

**ORANGE COUNTY BOARD OF ZONING ADJUSTMENT
MEETING OF OCTOBER 1, 2020**

The Orange County Board of Zoning Adjustment meeting met at 9:00 a.m. on **October 1, 2020** 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: Carolyn Karraker (Chair) - District #1
John Drago - District #2
Juan Velez – District #3
Deborah Moskowitz (Vice Chair) – District #4
Wes A. Hodge – District #5
Charles J. Hawkins, II – District #6
Roberta Walton – At Large

STAFF PRESENT: Brandy Driggers, Assistant Zoning Manager
Ted Kozak, AICP, Chief Planner, Zoning Division
Nick Balevich, Planner II, Zoning Division
Roberta Alfonso, Assistant County Attorney
Green Laurie, Development Services Coordinator
Debra Phelps, Recording Secretary, FOS Division

The Chair 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 Chair requested a motion approving the minutes of the September 3, 2020, Board of Zoning Adjustment meeting.

A motion was made by: Deborah Moskowitz

seconded by: Wes A. Hodge

and unanimously carried to **APPROVE** the minutes of the September 3, 2020 hearing.

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

DONNA J. WILLIS - VA-20-10-096

REQUEST: Variance in the PD zoning district to allow a screen enclosure with a 0.5 ft. north side setback in lieu of 5 ft.
ADDRESS: 8801 Fountain Palm Alley, Winter Garden, FL 34787
LOCATION: East side of Fountain Palm Alley, north of Seidel Rd..
TRACT SIZE: 35 ft. x 121.3 ft./ 0.1 acres (4,246 sq. ft.)
DISTRICT#: 1
LEGAL: LAKESHORE PRESERVE PHASE 1 87/46 LOT 22
PARCEL ID#: 05-24-27-5330-00-220

NO. OF NOTICES: 121

Commentaries: Twelve (12) in favor and none in opposition

Staff Recommendation: Staff discussed the proposal, 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 outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Donna Willis (Applicant)

There was no one in attendance to speak in favor or in opposition to the request.

BZA Discussion: The BZA was aware of the particular circumstances in the area; and recalled the previous case. Therefore, the BZA concurred with the staff recommendations.

BZA Action: A motion was made by Carolyn Karraker, seconded by Roberta Walton and unanimously carried to recommend **APPROVAL** of 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 shall be in accordance with the site plan and elevations dated August 11, 2020, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

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 within two (2) years of final action on this application by Orange County, or this approval is null and void.

AYE (voice vote): All members present

IGLESIA HISPANA EL CAMINO (JONATHAN SOULE) - SE-20-11-097

REQUEST: An amendment to an existing **Special Exception** in the A-1 zoning district to allow the addition of a 2,259 sq. ft. modular classroom for an existing private school.

ADDRESS: 6837 Lakeville Rd., Apopka, FL 32703

LOCATION: Between N. Hiawassee Rd. and Lakeville Rd, south of the Apopka Expressway.

TRACT SIZE: 9.02 acres

DISTRICT#: 2

LEGAL: LAKEVILLE B/57 LOTS 111 THROUGH 125 & UNNUMBERED PT W OF LOT 125 (LESS PT TAKEN FOR RD R/W PER 4518/4455) INCLUDING VAC ST LYING BETWEEN LOTS 118 & 119 & BETWEEN LOTS 114 & 115 VAC ON O.R. 3479/2354 & (LESS R/W TAKEN PER OR 6250/5391) ALL IN BLK A

PARCEL ID#: 25-21-28-4936-11-110

NO. OF NOTICES: 94

Commentaries: None

Staff Recommendation: Staff discussed the proposal, 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 set forth in the staff report.

The following person(s) addressed the Board:

Speaker(s): Jonathan Soule (Applicant's representative)

There was no one in attendance to speak in favor or in opposition to the request.

BZA Discussion: The BZA recognized that the previous approvals had expired before the improvements had been made and determined to allow fifty-five (55) current students to remain, then transition to the new building by adding conditions #8 and #9. As a result, the BZA recommended approval, as amended, subject to the conditions as indicated in the staff report along with additional conditions #8 and #9.

