must be met. A minimum of 3 canopy trees are required on the lot, with substitutions acceptable per Section 60.223.

Note: one e-mail was received in opposition to this case, but no one appeared in person.

Board member Sanchez moved APPROVAL of item VAR2017-10017, subject to the conditions in the staff reports. Board member Heller SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.
REGULAR AGENDA

• No items.

OLD/NEW BUSINESS & ANNOUNCEMENTS

• Recording Secretary Ed Petersen updated the Board on the ongoing construction at City Hall. Due to renovations on the second floor beginning in 2018, board meetings of all kinds would be held on the ground floor. The art gallery would be remodeled to accommodate a makeshift board room.

• Mr. Petersen also checked with the Board members on meeting attendance for the upcoming two months, which fell near holiday dates. No members indicated any issues with upcoming dates. Mr. Petersen said that if anything came up, they should call or e-mail with the conflict.

ADJOURNMENT

• Having no other matters to bring before the Board, Vice Chairperson Fennessy adjourned the meeting at 2:13 pm.

STAFF PRESENT

Mark Cechman, City Planning
Jim Burnett, City Planning
Ken Petham, City Planning

Katy Magruder, City Planning
Keith Grayson, Permitting Services
Sarah Taitt, City Attorney’s Office

Mark Cechman, Executive Secretary
Ed Petersen, Recording Secretary