

ITEM 4
MEMORANDUM

TO: Planning and Zoning Board

DATE: February 12, 2021

10. Public Hearing Case #2021-02-003 - Pursuant to Belle Isle Code Sec. 42-64 the Board shall consider and take action on a requested variance from Sec. 52-33 (5) (C), to allow two illuminated wall signs, taller than 30 feet in height, to be located within 200 yards of residentially zoned property, submitted by applicant THIRUMALA HOTELS, LLC, located at 2635 MCCOY ROAD, BELLE ISLE FL 32809, ALSO KNOWN AS PARCEL #30-23-30-0000-00-005.

Background:

1. On February 3, 2021, Thirumala Hotels, LLC submitted a request, application, and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, February 13, 2021, Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on February 12, 2021.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing. The Board will need to determine if the criteria set forth in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met, and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, pursuant to Belle Isle Code **SEC. 42-64 AND Sec. 52-33 (5) (C)** of the Belle Isle Land Development Code having been met **TO APPROVE THE REQUESTED VARIANCE** to allow two illuminated wall signs, taller than 30 feet in height, to be located within 200 yards of residentially zoned property, submitted by applicant THIRUMALA HOTELS, LLC, located at 2635 MCCOY ROAD, BELLE ISLE FL 32809, ALSO KNOWN AS PARCEL #30-23-30-0000-00-005.

SAMPLE MOTION TO DENY:

"I move, the justifying criteria of the Belle Isle Land Development Code **having NOT been met; [use only if NONE of the justifying criteria have been met]** the requirements of **SEC. 42-64 AND Sec. 52-33 (5) (C)** Subsections: **[STATE ONLY THE SUBSECTIONS BELOW THAT ARE NOT SATISFIED]** **having NOT been met; [may be used in addition to above or alone] TO DENY THE REQUESTED VARIANCE** to allow two illuminated wall signs, taller than 30 feet in height, to be located within 200 yards of residentially zoned property, submitted by applicant THIRUMALA HOTELS, LLC, located at 2635 MCCOY ROAD, BELLE ISLE FL 32809, ALSO KNOWN AS PARCEL #30-23-30-0000-00-005.

SUBSECTION (D), a literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved, including but not limited to dimensions, topography or soil conditions.

SUBSECTION (E), personal hardship is not being considered as grounds for a variance since the variance will continue to affect the character of the neighborhood after title to the property has passed and that the special conditions and circumstances were not created in order to circumvent the Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the Code, will not be injurious to the neighborhood, will not be detrimental to the public welfare, and will not be contrary to the public interest.



April Fisher, AICP
PRESIDENT
407.494.8789
fisherpds@outlook.com

February 12, 2021

Variance Application: 2635 McCoy Road Illuminated Wall Signs

Applicant Request: PURSUANT TO BELLE ISLE CODE SEC. 42-64 THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FROM SEC. 52-33 (5) (C), TO ALLOW TWO ILLUMINATED WALL SIGNS, TALLER THAN 30 FEET IN HEIGHT, TO BE LOCATED WITHIN 200 YARDS OF RESIDENTIALLY ZONED PROPERTY, SUBMITTED BY APPLICANT THIRUMALA HOTELS, LLC, LOCATED AT 2635 MCCOY ROAD, BELLE ISLE FL 32809, ALSO KNOWN AS PARCEL #30-23-30-0000-00-005.

Zoning/ Existing Use: C-1 / Hotel under construction

Review Comments

This variance application seeks a variance as identified above.

The applicant has provided supporting documentation addressing the variance criteria.

Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below.

1. Special Conditions and/ or Circumstances (Section 42-64 (1) d):

Special conditions for this property exist due to the location and the shape of the parcel. It is not rectangular and is wider on the west side, decreasing in depth as it goes to the east. The property is also along a commercial corridor that backs to residentially zoned properties. This means that placement of the hotel on the site is limited and puts it within 200 yards of residential properties to the north.

2. Not Self- Created (Section 42-64 (1) e):

The request for a variance is not self-created as the application is seeking normal placement of illuminated hotel signage but the code is restrictive due to the location of adjacent residential property.

3. Minimum Possible Variance (Section 42-64 (1) f):

The requested variance is the minimum possible variance to make reasonable use of the land. The proposed signs are not

going to be above the building roofline and face away from the residentially zoned properties.

