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## NOTICE OF PUBLIC MEETING

JUNE 25, 2019 – 6:30PM

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### CITY OF BELLE ISLE PLANNING AND ZONING BOARD REGULAR SESSION

#### ITEM 3 M E M O R A N D U M

**TO:** Planning and Zoning Board

**DATE:** June 13, 2019

**PUBLIC HEARING CASE #2019-05-049**

PROPOSED DEVELOPMENT SITE PLAN. PURSUANT TO BELLE ISLE CODE SEC. 54-79 (F) (4), THE BOARD SHALL REVIEW AND TAKE ACTION ON THE PROPOSED SITE PLAN, SUBMITTED BY LECHONERA SAJOMA, LOCATED AT 1919 MCCOY ROAD, BELLE ISLE FL 32809, ALSO KNOWN AS PARCEL # 30-23-30-0000-00-017.

**Background:**

1. On May 7, 2019, Lechonera Sajoma submitted the application, fee, and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, June 15, 2019, Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on Thursday, June 13, 2019.

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.

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**SAMPLE MOTION TO APPROVE:**

"I move, the criteria of Section 54-79 (F)(4) of the Belle Isle Land Development Code having been met TO APPROVE the proposed development site plan submitted by applicant LECHONERA SAJOMA located at 1919 McCoy Road, BELLE ISLE, FL 32809 also know as PARCEL #30-23-30-0000-00-017.

**SAMPLE MOTION TO DENY:**

"I move, the justifying criteria of the Belle Isle Land Development Code, Section 54-79(f)(4), having NOT been met; *[use only if NONE of the justifying criteria have been met]* the requirements of section 42-63, 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 proposed Development Site Plan submitted by applicant LECHONERA SAJOMA located at 1919 McCoy Road, BELLE ISLE, FL 32809 also know as PARCEL #30-23-30-0000-00-017.

**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.

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Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



**April Fisher, AICP**  
PRESIDENT  
407.494.8789  
fisherpds@outlook.com

June 14, 2019

**Site Plan Review:** 1919 McCoy Road  
**Applicant Request:** Reuse of an Existing Building to Open a Restaurant  
**Existing Zoning/Use:** Retail Commercial District (C-1)/ Vacant Building

### **Staff Application Review**

The proposed site plan has been reviewed in preparation for the Planning and Zoning Board meeting on June 25, 2019. The proposed application is for a reuse of a currently developed site with a vacant building that was formerly a gas station. The property is located within the jurisdiction of the City of Belle Isle with a zoning designation of Retail Commercial District (C-1).

Sec. 54-79 of the City Code identifies requirements for the C-1 zoning district. Restaurants are allowed as a permitted use. Site plan review and approval is required, however, by the Planning and Zoning Board before a building permit may be issued (Sec. 54-79 (f)(4)).

### **Staff Review**

The proposed plan identifies that the existing building on the site will be utilized for the restaurant. No modifications are being done to increase the size of the building. Building permits are required for the retrofit of the interior of the building, however, which necessitates site plan review and approval by the Planning and Zoning Board.

The plans provided by the applicant indicate that parking requirements are met for a restaurant use. The building is 3,225 square feet with forty seats proposed in approximately 1,281 square feet of the building. The code requires one parking space per four seats and one space for every 75 square feet without fixed seats.

An exterior seating area is proposed for the East side of the building with a canopied area over pavers shown as approximately 1,056 square feet. These are not anticipated to be fixed seats and the code does not address specific parking requirements for non-fixed exterior seating.

This means that the property is required to provide a total of 36 parking spaces. The applicant has indicated that in addition to the existing 19 spaces identified on the site plan, spaces will be provided for parking under the gasoline canopy that exists on the property, for a total of 37 spaces on the site. The additional spaces under the canopy will need to be delineated appropriately with pavement striping, as well as the employee parking spaces proposed at the rear of the property.

The applicant has already begun installing landscaping upgrades to the property. Please see their pictures provided with their application packet.

### **Staff Recommendations**

For the Board's consideration, it is within the Boards purview to require conditions applicable to approval of a proposed site plan. Staff recommends that the following considerations as conditions to be placed upon an approval of the proposed site plan:

1. A separate dumpster permit shall be required as part of the building permit process if the current dumpster facilities are being replaced/changes or do not comply with code; or, the applicant may submit certification that the existing dumpster facilities comply with code.
2. The landscape enhancements shall be maintained by the restaurant.
3. If any additional outside lighting is ever proposed, a lighting plan with foot-candle information shall be required as part of the building permit application process to ensure no light pollution occurs onto adjacent residential properties.
4. A separate sign permit application is required.

