



City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809

Tel 407-851-7730 * Fax 407-240-2222 * www.belleislefl.gov

Variance and Special Exception Application

City Code Chapter 42, Art. II, Sec. 41-61 thru 41-72 AND Sec 42-64 Land Development Code

APPLICANT <i>Leslie Armstrong</i>	OWNER <i>Leslie Armstrong</i>
ADDRESS <i>5705 Cove Drive</i>	PROJECT ADDRESS
CONTACT NUMBER <i>805746 0244</i>	OWNER'S CONTACT NUMBER
EMAIL <i>h3isriss3n@gmail.com</i>	OWNER'S EMAIL <i>h3isriss3n@gmail.com</i>
PARCEL ID#	
LAND USE CLASSIFICATION <i>Home Residence</i>	ZONING DISTRICT
SECTION OF THE CODE VARIANCE REQUESTED ON	
DETAILED VARIANCE REQUEST <i>would like to install black Artificial grass</i>	
- The applicant hereby states that the property for which this hearing is requested has not been the subject of a hearing before the Planning and Zoning Board of the kind and type requested in the application within nine (9) months. Further, the requested user does not violate any deed restriction of the property. - By applying, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property during reasonable hours to inspect the area to which the application applies. - The applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) picture of the front of the property and at least two photos (from different angles) of the specific area of the property to which the application applies.	
APPLICANTS SIGNATURE	OWNER'S SIGNATURE
☒ VARIANCE	P&Z CASE NUMBER <i>2025-07-01</i>
☐ SPECIAL EXCEPTION	DATE OF HEARING <i>July 22 2025</i>
☐ OTHER	

Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

Criteria. The Board shall not approve an application for a variance from terms of the Land Development Code unless and until:

- A written application for a variance is submitted to the city manager or the city manager's designee on a form provided by the city clerk setting forth all of the special conditions and circumstances that exist in favor of the granting of the variance and addressing the requirements of subsections (1)d—g of this section of the criteria set forth in this section. Upon submission of the properly completed application and the appropriate fee, the city manager or the city manager's designee shall refer the application to the board.

- Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
- The public hearing on the application for the variance shall be held. The applicant, the applicant's agent as evidenced by a signed writing or the applicant's attorney shall appear before the board.
- It is determined that 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.
- It has been determined that 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 Land



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- Development Code or for the purpose of obtaining a variance.
- f. It is determined that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
 - g. It is determined that the granting of the variance will be in harmony with the general purpose and intent of the Land Development 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.
 - h. The board shall find that the preceding requirements have been met by the applicant for a variance.
- b. The Board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed. Under no circumstances, except as permitted above, shall the Board grant a variance to allow a use not generally or by special exception allowed in the zoning district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code in the zoning district. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.

The Board shall find that the preceding requirements have been met by the applicant for a variance.

(2) Violations of conditions.

- a. In granting any variance, the Board may prescribe appropriate conditions and safeguards to comply with the Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which

Applications submitted must meet all of the above criteria before the Board can grant a variance. The burden of proof is on the applicant to comply with the criteria.

A special exception addresses the compatibility of uses, differing slightly from a variance. The approval of a special exception depends on how the request affects the surrounding area. All uses allowed as special exceptions are listed within the individual zoning districts. Before the Board can approve a special exception, the request must meet all of the following criteria:

1. A written application for a special exception must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month. (See Above)
2. The Board shall find that it is empowered under the section of the zoning ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.
3. It is determined that public health, safety, comfort, order, convenience, prosperity, morals, or general welfare is promoted, protected, or improved.

General Information

1. Certain conditions may be prescribed on the special exception or variance approved by the Board.
2. The applicant must be present at all hearings.
3. Decisions rendered by the Board do not become final until fifteen (15) days after the hearing. The fifteen-day waiting period allows all aggrieved parties to appeal the decision. Any person filing an appeal will submit, within fifteen (15) days of the decision, a notice stating where they feel the Planning and Zoning Board erred in their decision. Belle Isle's City Council will then hold an appeal hearing.
4. Sec 42-61 thru 41-72 - Variances and special exceptions granted by the Board will become void if a permit necessary for utilization of the variance or special exception is not issued within six (6) months of the date approved by the Planning and Zoning Board.