4. Purpose and Intent (Section 42-64 (1) g):

The requested variance could be construed to be in harmony with the general purpose and intent of the land development code and not injurious to the neighborhood. One of the proposed signs fronts to McCoy Road. This sign will not be visible to the residential properties to the north. The second sign faces east and will be obscured by the tree line that is on the City parcel between the hotel and residential properties.

Staff provides a recommendation to approve the request based on meeting the criteria identified above, with the condition that the two illuminated wall signs be installed as presented in the renderings/sign plans provided as part of this application packet, and, that a new lighting photometric plan be provided with the sign permit application that demonstrates there is no light spillover onto the residential properties from the illuminated signs. The land development code provides in Sec. 42-64 (1) h. that unless all criteria are met, a variance should not be approved.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met.

A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.

APPLICATION FOR VARIANCE / SPECIAL EXCEPTION

DATE: 2-3-2021

P&Z CASE #: 2021-02-003

VARIANCE SPECIAL EXCEPTION OTHER

DATE OF HEARING: _____

APPLICANT: THIRUMALA ^{HOTELS} PROP., LLC

OWNER: THIRUMALA ^{HOTELS} PROP., LLC

ADDRESS: 1936 M'COY RD.

10644 LAGO BELLA DR.

ORLANDO, FL. 32809

ORLANDO, FL. 32832

PHONE: (321) 356-7308

(321) 356-7308

PARCEL TAX ID #: 30-23-30-0000-00-005

LAND USE CLASSIFICATION: COM ZONING DISTRICT: C-1

DETAILED VARIANCE REQUEST: _____
TO ALLOW A WALL SIGN TO BE ILLUMINATED ON
THE SOUTH AND EAST SIDE OF THE NEW HOTEL
HIGHER THAN 30 FT.

SECTION OF CODE VARIANCE REQUESTED ON: SEC. 52-33(5)C

The applicant hereby states that the property for which this hearing is requested has not been the subject of a hearing before the Planning and Zoning Board of the kind and type requested in the application within a period of nine (9) months prior to the filing of the application. Further that the requested use does not violate any deed restriction of the property.

By submitting the application, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property, during reasonable hours, to inspect the area of my property to which the application applies.

Applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) photograph of the front of the property and at least two photographs (from different angles) of the specific area of the property to which the application applies.

[Signature]
APPLICANT'S SIGNATURE

[Signature]
OWNER'S SIGNATURE

FOR OFFICE USE ONLY: FEE: \$150.00 2/4/21 chk# 2178 HVP
Date Paid Check/Cash Rec'd By

Determination _____

Appealed to City Council: Yes No Council Action: _____



AMERICAN CIVIL ENGINEERING CO.

207 NORTH MOSS ROAD, SUITE 211 • WINTER SPRINGS, FLORIDA 32708
Telephone: (407) 327-7700 • Fax: (407) 327-0227

VARIANCE REQUEST: APPLICATION for Wyndham Garden Hotel, 2636 McCoy Road

Date: Feb. 04, 2021

Re: Proposed illuminated wall signs

The following information is provided for a Variance Request / Special Exception to allow two (2) illuminated wall signs over 30 ft tall per Section 52-33(5)c in the LDC.

WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCE UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP?

The unique circumstance to the subject property is the hotel site is within 200 yards (600 ft) distance to residential property located at the rear of the hotel. The hotel fronts on McCoy Road.

HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?

The Wyndham franchise signage is to locate the wall signs near the top of the hotel.

CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVE YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.