With these conditions, staff recommends approval of the proposed building reuse site plan.

The Board may consider any of these conditions or apply others as deemed appropriate by the Board. Please note that if additional plans or agreements are requested, the Board may want to review these prior to granting approval of a site plan.

Upon approval of a site plan, it becomes part of the building permit and may be amended only by the Planning and Zoning Board.

### **Next Steps**

The Board may approve the proposed site plan application as it is, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application.

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

2019-05-049

May 7, 2019

City of Belle Isle  
1600 Nela Avenue  
Belle Isle Florida 32809

Att:

April Fisher.

April as per your request on email dated April 1<sup>st</sup> attached please find the following.

- 1-preliminary site plan
- 2-Premliminary Landscaping plan
- 3-Picture of the building what it will be like at completion
- 4-Narrative letter

Lechonera Sajoma.

May 7,2019

City of Belle Isle  
1600 Nela Avenue  
Belle Isle Florida 32809

Att:

April fisher/Board .

The Attached preliminary plan for the property located at 1919 McCoy Rd is proposed  
To be a home made likeSpanish/American Fast Food place to served to the community and the general  
Public. Lechonera Sajoma is a Family owned business/LLC.  
The building was build in 2004 with a C-1 zoning, we are not deleting or Adding any structure in  
The exterior or interior of the building all to be done is new kitchen, and the general /basic modification  
With limited sitting , to make sure that we are in compliance with planning and zoning.

In closing we are excited to be part of the community and looking forward in opening soon.

Lechonera Sajoma  
1919 McCoy Rd  
Belle Isle Florida 32809





SCOPE OF WORK
<ul style="list-style-type: none"><li>- INSPECTED FOR INTERIOR REMODELING PROCEDURE:</li><li>• FRAME WALLS</li></ul>

SCOPE OF WORK
<ul style="list-style-type: none"><li>- INSPECTED FOR INTERIOR REMODELING PROCEDURE:</li><li>• FRAME WALLS</li></ul>

[illegible]

DESIGN DATA	
WIND LOADS	
1. BASIC WIND SPEED - 140 MPH. (@ 3 SEC. GUST.) 2. RISK CATEGORY II 3. WIND EXPOSURE - CATEGORY B 4. INTERNAL PRESSURE COEFFICIENT $\pm 0.18$ 5. COMPONENT/CLADDING DESIGN WIND PRESSURE $+21.2/-22.0$ (FOR DOORS, WINDOWS, & TRANSOMS) U.N.O. (INTERNAL PRESSURE COEFFICIENT $+0.18/-0.18$ INCLUDED)	
APPLICABLE CODES: INCLUDING ALL REVISIONS	
-FLORIDA BUILDING CODE 2017 -FLORIDA BUILDING CODE RESIDENTIAL 2017 -ELECTRICAL CODE, NEC 2017 -FLORIDA BUILDING CODE, MECHANICAL 2017. -FLORIDA BUILDING CODE, PLUMBING 2017 -FIRE PREVENTION CODE, 6TH ED. COMPRISED OF NFPA 1 (2015) & 101 (2015) WITH FLORIDA AMENDMENTS.-LIFE SAFETY CODE = NFPA 101 -ACCESSIBILITY CODE = FLORIDA BUILDING CODE, BUILDING 2017 -ENERGY CODE = FLORIDA BUILDING CODE, BUILDING 2017	
METHOD OF DESIGN:	
THIS STRUCTURE HAS BEEN DESIGNED TO MEET ALL LOAD REQUIREMENTS OF THE 2017 FBC-RESIDENTIAL.	
BUILDING OCCUPANCY CLASSIFICATION:	
<input type="checkbox"/> GROUP A - ASSEMBLY <input checked="" type="checkbox"/> GROUP B - BUSINESS <input type="checkbox"/> GROUP D - DAY CARE CENTER <input type="checkbox"/> GROUP E - EDUCATIONAL <input type="checkbox"/> GROUP F - FACTORY INDUSTRIAL	<input type="checkbox"/> GROUP H - HAZARDOUS <input type="checkbox"/> GROUP I - INSTITUTIONAL <input type="checkbox"/> GROUP M - MERCANTILE <input type="checkbox"/> GROUP R - RESIDENTIAL <input type="checkbox"/> GROUP S - STORAGE
BUILDING CONSTRUCTION TYPE:	
<input type="checkbox"/> TYPE I <input type="checkbox"/> TYPE II <input type="checkbox"/> TYPE III	<input type="checkbox"/> TYPE IV <input type="checkbox"/> TYPE V
RENOVATION LEVEL:	
<input type="checkbox"/> LEVEL I <input type="checkbox"/> LEVEL II <input type="checkbox"/> LEVEL III	
1. DESIGN LIVE LOADS ( MINIMUM ) PER FBC-RESIDENTIAL R301 A) UNINHABITABLE ATTIC WITHOUT STORAGE: 10PSF B) UNINHABITABLE ATTIC WITH LIMITED STORAGE: 20PSF C) HABITABLE ATTICS AND ATTICS SERVED WITH FIXED STAIRS: 30PSF D) BALCONIES (EXTERIOR) AND DECKS: 40PSF E) GUARDS AND HANDRAILS: 200PSF F) GUARD IN-FILL COMPONENTS: 50PSF G) PASSENGER VEHICLE GARAGES: 50PSF H) ROOMS OTHER THAN SLEEPING ROOM: 40PSF I) SLEEPING ROOMS: 30PSF J) STAIRS: 40PSF	

