

April 16, 2021

Variance Application: 6814 Seminole Drive

Applicant Request: 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 PLACE DECORATIVE COLUMNS WITH A GATE IN THE FRONT YARD OF A RESIDENTIAL PROPERTY, SUBMITTED BY THE PROPERTY OWNER, CHRIS GEORGE, AT 6814 SEMINOLE DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 29-23-30-4389-02-031.

Existing Zoning/Use: R-2/ single-family home

This variance application seeks a variance from Sec. 50-102 (b) (5) (a) to allow decorative columns and an optional gate in the front yard of the property.

Security and safety are a concern due to trespassing and other criminal activity that has taken place on adjacent property. The applicant has provided information supporting the variance request with additional information about the security and safety issues encountered. Please see this information enclosed with this agenda item packet.

The board in granting an application for the variance may consider as justifying criteria, the following from Sec. 50-102 (b) (16):

1. A difference in grade between the property upon which the fence will be installed and the immediately adjacent property;
2. The height or construction materials of already existing abutting walls or fences; and/or
3. Conditions existing upon or occupational use of adjacent property creating an exceptional privacy or security need of applicant.

The requirements of Sec. 42-64 (1) except for subsections 42-64 (1) (d) and (1) (f) shall otherwise be met.

Staff Recommendation

Based on the applicant's identification that security and safety are concerns, staff recommends approval of the requested variance. This is consistent with meeting the criteria established in Sec. 50-102 (b) (16) (3) which the Board may consider as justifying criteria according to the code.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.

ITEM 4(c)
MEMORANDUM

TO: Planning and Zoning Board

DATE: April 27, 2021

Public Hearing Case #2021-04-005- 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 place decorative columns with a gate in the front yard of a residential property, submitted by the property owner, Chris George, at 6814 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-031.

Background:

1. On April 1, 2021, the applicant, Chris George, submitted a request, application, and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed on Saturday, March 13, 2021, in Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on April 15, 2021.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing. The Board will need to determine if the criteria set forth in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, pursuant to Belle Isle Code **Sec 50-102 (b) (5), Sec 50-102 (b) (16) and Sec 42-64** of the Belle Isle Land Development Code having been met **TO APPROVE** decorative columns with a gate in the front yard of a residential property, submitted by the property owner, Chris George, at 6814 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-031

SAMPLE MOTION TO DENY:

"I move, pursuant to Belle Isle Code **Sec 50-102 (b) (5), Sec 50-102 (b) (16) and Sec 42-64**, the justifying criteria of the Belle Isle Land Development Code, **having NOT been met; [use only if NONE of the justifying criteria have been met]** the requirements of, Subsections: [STATE ONLY THE SUBSECTIONS BELOW THAT ARE NOT SATISFIED] **having NOT been met; [may be used in addition to above or alone] TO DENY** decorative columns with a gate in the front yard of a residential property, submitted by the property owner, Chris George, at 6814 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-031

SUBSECTION (D), a 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.

SUBSECTION (E), 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 Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the 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.

City of Belle Isle

1600 Nela Avenue, Belle Isle, Florida 32809 * Tel 407-851-7730 * Fax 407-240-2222

APPLICATION FOR VARIANCE / SPECIAL EXCEPTION

DATE: 3/24/21

P&Z CASE #: 2021-04-005

VARIANCE SPECIAL EXCEPTION OTHER

DATE OF HEARING: _____

APPLICANT: Chris George

OWNER: SAME

ADDRESS: 6814 Seminole Drive

Belle Isle 32812

PHONE: 407-227-7806

PARCEL TAX ID #: 29-23-30-4389-02-031

LAND USE CLASSIFICATION: R1AA ZONING DISTRICT: _____

DETAILED VARIANCE REQUEST: To add decorative columns to driveway with automated gate and filled with hedges.

SECTION OF CODE VARIANCE REQUESTED ON: _____

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 a period of nine (9) months prior to the filing of the application. Further that the requested use does not violate any deed restriction of the property.

By submitting the application, 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 of my property to which the application applies.

Applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) photograph of the front of the property and at least two photographs (from different angles) of the specific area of the property to which the application applies.

APPLICANT'S SIGNATURE

OWNER'S SIGNATURE

FOR OFFICE USE ONLY: FEE: \$150.00 Date Paid: 4/1/21 Check/Cash: [initials] Rec'd By: HRP

Determination _____

Appealed to City Council: Yes No Council Action: _____

March 8th, 2021

~~6822~~ Seminole Variance Request:
6814

Special conditions: Given the high traffic volume on Seminole Drive there is a constant amount of foot and automotive traffic moving through the area. We have seen some criminal activity including multiple instances of trespassing and theft, and an incident that occurred at 6810 Seminole which involved a number of charges (drug charges, lewd behavior in front of a minor, trespassing, etc) against a person arrested and removed from that property. This is clearly an ongoing concern for everyone in the area, specifically speaking to the owners of lots 1 – 5 all share this concern and would like to mitigate any exposure. In a lower traffic area this would presumably be less of a concern.

Not Self Created: Other than choosing to live on Seminole Drive these issues are out of our control.

Minimum Possible Variance: We have considered creating a barrier by use of landscaping but do not believe this is much of a deterrent without the ability to place a gate at the driveway which many other homes on Seminole drive already have. A combination of landscaping or a fence and a gate would provide enough of a deterrent to likely limit any criminal trespassing and / or criminal activity.

Purpose and Intent: Installing columns and an automatic gate will have no effect on neighboring properties whatsoever. If approved it is the intent of lots 1 – 5 on Seminole drive to install the same type of improvements which would create a nice uniform look along Seminole Drive. There are already a number of homes on Seminole who have gates on their driveway and either front yard gates or landscape barriers combined with automatic gates. There will be zero impact to pedestrian safety or traffic control.

Construction: Columns would be placed at the edges of the driveway behind the sidewalk as to not impede any traffic if a gate is installed. Columns would be construction with concrete block and finished in either stucco or some type of decorative façade. Electric will be run to the columns to provide ability to install an automatic gate and potentially add some lighting to the columns. Columns would not exceed six feet in height to remain within standards for privacy fencing.

