



**City of Belle Isle**  
**Planning & Zoning Board Regular Session Minutes**  
**January 22, 2019 – 6:30 pm**

Dan Langley City Attorney	David Woods Vice Chairman District 1	Chris Shenefelt District 2	Shawn Jervis District 3	Randy Holihan District 4	Rainey Lane District 5	Russell Cheezum District 6	Nicholas Fouraker Chairman District 7
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On Tuesday, January 22, 2019, the Belle Isle Planning & Zoning Board met in a regular session at 6:30 pm in the Belle Isle City Hall Council Chambers. Present was Chairman Fouraker, Vice Chairman Woods, Board member Lane, Board Member Cheezum, Board member Shenefelt, Board member Jervis. Also present was Attorney Dan Langley, City Manager Francis, City Planner April Fisher and City Clerk Yolanda Quiceno.

Absent was Board member Holihan.

**1. CALL TO ORDER**

Chairman Fouraker called the meeting to order at 6:30 pm and opened with the Pledge of Allegiance.

Chairman Fouraker announces that Board member Holihan would not be able to attend and requested a motion for an excused absence.

**Board member Jervis motioned the approved absence for Board member Holihan  
Vice Chairman Woods seconded the motion, which passed 6:0.**

**2. APPROVAL OF MINUTES**

a. Approval of the December 20, 2018 minutes

**Board member Jervis motioned to approve the minutes as presented.  
Vice Chairman Woods seconded the motion, which passed 6:0.**

3. Public Hearing Case #2019-01-005- Pursuant to Belle Isle Code Sec. 50-102 (b) (5), Sec. 50-102 (b) (16) and Sec. 42-64, the Board shall consider and take action on a requested variance to replace an existing fence across the front yard and add a gate between two existing columns in the front yard and sides of property of a residential property, submitted by applicant Kevin and Caroline Lee located at 7612 Daetwyler Drive, Orlando, FL 32812 also known as Parcel #29-23-30-8036-02-050.

Chairman Fouraker read by title.

Caroline Lee, the applicant, was present to answer any questions the Board may have on her application

Chairman Woods said he did not see any documentation of what type of fence or wall the applicant was trying to install, height or type. The applicant said she was looking to install a 6-foot chain link fence in the areas of where it is in disrepair. Attorney Langley said the Legal notice description is adequate for the variance because it is not to the height just the location. The Board may add a condition to the motion to include the height and type of the fence.

The applicant said the reason for the mechanical gate is for safety because the house is on the edge of Belle Isle and the road is notorious for reckless driving. Also, random people are walking through the property either looking for work or wanting to go to the Lake.

The applicant said the fence would be installed closer to the home than the existing fence to allow for a green wall on both sides of the fence. She further added that she spoke with neighbors but do not have any written notices in opposition.

There being no further questions for the applicant, Chairman Fouraker opened for public comment. There being none he closed the public comment and opened for Board discussion.

The Board discussed the location, added security and aesthetics of the chain link fence. Chairman Fouraker said that there is a very little buffer from the fence to the sidewalk and would like to see some relief for those who use the sidewalk. The applicant said the fence maybe 18 inches back from where it currently stands.

After discussion, the Board asked if the applicant was willing to have a 10-foot buffer to accommodate the fence and bushes. The applicant said she agreed.

**Vice Chairman Woods moved, the criteria of Chapter 42, Article III, Sections 50-102 (b) (5), Sec. 50-102 (b) (16) and 42-64 of the Belle Isle Land Development Code having been met TO APPROVE this request for a variance to replace an existing fence across the front yard and add a gate between two existing columns in the front yard and sides of property of a residential property, submitted by applicant Kevin and Caroline Lee located at 7612 Daetwyler Drive, Orlando, FL 32812 also known as Parcel #29-23-30-8036-02-050 with the following conditions,**

**the fence must be set back from the right away a distance of ten feet and allowances made for driving site lines to the sidewalk and verified by staff.**

**Board member Lane seconded the motion.**

**Chairman Woods amended the motion to include,  
a landscape hedge to screen the fence.**

**The amendment was seconded and unanimously approved by the Board 6:0.**

Chairman Fouraker said the applicant should wait for 15-days from approval for any appeals before submitting for a permit.

4. Public Hearing Case #2018-12-032 - Under Belle Isle Code Sec. 50-102 (a) (6) (d), Sec. 54-3 (h) and Sec. 42-64, the Board shall consider and take action on a requested variance to place screen enclosure that is 23.5 feet in height on a residential property. This is 3.5 feet taller than what the Code allows, submitted by applicant Richard Morgan/JJ Building located at 6633 The Landings Drive, Belle Isle, FL 32812 also known as Parcel #20-23-30-4980-00-320.

Chairman Fouraker read by title.

