

**ORANGE COUNTY BOARD OF ZONING ADJUSTMENT
MEETING OF MAY 2, 2019**

The Orange County Board of Zoning Adjustment meeting met at 9:00 a.m. on **May 2, 2019** in the Orange County Commission Chambers on the 1st Floor of the Orange County Administration Building, 201 South Rosalind Avenue, Orlando, Florida 32801.

BOARD MEMBERS PRESENT: Gregory A. Jackson - Chairman
Carolyn C. Karraker - Vice Chair
Jose A Rivas, Jr. – District #3
Deborah Moskowitz – District #4
Wes A. Hodge – District #5
Charles J. Hawkins, II – District #6
Roberta Walton – At Large

STAFF PRESENT: Sean Bailey, Chief Planner, Zoning Division
Nicholas Balevich, Development Coordinator, Zoning Division
David Nearing, AICP, Development Coordinator, Zoning Division
Shamaka Daniels, Development Specialist, FOS Division

The Chairman called the meeting to order at 9:03 a.m.

Following the Pledge of Allegiance to the Flag, the following applications, as advertised, were called up for public hearing.

APPROVAL OF MINUTES:

The Chairman requested a motion approving the minutes of the April 4, 2019, Board of Zoning Adjustment meeting.

A motion was made by Deborah Moskowitz, seconded by Carolyn C. Karraker and unanimously carried to **APPROVE** the minutes of the April 4, 2019 BZA Meeting.

PUBLIC COMMENT: The Chairman opened the floor to public comment, seeing none; the Chairman closed the hearing for public comment and continued with the regularly scheduled agenda.

ERIC JOHANNESSEN - VA-19-05-027

REQUEST:	Variances in the R-1A zoning district to allow an existing accessory structure (treehouse) as follows: 1) To allow a side (west) setback of 0 ft. in lieu of 5 ft. 2) To allow a Normal High Water Elevation (NHWE) setback of 5 ft. in lieu of 30 ft. This is a result of Code Enforcement action.
ADDRESS:	7849 Georgeann Street, Winter Park FL 32792
LOCATION:	North side of the end of Georgeann St., approximately .4 miles east of N. Goldenrod Rd.
TRACT SIZE:	69 ft. x 416 ft. (avg.) /.85 acres (.32 acres submerged)
DISTRICT#:	5
LEGAL:	GEORGEANN HOMES 1/124 LOT 7

PARCEL ID#: 02-22-30-2968-00-070

NO. OF NOTICES: 107

Commentaries: Twenty (20) in favor and two (2) in opposition

Staff Recommendation: Staff explained the rationale behind the recommendation for denial. This included the fact that the treehouse actually encroaches .8 feet into the neighbor's property. Staff added a condition that the applicant must execute and record a Hold Harmless Agreement if deemed necessary by the County Attorney's Office. Furthermore, staff recommended denial; however, should the BZA find that the requested variances met the criteria for approval; staff recommended that such approval be subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Mary Soliki, (Attorney for applicant)

Eric Johannessen (Applicant)

There being no one in attendance to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA asked whether there were any other trees on the property capable of supporting the house. The applicant noted that the only other trees were palms, which were not suitable for such use. The applicant stated that they had contacted the County Building Safety Division when they started the project, and they were told that such a structure would not need a permit. Further, the BZA concluded that the uniqueness of this application and the factors brought forward by the applicant's attorney warranted the granting of these variances. Therefore, the BZA recommended approval along with the staff's recommended conditions of approval.

BZA Action: A motion was made by Roberta Walton, seconded by Carolyn Karraker and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated February 19, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. The applicant shall obtain a permit for all unpermitted improvements within 180 days of final action on this application by Orange County or this approval becomes null and void.
5. The existing unpermitted shed shall be removed prior to final inspection of the treehouse, or it must be properly permitted and moved to meet setbacks.
6. If deemed necessary by the County Attorney's Office, prior to the issuance of a building permit, the property owner shall record in the Official Records of Orange County an Indemnification/Hold Harmless Agreement which indemnifies Orange County from any damages caused by flooding and shall inform all interested parties that the treehouse is no closer than five (5) feet from the Normal High Water Elevation of Lake Waunatta.