FOR OFFICE USE ONLY:
 FEE: \$300

6/26/2025
 Date Paid

CR 6525
 Check/Cash

[Signature]
 Rec'd By

2025-07-001



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ABOUT YOUR PUBLIC HEARING

The following information is provided to assist applicants in applying for a variance, special exception, or use determination. Please familiarize yourself with the process by visiting

The City of Belle Isle's Planning and Zoning Board, which comprises seven (7) non-paid volunteer residents, meets on the fourth Tuesday of the month to hear various planning and zoning issues, including variances, special exceptions, and use determinations. In recommending approval or denial of a request, the Board looks at each application individually to determine if the request meets the following criteria:

A written application for a **variance must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month**. The application **MUST** include:

- the \$300 filing fee,
- a completed application form,
- proof of ownership of the property, or a notarized statement from the owner with the representative's information,
- Ten (10) copies of a plot plan or survey showing all improvements to the property, ten copies of a scale drawing of the planned construction, illustrated on the survey, and digital format for large-scale documents is required.
- For boat dock variances, the survey must clearly illustrate the Normal High Water Line elevation (NHWL) of Lake Conway.
- A narrative addressing how the variance complies with the following:**

*Standards of Variance Justification	Section 42-64 of the Land Development Code (LDC) states that no application for a Zoning Variance shall be approved unless the Planning and Zoning Board finds that all of the following standards are met. Please answer each bold-text question in a separate typed or a written document and submit it to the City as part of your variance request.
Special Conditions and/or Circumstances Section 42-64 (1) d	The applicant must prove that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship. That 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. WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP?
Not-Self- Created Section 42-64 (1) e	The applicant must prove that the special conditions and circumstances do not result from the applicant's actions. A personal (self-created) hardship shall not justify a variance; i.e., when the applicant creates the alleged hardship, they are not entitled to relief by their conduct. HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?
Minimum Possible Variance Section 42-64 (1) f	The applicant must prove that the zoning variance is the minimum variance that will make the reasonable use of the land, building, or structure possible. CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.
Purpose and Intent Section 42-64 (1) g	The applicant must prove that approval of the zoning variance will be in harmony with the general purpose and intent of the Code, and such zoning variance will not be injurious to the neighborhood, not detrimental to public welfare, and not contrary to the public interest. WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE, ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC).

***For a variance application from Sec. 50-102 (b) fences and walls, please also identify how you comply with the variance criteria identified in Sec. 50-102 (b) (16). Please note for a fence variance, and you do not have to comply with Sec. 42-64 (1) d and (1) f.**



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Black Artificial Grass

Residential Driveway/Paver Permit Application

City Code Chapter 50, Art. III, Sec. 50-74 through 50-77 and Section 50-74 Impervious Surface Ratio

Property Owner's Names <i>Leslie J. Armstrong</i>		Date <i>10/02/2024</i>
Property Owner's Address <i>5705 Cove Drive</i>		Permit Number
Owner's Contact Number	Owner's Email <i>h3is@is3n@gmail.com</i>	
 FOR PRE AND FINAL INSPECTION, PLEASE CALL 689-500-3473 or log your request at GoGov "MyBelleIsle" Scan to download the "MyBelleIsle" app	Contractor's Name <i>Robert Smith</i>	
	Contractor's Company <i>Smith Scape</i>	
	Contractor's Contact Number <i>407 532 9224</i>	
	Contractor's License No. <i>3125-122395</i>	Email <i>info@smithscape.net</i>

INSPECTION MUST BE COMPLETED PRIOR TO & AFTER POUR

The Driveway will be constructed as illustrated and written on the attached survey, map, or document.

☐ Concrete ☐ Pavers ☐ Asphalt

After forming new driveways, call or schedule 24 hours before the pour. The contractor/Owner must be available onsite with plans and permit for the inspector/designee.

Black Artificial Grass

See the reverse side for specifications.

Driveway(s) will be constructed under the attached requirements and on the reverse side. The Applicant is responsible for the construction and will maintain the above-described Driveway in a safe and adequate condition. The Applicant will save and keep the City of Belle Isle harmless from all damages, claims, or injuries that may occur because of this construction of the said facility. The Applicant binds and obliges himself to conform to the description and the attached/approved survey/sketch.

Signature: _____

____ Owner ____ Agent

ZONING APPROVAL STAMP:

Inspection Report from Public Works _____ Initial/date

Engineering Report (If required or N/A) _____ Initial/date

Impervious Surface Ratio Worksheet
Development Zoned A-1, A-2, R-1-AAA, R-1-AA, R-1-A, R-1 per Section 50-74 Impervious Surface Ratio of the City Code

1. Total Lot Area (sqft) X 0.35 = Allowable Impervious Area (BASE).

Total Lot Area *15,000* X 0.35 =

Allowable Impervious Area (BASE) *5250*

2. Calculate the "proposed" impervious area on the lot. This includes the sum of all areas that do not allow direct percolation of rainwater. (i.e., house, pool, deck, Driveways, accessory buildings, etc.

- House _____
- Driveway _____
- Walkway _____
- Accessory Buildings _____
- Pool & Spa _____
- Deck & Patio _____
- Other *Artificial grass* _____

Actual Impervious Area (AIA) _____

3. If AIA is less than BASE, subtract AIA from BASE to determine the amount of impervious area that may be added without providing onsite retention.