BZA Action: A motion was made by John Drago, seconded by Juan Velez and unanimously carried to recommend **APPROVAL** of 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 as amended:

1. Development shall be in accordance with the site plan and elevations dated August 18, 2020, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).
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 stabilized drive aisle and two (2) parking spaces shown on the site plan shall be constructed with 57 stone.
5. Podocarpus shrubs, or another similar evergreen shrub, shall be installed at a minimum height of 3 feet at time of planting, at a minimum spacing of 3 feet o.c. along the entire length of the east side of the parking area adjacent to the modular classroom.
6. The hours of operation shall be limited to: Monday to Friday, 8:15 a.m. to 5:00 p.m. for the pre-k/daycare; Monday to Friday, 8:00 a.m. to 3:00 p.m. for the private school; Wednesday and Friday, 7:30 p.m. to 10:00 p.m., and Sunday, 10:00 a.m. to 2:00 p.m. for the religious institution.
7. The applicant shall obtain a permit within two (2) years of final action on this application by Orange County, or this approval is null and void.
8. This approval is for a maximum of fifty-five (55) students, any expansion shall require Board of Zoning Adjustment approval.
9. 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

REQUEST: **Variances** in the R-1A zoning district as follows:
1) To allow an existing residence to be located 2.8 ft. from the north rear property line in lieu of 30 ft.
2) To allow an existing residence to be located 5.4 ft. from the east side property line in lieu of 7.5 ft.
3) To allow an existing residence to be located 2.4 ft. from the west side property line in lieu of 7.5 ft.
4) To allow a detached accessory structure to be located 6.4 ft. from the east side property line in lieu of 7.5 ft.
This is the result of Code Enforcement action.

ADDRESS: 1209 35th St., Orlando, FL 32805
LOCATION: North side of 35th St., east of S. Orange Blossom Tr.
TRACT SIZE: 50 ft. x 135 ft./ 0.15 acres
DISTRICT#: 6
LEGAL: ANGEBILT ADDITION NO 2 J/124 LOT 20 BLK 88
PARCEL ID#: 03-23-29-0182-88-200
NO. OF NOTICES: 102
Commentaries: Two (2) in favor and one (1) in opposition

Staff Recommendation: Staff discussed the proposal, covering the location of the property, site plan, and photographs of the site. Lastly, staff recommended approval of Variance requests #1, #2 and #3, subject to the conditions in the staff report; and, denial of the Variance request #4. However, should the BZA grant Variance request #4, staff recommended that the approval be subject to the conditions as identified in the staff report.

The following person(s) addressed the Board:

Speaker(s): Jose Contreras (Applicant)
Adolfo Contreras (Representative on behalf of the applicant)
Jose Lebron (Code Enforcement Inspector)

Code Enforcement stated that the applicant was willing to abide by codes, had removed part of the accessory structure, and removed debris left by the previous owner.

There was no one in attendance to speak in favor or in opposition to the request.

BZA Discussion: The BZA discussed the requests and confirmed when the accessory structure was built and if the applicant would be able to obtain permits within 180 days. The BZA also asked the applicant what would happen to the accessory structure if Variance request #4, was denied. The BZA also discussed the possibility of approving the existing accessory structure only in the said location and requiring new construction to meet codes if the structure was ever demolished. Based on the foregoing, the BZA recommended approval of the Variance requests subject to the conditions found in the staff report.

BZA Action: A motion was made by Charles J. Hawkins, II, seconded by Juan Velez and carried to recommend **APPROVAL** of 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 shall be in accordance with the site plan and elevations dated August 13, 2020, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

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 within 180 day of final action on this application by Orange County, or this approval is null and void.

AYE (voice vote): All members present

NAY (voice vote): Wes A. Hodge

ALAN FREDRICKSON - VA-20-09-081

REQUEST: Variance in the R-1AA zoning district to allow an attached carport to be located 5.25 ft. from the north front property line in lieu of 30 ft.

ADDRESS: 700 Lillian Dr., Orlando, FL 32806

LOCATION: South side of Lillian Dr. on the north side of Lake Jennie Jewel, west of S. Summerlin Ave.

TRACT SIZE: 0.86 acres (37,505 sq. ft.)