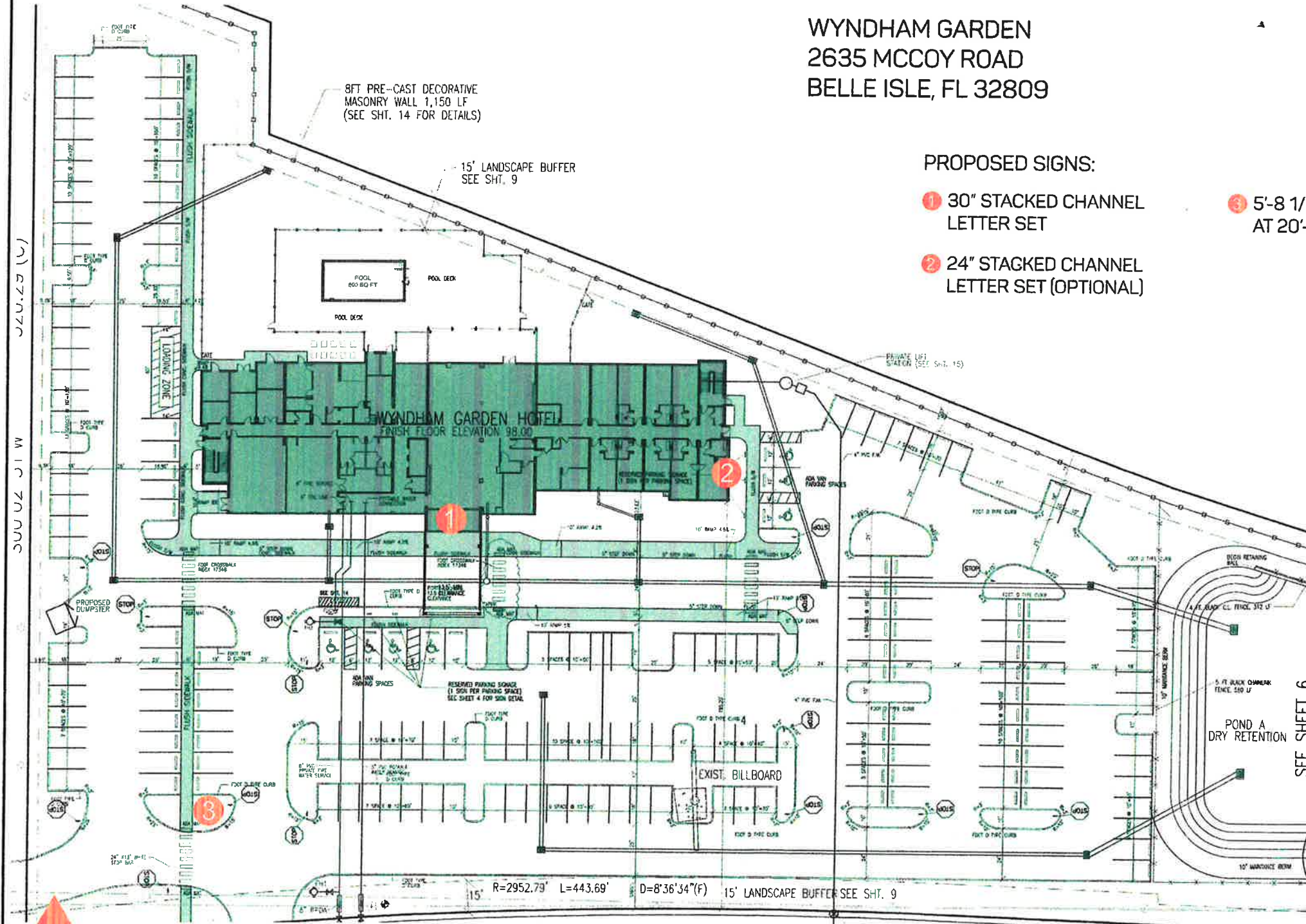
The signs need to be seen by the general public and most new hotels have their signs at the top of the hotels.

WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE: ADEQUATE LIGHT, AIR, ACCESS, USES OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC.)

The effects of illuminated signs being located at the top of the hotel will have minimum impact to the residential neighborhood. The proposed sign on the front of the hotel will not be seen from the houses. The proposed illuminated sign on the east side of the hotel will be hidden by the dense mature tree and foliage.

prepared by: John Herbert, PE

WYNDHAM GARDEN
2635 MCCOY ROAD
BELLE ISLE, FL 32809



PROPOSED SIGNS:

- 1 30" STACKED CHANNEL LETTER SET
- 2 24" STACKED CHANNEL LETTER SET (OPTIONAL)
- 3 5'-8 1/8" X 11'-0" PYLON AT 20'-0" OAH