1. BASIC WIND SPEED - 140 MPH. (@ 3 SEC. GUST.)
2. RISK CATEGORY II
3. WIND EXPOSURE - CATEGORY B
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(FOR DOORS, WINDOWS, & TRANSOMS) U.N.O. (INTERNAL  
PRESSURE COEFFICIENT  $+0.18/-0.18$  INCLUDED)

- FLORIDA BUILDING CODE 2017
- FLORIDA BUILDING CODE RESIDENTIAL 2017
- ELECTRICAL CODE , NEC 2017
- FLORIDA BUILDING CODE, MECHANICAL 2017.
- FLORIDA BUILDING CODE, PLUMBING 2017
- FIRE PREVENTION CODE, 6TH ED. COMPRISED OF NFPA 1 (2015) & 101 (2015) WITH FLORIDA AMENDMENTS. -LIFE SAFETY CODE = NFPA 101
- ACCESSIBILITY CODE = FLORIDA BUILDING CODE, BUILDING 2017
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<input type="checkbox"/> GROUP A - ASSEMBLY	<input type="checkbox"/> GROUP H - HAZARDOUS
<input checked="" type="checkbox"/> GROUP B - BUSINESS	<input type="checkbox"/> GROUP I - INSTITUTIONAL
<input type="checkbox"/> GROUP D - DAY CARE CENTER	<input type="checkbox"/> GROUP M - MERCANTILE
<input type="checkbox"/> GROUP E - EDUCATIONAL	<input type="checkbox"/> GROUP R - RESIDENTIAL
<input type="checkbox"/> GROUP F - FACTORY INDUSTRIAL	<input type="checkbox"/> GROUP S - STORAGE

☐ TYPE I    ☐ TYPE IV  
☐ TYPE II   ☐ TYPE V  
☐ TYPE III

☐ LEVEL I   ☐ LEVEL II  
☐ LEVEL III

- A) UNINHABITABLE ATTIC WITHOUT STORAGE: 10PSF
- B) UNINHABITABLE ATTIC WITH LIMITED STORAGE: 20PSF
- C) HABITABLE ATTICS AND ATTICS SERVED WITH FIXED STAIRS: 30PSF
- D) BALCONIES (EXTERIOR) AND DECKS: 40PSF
- E) GUARDS AND HANDRAILS: 200PSF
- F) GUARD IN-FILL COMPONENTS: 50PSF
- G) PASSENGER VEHICLE GARAGES: 50PSF
- H) ROOMS OTHER THAN SLEEPING ROOM: 40PSF
- I) SLEEPING ROOMS: 30PSF
- J) STAIRS: 40PSF

<div>PLANS PREPARED FOR:</div> <div>1919 Mccoy Road</div> <div>Orlando, FL 32809</div>	
DRAWING INDEX	
CV	COVER
CIVIL	
C1	EXISTING SITE PLAN & PROPOSED
A1	EXISTING PLAN
A2	PROPOSED PLAN

