



# BOARD OF ZONING ADJUSTMENT

MINUTES



NOVEMBER 25, 2014

## MEETING INFORMATION

### Location

#### **City Council Chambers**

2nd Floor, City Hall

One City Commons

400 South Orange Avenue

### Time

2:00 p.m.

### Members Present

Avery Donaudy, Chairperson  
[1/1]

Asima Azam [1/1]

Robert High [1/1]

Laura Hodges [1/1]

Byron Lastrapes [1/1]

### Members Absent

Griff Ariko, Vice Chairperson  
[0/1]

Elena Pathak [0/1]

Desiree Sanchez [0/1]

Billy Wilson [0/1]

## OPENING SESSION

- Determination of a quorum.
- Avery Donaudy, Chairperson, called the meeting to order at 2:01 p.m.
- Pledge of Allegiance.
- The Board ACCEPTED the Minutes of the September 23, 2014 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. VAR2014-00103 SHOOTERS WORLD ORLANDO

Applicant:	Kevin Mineer, Genesis Group, 3910 US 301, Ste. 140, Tampa, FL 33619
Owner:	MDR Health Club LP, 5454 Wisconsin Ave., Ste. 1265, Chevy Chase, MD 20815
Location:	4850 Lawing Ln. (±3.0 acres)
District:	6
Project Planner:	Jim Burnett (407.246.3609 – james.burnett@cityoforlando.net)

#### Requested variances:

- Variance of 23 ft. to allow a new indoor shooting range to be ±12 ft. from the front lot line (Lawing Ln.), where a minimum 35 ft. front setback is required;
- Variance of 25 ft. to allow said building to be 10 ft. from the rear lot line (S. Kirkman Rd.), where a minimum 35 ft. rear setback is required; and
- Variance of 2.5 to 4.8 ft. to allow parking lot landscaping ±2.7 to 5 ft. wide, where minimum 7.5 ft. wide landscaping buffer is 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 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 applicable City, county, state or federal permits must be obtained before commencing development.
3. Total site impervious surface ratio (ISR) shall not exceed 80% (per the default I-P zoning).

Urban Design

4. Appearance Review shall be required prior to permitting to ensure compliance with the variance conditions.
5. A landscape area shall be provided at the end of each parking row, per LDC Chapter 61, Part 3B. Sawcut and remove pavement at parking row ends as needed to create landscape areas at least 10 ft. wide. Each landscape area must have at least one tree, per Code.
6. Provide a landscape area at least 3-ft. wide between the building and vehicular use areas (per LDC Chapter 61, Part 3B).
7. Install street trees in the Lawing Ln. right-of-way (per LDC Section 60.216), or on site adjacent to the right-of-way.
8. Landscaping and irrigation shall comply with LDC Chapter 60, except as allowed by these variances.
9. Landscaping along the S. Kirkman Rd. building facade shall 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.
10. The retail and office spaces in the front part of the building (facing Lawing Ln.) shall have transparency in the exterior building facade. Transparency shall be provided with clear glass (min. light transmittance of 80% or low-e glass with min. light transmittance of 60%) located in the pedestrian level (2.5 to 7.5 ft. above exterior grade). Storefront glass in the entrance shall also be clear.
11. Site lighting shall comply with the City exterior lighting code (LDC Chapter 63, Part 2M).
12. Rooftop HVAC shall be completely screened by the parapet wall (per Code).
13. Additional variations in parapet or wall height shall be included in the wall along S. Kirkman Rd.

## 2. VAR2014-00104 314 E. AMELIA ST.

Applicant/Owner: Maria Margenot, 314 E. Amelia St., Orlando, FL 32801

Location: 314 E. Amelia St. (±0.16 acres)

District: 4

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

Requested variance:

- Variance of 10 ft. to allow a new 2-story detached garage/apartment to be 5 ft. from the rear lot line, where a minimum 15 ft. setback is required in the R-2B/T/HP zoning district.

