

**MEETING  
INFORMATION**Location

City Council Chambers  
1st Floor, City Hall  
One City Commons  
400 South Orange Avenue

Time

2:00 p.m.

Members Present

Roberta Fennessy [8/0]  
(Vice Chairperson)

Steven Heller [7/1]

Heather Isaacs [2/1]

Scott Lloyd [7/1]

Lindsey Perez [2/1]

Members Absent

William Wilson [6/2]  
(Chairperson)

Chris Carmody [5/3]

Dawn Evans-Hall [7/1]

Thomas Jensen [5/3]

## MINUTES – MAY 22, 2018

**OPENING SESSION**

- Vice Chairperson Fennessy called the meeting to order at 2:01 pm, after determination of a Quorum.
- The meeting was opened with the Pledge of Allegiance.
- Consideration of Minutes for Meeting of April 24, 2018.
  - **Board member Lloyd MOVED approval of the Board of Zoning Adjustment Meeting Minutes of April 24, 2018, as written. Board member Heller SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote (5-0).**

**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, noting that Items #5 and #6 had been moved from the Regular Agenda.

**CONSENT AGENDA****1. VAR2018-10014 629 TERRACE BLVD.**

Applicant:	Roger Neves, Phil Kean Designs, 912 W. Fairbanks Ave., Winter Park, FL 32789
Owner:	Kathleen Farmer, 629 Terrace Blvd., Orlando, FL 32803
Location:	629 Terrace Blvd. (± 1.03 acres)
District:	3
Project Planner:	TeNeika Neasman (407.246.4257, teneika.neasman@cityoforlando.net)

Requested variance:

- Variance of 3.3 ft. to allow an inline rear addition to encroach 4.2 ft. into the side yard setback.

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 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.
6. Rear addition materials and design must be similar in appearance as the existing home.
7. Sec. 60.223. - One-Family and Two-Family Residential Development Standards must be met.

*Note: one e-mail was received in support of the request.*

## **2. VAR2018-10015 140 PAGE ST.**

Applicant/Owner: Fernando Zuniga, 673 W. Comstock Ave., Winter Park, FL 32789

Location: 140 Page St. (± 0.15 acres)

District: 4

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

Requested variance:

- Variance of 4.5 ft. to allow a front porch to be set back 12.5 ft. from the front property line, where 17 ft. is required for a front porch in the Traditional City overlay 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 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.
  6. Architectural elevations for all buildings and a landscape plan shall require Appearance Review prior to submitting to Permitting to ensure compliance with the following conditions.
  7. The proposed porch design must consistent and match the style of the home.
  8. All building materials shall be finished with durable, high quality materials that are authentic to the style of architecture for which the building is proposed.
  9. The porch must be elevated a minimum of 18 inches from the ground level.
  10. Porch must be screened with a decorative apron. Decorative screening must be around the entire deck.
  11. Shrubs/flower beds must be planted in front of the deck to enhance the deck and the general landscaping.
  12. A large shrub must be planted in front of the electrical panel for screening purposes. The shrub must be evergreen and the shrub height at time of planting must be at a minimum of 48".

### 3. **VAR2018-10016     2800 VINE ST.**

Applicant/Owner: Carlos & Mary Roche, 2800 Vine St., Orlando, FL 32806

Location: 2800 Vine St. (± 0.25 acres)

District: 4

Project Planner: Michaëlle Petion (407.246.3837, [michaelle.petion@cityoforlando.net](mailto:michaelle.petion@cityoforlando.net))

Requested variance:

- Variance of 2 ft. to allow a 6 ft. tall fence, where 4 ft. is the maximum allowed.

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 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.
6. The proposed fence must have a uniform paint or stain to fit/blend with the character of the home.

NOTE: for Item 4, see Regular Agenda.

**5. (this item moved from Regular Agenda)**

**VAR2018-10018 516 GREELY ST.**

Applicant/Owner: James & Deborah Lee, 516 Greely St., Orlando, FL 32804

Location: 516 Greely St. (± 0.23 acres)

District: 3

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

Requested variances:

- A. Variance of 1 ft. to allow a 1 ft. buffer next to an extended driveway, where a minimum 2 ft. buffer is required between a driveway and the adjacent lot line; and
- B. Variance of ±4 ft. to allow a 25.75 ft. wide driveway, where Code only allows for a 21.75 ft. maximum width for a single-family residential driveway.