AYE (voice vote): All members present

Abstained: Wes A. Hodge (due to temporary absence)

ALEX YASSEIN - VA-19-05-029

REQUEST: **Variance** in the R-3 zoning district to allow a front setback of 16 ft. in lieu of 25 ft.
This is the result of Code Enforcement action.

ADDRESS: 2620 Homeland Street, Orlando FL 32806

LOCATION: West side of Homeland St., north of E. Michigan St.

TRACT SIZE: 50 ft. x 105 ft./ 0.12 acres

DISTRICT#: 3

LEGAL: CLOVER HEIGHTS REPLAT P/81 LOT 5 BLK E

PARCEL ID#: 06-23-30-1424-05-050

NO. OF NOTICES: 97

Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, the site plan, and photographs of the site. Further, staff recommended approval of the request subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): The applicant was not present.

There being no one in attendance to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA felt that the request was straightforward and noted that the house predated zoning. Thus, the BZA concurred with the staff recommendation.

BZA Action: A motion was made by Jose A. Rivas, Jr., seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated February 22, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. The rear shed that is located less than five (5) feet from the side property line shall be removed or relocated to meet the required five (5) feet setback.

5. The applicant shall obtain a permit for the enclosed porch within 180 days of final approval, or this approval becomes null and void.

AYE (voice vote): All members present

BILL PEREZ - VA-19-05-030

REQUEST: **Variances** in the A-2 zoning district as follows:

- 1) To allow a front setback of 15 ft. in lieu of 35 ft. for a new single family home.
 - 2) To allow a rear setback from the Normal High Water Elevation (NHWE) line of 25 ft. in lieu of 50 ft. for a new single family home.
 - 3) To allow an existing accessory structure 15 ft. from the NHWE line in lieu of 50 ft.
 - 4) To allow a minimum lot size of .2 acres in lieu of .5 acres.
- This is the result of Code Enforcement action.

ADDRESS: 17125 Arrowhead Blvd., Winter Garden FL 34787
LOCATION: North side of Arrowhead Blvd., east of Avalon Rd. on Lake Rexford
TRACT SIZE: 154 ft. x 217 ft. (avg.) / 1.24 acres (.2 acres upland)
DISTRICT#: 1
LEGAL: ARROWHEAD LAKES X/12 BEG SW COR LOT 3 BLK D RUN S 71 DEG E 17.12 FT S 45 DEG E ALONG S LINE SD LOT 140 FT N 13 DEG E 385.93 FT S 89 DEG W 207.5 FT TO NW COR LOT 3 TH S 271.48 FT TO BEG
PARCEL ID#: 31-24-27-0306-04-031
NO. OF NOTICES: 38

Commentaries: Six (6) in favor and seven (7) in opposition

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Lastly, staff recommended approval of these requests subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Bill Perez (Applicant)
Terri Myshin (Neighbor)

The applicant stated he purchased the property two (2) years ago, and it had a shed at that time. He removed the old shed and found out a permit was required when he replaced it.

A neighbor stated that she feared that this could set a precedent for others in the area to split their lots.

BZA Discussion: The BZA assured the neighbor that this would not set a precedent. Further, the BZA noted that this was a lot with history wherein the applicant had not created something new; and, the request fit the criteria for a variance. Based on the foregoing, the BZA concurred with the staff recommendation.

BZA Action: A motion was made by Carolyn Karraker, seconded by Roberta Walton and unanimously carried to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 5, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

4. The applicant shall obtain a permit for the shed within 120 days of final approval, or this approval becomes null and void. The shed permit cannot be finalized until the permit for primary

structure is issued.

5. Prior to the issuance of a building permit, the property owner shall record in the Official Records of Orange County an Indemnification/Hold Harmless Agreement which indemnifies Orange County from any damages caused by flooding and shall inform all interested parties that the accessory structure is no closer than fifteen (15) feet, and the proposed house is no closer than twenty-five (25) feet from the Normal High Water Elevation of Lake Rexford.

AYE (voice vote): All members present

JONATHAN HOLTON - SE-19-05-031

REQUEST: **Special Exception** in the R-1A zoning district to permit an attached Accessory Dwelling Unit (ADU).
ADDRESS: 2000 Woody Drive, Windermere FL 34786
LOCATION: West side of Woody Dr., approximately 525 ft. north of Wildoak Dr.
TRACT SIZE: 157 ft. x 170 ft. (avg.) / .59 acres
DISTRICT#: 1
LEGAL: WINDERMERE DOWNS 4/12 LOT 99
PARCEL ID#: 04-23-28-9332-00-990
NO. OF NOTICES: 57

Commentaries: None in favor and one (1) in opposition.