DISTRICT#: 3

LEGAL: THE LILLIAN BARNUM SUB M/99 BEG NE COR LOT 54 RUN W 100 FT S 5 DEG W TO S LINE LOT 53 E TO PT SWLY OF POB N 15 DEG E TO POB & 330 FT ON S (PT OF RANDOLPH SUB)

PARCEL ID#: 12-23-29-0516-00-541

NO. OF NOTICES: 99

Commentaries: Two (2) in favor and none in opposition

Staff Recommendation: Staff briefly described the property to include the year the existing single-family residence and the previous garage was constructed prior to demolition. Staff also described the location of the proposed accessory in comparison with the improvements on adjacent properties. Finally, staff recommended denial; however, should the BZA grant the variance request, staff recommended that the approval be subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Alan Fredrickson (Applicant)

There was no one in attendance to speak in favor or in opposition to the request.

BZA Discussion: The BZA had a brief discussion regarding the request and recommended approval subject to the conditions as listed in the staff report.

BZA Action: A motion was made by Juan Velez, seconded by Roberta Walton and unanimously carried to recommend **APPROVAL** of 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 shall be in accordance with the site plan and elevations dated June 10, 2020, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

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 carport within 180 days of final action on this application by Orange County, or this approval is null and void.

5. The carport shall match the exterior of the existing residence, including the roof materials and color.

AYE (voice vote): All members present

PATRICK MADDEN - SE-20-10-095

REQUEST: **Special Exception and Variances** in the P-O zoning district as follows:
1) An amendment to an existing Special Exception to allow the construction of a 26,920 sq. ft. two-story electrical and equipment room addition for an existing telephone switching substation, a 2,880 sq. ft. covered truck parking and a 4,128 sq. ft. covered portable generator storage area.
2) Variance to allow a maximum building height of 40 ft. in lieu of 35 ft.
3) Variance to allow the provision of 70 off-street parking spaces in lieu of 95 parking spaces.

ADDRESS: 3503 Technological Ave., Orlando, FL 32817
LOCATION: East side of the northern terminus of Technological Ave. approximately 617 ft. north of University Blvd.
TRACT SIZE: 10.52 acres
DISTRICT#: 5
LEGAL: FOX SUB F/27 LOT 10 & E 15 FT OF S 750 FT OF SE1/4 OF SW1/4 (LESS THAT PORTION THEREOF LYING IN UNIVERSITY BLVD) 76-841
PARCEL ID#: 04-22-31-2868-00-100
NO. OF NOTICES: 85
Commentaries: None

Staff Recommendation: Staff described the property, surrounding area, and the Verizon switching station's existing and proposed operations. Further, 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): Patrick Madden (Applicant)

There was no one in attendance to speak in favor or in opposition to the request.

BZA Discussion: The BZA briefly discussed the proposal and stated that the proposed site improvements were compatible with the surrounding area. Therefore, the BZA concurred with the staff recommendations.

BZA Action: A motion was made by Wes A. Hodge, seconded by Deborah Moskowitz and unanimously carried to recommend **APPROVAL** of 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, **APPROVAL** of 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 shall be in accordance with the site plan and elevations dated August 10, 2020, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications

will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

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

AYE (voice vote): All member present

PREMIERE EGLISE BAPTISTE BETHANIE DORLANDO - SE-20-08-073

REQUEST: **Special Exception and Variances** in the R-1A zoning district as follows:
1) Special Exception to allow an existing 5,629 sq. ft. religious institution with 150 seats and the construction of a new 5,700 sq. ft. multipurpose building/fellowship hall.
2) Variance to allow a 16.6 ft. setback for an existing structure from the front (east) property line in lieu of 25 ft.
3) Variance to allow a 46 ft. setback for an existing structure from the centerline of a minor urban collector in lieu of 55 ft.
4) Variance to allow a 38.9 ft. setback for a parking area from the centerline of a minor urban collector, N. Hastings St., in lieu of 50 ft.

ADDRESS: 890 N. Hastings St., Orlando, FL 32808

LOCATION: Southwest Corner of N. Hastings St. and Arundel Dr., approximately 0.2 miles north of W. Colonial Dr.

TRACT SIZE: 200 ft. x 241 ft./1.11 acres

DISTRICT#: 6

LEGAL: ORANGE HEIGHTS L/33 TH PART OF LOTS 16 THROUGH 24 BLK P LYING EAST OF A LINE 200.50 FT WEST OF EASTERN BOUNDARY OF LOTS 25 THROUGH 33 & LOTS 25 THROUGH 33 BLK P

PARCEL ID#: 24-22-28-6240-16-190

NO. OF NOTICES: 236

Commentaries: None

Staff Recommendation: Staff described the property, surrounding residential area to include the adjacent YMCA, and the religious institution's existing and proposed operations. Staff explained the history of the property along with the provision of religious and community services on the property since 1960. Further, staff recommended approval of the requests subject to the conditions as listed in the staff report.