APPROVAL BOX - PLEASE INITIAL

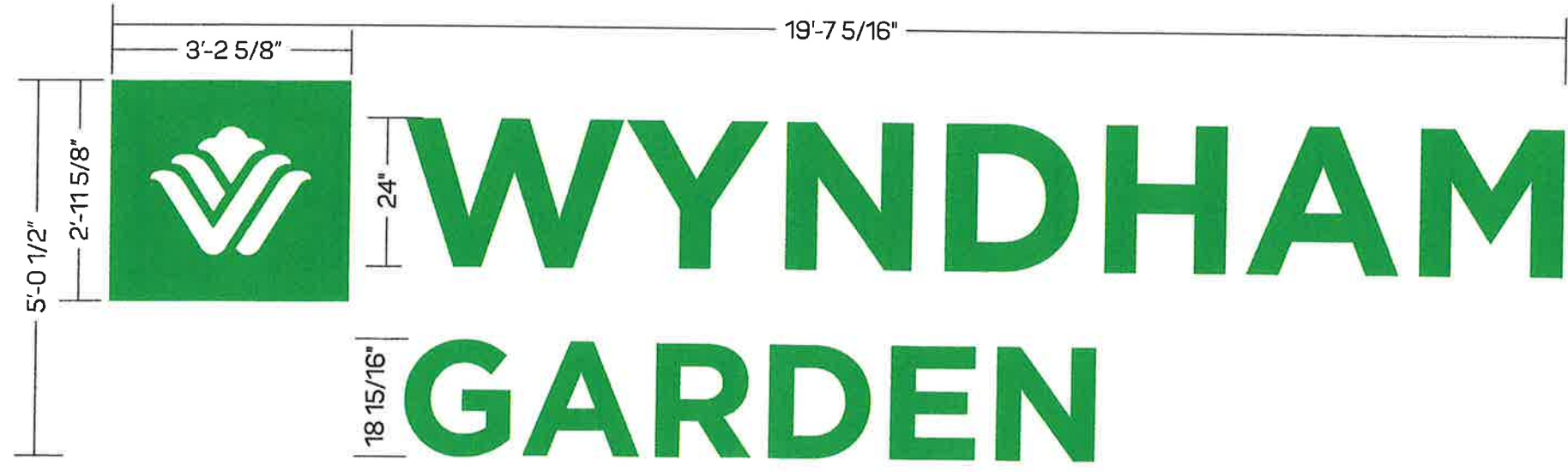
CUSTOMER APPROVAL	Date
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NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: WYNDHAM GARDEN	Date: 09/28/20	Prepared By: KH/CM/KH/CM/KH	<p><small>Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small></p> <p>persona SIGNS LIGHTING IMAGE</p>	<p><small>DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com</small></p>
Location: BELLE ISLE, FL	File Name: 250804 - R12 - BELLE ISLE, FL	Eng: -		

1


FRONT ELEVATION
SCALE: 1/32" = 1'-0"



CHANNEL LETTER DETAIL
SCALE: 3/8" = 1'-0"