Staff Recommendation: Staff explained the history of the property and indicated that the applicant purchased the property in 2018. The attached ADU would include a portion of the existing residence and an addition added to the rear of the home. Finally, staff recommended approval of this request subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Johnathan Holton (Applicant)

There being no one in attendance to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA concluded that the request met all of the criteria for an ADU. Furthermore, the BZA concurred with the staff recommendation.

BZA Action: A motion was made by Carolyn Karraker, seconded by Charles J. Hawkins, II and unanimously carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 8, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. The applicant shall submit construction plans through the commercial site plan review

process within three (3) years of final approval of this application by Orange County or this approval is null and void.

- 5. The exterior of the ADU addition shall match the exterior of the existing residence with regard to color and materials.
- 6. The applicant shall be responsible for payment of all applicable fees and assessments including, but not limited to, impact fees.

AYE (voice vote): All members present

ELAN AZUZ - SE-19-05-033

REQUEST:	Special Exception in the R-2 zoning district to permit a detached Accessory Dwelling Unit (ADU).
ADDRESS:	2211 E. Harding Street, Orlando FL 32806
LOCATION:	North side of Harding St., approximately 325 ft. west of S. Bumby Ave.
TRACT SIZE:	73 ft. x 135 ft./ .226 acres
DISTRICT#:	3
LEGAL:	CLOVERDALE HEIGHTS Y/59 LOT 7
PARCEL ID#:	06-23-30-1430-00-070
NO. OF NOTICES:	115

Commentaries: Three (3) in favor and none in opposition

Staff Recommendation: Staff explained the history of the property including the fact that in January 2019, the applicant had obtained a Special Exception approval for a guesthouse. That approval included a similarly sized structure with a similar footprint and elevations. Lastly, staff recommended approval of the request subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Elan Azuz (Applicant)
William Snyder (Opposed)

The applicant indicated they wanted to ensure that once their father decided to retire and downsize, that they would be able to stay in the ADU permanently, which would not be possible with a guesthouse. In addition, because they travel for business on a regular basis, they wanted to ensure their father had access to his own kitchen.

One individual spoke in opposition noting that the ADU could be used as an air B&B. There was also discussion regarding whether the subject property had a Homestead Exemption. It was established that the property had maintained an exemption in the past, and that it did qualify for continuation of an exemption. The applicant indicated that they had in fact filed for one.

There being no one else present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA concluded that the request was in compliance with the criteria for granting a Special Exception. Inasmuch, the Board concurred with the staff recommendation.

BZA Action: A motion was made by Jose A. Rivas, Jr., seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 12, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

- 3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
- 4. The applicant shall submit construction plans for the ADU within three (3) years of final approval of this application by Orange County or this approval is null and void.
- 5. The exterior of the ADU shall match or compliment the exterior of the existing main residence with respect to materials and colors.
- 6. The size of the ADU shall not exceed 704 sq. ft. of living space. If expanded beyond the 675 sq. ft. depicted with this application, the applicant shall maintain the same architecture as depicted with this application.
- 7. The applicant shall be responsible for payment of all applicable fees and assessments including, but not limited to, impact fees.
- 8. The applicant shall obtain a permit for the existing shed within 180 days of final approval.
- 9. The accessory dwelling unit shall be used by family members only for the first three (3) years after the issuance of a Certificate of Occupancy (CO).

AYE (voice vote): All members present

AL TEHRANI - SE-19-05-034

REQUEST: Special Exception in the R-3 zoning district to allow a parking lot.
ADDRESS: 303 S. Observatory Drive, Orlando FL 32835
LOCATION: East side of S. Observatory Dr., south of Old Winter Garden Rd.
TRACT SIZE: 70 ft. x 136 ft. (avg.) / . 188 acres
DISTRICT#: 6
LEGAL: ORLO VISTA HEIGHTS K/139 LOT 3 & S 20 FT OF LOT 2 BLK A
PARCEL ID#: 36-22-28-6416-01-022
NO. OF NOTICES: 81

Commentaries: None in favor and one (1) in opposition.

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, adjacent commercial, site plan, and photographs of the site. Furthermore, staff recommended approval of this request subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Al Tehrani (Applicant)

No one was present to speak for or against this request at the public hearing.