Property Record - 29-23-30-4389-02-031

Orange County Property Appraiser • <http://www.ocpafl.org>

Property Summary as of 04/01/2021

Property Name

Seminole Dr

Names

George Christopher James

Municipality

BI - Belle Isle

Property Use

0030 - Vacant Water

Mailing Address

437 Harbour Oaks Pointe Dr
Orlando, FL 32809-3013

Physical Address

Seminole Dr
Orlando, FL 32812



QR Code For Mobile Phone



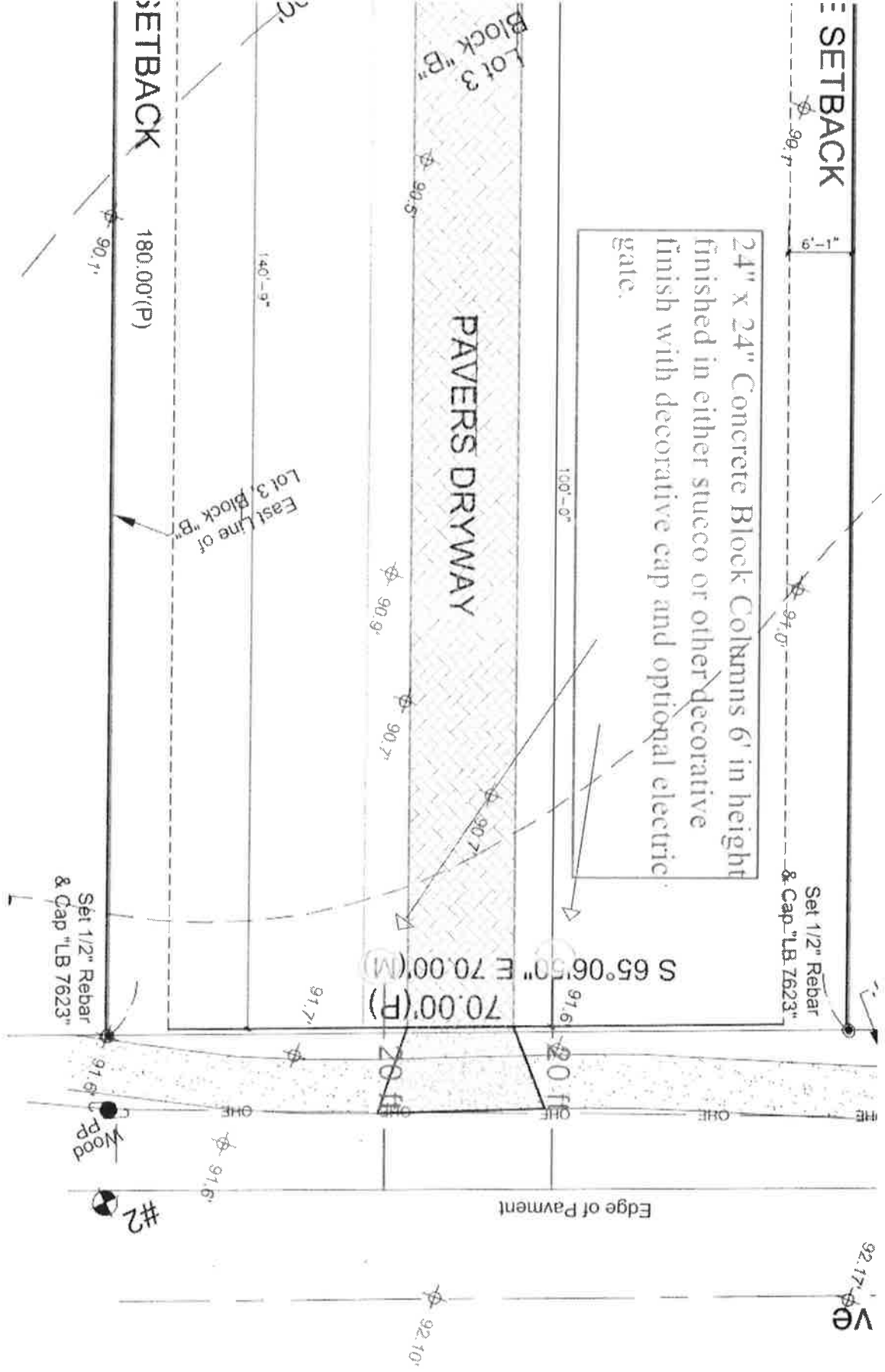
Value and Taxes

Historical Value and Tax Benefits

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	Assessed Value
2020 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	\$425,000	+ \$0	+ \$0 = \$425,000 (12%)	\$418,000 (10%)	
2019 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	\$380,000	+ \$0	+ \$0 = \$380,000 (0%)	\$380,000 (0%)	
2018 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	\$380,000	+ \$0	+ \$0 = \$380,000 (0%)	\$380,000 (0%)	
2017 <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	\$380,000	+ \$0	+ \$0 = \$380,000	\$380,000	







April 16, 2021

Variance Application: 6820 Seminole Drive

Applicant Request: 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 PLACE DECORATIVE COLUMNS WITH A GATE IN THE FRONT YARD OF A RESIDENTIAL PROPERTY, SUBMITTED BY THE PROPERTY OWNER, 6806 SEMINOLE LLC, AT 6820 SEMINOLE DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 29-23-30-4389-02-040.

Existing Zoning/Use: R-1-AA/ single-family home

This variance application seeks a variance from Sec. 50-102 (b) (5) (a) to allow decorative columns and an optional gate in the front yard of the property.

Security and safety are a concern due to trespassing and other criminal activity that has taken place on adjacent property. The applicant has provided information supporting the variance request with additional information about the security and safety issues encountered. Please see this information enclosed with this agenda item packet.

The board in granting an application for the variance may consider as justifying criteria, the following from Sec. 50-102 (b) (16):

1. A difference in grade between the property upon which the fence will be installed and the immediately adjacent property;
2. The height or construction materials of already existing abutting walls or fences; and/or
3. Conditions existing upon or occupational use of adjacent property creating an exceptional privacy or security need of applicant.