The following person(s) addressed the Board:

Speaker(s): Quang Lam (Applicant)

There was no one in attendance to speak in favor or in opposition to the request.

BZA Discussion: The BZA commended the applicant in regards to the proposed site improvements which would beautify the community. Hence, the BZA agreed with the staff recommendations.

BZA Action: A motion was made by Charles J. Hawkins, II, seconded by Roberta Walton and unanimously carried to recommend **APPROVAL** of 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, **APPROVAL** of 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 shall be in accordance with the site plan and elevations dated June 9, 2020, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).
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) advertised outdoor special events open to the public shall operate per calendar year and the hours of such events shall be limited from 8:00 a.m. to 9:00 p.m. 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. The use of outdoor speakers or other audio amplification shall be prohibited.
6. The architectural details, colors, and materials of all elevations shall match the design of the proposed south elevation.
7. Construction plans shall be submitted within three (3) years of final approval or this approval becomes null and void.

AYE (voice vote): All members present

KALEY SQUARE COMMUNITY CENTER - SE-20-08-078

REQUEST: **Special Exception and Variance** in the R-2 zoning district as follows:
1) Amendment to an existing Special Exception to allow an existing 1,673 sq. ft. house to be converted to office use and an existing 614 sq. ft. house to be converted to storage for the Kaley Square Community Center, located to the north across Kaley Street.
2) Variance to allow grass parking in lieu of improved parking.

ADDRESS: 1026 22nd St., Orlando, FL 32805

LOCATION: South side of 22nd Street, approximately 200 ft. west of Westmoreland Dr.

TRACT SIZE: 200 ft. x 135 ft./ 0.62 Acres (26,952 sq. ft.)

DISTRICT#: 6

LEGAL: ANGENILT ADDITION H/79 LOTS 5 6 7 AND 8 BLK 28

PARCEL ID#: 03-23-29-0180-28-070

NO. OF NOTICES: 167

Commentaries: One (1) in favor and one (1) in opposition

Staff Recommendation: Staff described the property, surrounding residential area along with the

connection of the property to the Kaley Community Center's operations across 22nd Street to the north, and the proposed use of the site as offices. Staff explained the history of the community operation including the provision of a mix of religious and community services since the 1990s. Further, staff recommended approval of the requests subject to the conditions as outlined in the staff report.

The following person(s) addressed the Board:

Speaker(s): Demetrius Summerville (Applicant's representative)

There was no one in attendance to speak in favor or in opposition to the request.

BZA Discussion: The BZA had a brief discussion concerning the requests and concurred with the staff recommendations.

BZA Action: A motion was made by Charles J. Hawkins, II, seconded by Juan Velez and unanimously carried to recommend **APPROVAL** of 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, **APPROVAL** of 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:

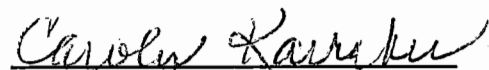
1. Development shall be in accordance with the site plan and elevations dated June 10, 2020, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).
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 180 days of final approval by Orange County, or this approval is null and void.
5. Development shall comply with Chapter 24 (Landscaping) and Chapter 15 Article VIII (Tree Protection and Removal). In the event there is a conflict between Chapter 24 or Chapter 15 and the site plan, the provisions of Chapter 24 and Chapter 15 shall prevail.
6. The grass parking spaces shall be fitted with wheel stops. The drive aisles and handicap spaces shall be improved with a durable all-weather surface and properly drained in accordance with Orange County Code.
7. Shrubs shall be installed along the entire length of the south end of the parking area at a minimum height of 30 inches at planting, planted at intervals at a minimum of 30 inches o.c.
8. No outdoor speakers or other audio amplification shall be permitted.
9. No outdoor activities and special events shall be permitted at the subject site.

AYE (voice vote): All members present

ADJOURN:

There being no further business, the meeting was adjourned at 11:12 a.m.

