

**MEETING  
INFORMATION**Location

City Council Chambers  
2nd Floor, City Hall  
One City Commons  
400 South Orange Avenue

Time

2:00 p.m.

Members Present

William Wilson [5/1]  
(Chairperson)

Elena Pathak [5/1]  
(Vice Chairperson)

Chris Carmody [5/1]\*\*

Avery Donaudy [5/1]

Steven Heller [1/0]

Thomas Jensen [5/1]

Guy Sanchez [6/0]

Members Absent

Roberta Fennessy [5/1]

Byron Lastrapes [4/2]

**\*\*NOTE: Board member Carmody was present by phone.**

**MINUTES    ★★★    MARCH 28, 2017****OPENING SESSION**

- Chairperson Wilson called the meeting to order at 2:00 pm, after determination of a Quorum.
- The meeting was opened with the Pledge of Allegiance.
- New member Steven Heller introduced himself.
- Consideration of Minutes for Meeting of February 28, 2017.
  - **Board member Sanchez MOVED approval of the Board of Zoning Adjustment Meeting Minutes of February 28, 2017, as written. Vice Chairperson Pathak SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote.**

**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.    VAR2017-00005****ROBINSON GEM OFFICES**

Applicant:

Charles Rehler, JBB Holdings Inc., 2891 Naples Dr., Winter Park, FL 32789

Owner:

Robinson 1511 Trust, 1775 E. Palm Canyon Dr., Ste. 110, Palm Springs, CA 92264

Location:

1511 E. Robinson St. (± 0.23 acres)

District:

4

Project Planner:

Jim Burnett (407-246-3609,  
james.burnett@cityoforlando.net)

## Requested variances:

- A. Variance of 6 spaces to allow 3 parking spaces, where a minimum 9 spaces are required for a ±3,772 sq. ft. general office use;
- B. (B1) Variance of 5 ft. to allow a reduced 5 ft. rear buffer in a limited area of the rear yard adjacent to the north lot line, as depicted on the site plan within this report, where a minimum 10 ft. landscaped buffer is required when abutting a single-family use;  
(B2) Variable width variance along the west and east side lot lines where adjacent to existing driveway and parking areas only, where a minimum 7.5 ft. landscaped buffer is required; and
- C. (After-the-fact) Variance of 7 ft. to allow a 23-ft. rear set back, where a 30 ft. rear yard setback is required in the O-1/T zoning district.

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 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. Appearance Review will be required during permitting to ensure compliance with the variance conditions.
4. Overall site impervious surface coverage shall not exceed 70%.
5. No vehicles shall back onto E. Robinson St. All turning movements shall be within the property.
6. A minimum 23-ft. wide cross-access easement shall be recorded along the rear western and rear eastern sides of the property to facilitate future connectivity to other rear parking lots on the north side of E. Robinson St.
7. Medical/doctors offices and medical labs are prohibited (due to higher parking ratios), unless off-site shared parking is provided, via a Zoning Official determination (or variance) prior to issuance of a Business Tax Receipt for the higher occupancy use.
8. Signage for the site is limited to 10 sq. ft., to be displayed using the existing 6-ft. tall post and panel sign or a wall, projecting, awning or window sign. All new signage requires a permit prior to placement or installation.
9. Where not reduced via variances B1 & B2, the site landscaping shall meet the minimum requirements of the City Code. A bufferyard 'B' is required on the north lot line, and a bufferyard 'A' on the west and east property lines at least 7.5 ft. in width. Provide and maintain an evergreen hedge of at least 4-ft. height between the east, west and north property lines (width based on bufferyard standards) and the pavement as shown on page 8 of this report. Also provide an opaque, decorative fence or wall at least 5-ft. tall in the areas indicated. The typically required hedge is NOT required in the area along the east property line where the vehicle backup spur will be located.

Informational Comments from Transportation Engineering/Permitting:

1. Provide an auto-turn analysis (for turning and backing movements) at the time of permitting.
2. The parking lot pavement marking, signage, dimensions, driveway flares etc. must all comply with Engineering Standards Manual (ESM) and City Code requirements.

## 2. VAR2017-00010 1608 HACKNEY AVE.

Applicant: Roger Neves, Keese Associates, 668 N. Orange Ave., Ste. 106, Maitland, FL 32751

Owner: Daniel & Merrill Miller, 1608 Hackney Ave., Orlando, FL 32806

Location: 1608 Hackney Ave. (± 0.25 acres)

District: 4

Project Planner: TeNeika Neasman (407-246-4257, teneika.neasman@cityoforlando.net)

## Requested variances:

- A. Variance of 1.3 ft. to allow a reduced side yard setback of 6.2 ft., where 7.5 ft. is required in the R-1A/T zoning district, for an inline addition and carport enclosure; and
- B. Design Variance to allow a projecting garage in the Traditional City overlay district for a carport enclosure.