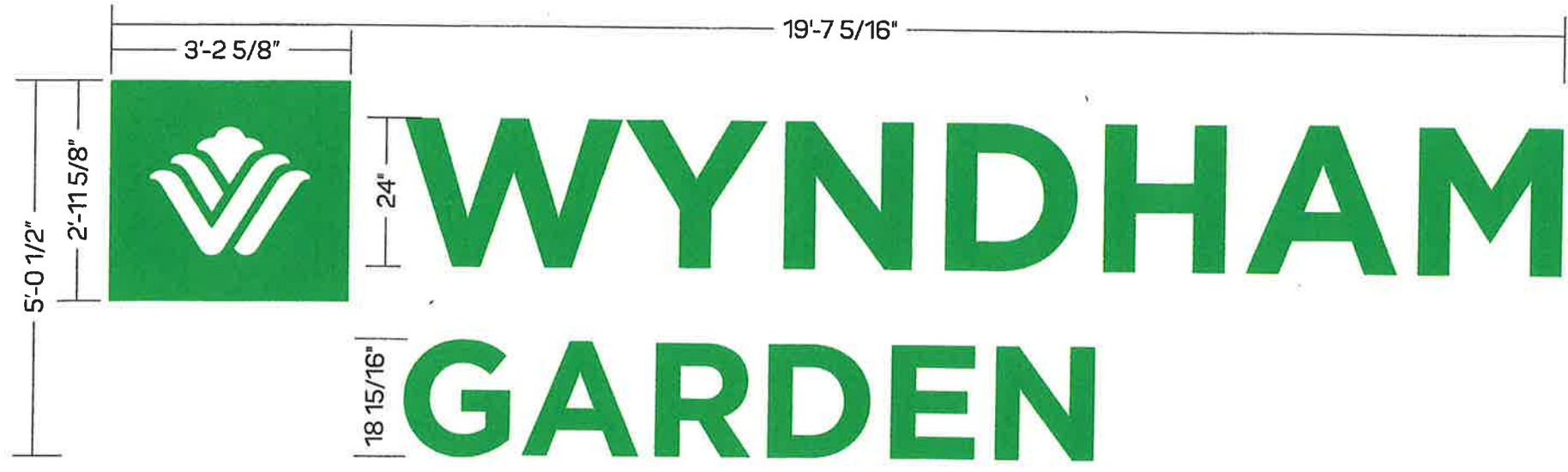
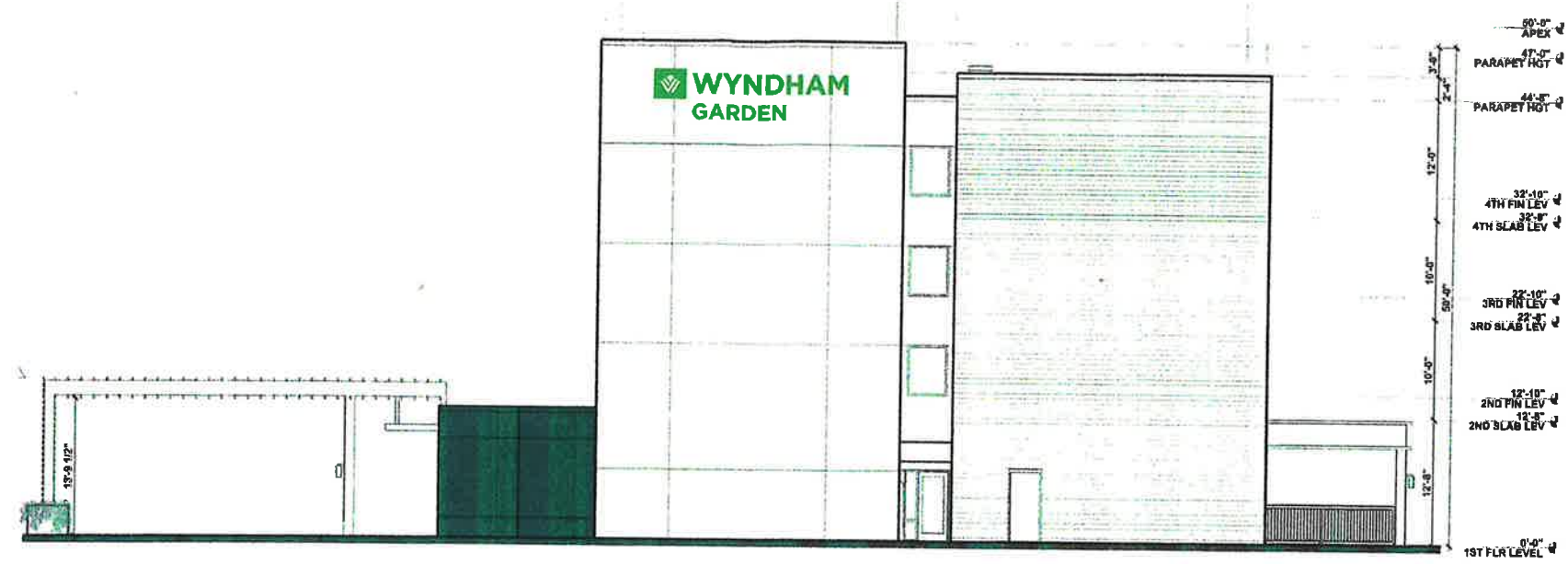
APPROVAL BOX - PLEASE INITIAL	
CUSTOMER APPROVAL	Date

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: WYNDHAM GARDEN	Date: 10/19/20	Prepared By: KH/CM/KH/CM/KH	<small>Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small>	 SIGNS LIGHTING IMAGE	DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com
Location: BELLE ISLE, FL	File Name: 250804 - R12 - BELLE ISLE, FL	Eng: -			

2


SIDE ELEVATION (OPTIONAL)
SCALE: 3/64" = 1'-0"