BZA Discussion: The BZA confirmed the buffering and landscaping and also noted that this area was commercialized. Therefore, the BZA agreed with the staff recommendation.

BZA Action: A motion was made by Charles J. Hawkins, II, seconded by Roberta Walton and carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions:

- 1. Development in accordance with the site plan dated April 2, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of

Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

- 2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
- 3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
- 4. The project shall comply with Article XVI of Chapter 9 of the Orange County Code, "Exterior Lighting Standards".
- 5. The parking lot shall comply with Chapter 38 Article XI.
- 6. Construction plans shall be submitted within two (2) years or this approval becomes null and void.
- 7. Landscaping shall be in accordance with Chapter 24, Orange County Code.

AYE (voice vote): All members present
NAY (voice vote): Wes A. Hodge

TOMMY LEE WILLIAMS - VA-19-05-035

REQUEST: Variance in the A-1 zoning district to allow an accessory structure on the property prior to construction of the principal structure.

ADDRESS: 1202 Schopke Lester Road, Apopka FL 32712

LOCATION: West side of Schopke Lester Road, north of Orange Blossom Trail.

TRACT SIZE: 340 ft. x 631 ft. (avg.)/ 3.544 acres

DISTRICT#: 2

LEGAL: MAP OF PLYMOUTH B/17 THE S1/2 OF LOTS 7 & 8 BLK S & THE N 1/2 OF PLATTED RW ON S AND THATA PT OF PLATTED RW ON W NOT VACATED & THAT PT OF OCCUPIED PLATTED LAKE STANDISH LY ING BETWEEN BEG AT THE SE COR OF SAID LOT 8 BLK S TH S ALONG W RW 20 FT TH W TO

PARCEL ID#: 06-21-28-7172-19-072

NO. OF NOTICES: 80

Commentaries: None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Further, staff recommended approval of the request subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Tommy Lee Williams (Applicant)

No one was present to speak for or against this request at the public hearing.

BZA Discussion: The BZA determined the request was reasonable and concurred with the staff recommendation.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Carolyn Karraker and unanimously carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

- 1. Development in accordance with the site plan dated March 12, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
- 2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
- 3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
- 4. The use of the accessory structure shall be limited to storage of the owner's maintenance equipment only. No other activities shall be permitted until the house is constructed.
- 5. A Conservation Area Determination may be needed in the future prior to any building permit or construction.

AYE (voice vote): All members present

BIBI SINGH FOR THE VEDIC CULTURAL SAMAJ OF CENTRAL FLORIDA - SE-19-05-036

REQUEST:	Special Exception and Variances in the R-1A zoning district as follows: 1) Special Exception to permit a religious institution for up to 23 members. 2) Variance to allow an existing structure 20 ft. from the rear (east) property line in lieu of 25 ft. 3) Variance to allow additions to an existing structure 20 ft. from the rear (east) property line in lieu of 25 ft. 4) Variance to allow unpaved (grassed) parking spaces in lieu of paved.
ADDRESS:	6083 North Lane, Orlando FL 32818
LOCATION:	Northeast corner of North Ln. and N. Powers Drive
TRACT SIZE:	107 ft. x 220 ft. (avg.) /.63 acres
DISTRICT#:	2
LEGAL:	E 105.06 FT OF W 263.06 FT OF N 120 FT OF S 150 FT OF SW1/4 OF SW1/4 OF SE1/4 OF SEC 01-22-28 & S 150 FT OF W 158 FT OF SW1/4 OF SW1/4 OF SE1/4 (LESS W 30 FT & S 30 FT FOR RDS) OF SEC 01-22-28 & (LESS COMM AT THE SW CORNER OF THE SE 1/4 SEC 01-22-28 TH N8
PARCEL ID#:	01-22-28-0000-00-039
NO. OF NOTICES:	118
<u>Commentaries:</u>	None

Staff Recommendation: Staff explained the history of the property including the fact that the site had received two (2) prior Special Exceptions in 2014 and 2015, for a Religious Facility on the subject property; however, those approvals have lapsed. The new use would include two (2) additions to the existing structure and installation of a paved drive aisle with grass parking. The proposal met the criteria for both a Special Exception and the requested variances. Lastly, staff recommended approval of the request subject to the conditions as described in the staff report.