# DRAWING INDEX

# DRAWING INDEX

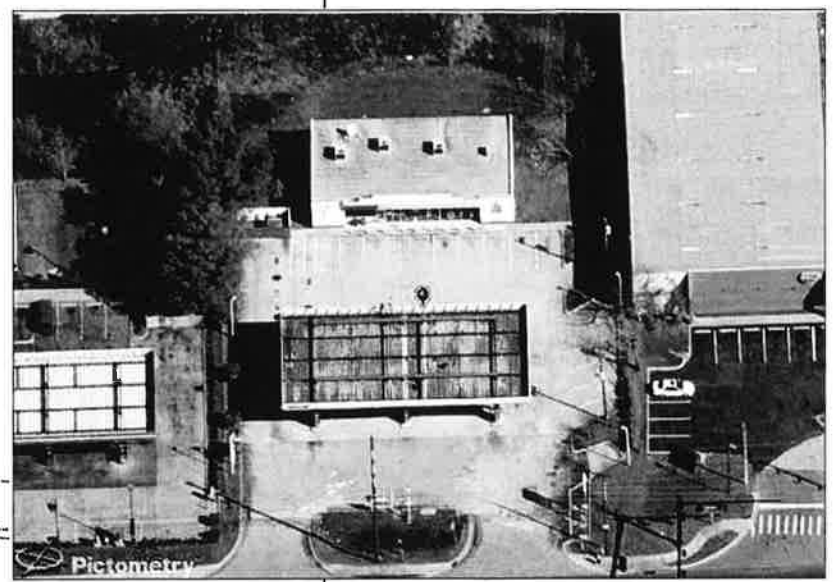
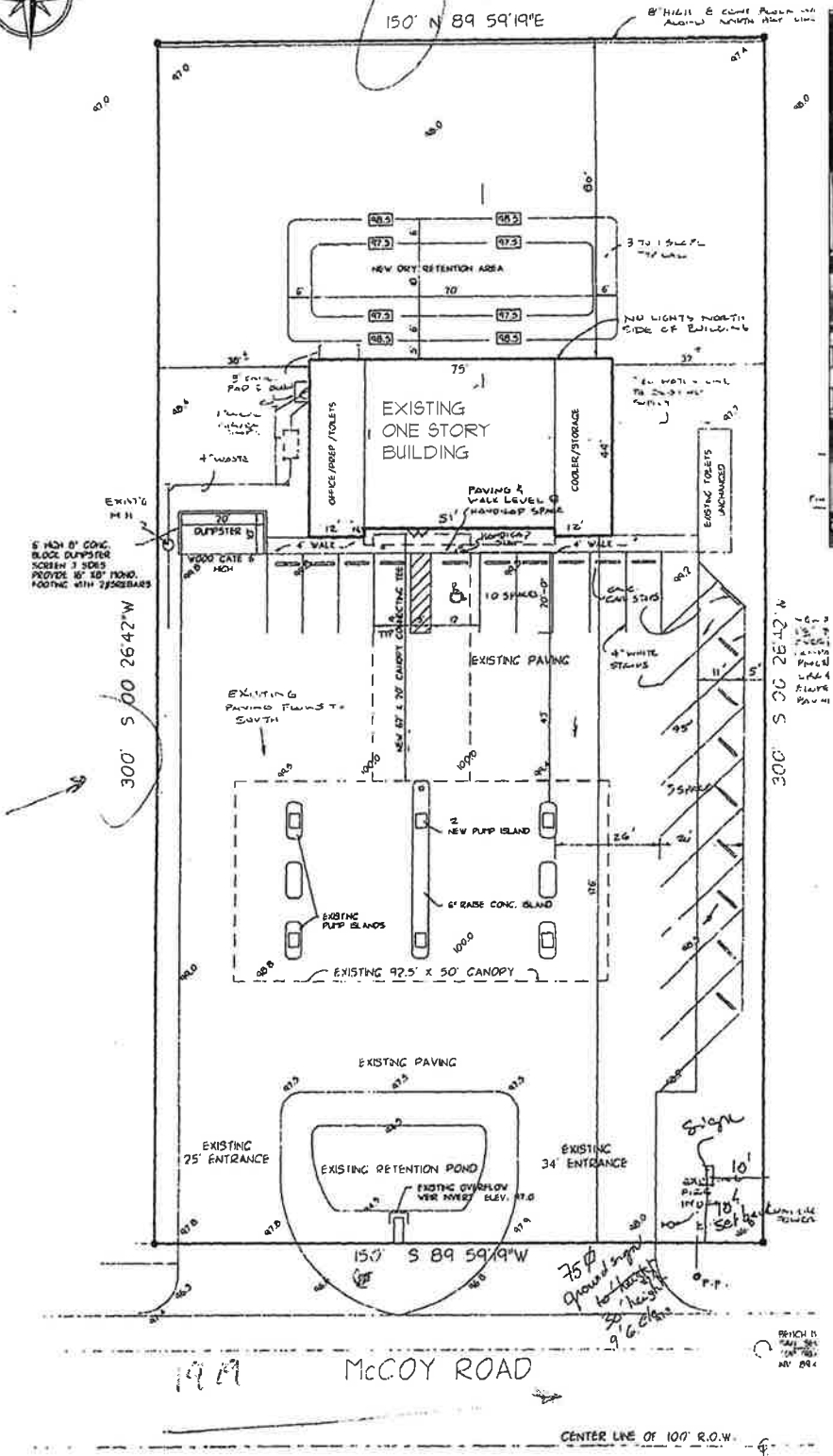
# DRAWING INDEX