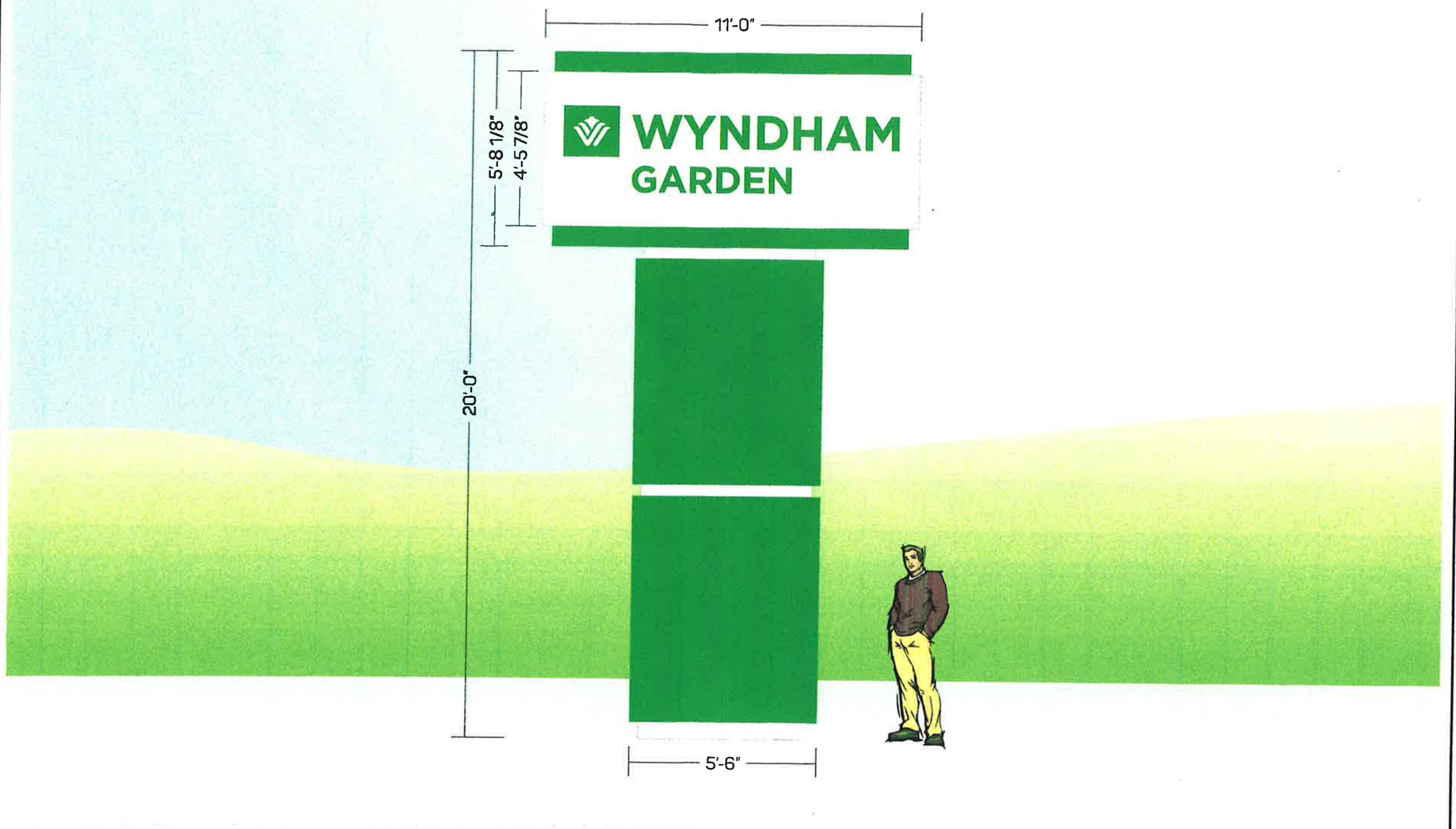


CHANNEL LETTER DETAIL
SCALE: 3/8" = 1'-0"

APPROVAL BOX - PLEASE INITIAL	
CUSTOMER APPROVAL	Date

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.


Customer: WYNDHAM GARDEN	Date: 10/19/20	Prepared By: KH/CM/KH/CM/KH	<small>Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small>	 SIGNS LIGHTING IMAGE	DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com
Location: BELLE ISLE, FL	File Name: 250804 - R12 - BELLE ISLE, FL	Eng: -			



PYLON SIGN
SCALE: 1/4" = 1'-0"

APPROVAL BOX - PLEASE INITIAL		
CUSTOMER APPROVAL		Date

NOTE: Elevation drawings are for customer approval only, drawings are not to be used as any installation guide, all dimensions must be verified before installation.

Customer: WYNDHAM GARDEN	Date: 09/21/20	Prepared By: KH	<small>Note: Color output may not be exact when viewing or printing this drawing. All colors used are PMS or the closest CMYK equivalent. If these colors are incorrect, please provide the correct PMS match and a revision to this drawing will be made.</small>	 SIGNS LIGHTING IMAGE	DISTRIBUTED BY SIGN UP COMPANY 700 21st Street Southwest PO Box 210 Watertown, SD 57201-0210 1.800.843.9888 • www.personasigns.com
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