Kelly Levine from J&J Building residing at 839 Walnut Street, Orlando, FL spoke on behalf of the applicant. She was contracted by the homeowner to rebuild his home after it burned down during bad weather a few years ago. The proposed design is in line with the original footprint. The home was an infill project, and some of the conditions were not able to change for example the elevation. These conditions were not self-created, and they were not able to salvage any of the remaining enclosure. The applicant is asking for 3 ½ feet over the existing 20 ft to cover the balcony. The applicant stated for the record that there was a permit issued more than 20 ft at 3549 Country Lakes Drive and 7484 Daetwyler Drive-2016-11-063.

There being no further questions for the applicant, Chairman Fouraker opened for public comment. There being none he closed the public comment and opened for Board discussion.

Vice Chairman Woods said that, by his observation, the screen would not be an eyesore from the road or blocking anyone's sight line.

**After discussion, Board member Cheezum moved, the criteria of Chapter 42, Article III, Sections 50-102 (a) (6) (d), Sec. 54-3 (h) and 42-64 of the Belle Isle Land Development Code having been met TO APPROVE this request for a variance to place screen enclosure that is 23.5 feet in height on a residential property. This is 3.5 feet taller than what the Code allows, submitted by applicant Richard Morgan/ JJ Building located at 6633 The Landings Drive, Belle Isle, FL 32812 also known as Parcel #20-23-30-4980-00-320.**

**Board member Jervis seconded the motion which passed unanimously 6:0.**

Chairman Fouraker said the applicant should wait for 15-days from approval for any appeals before submitting for a permit.

5. PUBLIC HEARING CASE #2018-08-057 - Pursuant to Belle Isle Code Sec. 42-64 the Board shall consider and take action on a requested variance from Sec. 50-73, to allow a maximum building height of 33 feet instead of the standard maximum allowed building height in the C-1 zoning district of 30 feet, and take action on a requested variance from Sec. 50-72 (d) (1), to allow the widths of interior driveways to be 22 feet instead of 25 feet, and take action on a requested variance from Sec. 50-72 (a) (1) to allow a parking space ratio of 0.7 spaces for every Hotel room instead of the required 1 space for every hotel room plus 1 for every 100 square feet of office/ lobby area submitted by applicant Capital Lodging, LLC, Located at 1853 McCoy Road, Belle Isle FL 32809, also known as Parcel # 30-23-30-0000-00-012.

Chairman Fouraker read by title.

At the January 2019 meeting, the Board requested additional information on the history of calls to service by the police department at the location. Chairman Fouraker invited Belle Isle PD to make their presentation.

Corporal Hernandez provided a 5-page report of data from 2018 because historical data is not retained. Corporal Hernandez reported on the history of the hotel before the current owner and the calls to service since the new ownership. Officer Hernandez gave a brief overview and said that the calls had decreased significantly since the new management. Officer Hernandez recommended more lighting in the parking lot, functional surveillance cameras, repair of the chain link fence on the west side and proper training for hotel staff. Discussion ensued on other extended stays and surrounding area hotels.

Amir Dhanji with offices at 1853 McCoy Road said the location has changed from the previous ownership. The reason for the decrease in crime is because they currently rent rooms starting at \$69+ and are not lower rate rooms. The owners have invested 2million dollars in upgrades and have improved the property's safety considerably.

Shri Ram, Consultant with offices at 1369 Litchfield Drive, Winter Garden spoke on the extended stay portion of the hotel. He stated that the owners will not entertain the second hotel as an extended stay and will remain a traditional hotel. The existing structure is 33 feet, and the owner intends to add 57 rooms matching the existing roof line.

Attorney Langley asked if the staff conditions tied to the variance and the site plan both. April Fisher said it is tied just to the site plan. The applicant is not requesting a variance from their exiting buffers, and she wanted to make it clear. The site plan conditions must be met before moving forward.

Vice Chairman Woods shared his concerns with the following,

- The width of the front drive lane

The proliferation of SUV type vehicles on the road and cutting the width of the drive two feet is cutting it pretty close. He said the site plan does not dimension the drive lanes at all. Mr. Ram said the drive lane to the east side will be 24 feet, and the front will be 22 feet.

- Reduction of the parking space ratios

The applicant is asking for .70 parking spaces for every hotel room with no application for lobby space or other office rooms. In the parking study, it cites an average of .73 peak parking ratio without any regard to the number of the conference room, meeting rooms, etc. There is no clarification for why the City should grant the .73 without further information. The decrease in parking can create the potential for more accidents.

Vasu Persaud, Traffic Engineer, said the study was evaluated based on the City's parking requirements, compared to City of Orlando and Orange County, reviewed other Flag studies and created an average parking rate. To preface the whole discussion, the owner does have a shared shuttle service, and there is an increase in Uber and Lift which is used by many of the business travelers visiting the hotel. He added that the parking utilization at the current hotel with 167 rooms is fairly low.