The following person(s) addressed the Board:

Speaker(s): The applicant waived the right to speak and agreed with the staff recommendation. There being no one present to speak in favor or opposition to the requests, the public hearing was closed.

BZA Discussion: The BZA concluded that the use was compatible with the neighborhood and that the variances requested were all warranted. Based on the foregoing, the BZA concurred with the staff recommendation.

BZA Action: A motion was made by Gregory A. Jackson, seconded by Wes A. Hodge and unanimously carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; and, to **APPROVE** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 12, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. Parking spaces may be unpaved. However, handicapped spaces and all driving aisles shall be paved. Each grass parking space shall be delineated by installation of a tire stop. Railroad ties are acceptable. Each tire stop shall be affixed to the ground by use of rebar.
5. Development shall comply with Chapter 24 (Landscaping) except where conflicts exist. In the event there is a conflict between Chapter 24 and the site plan, the provisions of Chapter 24 shall prevail.
6. The project shall comply with Article XVI of Chapter 9 of the Orange County Code, "Exterior Lighting Standards."
7. The applicant shall submit construction plans through the commercial site plan review process within three (3) years of final approval or this approval is null and void.
8. No more than four (4) outdoor special events per calendar year and the hours of such events shall be limited from 8:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of thirty (30) days prior to the date of each event.

AYE (voice vote): All members present

LORNA CASSANOVA - VA-19-05-037

REQUEST:	Variance in the C-1 zoning district to allow a 2-COP license (beer & wine only) for consumption on premises 784 ft. from a religious facility in lieu of 1,000 ft.
ADDRESS:	6311 Silver Star Road, Orlando FL 32818
LOCATION:	North side of Silver Star Rd., west of Powers Dr.
TRACT SIZE:	150 ft. x 394 ft. (avg.) / 1.35 acres

DISTRICT#: 6
LEGAL: COMM 450 FT N OF SE COR OF NE1/4 OF NW1/4 W 30 FT FOR POB
CONT W 300.1 FT S 394 FT E 150.1 FT N 194 FT W 50 FT N 144 FT E
200 FT N 50 FT TO POB IN SEC 13-22-28

PARCEL ID#: 13-22-28-0000-00-013

NO. OF NOTICES: 5,167

Commentaries: Six (6) in favor and eleven (11) in opposition.

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site and the church. Furthermore, staff recommended approval of the request subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Robert Thomas (Agent for applicant)

Michelle Owens (in Favor)

Bertina Busch (Opposed)

Charles Handen (Opposed)

Joseph Boston (Opposed)

Darby Turnipseed (Opposed)

Lorna Cassanova (Applicant)

The applicant stated that the adjacent liquor store was more intense; nearby convenience stores sold beer; and, their use would be indoors only.

A representative from the Pine Hills Neighborhood Improvement District stated that their advisory council voted in favor of the request, as they want the building to be occupied.

A representative from the Pine Hills Community Council stated that they were against the request.

The pastor from the adjacent church expressed concerns about traffic, and did not want the next user of the space to have this license if the present business failed.

Other neighbors spoke with concerns about traffic and the possibility of having impaired people in the area.

BZA Discussion: The BZA asked the applicant about the possibility of closing the restaurant earlier. The BZA noted that the church and neighborhood were opposed to the request. As such, the BZA denied the variance.

BZA Action: A motion was made by Charles J. Hawkins, II, seconded by Roberta Walton and carried to **DENY** the Variance request in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3).

AYE (voice vote): Charles J. Hawkins, II, Roberta Walton, Gregory A. Jackson, Wes A. Hodge

NAY (voice vote): Carolyn C. Karraker, Jose A Rivas, Jr., Deborah Moskowitz

GLORIA STOEBAU - SE-19-05-038

REQUEST: **Special Exception and Variance** in the A-1 zoning district to allow for a daycare center as follows:

1) Special Exception to convert a single family residence into a daycare center for up to 35 children

2) Variance to allow a 40 ft. rear setback in lieu of 50 ft.

ADDRESS: 1707 Maguire Road, Windermere FL 34786

LOCATION: East of Maguire Rd., north of Park Ridge Gotha Rd.