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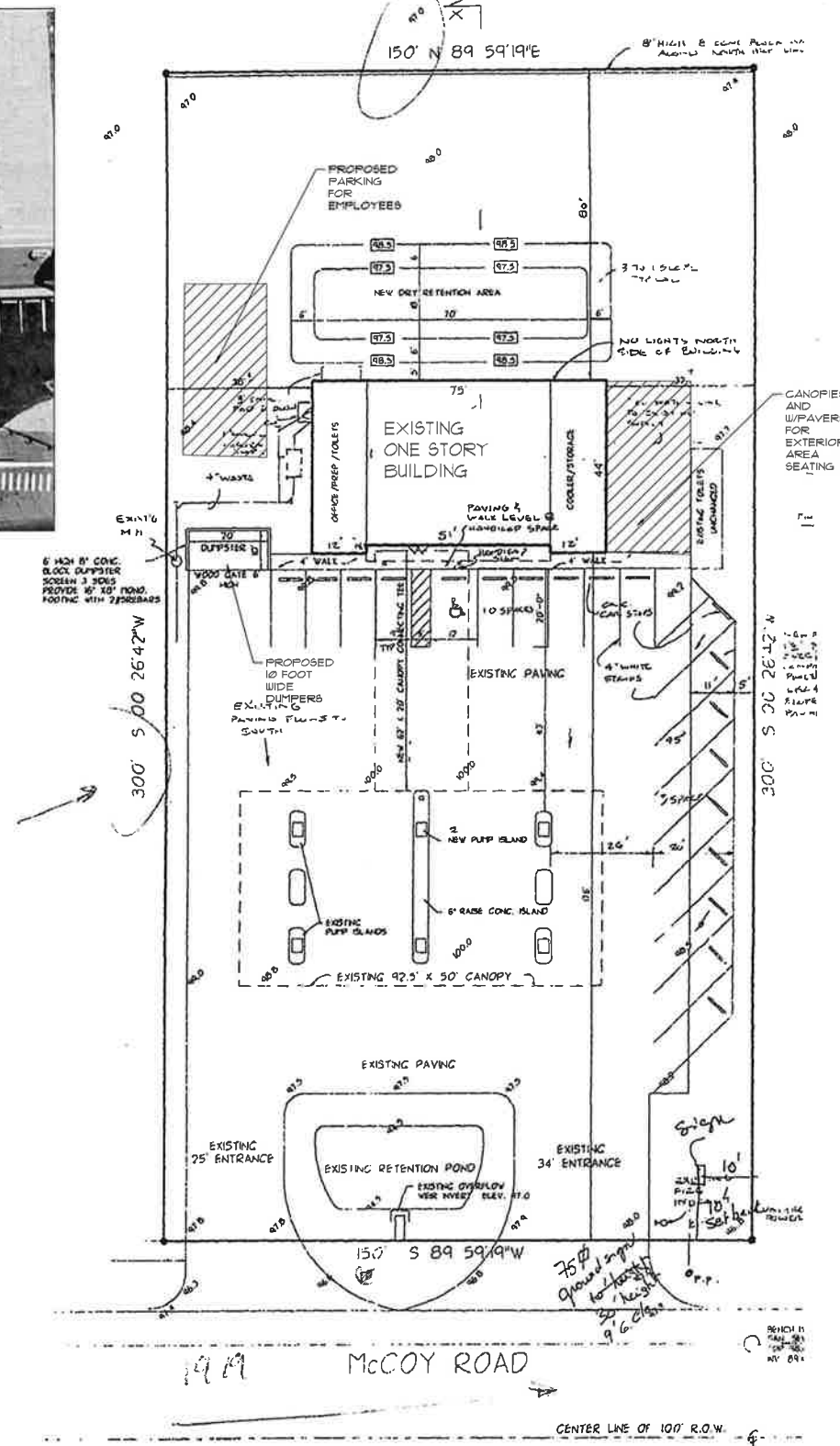
# DRAWING INDEX