In his opinion, a lobby space is not a parking generator, but an auxiliary use by the guest and does not drive traffic. The City's requirement is one space per room, and they are asking for a 25% reduction considering the increased use of Uber and shuttle services. Discussion ensued. Mr. Persaud said he is willing to provide comparison information for Board review.

- Extended Stays/Kitchens

The intent of the currently proposed hotel is not to do an extended stay, however; the proposed floor plans appear to have kitchenettes and separate rooms for beds. Jeff Baker, Architect with offices at 4101 Woodland Lane, Orlando, FL 31812, said the floor plans were originally prepared for the initial phase. The suites will have a small kitchenette similar to a Holiday Inn.

April Fisher clarified for consideration; the application narrative requests a .70 ratio; however, the transportation report supports .75. The Board can consider .75 for approval.

There being no further questions for the applicant, Chairman Fouraker opened for public comment.

- Kathy Ray residing at 2512 Trentwood Blvd spoke in opposition of extended stays and the height request of 33 feet. She further noted that she saw a sign that said car rental here and asked if they will be renting vehicles at their hotel. Shri Ram stated that the hotel would not be providing that service and the sign will be removed. After Shir Ram confirmed the hotel would not be extended stay she said she was not opposed to the 33 foot request.

There being no further public comment Chairman Fouraker closed the public comment and opened for Board discussion.

The Board discussed the following for consideration,

- The Board can request an updated report that supports .70 parking ratio with comparables with non-extended stay hotels.
- Building Height of 33 feet
- Front driveway width of 22 feet
- Building and Parking lighting study
- Fence remedied before approval
- Camera system integration with law enforcement
- No significant cooking facilities
- Confirmation that the hotel will not be an extended stay

After discussion, April Fisher said if the application is denied the applicant will need to wait 6-months to make a new application with a similar request or the Board can approve the application with conditions. Ms. Fisher cautioned the condition not to allow an extended stay which is an element of both the variance and site plan. The code does not have any provisions for cooking facilities within a room, and the detail of the floor plan includes cooking facilities. Given the Board's desire that the rooms are not an extended stay she recommends that the applicant submit a revised site plan. Discussion ensued.

Chairman Fouraker asked the applicant if they will be willing to table the request for another month. The applicant said yes. The Board agreed to have the applicant submit updated information on the discussed items.

April Fished recommended tabling the application to the March 2019 meeting.

The Board discussed having the City Attorney provide a legal definition of an extended stay

**Vice Chairman Woods motioned to continue Item #5-Public Hearing #2018-08-57 to be continued until a date certain of February 26, 2019, with the submittal date of February 1<sup>st</sup> that shall include,**

- 1. Updated parking study**
- 2. Letter from the ownership indicating they will be providing a Cpted (Crime Protection Through Environmental Design) standard for security cameras**
- 3. Photometric lighting plan to be submitted during the permitting process**

**Board member Jervis seconded the motion which passed unanimously 6:0.**

**Board member Cheezum motioned to continue Item #6-Public Hearing #2018-08-062 to be continued until a date certain of February 26, 2019.**

**Board member Fouraker seconded the motion which passed unanimously 6:0.**

6. Public Hearing Case #2018-08-062 - Proposed Development Site Plan. Under Belle Isle Code Sec. 54-79 (f) (4), the Board shall review and take action on the proposed site plan, submitted by APPLICANT Capital Lodging, LLC, located at 1853 McCoy Road, Belle Isle FL 32809, also known as Parcel # 30-23-30-0000-00-012.

**This item was continued until a date certain of February 26, 2019.**

7. ORDINANCE 19-01: An Ordinance of the City of Belle Isle, Florida approving the rezoning application of the City of Belle Isle, property owner/applicant, and rezoning that certain property located behind 2635 McCoy Road, Belle Isle, Florida, identified in the Orange County Tax Rolls with Parcel number 30-23-30-0000-00-020 more particularly described in Orange County Records, Orange County, Florida, from single-family dwelling district (R-1-A) to open space (OS); providing for severability, repealer, codification and an effective date.

Chairman Fouraker read by title.

Chairman Fouraker opened for public comment.

Chairman Fouraker closed public comment and opened for Board discussion.

**Board member Woods read by title and recommended approval of Ordinance 19-01 to City Council for review and consideration.**

**Board member Fouraker seconded the motion which passed unanimously 6:0.**

**OTHER BUSINESS**

According to the Municipal Code 40-32(c) (1), the Board is required to elect officers.

**Board member Woods motioned to nominate Nicholas Fouraker as the Chair.**

**Board member Shenefelt seconded the motion which passed unanimously 6:0.**

**Board member Fouraker motioned to nominate David Woods as the Vice Chair.**

**Board member Cheezum seconded the motion which passed unanimously 6:0.**

**ADJOURNED**

There being no further business Chairman Fouraker called for a motion to adjourn, unanimously approved at 8:30 pm.

Yolanda Quiceno  
City Clerk, CMC

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