MINUTES – AUGUST 28, 2018

OPENING SESSION

- Chairperson Wilson called the meeting to order at 2:02 pm, after determination of a Quorum.
- Pledge of Allegiance.
- Consideration of Minutes for Meeting of July 24, 2018.
  - Board member Isaacs MOVED approval of the Board of Zoning Adjustment Meeting Minutes of July 23, 2018, as written. Board member Perez SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote (5-0).

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. VAR2018-10031  4535 ARCH ST.

   Applicant/Owner:  Ivan Tafur, 1166 Island Shore Ln., Apt. 260, Lake Mary, FL 32746
   Location:  4535 Arch St. (± 0.16 acres)
   District:  5
   Project Planner:  TeNeika Neasman (407.246.4257, teneika.neasman@cityoforlando.net)
Requested variance:

- Variance to allow the required parking space within the front setback.

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

1. Provide shutters on all windows on the front façade. Shutters must be identical for each window.
2. Install at least one tree in the front yard and one street tree within the right-of-way. Selected trees must be canopy trees. Trees recommended are live oaks, sycamore, or maple trees.
3. The size of the driveway must be able to park two vehicles side by side. Maximum driveway width to be 18 ft. wide. Driveway apron width must match width of the driveway.
4. Remove at a minimum of 3 ft. of concrete for landscaping to occur in front of the enclosed garage/carport, as proposed.
5. For additional conditions, please see the end of these minutes.

2. **VAR2018-10033 322 E. KALEY ST.**

Applicant/Owner: Robert Helmick, Real Estate Solutions Home Sellers LLC, 1648 Taylor Rd., Ste. 411, Port Orange, FL 32128

Location: 322 E. Kaley St. (± 0.16 acres)

District: 4

Project Planner: Michaëlle Petion (407.246.3837, michaelle.petion@cityoforlando.net)

Requested variance:

- Variance to allow the required parking space within the front setback.

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

1. Pavers, gravel and/or mulch must be removed from the ROW.
2. Install a 4ft. max height fence along the front property line. A Viburnum hedge, minimum 36 ft. tall at planting, may be provided as an alternative.
3. Install an understory tree within the right of way. Single truck Japanese blueberry or little gem magnolias are encouraged.
4. For additional conditions, please see the end of these minutes.

*Board member Isaacs moved APPROVAL of the CONSENT AGENDA, subject to the conditions in the staff reports. Board member Evans-Hall SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (5-0).*

**REGULAR AGENDA**

- No items.

**NOTE:** All of the above cases are subject to the additional following conditions:

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.

OLD/NEW BUSINESS & ANNOUNCEMENTS

- Election of officers:
  - Board member Isaacs MOVED to nominate Roberta Fennessy as Chairperson. Board member Perez SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (5-0).
  - Board member Isaacs MOVED to nominate Steven Heller as Vice Chairperson. Board member Perez SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (5-0).
- Recording Secretary Petersen noted that the next BZA meeting should be taking place in the newly renovated City Council Chambers on the second floor of City Hall.

ADJOURNMENT

- Having no other matters to bring before the Board, Chairperson Wilson adjourned the meeting at 2:12 pm.

STAFF PRESENT

Mark Cechman, City Planning
Michaëlle Petion, City Planning
TeNeika Nesaman, City Planning
Jacques Coulon, City Planning

Karl Wielecki, City Planning
Manuel Ospina, City Planning
Keith Grayson, Permitting Services
Sarah Taitt, City Attorney's Office

Mark Cechman, Executive Secretary

Ed Petersen, Recording Secretary