# DRAWING INDEX

<div style="text-align: center;"> <h1>COVER SHEET</h1> <h2>1919 McCoy Road</h2> <h3>Orlando, FL 32809</h3> </div>	Job No. 18-1919
	Drawn By: J.E.
	Date: 03/08/2019
	Scale: As Noted

Existing Aerial  
SCALE: NTS



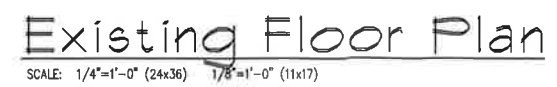
LEGAL DESCRIPTION

S 350 FT OF E 150 FT OF W 1490 FT OF SW1/4  
(LESS S 50 FT RD R/W) OF SEC 30-23-30  
OF THE PUBLIC RECORDS OF ORANGE COUNTY,  
FLORIDA.

SITE PLAN	
1919 McCoy Road Orlando, FL 32803	
Job No.	19-1919
Drawn By:	J.E.
Date:	03/08/2019
Scale:	As Noted

C1





**Design FLA**  
ARCHITECTURAL/STRUCTURAL ENGINEERING  
DESIGN AND DRAFTING  
P.O. Box 671111  
Orlando, FL 32867  
PHONE: 407.333.7104  
EMAIL: INFO@DESIGNFLA.COM  
WWW.DESIGNFLA.COM

