



Board of Adjustments Regular Meeting Minutes

June 17, 2025 at 5:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Robert Trompke, Aimee Hitchner, Jeanne Reynaud, Frank Pruitt, Jim Fitch, Christopher Morrison

Absent

Michael Clary

Staff Present

Director of Planning & Zoning Allison McGillis, Planner I Corinna Lundgren, Administrative Coordinator Mary Bush

1. Call to Order

Vice Chair Trompke called the meeting to order at 5:00 p.m.

2. Selection of Chair and Vice Chair

Motion made by Aimee Hitchner, seconded by Jeanne Reynaud, to nominate Robert Trompke as Chair of the Board. Mr. Trompke accepted the nomination.

By a roll call vote, the motion carried unanimously 6-0. (Michael Clary was absent from the meeting.)

Motion made by Aimee Hitchner, seconded by Jeanne Reynaud, to nominate Michael Clary as Vice-Chair of the Board. Mr. Clary was not present to accept the nomination.

By a roll call vote, the motion carried unanimously 6-0. (Michael Clary was absent from the meeting.)

3. Consent Agenda

- a. Approve the minutes of April 15, 2025.

Motion made by Jim Fitch, seconded by Christopher Morrison, to approve the April 15, 2025 regular meeting minutes.

The motion carried unanimously by a 6-0 vote. (Michael Clary was absent from the meeting.)

4. Public Comments (for items not on the agenda): Three minutes allowed

for each speaker

No one from the public wished to speak. The public hearing was closed.

5. Public Hearings (Public participation and comment on these matters must be in person.)

- a. BOA #25-05. request of Z Properties for variance approval from Section 58-336 subsection (e)(1), to allow a 0-foot-wide landscape buffer area along Treat Way in lieu of the 8-foot minimum required to screen the vehicular use/parking area from the public right-of-way in conjunction with the proposed mixed-use development at 111 S. Knowles Avenue, zoned CBD.

Mrs. McGillis provided a summary of the item and indicated that it was a requested variance from the applicant's previously approved conditional use site plan. She noted that the property was located in the downtown Central Business District and was currently a vacant lot. She then reviewed the applicant's current proposed site plan and compared it to the previously approved site plan. She noted that the applicant was proposing to redevelop the parcel with a single-story commercial structure on the portion of the lot facing Morse Boulevard, a private swimming pool and amenity area with a pickleball court in the middle of the lot, and a single-family home in the back facing Treat Way. Mrs. McGillis indicated that the applicant's required parking is proposed along Treat Way and is designed for all of its six spaces to reverse into the right-of-way. She indicated that to allow for the proposed configuration, the applicant requested a 0-foot-wide landscape buffer space along Treat Way, although the required 8-foot landscape buffer was attainable on the previously approved site plan without reversing into the right-of-way. She then briefly reviewed a few existing properties that use Treat Way as an entryway and exit, such as the Edyth Bush building.

Mrs. McGillis indicated that staff believed the applicant did not meet the four criteria required to grant the variance requested because of the following:

- there are no special conditions and circumstances that arise from the lot that severely impact the site enough to justify a hardship,
- the proposal can be reasonably altered to meet the 8-foot landscape buffer requirement, without having to reverse into the right-of-way,
- the applicant's proposal is what severely limits their ability to meet all code requirements,
- and allowing the variance would open the door for other applicants for commercial properties to request either: (1) no landscape buffers along public rights-of-way; and/or (2) parking with a 0-foot setback that reverses directly into public rights-of-way.

Staff recommendation was for denial.

Discussion ensued about other surrounding properties being able to reverse into the right-of-way, who the parking would serve, whether there were any traffic studies done on the right-of-way, whether the six proposed parking spaces would be sufficient, whether the applicant had to provide the six parking spaces to meet code, alternate options for the project, whether the open exercise area was green space or hard surface, and whether staff had a preferred solution.

The applicant's attorney, Rebecca Wilson at 215 N. Eola Drive, Orlando, FL 32801 addressed the Board. She noted that she and the applicant disagreed with the staff's recommendation for denial. She elaborated on why they felt that the code did not fit the situation in this instance and that the Board had the ability to grant the requested variance. She reviewed what the code stated regarding the required landscape buffer. She then explained why she and the applicant felt that Treat Way did not align with what constitutes a right-of-way and therefore, the code did not apply. She also noted the various letters of support received for the project.

The Board inquired with Attorney Wilson about whether there was a difference between the Edyth Bush building's parking set up and the applicant's request, the difference between the applicant's previously approved site plan and the proposed site plan, whether the proposed site plan would need to be reviewed by the Planning & Zoning Board, whether there was a landscape buffer on the Edyth Bush building, and whether variances were granted for the landscape buffer on the previously approved site plan.

No one from the public wished to speak. The public hearing was closed.

Several members of the Board expressed approval of the request.

Motion by Jeanne Reynaud, seconded by Christopher Morrison, for variance approval from Section 58-336 subsection (e)(1), to allow a 0-foot-wide landscape buffer area along Treat Way in lieu of the 8-foot minimum required to screen the vehicular use/parking area from the public right-of-way in conjunction with the proposed mixed-use development at 111 S. Knowles Avenue, zoned CBD.

The motion carried by a 5-1 vote. (In Favor: Jeanne Reynaud, Robert Trompke, Aimee Hitchner, Jim Fitch, and Christopher Morrison. Opposed: Frank Pruitt. Michael Clary was absent from the meeting.)

6. Non-Action Items

7. Staff Updates

8. Board Comments

9. Upcoming Agenda Items

10. Adjournment

The meeting adjourned at 5:37 p.m.

Minutes approved by the Board on July 15, 2025.

ATTEST:

/s/ Mary Bush, Recording Secretary