TRACT SIZE: 380 ft. x 186 ft. (avg.) / 1 acre

DISTRICT#: 1

LEGAL: BEG 155.5 FT N & 226 FT E OF SW COR OF NW1/4 OF NW1/4 RUN W 226 FT N 380 FT E 80 FT SELY TO POB (LESS W 40 FT) IN SEC 05-23-28

PARCEL ID#: 05-23-28-0000-00-008

NO. OF NOTICES: 62

Commentaries: Three (3) in favor and none in opposition.

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, adjacent commercial, site plan, and photographs of the site. Lastly, staff recommended approval subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Gloria Stoebenau (Applicant)

Chassity Vega (in Favor)

Ashley McBride (in Favor)

No one spoke in opposition to the request at the public hearing.

BZA Discussion: The BZA rendered these requests reasonable and concurred with the staff recommendation.

BZA Action: A motion was made by Carolyn Karraker, seconded by Roberta Walton and unanimously carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; and, to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 13, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. All outdoor lighting shall be in accordance with Chapter 9, Orange County Code.
5. Approval is for no more than thirty-five (35) children.
6. Hours of operation shall be Mondays through Fridays, 6:00 a.m. to 6:00 p.m. and Saturdays, 8:00 a.m. to 4:00 p.m.
7. Landscaping shall be in accordance with Chapter 24, Orange County Code.
8. Signage shall be in accordance with 31.5-75, Orange County Code.
9. Construction plans shall be submitted within three (3) years of the final County approval or this approval becomes null and void.

AYE (voice vote): All members present

HUBBARD CONSTRUCTION - VA-19-05-040

REQUEST:	Variance in the IND-2/IND-3 zoning district to allow a silo with a height of 92 ft. in lieu of 50 ft.
ADDRESS:	303 W. Landstreet Road, Orlando FL 32824
LOCATION:	North of W. Landstreet Rd., west of S. Orange Ave.

TRACT SIZE: 641 ft. x 642 ft. / 9.55 acres
DISTRICT#: 4
LEGAL: PLAN OF BLK D PROSPER COLONY D/100 LOTS 105 & 106
PARCEL ID#: 35-23-29-7268-10-500
NO. OF NOTICES: 44
Commentaries: None

Staff Recommendation: Staff explained the history of the subject property, including the fact that prior to 1995 the IND-2 and IND-3 zoning districts, were two separate districts, and neither had a height limitation. Staff further indicated that there were numerous structures existing in this zoning district in excess of 50 feet, which had been constructed prior to the change in height limits. Furthermore, staff noted that the nearest residential area was 1/2 mile from the property where the silos would be located, and no residential would be adversely impacted. Finally, staff recommended approval subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Steven Shea (Agent on behalf of the applicant)

There being no one present to speak in favor or opposition to the request, the public hearing was closed.

BZA Discussion: The BZA concluded that there would be no negative impacts on any residential properties, and beyond the industrial zoning was commercial zoning. Therefore, the BZA agreed with the staff recommendation.

BZA Action: A motion was made by Deborah Moskowitz, seconded by Wes A. Hodge and unanimously carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 14, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. The applicant shall contact EPD to obtain a "Facility to apply for Air General Permit", which must be obtained prior to final inspection of the silos.

AYE (voice vote): All members present

HOUSE OF PRAYER CHURCH OF THE LIVING GOD - SE-19-05-041

REQUEST: **Special Exception and Variance** in the R-1A zoning district to allow for a religious use facility as follows:
1) Amendment to an existing Special Exception to allow an addition to an existing religious use facility.
2) Variance to allow 12 parking spaces in lieu of 33 spaces.

ADDRESS: 1401 25th Street, Orlando FL 32805

LOCATION: Northwest corner of 25 St. and S. Nashville Ave.

TRACT SIZE: 100 ft. x 135 ft. / .3 acres
DISTRICT#: 6
LEGAL: ANGEILT ADDITION H/79 LOTS 23 & 24 BLK 37
PARCEL ID#: 03-23-29-0180-37-230
NO. OF NOTICES: 95
Commentaries: None

Staff Recommendation: Staff explained the history of the site, previous approval, proposed building addition, and surrounding uses. This use had been previously approved in January 2019, for a Special Exception, to allow a religious use facility; however, the applicant was requesting to amend the request to allow an addition for a multipurpose room. Further, staff recommended approval of these requests subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Mandy Connelly (Agent on behalf of the applicant)

There was no one present at the public hearing to speak in favor or in opposition of the request.