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. The addition and garage shall be constructed with materials similar to that of the principal façade.
4. The north side setback shall be no less than 6.2 ft. from the side property line.
5. The addition design must be consistent with the architectural style of the principal structure as determined by the Appearance Review Officer in accordance with generally accepted architectural standards.
6. The elevations of the addition shall be consistent with those shown in the proposal. The number of windows shall not be less than proposed. Finishes shall match those of the existing house.
7. 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.

### 3. VAR2017-00014 1229 ILLINOIS ST.

Applicant: Lisa Payne, Complete Design, 7333 Radiant Cir., Orlando, FL 32810

Owner: Klaus Englehardt, 1305 E. Washington St., Orlando, FL 32801

Location: 1229 Illinois St. (± 0.09 acres)

District: 4

Project Planner: Jacques Coulon (407-246-3427, jacques.coulon@cityoforlando.net)

Requested variance:

- Variance of 15 ft. to permit an addition to the principal structure to be located 10 ft. from the rear property line, where 25 ft. is required.

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 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 will be required at time of permitting to ensure that the plans match up with the proposal shown including review of window transparency and all other Traditional City design requirements.
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 said building permit(s) are not received within a year the zoning variance is no long-er valid and a new variance must be applied for. If the building permit for the work requiring the zoning variance expires before a certificate of occupancy or certificate of completion is issued for the work requiring the zoning variance, then the zoning variance is no longer valid and a new zoning variance must be applied for.
5. 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.

6. Gutters will be required to be installed with the building permit.
7. This will be a substantial enlargement and will trigger the Landscape section of the code to be met. See Section 60.223
8. A paved parking space and driveway will be required. The space shall be setback 25' from the front property line. The maximum ISR for the lot is 0.55.
9. Proposed elevation must be elevated in height to match the existing structure.
10. Proposed roof line and soffits must be identical to the current structure.

#### 4. VAR2017-00016 747 GARDEN PLZ.

Applicant/Owner: Richard Thomas & Jessica Dekorver, 747 Garden Plz., Orlando, FL 32803

Location: 747 Garden Plz. (± 0.18 acres)

District: 4

Project Planner: Jacques Coulon (407-246-3427, jacques.coulon@cityoforlando.net)

Requested variances:

- A. Variance of 6.2 ft. to allow a front setback of 18.8 ft. where 25 ft. is required.
- B. Variance of 8.2 ft. to allow an open porch setback of 10.8 ft. where 19 ft. is required.
- C. Variance of 6 ft. to allow a garage front setback of 24 ft. where 30 ft. is required.
- D. Variance of 8 ft. to allow a rear setback of 17 ft. where 25 ft. 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 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 will be required at time of permitting to ensure that the plans match up with the proposal shown including review of window transparency and all other Traditional City design requirements.
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 said building permit(s) are not received within a year the zoning variance is no longer valid and a new variance must be applied for. If the building permit for the work requiring the zoning variance expires before a certificate of occupancy or certificate of completion is issued for the work requiring the zoning variance, then the zoning variance is no longer valid and a new zoning variance must be applied for.
5. 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.
6. The proposed new windows must match the style and design of the existing windows. Proposed windows must be recessed at the same depth of the existing windows.
7. If decorative brackets are to be used, the location must be consistent across the facade.
8. An appearance review is required at time of permitting.
9. The widest this driveway may be at the property line is 18'. Reduce and design the City's ESM standards with regard to flares.
10. The driveway design must comply with ESM and Land Development code requirements.

**Board member Sanchez moved APPROVAL of the CONSENT AGENDA, subject to the conditions in the staff reports. Vice Chairperson Pathak SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.**

## REGULAR AGENDA

- No items.

## OLD/NEW BUSINESS & ANNOUNCEMENTS

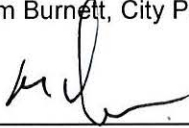
- No items.

## ADJOURNMENT

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

## STAFF PRESENT

Mark Cechman, City Planning  
Paul Lewis, City Planning  
Karl Wielecki, City Planning  
TeNeika Neasman, City Planning  
Jim Burnett, City Planning



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Mark Cechman, Executive Secretary

Jacques Coulon, City Planning  
Terrence Miller, City Planning  
John Groenendaal, Permitting Services  
Alison Brackins, Office of Legal Affairs



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Ed Petersen, Recording Secretary