

## MINUTES

### MEETING VIA ZOOM

Orange Village Planning & Zoning Commission  
Architectural Board of Review  
Tuesday, July 5, 2022 – 6:30 pm

Mayor Mulcahy, Chairperson called the meeting to order at 6:30pm

Members Present via Zoom: Anthony Lazar, April Skurka, Scott Lewis, Kathy Moran, Brian Hitt, Jud Kline,  
Mayor Kathy Mulcahy

Members Absent:

Others Present via Zoom: Steve Byron, Law Director  
Robert McLaughlin, Chief Building Official  
Karen Morocco, PZ/ABR Secretary  
Staci Vincent, Councilwoman

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#### **#1                      655 BEACON HILL DRIVE – IN GROUND POOL**

**Present via Zoom:** Kevin Garvey, CLE Pools, LTD  
Farshad & Citlali Afsharian, Homeowners

#### **PZ/ABR Discussion:**

The project has been approved as noted by the Village Engineer. The Homeowner's Association has approved the pool. The pool meets all zoning setback requirements. The pool will be 16' x 38' and will be located behind the existing dwelling. It will have a concrete patio. An existing rear yard 4 foot fence surrounds the pool. Per Mr. Kevin Garvey, no adjustments will be made to the existing grade. CLE Pools will erect silt fences. All excavated material will be removed from the site. They do not intend on removing any trees. Ms. Kathy Moran inquired how the roots to the trees will be protected during excavation. Construction mats will cover the area around the trees to protect the roots.

A Joint Motion was made to approve the in ground pool at 655 Beacon Hill Drive subject to the Village Engineer's comments was made by Mr. Brian Hitt; Seconded by Mr. Jud Kline

Ayes: Lazar, Moran, Skurka, Lewis, Hitt, Kline, Mayor Mulcahy  
No: None

The Joint Motion was approved 7 to 0.

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#2

**LAKES OF ORANGE – EMERY – PHASE 7 – VARIANCE REQUEST**

**Present via Zoom:**

Randy Kertesz, Kertes Enterprises  
Jordan Berns, Berns, Ockner & Greenberger, LLC  
Keith Filipkowski, Pulte Homes  
Brian Uhlenbrock, Pulte Homes

**PZ Discussion:**

The applicant is seeking two variances from the Orange Village Zoning Code:

1. To request a variance from the 50' required rear yard setbacks (1148.15(d)(2) to allow a 4'8" encroachment into the setbacks for the building footprints for unit numbers 29 through 38, Lakes of Orange Phase 7, on the easterly side of the property, and:
2. To request a variance to the 75 ft. riparian setback (1176.08) for regrading and placement of footer tile and downspout drainage for lot 43 through 46, with substantial restoration to the preconstruction condition. The applicant reduced the original proposed 56 foot encroachment to 22 feet.

Mr. Bob McLaughlin stated the neighbors on the west side came into the Building Department for explanation on the variances requested. He stated they had no objection. Another neighbor stopped into the Building Department and was shown the plans and Village Engineers letters. The gentleman stated he would contact Mr. McLaughlin with any questions but Mr. McLaughlin said he received no calls in regards to the matter. Everyone on Zoom was unmuted and there were no objections or comments from the neighbors. There will be a proposed white vinyl board on board fence that will help to screen any encroachment. Concerning variance number one (1), Mr. Jud Kline stated the variance allows building to have variation and an identity to each unit. Concerning variance number two (2), a discussion ensued about having signage that says 'Do Not Disturb Zone' in the riparian areas. The riparian areas will be restored back to its original state. The Village Engineer's letter did not include lot #46. Approval will need to include lot #46 from the Engineer. The Mayor stated the facts justify the variances and Mr. Jud Kline stated appropriate adequate grading will restore the riparian areas.

**Variance #1:**

Mayor Mulcahy moved to recommend that Council approve the requested variances from the setback from the eastern property line of up to four feet eight inches (4'8") for the buildings to be constructed on lots 29 through 38, upon the condition that nothing will encroach into the rear yard setback of twenty-five feet (25') that was previously established by a prior variance. Mr. Scott Lewis seconded the motion

Ayes: Lazar, Lewis, Hitt, Kline, Mayor Mulcahy

No: None

The Motion was approved 5 to 0.

**Variance #2:**

Mayor Mulcahy moved to recommend that Council approve the requested variances from the riparian setbacks for lots 43 through 46, conditioned upon the Village Engineer confirming that he is recommending the variance on lot 46 (which was not expressly stated in his letter recommending approval of the variances). Mr. Kline seconded the motion.

Ayes: Lazar, Lewis, Hitt, Kline, Mayor Mulcahy

No: None

The Motion was approved 5 to 0.

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#3

**PINECREST – DIGITAL KIOSK REPLACEMENTS**

**Present via Zoom:** Jessica Ruff, Ruff Neon & Lighting

**PZ/ABR Discussion:**

The existing five (5) kiosks will be replaced by one (1) single sided and four (4) double sided kiosks. They will be interactive, way finding and will show deals within Pinecrest. The kiosks will not take pictures. Mr. Jud Kline thinks it's great.

A Joint Motion was made to approve the digital kiosk replacements at Pinecrest was made by Mayor Mulcahy; Seconded by Mr. Scott Lewis.

Ayes: Lazar, Moran, Skurka, Lewis, Hitt, Kline, Mayor Mulcahy  
No: None

The Joint Motion was approved 6 to 0.

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#2

**CHIEF BUILDING OFFICIAL'S REPORT**

- Items on the July 19, 2022 PZ/ABR agenda:
  - 4960 Lander Rd. – Room Addition
  - 529 Crystal Lake – Deck Extends into Sideyard
  - 370 Nob Hill – Exterior Alterations
  - 28749 Emery Rd – Detached Garage
  - 4320 Lander Rd – New House

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#3

**ANY OTHER TOPIC FOR DISCUSSION**

- The Mayor stated the August 16, 2022 PZ/ABR meeting will be held in person
- Mayor Mulcahy will not be attending the July 19, 2022 PZ/ABR meeting
- Mr. Scott Lewis will be out of town for the July 19, 2022 PZ/ABR meeting but will make every effort to log on.
- Mr. Lewis inquired how things were working out at Pinecrest with the curfew. Mayor Mulcahy said it's great. Everyone is very happy. People have been thanking Pinecrest
- Slymans Tavern is not moving into Pinecrest
- RH Mansion is moving forward
- The Mayor stated she saw the Bahama Breeze property transferred.
- Saturday, July 16, 2022 there will be a Community Event with fireworks.

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#4


MINUTES FROM JUNE 21, 2022 TO BE APPROVED


A Motion was made to approve the minutes of June 21, 2022 meeting was made by Mr. Scott Lewis; Seconded by Mr. Brian Hitt...

Ayes: Lazar, Moran, Skurka Hitt, Kline, Mayor Mulcahy  
Abstain: Lewis  
No: None

The Motion was approved 6 to 0.

There being no further business, the meeting was adjourned at 7:32 pm

  
Karen Morocco

  
Date