BZA Discussion: The District 6 BZA Commissioner had concerns regarding the off-site parking moving forward wherein the applicant stated they had a good relationship with their neighbors and had an agreement with the commercial business across the street to use their parking lot during service times. Furthermore, the BZA felt the proposed use was straightforward and agreed with the staff recommendation.

BZA Action: A motion was made by Charles J. Hawkins, II, seconded by Deborah Moskowitz and unanimously carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; and, to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 14, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. No more than four (4) outdoor special events per calendar year and the hours of such events shall be limited from 8:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of thirty (30) days prior to the date of each event.
5. Construction plans shall be submitted within three (3) years of final approval or this approval becomes null and void
6. No outdoor speakers or other audio amplification.
7. Signage shall be in accordance with 31.5-75, Orange County Code.
8. Prior to the issuance of permits for the project, the applicant must provide a signed,

notarized, and recorded shared parking agreement, accompanied by a written detailed description of the activities which take place on each property, on which days of the week, and at what times.

9. A six (6) foot high vinyl fence shall be constructed along the north and west property lines. The fence on the north property line shall terminate ten (10) feet from the easterly property line. The fence on the west property line shall be limited to four (4) feet tall in the required front yard setback.

10. Landscape buffers shall be installed consistent with Sec. 24-5.

AYE (voice vote): All members present

MARK BRENCHLEY - VA-19-05-042

REQUEST:	Variance in the C-1 zoning district to allow a total of 63 sq. ft. of pole signage in lieu of 40 sq. ft.
ADDRESS:	11816 E. Colonial Drive, Orlando FL 32826
LOCATION:	South side of E Colonial Dr., east of Alafaya Trl.
TRACT SIZE:	80 ft. x 271 ft. (avg.)/ 0.509 acres
DISTRICT#:	4
LEGAL:	WATERFORD LAKES PARCEL B 29/85 BEG 194.69 FT N OF SE COR OF LOT 2 RUN S 88 DEG W 80 FT N 01 DEG W 233.42 TH N 50.51 FT S 82 DEG E 80.24 FT S 01 DEG E 271.43 FT TO POB
PARCEL ID#:	22-22-31-9058-00-021
NO. OF NOTICES:	118
<u>Commentaries:</u>	None

Staff Recommendation: Staff gave a presentation on the case covering the location of the property, site plan, and photographs of the site. Further, staff recommended denial of this request; however, should the BZA recommend approval then staff recommended the conditions of approval found in the staff report be applied.

The following person(s) addressed the Board:

Speaker(s): Mark Branchley (Applicant)

Material was submitted to the Board by the applicant to be entered into the record prior to the close of the public hearing.

BZA Discussion: The BZA asked the applicant about visibility with the wall signs and recognizability of the building. The BZA felt that the eighty (80) foot wide lot in an area of much wider lots puts them at a competitive disadvantage. The BZA concluded to approve the variance to include the staff recommendation.

BZA Action: A motion was made by Deborah Moskowitz, seconded by Wes A. Hodge and unanimously carried to **APPROVE** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions:

1. Development in accordance with the site plan dated March 13, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.

AYE (voice vote): All members present

RECESSED AT 12:35 P.M. AND RECONVENED AT 1:06 P.M.

LEONARDO GARCIA - SE-19-05-043

REQUEST: **Special Exception and Variances** in the C-2 zoning district as follows:
1) Special Exception: to operate an open air market.
2) Variance to allow operation 7 days a week in lieu of 3 consecutive days only.
3) Variance to allow 28 parking spaces in lieu of 33 spaces.

ADDRESS: 7133 S. Orange Avenue, Orlando FL 32809

LOCATION: East side of S. Orange Ave., south of Nela Ave.

TRACT SIZE: 200 ft. x 112 ft. (avg.) / 1.014 acres

DISTRICT#: 3

LEGAL: BEG 25 FT S & 47.50 FT W OF NE COR OF NW1/4 OF SW1/4 OF NE1/4 RUN E 47.50 FT S 3 DEG E 640.87 FT W 112 FT N 13 DEG W 200 FT E 130.81 FT M/L TO A POINT S 3 DEG E FROM POB TH N 3 DEG W 446.11 FT TO POB SEC 25-23-29

PARCEL ID#: 25-23-29-0000-00-004

NO. OF NOTICES: 152

This case was **CONTINUED** at the request of the District #3 Board of the Orange County Commissioner's office to the June 6, 2019 BZA Meeting prior to this public hearing.