*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 other applicable state or federal permits must be obtained before commencing development.
3. Conditions of HPB2014-00110 shall be met, including review of exterior building materials and finishes by HPB Minor Review Committee prior to securing permits.
4. 2nd-story windows on the rear/south-facing apartment façade shall be clerestory or frosted glass.
5. Rear yard impervious coverage for accessory structures shall not exceed 35%.
6. Overall site impervious coverage shall not exceed 60%.

Urban Design

7. Appearance Review shall be required at time of permitting to confirm compliance with these variance conditions.

**3. VAR2014-00106 2601 MIDDLESEX RD.**

Applicant/Owner: Caroline Molins, 2601 Middlesex Rd., Orlando, FL 32803

Location: 2601 Middlesex Rd. (±0.38 acres)

District: 3

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

Requested variance:

- Variance to allow a third driveway cut on the same street, where a maximum two (2) driveway cuts are allowed for the same property on a local street.

*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 other applicable state or federal permits must be obtained before commencing development.
3. Tree removal or tree-trimming permits may be required if trees are impacted during construction of the new driveway.
4. Overall front and street side driveway coverage shall not exceed 40%, and overall site impervious surface coverage shall not exceed 55%.

Urban Design

5. Appearance Review shall be required at time of permitting to confirm compliance with these variance conditions.
6. Work within the root zones of existing trees shall be accomplished at the surface level, with minimal excavation or 5-inch maximum fill.

**4. VAR2014-00107 RED LOBSTER GROUND SIGN**

Applicant: John McNertney, Red Lobster, 1000 Darden Center Dr., Orlando, FL 32837

Owner: CNL Plaza Ltd., 455 S. Orange Ave., Orlando, FL 32801

Location: 450 S. Orange Ave. (±0.81 acres)

District: 5

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

Requested variance:

- Variance of ±58 sq. ft. of sign area to allow ±118 sq. ft. of sign area, where a maximum 60 sq. ft. of sign area is allowed in a plaza in the Downtown Sign District.

*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 applicable City, county, state or federal permits must be obtained before commencing development.
3. Appearance Review shall be required during permitting to ensure compliance with the variance conditions.
4. In order to create a more cohesive appearance and to provide visual separation between the existing and proposed sign panels, a 1.5- to 2-inch tall bronze separation band shall be added between the top of the existing monument sign and the bottom of the proposed Red Lobster sign panel. The height of the Red Lobster sign shall be decreased to accommodate this sign separator.

5. A podocarpus or viburnum suspensum hedge, installed at a height of 48 inches and maintained at a maximum height of 72 inches shall be installed on the south side of the proposed monument sign (the blank side) in order to screen the Red Lobster sign panel mounting brackets.
6. The sides and top of the Red Lobster sign shall match the stainless steel finish of the face of the sign.

Board member High moved APPROVAL of the CONSENT AGENDA. Board member Lastrapes SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

## REGULAR AGENDA

- No items.

## OTHER BUSINESS

- Executive Secretary Cechman updated the Board on the status of case VAR2014-00077, 119 N. Hyer Ave. The case went before a hearing officer on November 19, 2014, with a decision still pending at this time.
- He also updated the Board of the status of case VAR2014-00091, 1314 Eastin Ave. The Planning Official had appealed the BZA's recommendation, but was working with the applicant possibly to reach a lesser variance that was agreeable.

## ADJOURNMENT

Chairperson Donaudy adjourned the meeting at 2:10 p.m.

## STAFF PRESENT

Mark Cechman, City Planning  
Karl Wielecki, City Planning  
TeNeika Neasman, City Planning  
Jim Burnett, City Planning  
Richard Forbes, City Planning

Doug Metzger, City Planning  
Ken Pelham, City Planning  
John Groenendaal, Permitting Services  
David Bass, City Attorney's Office



Mark Cechman, AICP, Executive Secretary



Ed Petersen, BZA Recording Secretary