



# BOARD OF ZONING ADJUSTMENT

MINUTES  APRIL 22, 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  
[6/7]

Griff Ariko, Vice Chairperson  
[6/7]

Asima Azam [3/3]

Laura Hodges [6/7]

Byron Lastrapes [6/7]

Elena Pathak [6/7]

Michael Weinberg [5/7]

Billy Wilson [3/3]

### Members Absent

Robert High [6/7]

## OPENING SESSION

- Determination of a quorum.
- Avery Donaudy, Chairperson, called the meeting to order at 2:05 p.m.
- Pledge of Allegiance.
- The Board ACCEPTED the Minutes of the March 25, 2014 BZA Meeting as presented.

Chairperson Donaudy noted a conflict on the following items and turned in the necessary forms:

- Item 1 (VAR2014-00027, Saddle Creek Warehouse)
- Item 2 (VAR2014-00029, Cameo Theater Roof Sign)

## 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. For Item #2, VAR2014-00029, he noted that an addendum to the staff report showed that the applicant had withdrawn the second part of the variance request. Subsequently, the item was moved to the Consent Agenda.

## CONSENT AGENDA

### 1. VAR2014-00027 SADDLE CREEK WAREHOUSE

Applicant: Jay Rohr, Metro One Inc., 1350 Orange Ave., Ste. 201, Winter Park, FL 32789

Owner: Saddle Creek Corp., 3010 Saddle Creek Rd., Lakeland, FL 33801

Location: 2479 Eunice Ave. (±5.01 acres)

District: 5

Project Planner: Jim Burnett (407-246-3609; james.burnett@cityoforlando.net)

## Requested variances:

- A. Variance of 5.5 ft. to allow new 90-degree parking on the north side of the property to be 2 ft. from the lot line, where a minimum 7.5 ft. vehicular landscape buffer is required; and
- B. Variance of 2 ft. to allow a 22 ft. wide 2-way drive aisle within the property, where a minimum 24 ft. 2-way drive aisle 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. Bollards shall be placed in sufficient quantity in the one (1) ft. corridor between the 2-way drive aisle and the building to keep vehicles from backing into or otherwise hitting the warehouse building (# of bollards to be determined at time of permitting).
4. Appearance Review shall be required during permitting to ensure compliance with the variance conditions.
5. Total site impervious surface ratio (ISR) shall not exceed 90%.
6. Landscape islands shall be 11 ft. wide in the parking row where shown on the site plan, each planted with 1 tree (minimum 3- in. caliper and 12-ft. overall height upon installation). Transplanted trees will count towards meeting this requirement. Any transplanted or newly installed trees must remain in a healthy, growing condition, and be promptly replaced in the event they do not survive. The remaining 2-ft. wide green space must also have a continuous row of evergreen shrubs along the entire length of the vehicular use area OR a climbing evergreen vine planted every 5 ft. and trained onto the adjacent fence.
7. Barbed wire is not permitted on any new fencing or gates.
8. If site lighting is proposed, light poles shall not be placed in the landscape areas with trees. Any site lighting (including new lights mounted onto exterior walls) shall have full cutoffs, and shall meet the requirements of the Orange County Exterior Lighting Ordinance.
9. Any new irrigation shall be low-volume, complying with the City landscape code..

## 2. VAR2014-00029 CAMEO THEATER ROOF SIGN

Applicant: Wes Featherston, Process Architecture LLC, P.O. Box 4576, Orlando, FL 32802

Owner: 1013 Colonial Ventures LLC, 635 E. Amelia St., Orlando, FL 32803

Location: 1013 E. Colonial Dr. (±0.19 acres)

District: 3

Project Planner: Jim Burnett (407-246-3609; james.burnett@cityoforlando.net)

## Requested variances:

- A. Variance to allow a 50.8 sq. ft. parapet/roof sign, where parapet/roof signs are prohibited in the AC-1/T zoning district; and
- B. Variance of 52.9 sq. ft. to allow 162.2 sq. ft. of sign area (not counting the roof sign), where the building is limited to 109.4 sq. ft. of total sign area.

*Recommended Action: Approval of the Variance A and withdrawal of Variance B, 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 elevations and graphics provided in the staff report.

4. Roof/parapet sign and future foundation marker or historic plaque shall not count against the total allowed sign area for the building.

**Board member Ariko moved APPROVAL of the CONSENT AGENDA. Board member Hodges SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Chairperson Donaudy abstained).**

## REGULAR AGENDA

### 3. VAR2014-00030 711 TERRACE BLVD.

Applicant: Eline Ransom, 511 SE 5<sup>th</sup> Ave., Ste. 1005, Fort Lauderdale, FL 33301  
 Owner: Jason Voskamp & Alison Fernandez, 711 Terrace Blvd., Orlando, FL 32803  
 Location: 711 Terrace Blvd. (±0.21 acres)  
 District: 3  
 Project Planner: Michaëlle Petion (407-246-3837; michaëlle.petion@cityoforlando.net)

Requested variances:

- A. Variance to allow for a projecting carport inside the Traditional City and on a nonconforming lot;
- B. Variance of 6 ft. to allow an addition to be 1.5 ft. from the side property line where 7.5 ft. is required;
- C. Variance of ±16ft. to allow an addition to be 9 ft. from the front property line where 25 ft. is required; and
- D. Variance to allow the required parking in the required front yard setback.

*Recommended Action: Denial of Variance C and Approval of a lesser variance of 12.5 ft., and Approval of Variances A, B, and D, subject to the conditions in the staff report.*

Michaëlle Petion, Planner II, City Planning Division, stated that the property owner was now acting as the applicant as well. As a result, he had decided to go along with staff's recommendations and no longer wished to address the Board.

Brief Board discussion ensued about the following: the e-mail received from Nancy Prine in opposition to the request; the previous variance from 2011; the decorative nature of the trellis compared to the functionality of the roofed carport; and filling in the slope of the driveway.

**Board member Ariko moved DENIAL of Variance C and APPROVAL of a lesser variance of 12.5 ft., and APPROVAL of Variances A, B, and D. Board member Wilson SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote.**

1. Development shall be in strict conformance with all conditions and the survey and site plans 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. Any proposed structure must be attached to the principal structure.
4. The proposed trellis shall not be permitted.
5. Although a garden gate is permitted, the full-height doorway is not permitted as an accessory structure. If an open arbor gate-way is proposed it must be consistent with Zoning Official Interpretation LDC2013-00063.
6. The planter along the sidewalk cannot exceed 4 feet in height.
7. A driveway gate must be 20 ft. from the sidewalk. As shown, the gate will cause vehicles to stop within the roadway.
8. The architectural detailing and finishes of the projecting garage shall match or complement those of the house. Shingle color and style must match the house roof.
9. Appearance review will be required at time of permitting.
10. Both the east and west sides of the proposed carport shall be planted with small to medium size evergreen shrubs, with mature heights of 24" to 48". At time of installation the plants shall be at least 18" in height.

## OTHER BUSINESS

- None.

## ADJOURNMENT

Chairperson Donaudy adjourned the meeting at 2:22 p.m.

## STAFF PRESENT

Mark Cechman, City Planning  
Karl Wielecki, City Planning  
Michaëlle Petion, City Planning  
Jim Burnett, City Planning  
Ken Pelham, City Planning  
Richard Forbes, City Planning



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Mark Cechman, AICP, Executive Secretary

Doug Metzger, City Planning  
Paul Lewis, City Planning  
Keith Grayson, Permitting Services  
Brooke Bonnett, Economic Development  
David Bass, City Attorney's Office



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Ed Petersen, BZA Recording Secretary