MINUTES – FEBRUARY 26, 2019

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 December 18, 2018.
  - Board member Isaacs MOVED approval of the Board of Zoning Adjustment Meeting Minutes of January 22, 2019, as written. Board member Perez SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote (7-0).
- New member Pat DiVecchio introduced himself.

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. VAR2019-10000 2643 LAKE SHORE DR.

   Applicant/Owner: Felicia Epps, 2036 Sprint Blvd., Apopka, FL 32703
   Location: 2643 Lake Shore Dr. (± 0.32 acres)
   District: 3
   Project Planner: Jim Burnett (407.246.3609, james.burnett@cityoforlando.net)
Requested variance:

- Variance of ±5 ft. to allow a backup generator to be no less than 5 ft. behind (north of) the front attached garage façade, where a minimum 10 ft. setback from the principal building façade is required.

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

1. Appearance Review is required at time of permitting to ensure compliance with these conditions.
2. Generator must be placed as close to adjacent building wall as possible (within 18 inches, per generator specifications).
3. Generator to be screened with landscaping (bushes at least 2 ft. tall at time of planting) along the south (as viewed from Lake Shore Dr.) and east, to provide additional sound attenuation between unit and nearest residential use to the east (across retaining wall).

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

2. VAR2019-10001 1435 RADLEIGH PL.

Applicant/Owner: Louvens Dugazon, 1435 Raleigh Pl., Orlando, FL 32808

Location: 1435 Radleigh Pl. (± 0.16 acres)

District: 3

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

Requested variance:

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

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

1. Provide 3ft of landscaping adjacent to the driveway on the south side.
2. Provide 1 canopy tree in the front yard.
3. Provide one street tree within the right of way. Trees and landscape must be watered daily to establish root system.
4. Retroactively obtain a building permit for the enclosure.

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

Board member Perez moved APPROVAL of the CONSENT AGENDA, subject to the conditions in the staff reports. Board member Isaacs SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (7-0).

REGULAR AGENDA

3. VAR2019-10002 1114 STETSON ST.

Applicant/Owner: Shevlin Pierce, 1114 Stetson St., Orlando, FL 32804

Location: 1114 Stetson St. (± 0.16 acres)

District: 3

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

A. Variance of 20 ft. to allow a new driveway within the required 20 ft. street side setback, where the one required parking space is required to be located behind the initial 20 ft. street side setback; and

B. Variance of 14 ft. to allow a driveway to be 30 ft. wide, where a residential driveway is limited to a maximum width of 16 ft. for a single-family home on a 50 ft. wide lot.

Recommended action: Denial of the requested variances.

Jim Burnett, Planner III, noted that the applicant had not shown up for the case. As a result, the Board members agreed that the matter should be deferred a month, in case the applicant needed extra time.

Board member Isaacs moved DEFERRAL of the request to March 2019. Vice Chairperson Heller SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (7-0).

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

- Recording Secretary Ed Petersen noted that a second new Board member, Celeste Thacker, was unable to attend today's meeting, but would be present the following month. He also indicated that Council Chambers would be ready once again to hold the meeting.

ADJOURNMENT

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

Jim Burnett, City Planning
Katy Magruder, City Planning
Chris DeLoatche, City Planning
Michaëlle Petion, City Planning
Karl Wielecki, City Planning
Jacques Coulon, City Planning

Manny Ospina, City Planning
Terrence Miller, City Planning
Keith Grayson, Permitting Services
John Groenendaal, Permitting Services
Carmen Rasnick, Management & Budget
Sarah Taitt, City Attorney's Office

Mark Cechman, Executive Secretary

Ed Petersen, Recording Secretary