



MINUTES – MARCH 28, 2023

MEETING INFORMATION

Location

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

Virtually via Zoom:
<https://us02web.zoom.us/j/85198088494>

Or by phone:
312.626.6799
929.205.6099
253.215.8782
301.715.8592
346.248.7799
or 669.900.6833

Webinar ID:
851 9808 8494

Time

2:00 p.m.

Members Present
Andrew MacPhee [6/0]
(Chairperson)
Carol Hendren [6/0]
(Vice Chairperson)
Anie Delgado [6/0]*
Marc Ispass [6/0]
Carmen Rasnick [2/1]*
Cooper Reece [4/2]
Steve Simpson [6/0]
Jay Small [6/0]

Members Absent
None.

*NOTE: Board members Delgado and Rasnick were present via Zoom.

OPENING SESSION

- Chairperson MacPhee called the meeting to order at 2:00 pm, after determination of a Quorum.
- Consideration of Minutes for Meeting of February 28, 2023.
 - **Board member Small MOVED to waive the reading of the Board of Zoning Adjustment meeting minutes of February 24, 2023, and to approve as written. Board member Small SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote (8-0).**

PUBLIC COMMENTS

- No speakers spoke at the meeting.

CONFLICT DECLARATIONS

- No Board members declared any conflicts.

AGENDA REVIEW

- Mark Cechman, Executive Secretary, reviewed the Consent Agenda.

CONSENT AGENDA

1. VAR2022-10035	104 E. SPRUCE ST.
Applicant:	Melanie Phanthala, 100 S. Eola Dr., Orlando, FL 32801
Owner:	Murphy Builds LLC, 840 Kenilworth Ter., Orlando, FL 32803
Location:	104 E. Spruce St. (± 0.2 acres)
District:	3

Project Planner: Rosemary Culhane (407.246.3422, rosemary.culhane@orlando.gov)

Requested variance:

- Variance of 1 ft. to allow a 49 ft. wide lot, where 50 ft. is the minimum required for the development of a duplex.

Recommended action:

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

Land Development

1. Driveway width in the front yard setback needs to be reduced to accommodate only 1 vehicle (Minimum width 7 ft., Maximum width 12 ft.).
2. FAR is limited to 0.5.

Urban Design

3. Deviation from the submitted elevations will require an Appearance Review Determination before permits.
4. Windows. On the front elevation, the ground level windows must match the two windows on the second level in terms of dimension and details. Shutters must be provided. Ground level windows must be aligned with second level windows.
5. Transparency calculations must be provided with permits, demonstrating that the front elevation has at minimum of 15%, and the side and rear elevations have at minimum 10% of transparency on each floor below the roof line, as to meet Sec 62.600 standards.
6. A Landscape Plan must be provided, showing compliance with Sec 60.223 standards.
7. Tree Removal Permit. A tree removal permit is required (issued through the Parks Division, at 407-246-2283 or via email at trees@orlando.gov) prior to any trees being removed from the project site.
8. Due to existing power lines, the canopy street tree can be provided in the front yard, at minimum 10 feet from the power lines. This canopy tree will not count toward the minimum number of required on-site canopy trees.
9. Mechanical equipment must be screened from view, as to meet Sec 58.982 standards.

Transportation

10. A 5 ft sidewalk must be constructed along the property line on E. Spruce St.
11. Driveway must accommodate one vehicle only. (Minimum width 7 ft., Maximum width 12 ft.)

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

2. VAR2023-10001 1018 NOTTINGHAM ST.

Applicant/Owner: David McKenzie, 1018 Nottingham St., Orlando, FL 32803

Location: 1018 Nottingham St. (± 0.2 acres)

District: 3

Project Planner: Michele Gibbs (407.246.3355, michele.gibbs@orlando.gov)

Requested variance:

- Variance of ±4 ft. to allow the existing side yard setback of 3.4 ft. to remain, where 7.5 ft. is required, for the enclosure of the existing carport into a garage space.

Recommended action:

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

1. Conversion of the carport into an expansion of the garage space must be developed as shown on plans submitted for this request and as conditioned on this report.

Urban Design

2. The garage may not extend closer to the street than the existing house and it must be flush with or recessed from the bump out on the opposite side of the house. A floor / site plan showing both sides of the home must be provided at the time of permitting to ensure compliance.
3. The proposed addition must match the existing home architecturally by means of materials used, window trim, etc.

Transportation

4. Interior width of the garage must be 11 ft.

Development Review

5. Two drawing with different elevation, if it is a roof line with a dripline within 5' of the neighbor a gutter would be required along the length of the new garage. This must be shown at the time of permitting.

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

3. VAR2023-10002 1211 COUNTRY CLUB DR.

Applicant: Jaime Rodriguez, Millenia Holding Group Corp., 6441 Chickasaw Trl., Ste. 177, Orlando, FL 32829

Owner: Rebecca & Mark Evans, 1211 Country Club Dr., Orlando, FL 32804

Location: 1211 Country Club Dr. (± 0.2 acres)

District: 3

Project Planner: Jim Burnett (407.246.3609, james.burnett@orlando.gov)

Requested variance:

- Variance of 2.6 ft. to allow the in-line rear addition to be 4.9 ft. from the west side lot line, where a minimum 7.5 ft. side setback 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 the below conditions.
2. The garage addition must be consistent with the architecture of the existing building. Details including
3. material, trim, color and finish must be the same across both sections of the building.
4. Gutters must be installed along the west side of the garage and addition, to keep water from draining onto the adjacent property to the west.

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

Board member Simpson moved APPROVAL of the CONSENT AGENDA. Board member Small SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (6-0).

REGULAR AGENDA

- No items.

NOTE: All of the approved 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(6), Florida Statutes, Issuance of a development permit or development order by a municipality does not 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. A municipality shall attach such a disclaimer to the issuance of development permits and shall include a permit condition 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

- No items.

ADJOURNMENT

- Having no other matters to bring before the Board, Chairperson MacPhee adjourned the meeting at 2:06 pm.

STAFF PRESENT

Tim McClendon, City Planning
Karl Wielecki, City Planning
Jim Burnett, City Planning
Rosemary Culhane, City Planning
Michele Gibbs, City Planning
Ronnie Waitekus, City Planning

Yolanda Ortiz, City Planning
Haider al Salihi, Permitting Services
Vince Gramaglia, Permitting Services
Melissa Clarke, City Attorney's Office
Andrea Morgan, City Attorney's Office



Mark Cechman
Executive Secretary



Ed Petersen
Recording Secretary