## DIMENSION & NOTE PLAN

1919 McCoy Road  
Orlando, FL 32809

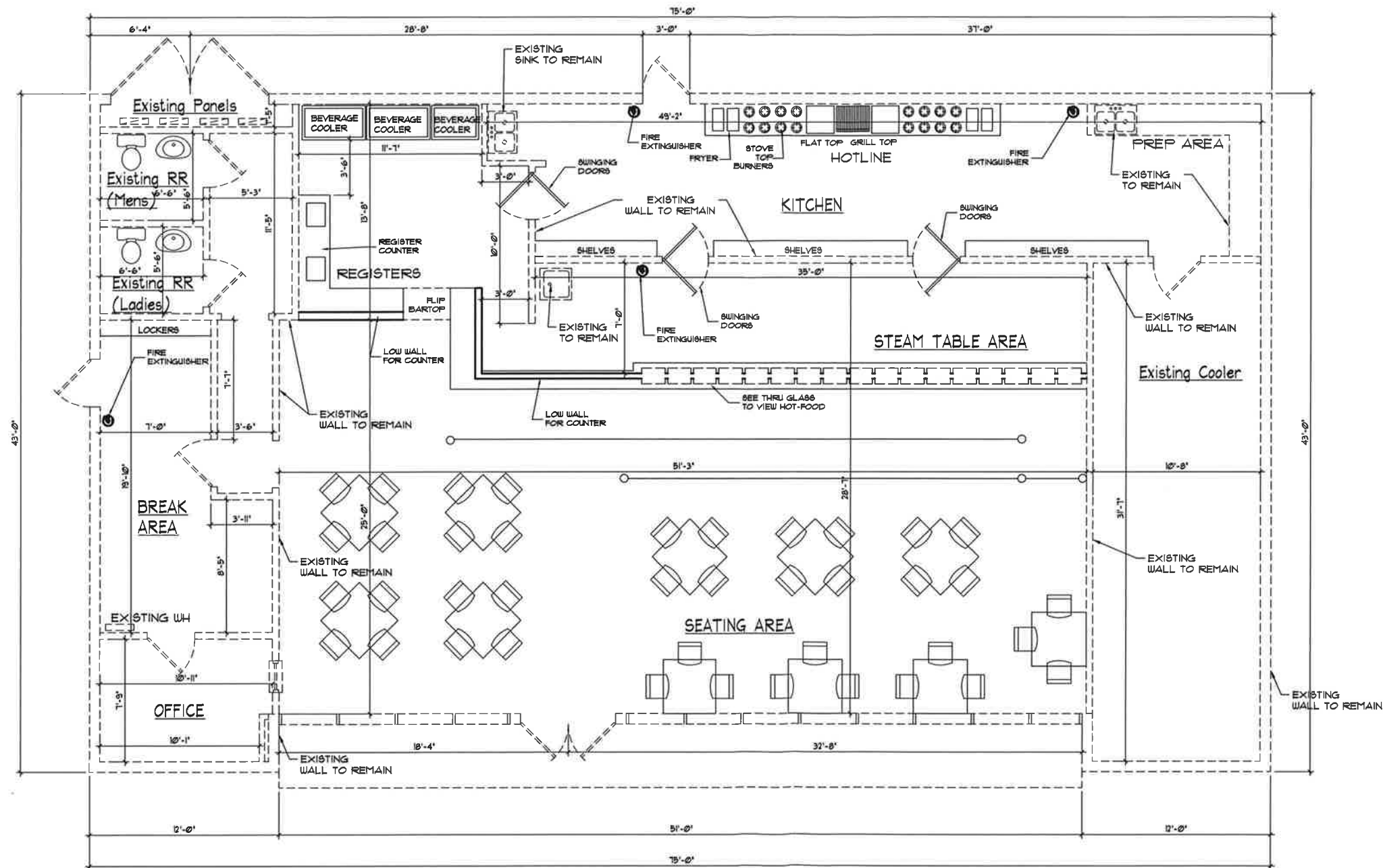
Job No. 19-1919

Drawn By:  
J.E.

Date:  
03/08/2019

Scale.  
As Noted

# A1



Floor Plan

SCALE: 1/4"=1'-0" (24x36) 1/8"=1'-0" (11x17)

**Design FLA**  
ARCHITECTURAL/STRUCTURAL ENGINEERING  
DESIGN AND DRAFTING  
P.O. Box 611111  
Orlando, FL 32861  
PHONE: 407.933.1104  
EMAIL: INFO@DESIGNFLA.COM  
WWW.DESIGNFLA.COM

DIMENSION & NOTE PLAN

1919 McCoy Road  
Orlando, FL 32803

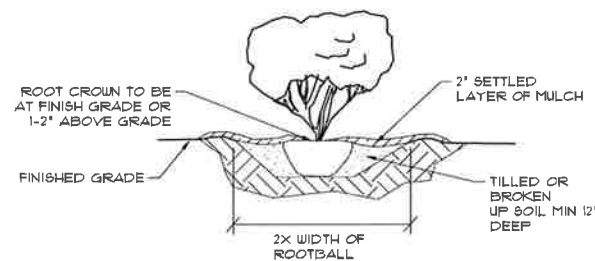
Job No.  
19-1919

Drawn By:  
J.E.