The requirements of Sec. 42-64 (1) except for subsections 42-64 (1) (d) and (1) (f) shall otherwise be met.

Staff Recommendation

Based on the applicant's identification that security and safety are concerns, staff recommends approval of the requested variance. This is consistent with meeting the criteria established in Sec. 50-102 (b) (16) (3) which the Board may consider as justifying criteria according to the code.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.

ITEM 4(d)
MEMORANDUM

TO: Planning and Zoning Board

DATE: April 27, 2021

Public Hearing Case #2021-04-003- 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 place decorative columns with a gate in the front yard of a residential property, submitted by the property owner, 6806 Seminole LLC, at 6820 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-040.

Background:

1. On April 1, 2021, the applicant, Chris Comins, submitted a request, application, and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed on Saturday, March 13, 2021, in Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on April 15, 2021.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing. The Board will need to determine if the criteria set forth in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, pursuant to Belle Isle Code **Sec 50-102 (b) (5), Sec 50-102 (b) (16) and Sec 42-64** of the Belle Isle Land Development Code having been met **TO APPROVE** decorative columns with a gate in the front yard of a residential property, submitted by the property owner, 6806 Seminole LLC, at 6820 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-040.

SAMPLE MOTION TO DENY:

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SUBSECTION (D), a 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.

SUBSECTION (E), 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 Code or for the purpose of obtaining a variance.

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City of Belle Isle

1600 Nela Avenue, Belle Isle, Florida 32809 * Tel 407-851-7730 * Fax 407-240-2222

APPLICATION FOR VARIANCE / SPECIAL EXCEPTION

DATE: 3-31-21

P&Z CASE #: 2021-04-003

[x] VARIANCE [] SPECIAL EXCEPTION [] OTHER

DATE OF HEARING: _____

APPLICANT: Chris Coning

OWNER: _____

ADDRESS: 6820 Seminole

PHONE: _____

PARCEL TAX ID #: 29 23 30 4389 0 2 040

LAND USE CLASSIFICATION: RT ZONING DISTRICT: _____

DETAILED VARIANCE REQUEST: Request to add decorative columns on driveway with an option to install an automatic gate. Balance of frontage on Sem Drive to be Hedges

SECTION OF CODE VARIANCE REQUESTED ON: _____

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 a period of nine (9) months prior to the filing of the application. Further that the requested use does not violate any deed restriction of the property.

By submitting the application, 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 of my property to which the application applies.

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[Signature] APPLICANT'S SIGNATURE

[Signature] OWNER'S SIGNATURE

FOR OFFICE USE ONLY:	FEE: \$150.00	4/1/2021 Date Paid	1505 Check/Cash	Hwp Rec'd By
Determination _____				
Appealed to City Council: [] Yes [] No		Council Action: _____		

March 8th, 2021

~~6827~~ Seminole Variance Request:

6880

Special conditions: Given the high traffic volume on Seminole Drive there is a constant amount of foot and automotive traffic moving through the area. We have seen some criminal activity including multiple instances of trespassing and theft, and an incident that occurred at 6810 Seminole which involved a number of charges (drug charges, lewd behavior in front of a minor, trespassing, etc) against a person arrested and removed from that property. This is clearly an ongoing concern for everyone in the area, specifically speaking to the owners of lots 1 – 5 all share this concern and would like to mitigate any exposure. In a lower traffic area this would presumably be less of a concern.

