MINUTES – NOVEMBER 27, 2018

OPENING SESSION

• Chairperson Fennessy called the meeting to order at 2:00 pm, after determination of a Quorum.
• Pledge of Allegiance.
• Consideration of Minutes for Meeting of October 23, 2018.
  o Board member Lloyd MOVED approval of the Board of Zoning Adjustment Meeting Minutes of October 23, 2018, as written. Board member Evans-Hall SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote (6-0).

PUBLIC COMMENTS

• No speaker requests were received.

CONFLICT DECLARATIONS

• Board member Isaacs declared a conflict pursuant to FS 286.012 on item #5, VAR2018-10052, 3406 Chelsea St.

AGENDA REVIEW

• Karl Wielecki, Interim Executive Secretary, reviewed the Consent Agenda.

CONSENT AGENDA

1. VAR2018-10046  1131 DELANEY AVE.

   Applicant/Owner:  Dulcineah Tsambiras, 1131 Delaney Ave., Orlando, FL 32806
   Location:  1131 Delaney Ave. (± 0.10 acres)
   District:  4
   Project Planner:  Chris DeLoatche (407.246.3624, chris.delatche@cityoforlando.net)
Requested variances:

A. Variance of 1 ft. to allow a driveway to be 1 ft. from the north property line; and
B. Variance of ±11% to allow a ±69% impervious surface ratio (ISR), where 58% is the maximum ISR for the site.

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

1. All parts of Chapter 61 and 60 must be met at the time of permitting. Permit drawings must show landscape calculations per 60.223; at least 40% of the pervious area of the front yard must be landscaped with shrubs and ground-covers, or a combination thereof. The remainder may be planted with turfgrass, annuals and vegetable gardens, up to a maximum of 60%.
2. The triangular landscape island directly north of the pedestrian path and the landscape bed at the base of home must remain landscaped and cannot be replaced with an impervious surface. See page 8 of the staff report for clarification.

For additional conditions, please see the end of these minutes.

2. VAR2018-10047  711 SEMINOLE AVE

Applicant/Owner: Angus Bradshaw, Miracle of Love, 741 W. Colonial Dr, Orlando, FL 32804
Location: 711 Seminole Ave. (± 0.13 acres)
District: 3
Project Planner: Michaëlle Petion (407.246.3837, michaelle.petion@cityoforlando.net)

Requested variance:

- Variance of 2 ft. to allow an 8 ft. tall fence, where 6 ft. is the maximum height permitted.

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

For conditions, please see the end of these minutes.

Note: one e-mail of support was received for this case.

3. VAR2018-10048  1901 VALENCIA RD.

Applicant/Owner: Angélique Martinez, 1901 Valencia Rd., Orlando, FL 32803
Location: 1901 Valencia Rd. (± 0.20 acres)
District: 4
Project Planner: Chris DeLoatche (407.246.3624, chris.deloatche@cityoforlando.net)

Requested variance:

- Variance of 5 ft. to allow an in-line front addition to be 20 ft. from the front property line, where a 25 ft. front yard setback is the minimum required.

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

1. Landscaping - Due to the location of the house on a corner street trees are required on both street frontages. Canopy trees are required to be planted 50 ft. on center along the perimeter of the site. In those areas where a canopy tree cannot be planted due to power lines an understory tree may be used in
its place.

2. Landscaping - All substantial improvements are required to bring their landscaping up to code. At the time of permitting a landscape plan needs to be provided that shows the property meets Sec. 60.223 of City Code.

3. The new windows must match the existing windows that will be remaining in size, material, and detail; the existing windows all appear to have a sill, so a sill is required for the new windows.

4. All exterior details of the addition must be consistent with those of the existing building/remaining architecture.

5. The site plan calls out a covered porch at the front of the house but the elevations do not seem to indicate a covered porch. If a porch is located on the front of the home it is recommended that columns be added at the corners of the porch to frame the space.

For additional conditions, please see the end of these minutes.

4. VAR2018-10051 20 S. PRIMROSE DR.

Applicant: Troy Filley, FSI Construction Inc., 1516 Pine Bluff Ave., Orlando, FL 32806

Owner: Paul Pope, 20 S. Primrose Dr., Orlando, FL 32803

Location: 20 S. Primrose Dr. (± 0.09 acres)

District: 4

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

Requested variances:

A. Variance of 18.2 ft. to allow an existing carport / proposed garage 6.8 ft. from the street side lot line, where a minimum 25 ft. setback is required; and

B. Variance of 6.3 ft. to allow an in-line carport-to-garage conversion to be 18.7 ft. from the rear lot line, where a minimum 25 ft. rear setback is required.

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

1. Appearance Review is required at time of permitting to ensure compliance with the (below) conditions.

2. At least one street tree (canopy tree) must be planted along E Pine St and one canopy tree must also be planted in the front yard along S Primrose.

3. The addition, as proposed, compliments the existing style of the home. Any deviation from the proposed style will require a planning official determination.

Informational

4. Maximum overall impervious surface coverage in R-2B/T/AN is 60%.

For additional conditions, please see the end of these minutes.

5. VAR2018-10052 3406 CHELSEA ST.

Applicant/Owner: Christopher Renegar, 1401 Falcon Dr., Orlando, FL 32803

Location: 3406 Chelsea St. (± 0.20 acres)

District: 3

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

Requested variances:

A. Variance to allow the required parking space to encroach into the front yard setback.

B. Variance of 1.5 ft. to allow an existing carport/proposed screen enclosure to be 6 ft. from the west
side lot line, where a minimum 7.5 ft. setback is required.

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

1. The screen room addition must be installed so that the framing members do not block or run across any windows or doors on the existing structure. 
*For additional conditions, please see the end of these minutes.*

6. **VAR2018-10053 707 E. WASHINGTON ST.**

   Applicant: Angela Slaney, 707 E. Washington St., Orlando, FL 32801 
   Owner: Veranda at Washington St. LLC, 707 E. Washington St., Orlando, FL 32801 
   Location: 707 E. Washington St. (± 0.14 acres) 
   District: 4 
   Project Planner: Katy Magruder (407.246.3355, kathleen.magruder@cityoforlando.net) 

Requested variance:

- Variance request for alcohol distance separation from Howard Middle School for a boutique package liquor store.

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

*For 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 Lloyd SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (6-0; Isaacs abstained on Item #5).*

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.
REGULAR AGENDA

- No items.

OLD/NEW BUSINESS & ANNOUNCEMENTS

- Recording Secretary Ed Petersen updated the Board on VAR2018-10035, 47 E. Robinson St., which had received an appeal following the September 25, 2018 BZA hearing. The appeal had subsequently been withdrawn after the appellant and variance applicant came to an agreement. As a result, the variance was scheduled to be approved by City Council in December 2018.
- Mr. Petersen also reminded the Board about the December 2018 BZA hearing, which was scheduled for the third Tuesday of the month, instead of the regular fourth Tuesday.

ADJOURNMENT

- Having no other matters to bring before the Board, Chairperson Fennessy adjourned the meeting at 2:09 pm.

STAFF PRESENT

Dean Grandin, City Planning
Katy Magruder, City Planning
TeNeika Neasman, City Planning
Jim Burnett, City Planning
Chris DeLoache, City Planning
Michaëlle Petion, City Planning
Jacques Coulon, City Planning
Terrence Miller, City Planning
Sarah Taitt, City Attorney’s Office

Karl Wielecki, Interim Executive Secretary
Ed Petersen, Recording Secretary