



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Decision Letter

Board of County Commissioners

Tuesday, September 27, 2022

2:00 PM

County Commission Chambers

22-805

Case # VA-22-06-044

Munivenkatappa & Sumanth Padmanabh

Daniel Wagner, June 2, 2022; District 1 (Continued from August 9, 2022)

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment of a request for a Variance in the R-CE zoning district to allow a ground mounted solar system in the front yard in lieu of the side or rear yard.

Location: District 1; property located at 9470 Kilgore Road, Orlando, FL 32836; Orange County, Florida (legal property description on file in Zoning Division)

Modified Conditions of Approval # 1 and # 4:

1. Development shall be in accordance with the site plan and elevations received May 16, 2022, as modified to reduce the height of the solar panels to 6 ft. subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

4. The solar panels shall be shielded on all four sides by an opaque fence or wall of between six (6) feet and eight (8) feet in height, equal to or greater than the height of the panels to screen the solar panels from adjacent properties. The opaque fence or wall along the eastern boundary may incorporate an entry/driveway gate to access the property. The opaque fence or wall shall be installed prior to the issuance of the permit for the solar panels, and no later than 90 days after the Board's approval of the variance.

New Conditions of Approval # 5 and # 6:

5. Notwithstanding anything to the contrary on the elevations received May 16, 2022, the maximum height of the solar panels shall be reduced from 7'4" to 6'0" in height.

6. The property owner shall install and maintain a landscaped hedge along the outside of the western opaque fence/wall and install and maintain crawling vine along the north side of the northern fence/wall as shown on the landscape plan dated June 1, 2022 (and submitted as part of the official record on September 27, 2022) to serve as an additional vegetative screen. The landscaped hedge and plantings shall be installed prior to or with the installation of the fence/wall, and no later than 90 days after the Board's approval of the variance.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the four (4) conditions of approval listed under the Board of Zoning Adjustment recommendation in the staff report dated September 1, 2022; further, approve modified conditions of approval # 1 and # 4; and further, approve new conditions of approval # 5 and # 6. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin



**THE FOREGOING DECISION HAS BEEN FILED
WITH ME THIS 25TH DAY OF OCTOBER 2022.**

DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Note: This document constitutes the final decision of the Board of County Commissioners on this matter. If, upon the Board's subsequent review and approval of its minutes, an error affecting this final decision is discovered, a corrected final decision will be prepared, filed, and distributed.

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