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. 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.
6. Appearance Review is required at time of permitting to ensure consistency with the site plan in this staff report and the general informational conditions below.
7. The existing 6-ft. tall privacy fence must be retained within the reduced west side buffer for the length of the side yard. Up to 3 fence panels (across from the chimney choke point) may be removed from time to time when dropping off or loading the camper onto the back of the pickup truck, provided said fence panels are replaced after each vehicle movement within the side driveway.

Informational

8. Criteria of LDC Section 58.926 relative to camper location in rear yard must always be met.
9. Per LDC Section 58.984, the relocated west side AC unit cannot be closer than 5 ft. to the east side lot line and no closer than 15 ft. to the rear lot line, unless the AC units have a 15 SEER or 12.5 EER rating, which would allow the AC unit to be within 1 ft. of the fenced/screened east side lot line.
10. All vehicles parked on the property are required to be parked on a durable all-weather surface (per LDC Section 61.303(a)).

**6. (this item moved from Regular Agenda)  
VAR2018-10017 3904 VIRGINIA DR.**

Applicant/Owner: Kimberly Hosley, 3904 Virginia Dr., Orlando, FL 32803  
Location: 3904 Virginia Dr. (± 0.21 acres)  
District: 3  
Project Planner: Jim Burnett (407.246.3609, james.burnett@cityoforlando.net)  
Requested variance:

- Variance to retroactively allow the one required parking space to be in front of the house, within the front setback, where said parking space is required to be located behind the 25-ft. front setback.

Recommended action: Deferral of the variance to June 2018, by request of the applicant.

**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 (5-0).**

## **REGULAR AGENDA**

**4. VAR2018-10007 1636 OAKMONT LN.**

Applicant/Owner: Brian Powers, 1636 Oakmont Ln., Orlando, FL 32804  
Location: 1636 Oakmont Ln. (± 0.20 acres)  
District: 3  
Project Planner: Jacques Coulon (407.246.3427, jacques.coulon@cityoforlando.net)  
Requested variances:

- A. Variance to allow an accessory dwelling unit on a lot 1.4 times the minimum lot size, where R-1/T requires the lot to be 2 times the minimum lot size;
- B. Variance of 7 ft. to allow a rear yard setback of 8 ft., where 15 ft. is required; and
- C. Variance of 2 ft. to allow 2 curbcuts with a 40 ft. separation where 42 ft. is required.

Recommended action: Approval of Variances A and C, subject to the conditions in the staff report, and denial of Variance B and approval of a lesser variance of 3 ft.

Jacques Coulon, Planner II, presented the requested variance using PowerPoint. First, he reminded the Board of the discussion from the two previous months, when the case had been deferred. Then he noted that the owner Brian Powers had provided signatures from both neighbors to the rear of the property, which the Board had asked to see.

Vice Chairperson Fennessy stated that the applicant did as the Board had asked. Board member Heller asked if staff had changed their stance on the matter; Mr. Coulon said no. Executive Secretary Cechman pointed out that at the May 15, 2018 Municipal Planning Board, that Board had recommended approval for a code change on how accessory dwelling units were handled in the code. It would then be up to City Council to complete the process over the next few months.

Board member Lloyd moved APPROVAL of all three VARIANCES as requested, subject to the conditions in the staff report. Board member Isaacs SECONDED the MOTION, which was VOTED upon and PASSED by a 3-2 voice vote (Board members Heller and Perez opposed).

## OLD/NEW BUSINESS & ANNOUNCEMENTS

- No items.

## ADJOURNMENT

- Having no other matters to bring before the Board, Vice Chairperson Fennessy adjourned the meeting at 2:16 pm.

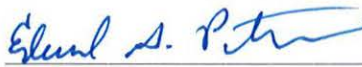
## STAFF PRESENT

Mark Cechman, City Planning  
Karl Wielecki, City Planning  
Jacques Coulon, City Planning  
Michaëlle Petion, City Planning  
TeNeika Nesaman, City Planning



Mark Cechman, Executive Secretary

Jim Burnett, City Planning  
Keith Grayson, Permitting Services  
Michelle Bach, Code Enforcement  
Sarah Taitt, City Attorney's Office



Ed Petersen, Recording Secretary