4. If AIA exceeds BASE, onsite retention **must be provided**.

5. Assuming 7.5 inches of rainfall based on a 24 hr., ten-year rain event (TP40), the formula is: (7.5 inches rainfall/12 inches p/foot) X (result from line 4) = cubic feet of storage volume needed.

I, the undersigned, request permission to construct a driveway on the City of Belle Isle's right-of-way.

Leslie J. Armstrong
Print (Owner or Designee)

Zohi Abu
Signature

10/02/2024
Date

FOR OFFICE USE ONLY: FEE: \$50.00

Date Paid

Check/Cash

Rec'd By

VARIANCE REQUEST

June 2025

First off, I want to say thank you for reviewing my request.

Before I even moved to Florida, I knew I wanted a mid-century modern house and all the design that goes with that style. Minimalism, architectural art and design are all part of that era. I want my yard to be an artistic statement that has style and everlasting beauty that will last far beyond the ages.

I have already created the art work in the front yard and now I would like to frame that art by using the black artificial grass. With the black being around the edges it will appear to be a frame for the art.

Artificial grass is good for the environment. It doesn't need watering (Florida is having a crisis with water supply), or weed killer treatments, fertilizer or gas lawn mowing. The weed killer and fertilizer are killing our ponds, lakes and estuaries. They are being over grown with algae caused by the chemicals. I feel this is a great solution to help a problem.

Thank you for your consideration.

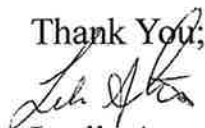
June 2025

To: Belle Isle zoning/permit board

From: Leslie J. Armstrong, 5705 Cove Drive

To Whom it may concern,

I have lived in this community for 8 years, and in that time, I have improved my property both the land and the home. I am blessed to be living in this area and want to continue doing good for the community. However, as an elderly person trying to finish my front yard it seems to be at a standstill. Back in May of 2021 I was approved for artificial grass. All I'm asking is to be able to finish my front yard as originally designed. I have no intention of harming the environment or deteriorating the aesthetics of the community on the contrary I want to improve my overall looking of the first impression of my home and help the environment. It will create an artistic and beautiful addition to the community, if only allowed to finish.

Thank You;

Leslie Armstrong

Attachments:

Boundary survey

STANDARDS OF VARIANCE JUSTIFICATION

1. Special conditions and/or circumstances Section 42-64 (1) d
 - a. What are the special conditions and circumstances unique to your property: **None to my understanding**
 - b. What would be the unnecessary hardship: **Financial since not knowing that the zoning requirement was going to be green I purchased the Black artificial grass for \$10,000 dollars**
2. Not-self-created Section 42-64 (1) e
 - a. How were the special conditions noted above created: **As stated above there are no special conditions to my understanding**
3. Minimum possible variance Section 42-64 (1) f
 - a. Can you accomplish your objective in another way: **No. However, green artificial grass can be used (not desirable) as approved in Belle Isle new zoning law**
 - b. List alternatives you have considered and evidence as to why they are not feasible: **Green artificial grass is an alternative, however, it is not aesthetically pleasing to my design.**
4. Purpose and intent Section 42-64 (1) g
 - a. What effects will approval of the variance have on adjacent properties or the surrounding neighborhood? (For example, adequate light, air, access, use of adjacent property, density, compatibility with surrounding land uses, traffic control, pedestrian safety, ETC.): **Yard will be complete and it will beautify the neighborhood. It will also eliminate the excessive use of water for grass and the use of a fertilizer pollutant, and weed killer.**

Thank you for your consideration

Leslie Armstrong



CONWAY EAST (P.B. 4, PG. 122)

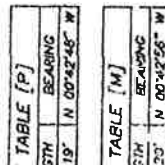


TABLE [P]	
DEPTH	BEARING
119'	N 00°42'48" W

TABLE [M]	BEARING
20°	N 00°42'58" W

BEARINGS SHOWN HEREON ARE B
THE CENTERLINE OF COVE DRILL
S 00°42'48" E PER PL

QUESTIONS

- 1) The survey is based on the legal description of the Grant.
- 2) The Surveyor has not abstracted the land as minerals, rights of way or restrictions of any kind. The title or use of the land may affect the title or use of the land.
- 3) Do not reconstruct property lines from build.
- 4) No flooding or overhangs have been located.
- 5) No improvements or utilities have been located above.

ANSWERS

- 1) Not valid without a signature and the authentic electronic seal or the original rolled seal of licensed Surveyor and Mapper.

Qualifications / certify that this survey was in
direction and that it complies with the instructions
set forth by the State of Pennsylvania and the
Mappers to Check for the presence of the
purpose of this survey is to identify the

No. 5916

STANDARD
OFFICIAL
PROCESSED