ATTEST:



Carolyn Karraker
Chair



Debra Phelps
Recording Secretary

**ORANGE COUNTY BOARD OF ZONING ADJUSTMENT
MEETING MINUTES**

**Addendum I
WebEx Meeting Chat**

October 1, 2020	from Ted Kozak to Alan Fredrickson (privately): 8:29 AM good morning, it looks like you are good to go. You are item #4
October 1, 2020	from Alan Fredrickson to host (privately): 8:29 AM thanks, looks like it should work.
October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 8:55 AM Good morning which case are you here for? Please provide your address.
October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 8:55 AM Good morning. Which case are you here for? Please provide your address.
October 1, 2020	from Cayla Bartley (privately): 8:56 AM VA-20-10-094
October 1, 2020	from Cayla Bartley to host (privately): 8:56 AM Hello, the address is 4503 Cypress Street Orlando, FL 32811 case number is VA-20-10-094
October 1, 2020	from Cayla Bartley (privately): 8:57 AM 4503 Cypress St Orlando, FL 32811
October 1, 2020	from Cayla Bartley (privately): 9:00 AM My fiancée and I are on the same case and we both are on here
October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 9:02 AM VA-20-10-094 is not scheduled. It was withdrawn previously. What is the type of case?
October 1, 2020	from Cayla Bartley (privately): 9:02 AM Variance
October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 9:03 AM it is not on this hearing.
October 1, 2020	from Cayla Bartley (privately): 9:03 AM It was suppose to be today. What hearing is it?
October 1, 2020	from Cayla Bartley (privately): 9:04 AM What does withdraw mean?
October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 9:04 AM what is the type of variance for? Perhaps you have the case number incorrect?
October 1, 2020	from Cayla Bartley (privately): 9:04 AM Setback

October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 9:05 AM What is the address of the case you came to view?
October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 9:05 AM Withdrawn means applicant changed mind and chose not to continue
October 1, 2020	from Cayla Bartley (privately): 9:05 AM 4503 Cypress St Orlando, Fl 32811
October 1, 2020	from Ted Kozak to Cayla Bartley (privately): 9:06 AM I'm sorry but it will not be heard. The applicant will not be moving forward.
October 1, 2020	from Cayla Bartley (privately): 9:07 AM Do you have any information why?
October 1, 2020	from Ted Kozak to Toy Brown Iii (privately): 9:08 AM Good morning, could you let me know which case you are here to view? and your address?
October 1, 2020	from Roberta Alfonso to host (privately): 9:10 AM Charles
October 1, 2020	from Roberta Alfonso to host (privately): 9:10 AM audio is very low
October 1, 2020	from Ted Kozak to Roberta Alfonso (privately): 9:11 AM Which audio? chambers?
October 1, 2020	from Ted Kozak to Alma Robles (privately): 9:16 AM Good morning, which case are you here to view? And what is your address?
October 1, 2020	from Ted Kozak to Toy Brown Iii (privately): 9:17 AM Could you let me know which case you are here for?
October 1, 2020	from Roberta Alfonso to host (privately): 9:25 AM during intros, but better during vote
October 1, 2020	from Roberta Alfonso to host (privately): 9:25 AM yes, chambers
October 1, 2020	from Roberta Alfonso to host (privately): 9:26 AM he has 3 items, so if it is still hard to hear him, I am sure someone will say so
October 1, 2020	from Ted Kozak to Larry Poliner (privately): 9:26 AM Larry, will you be participating? If so, please give your address.
October 1, 2020	from Ted Kozak to Jose Lebron (privately): 9:32 AM Good morning, which case are you here for? And what is your address?
October 1, 2020	from Jose Lebron (privately): 9:38 AM Good morning. I am a Code Enforcement Officer with Orange County and I was just asked, by my supervisor, to attend this BZA Hearing in case any input was needed for address 1209 35th St.

October 1, 2020	from Ted Kozak to Jose Lebron (privately): 9:39 AM thanks
October 1, 2020	from Roberta Alfonso to host (privately): 9:49 AM Yay! Worth every minute, huh :-)
October 1, 2020	from Ted Kozak to Roberta Alfonso (privately): 9:49 AM Yes!
October 1, 2020	from Roberta Alfonso to host (privately): 10:04 AM i think it is his mic
October 1, 2020	from Roberta Alfonso to host (privately): 10:06 AM way better
October 1, 2020	from Ted Kozak to Roberta Alfonso (privately): 10:06 AM I told him to speak louder
October 1, 2020	from Roberta Alfonso to host (privately): 10:07 AM and lean in, apparently!
October 1, 2020	from Ted Kozak to Charles Duvet (privately): 10:26 AM good morning, which case are you here for? also, your address?