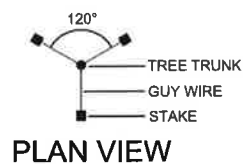
Date:  
03/08/2019

Scale:  
As Noted

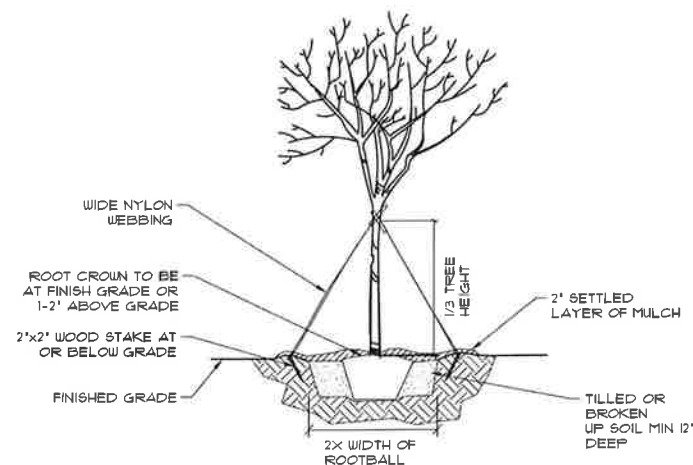
A2



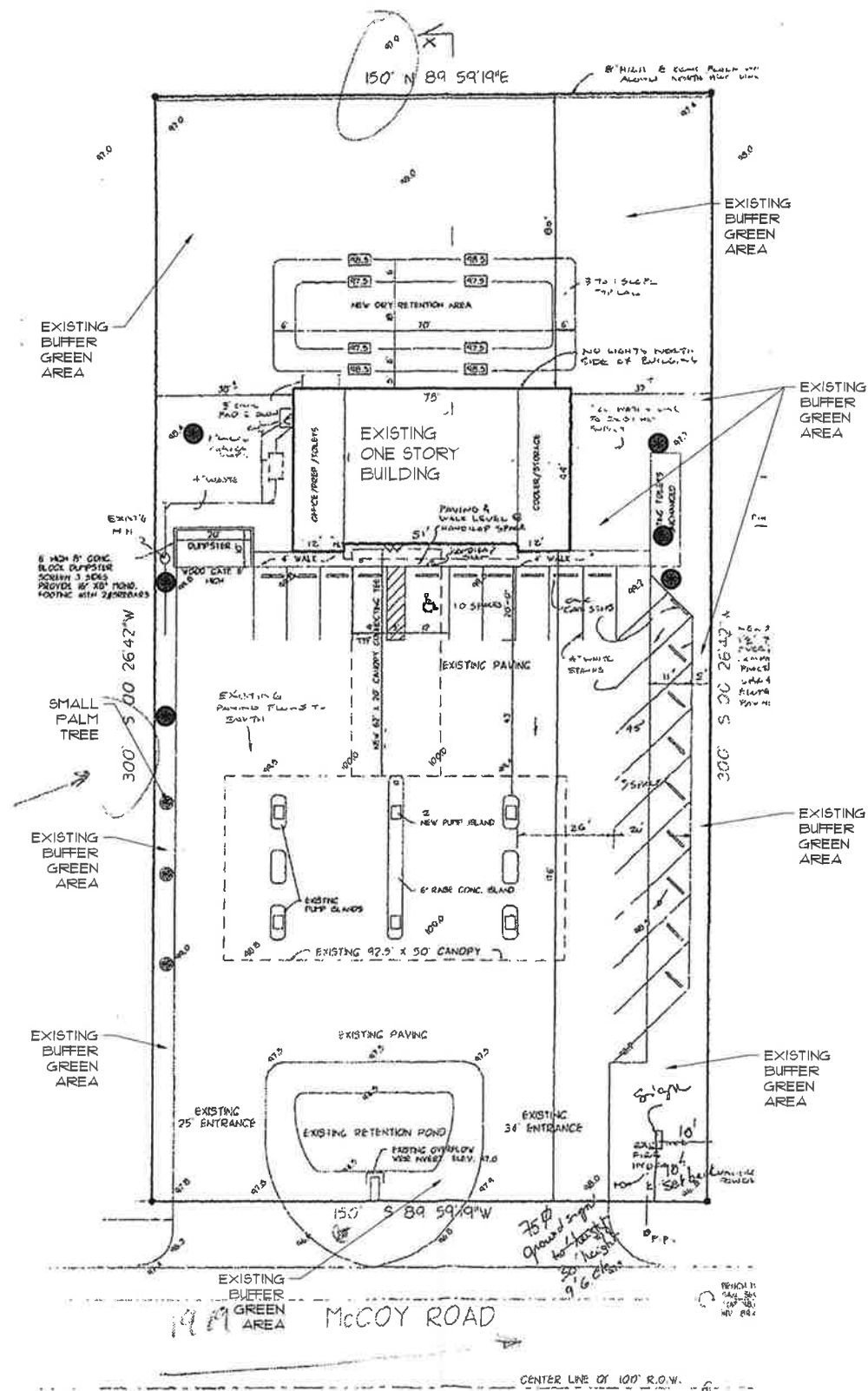
TYP. SHRUB PLANTING DETAIL



PLAN VIEW



TYP. TREE PLANTING DETAIL



Landscaping Plan

SCALE: 1"=10'

**Design FLA**  
ARCHITECTURAL/STRUCTURAL ENGINEERING  
DESIGN AND DRAFTING  
P.O. Box 61111  
Orlando, FL 32861  
PHONE: 407.383.1104  
EMAIL: INFO@DESIGNFLA.COM  
WWW.DESIGNFLA.COM

## LANDSCAPING PLAN

1919 McCoy Road  
Orlando, FL 32809

Job No.  
19-1919

Drawn By:  
J.E.

Date:  
03/08/2019

Scale:  
As Noted

L1