BZA Action: A motion was made by Jose A Rivas, Jr., seconded by Carolyn C. Karraker and unanimously carried to **CONTINUE** to the June 6, 2019 BZA Meeting.

AYE (voice vote): All members present

TOM SULLIVAN - VA-19-06-044

REQUEST: **Variances** in the P-D zoning district as follows:
1) To allow three (3) secondary signs in lieu of one (1) secondary sign.
2) To allow a ground sign with a height of 13 ft. in lieu of 8 ft.

ADDRESS: 13645 E. Colonial Drive, Orlando FL 32826

LOCATION: Northeast corner of E. Colonial Dr. and Bonneville Dr.

TRACT SIZE: 10.45 acres

DISTRICT#: 5

LEGAL: CRP CDP EAST ORLANDO OWNER 96/48 LOT 1

PARCEL ID#: 23-22-31-1809-01-000

NO. OF NOTICES: 110

This case was **CONTINUED** at the request of the applicant for amendment purposes of the request to the June 6, 2019 BZA Meeting prior to this public hearing.

BZA Action: A motion was made by Wes A. Hodge, seconded by Deborah Moskowitz and unanimously carried to **CONTINUE** to the June 6, 2019 BZA Meeting.

AYE (voice vote): All members present

REBECCA WILSON - SE-19-06-046

REQUEST: **Special Exception** in the R-1 zoning district to allow parking lot.

BOARD OF ZONING ADJUSTMENT
MEETING OF MAY 2, 2019

ADDRESS: 1516 Jessamine Avenue, Orlando FL 32806
LOCATION: West side of Jessamine Ave., south of Curry Ford Rd.
TRACT SIZE: 150 ft. x 135 ft. / .46 acres
DISTRICT#: 3
LEGAL: HANDSONHURST PARK L/87 LOTS 29 30 & 31 BLK B
PARCEL ID#: 06-23-30-3328-02-290
NO. OF NOTICES: 81
Commentaries: None

Staff Recommendation: Staff explained the site, previous approvals in the area, proposed use as a parking lot, and surrounding uses. Staff displayed site photographs of the area and explained that the Special Exception was for the eastern portion of the proposed parking lot as the west portion was zoned Commercial. Finally, staff recommended approval subject to the conditions as set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Rebecca Wilson (Applicant)

The applicant's representative stated that the applicant and his team had met with different divisions of Orange County; were working to clean up any code violations; and, doing their best to follow all codes moving forward.

There was no one present at the public hearing to speak in favor or opposition to this request.

BZA Discussion: The District 5 BZA Commissioner had concerns regarding the past approvals in this area; the commercial intrusion into a residential area; the code enforcement issues in the district; and, previous actions of this developer. The BZA felt that the parking lot would help to alleviate any on-street parking occurring now as well as this new parking area may be an improvement in the area. As a result, the BZA recommended approval of the request to include the staff recommendation.

BZA Action: A motion was made by Jose A. Rivas, Jr., seconded by Roberta Walton and carried to **APPROVE** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions:

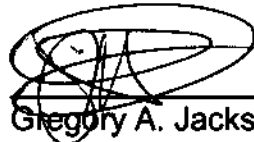
1. Development in accordance with the site plan dated April 8, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County 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. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. The project shall comply with Article XVI of Chapter 9 of the Orange County Code, "Exterior Lighting Standards".
5. The parking lot shall comply with Chapter 38 Article XI.
6. Construction plans shall be submitted within two (2) years or this approval becomes null and void.
7. Landscaping shall be in accordance with Chapter 24, Orange County Code. The applicant shall provide a nineteen (19) foot wide landscape buffer with a six (6) foot high fence along the south property line.
8. The applicant shall preserve two (2) of the existing oak trees on-site and provide permeable parking spaces adjacent to said trees.

AYE (voice vote): Jose A Rivas, Jr., Roberta Walton, Carolyn C. Karraker, Charles J. Hawkins, II
NAY (voice vote): Gregory A. Jackson, Wes A. Hodge, Deborah Moskowitz

ADJOURN:

There being no further business, the meeting was adjourned at 1:28 p.m.

ATTEST:



Gregory A. Jackson
Chairman



Shamaka Daniels for Debra Phelps
Recording Secretary