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Property Record - 29-23-30-4389-02-040

Orange County Property Appraiser • <http://www.ocpafl.org>

Property Summary as of 04/01/2021

Property Name

6820 Seminole Dr

Names

6806 Seminole LLC

Municipality

BI - Belle Isle

Property Use

0030 - Vacant Water

Mailing Address

6413 Pinecastle Blvd Ste 3
Orlando, FL 32809-6694

Physical Address

6820 Seminole Dr
Orlando, FL 32812



QR Code For Mobile Phone



6820 SEMINOLE DR, BELLE ISLE, FL 32812 1/15/2021 11:54 AM



6820 SEMINOLE DR 09/04/2013

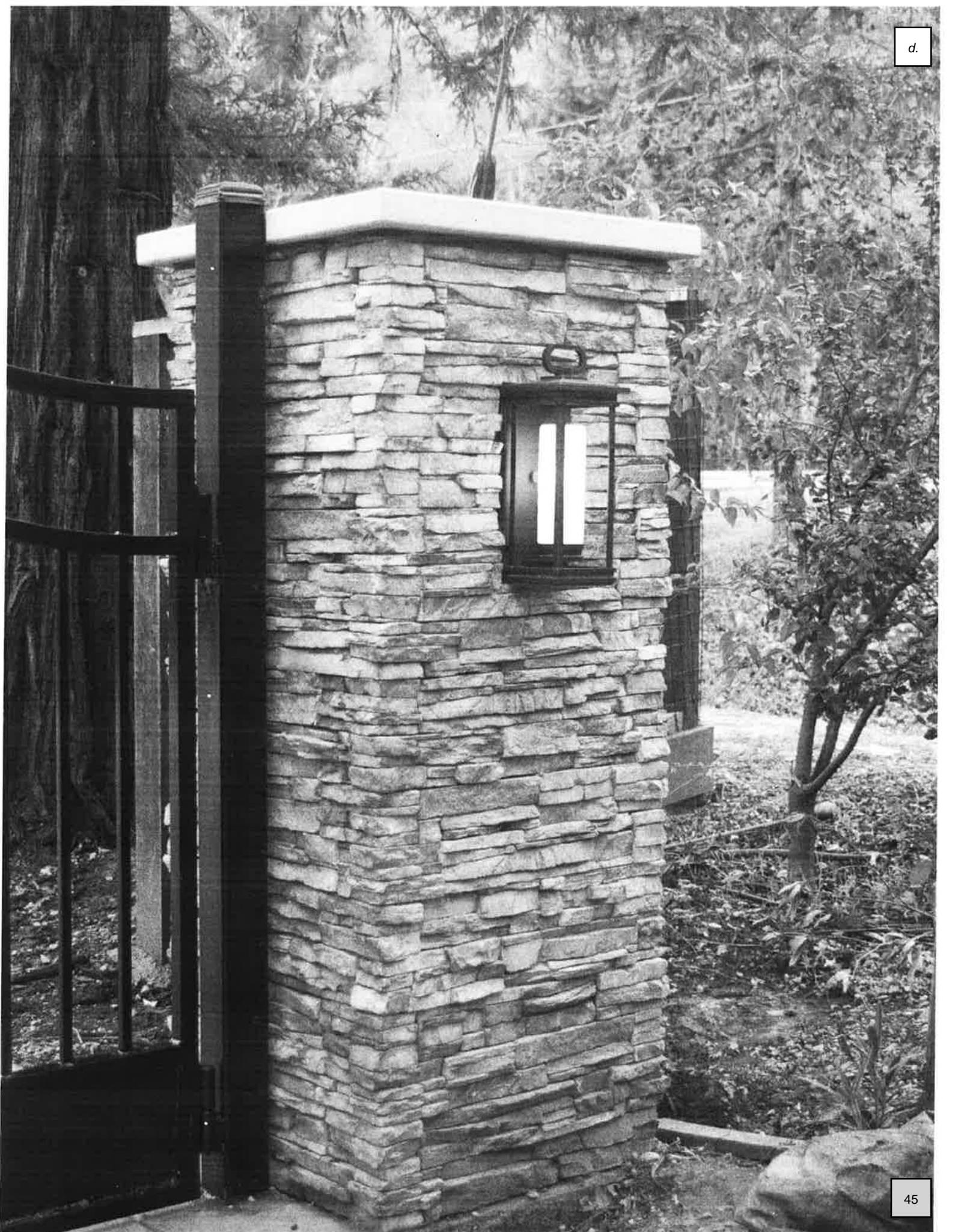


302329438902040 09/04/2013



302329438902040 09/29/2006

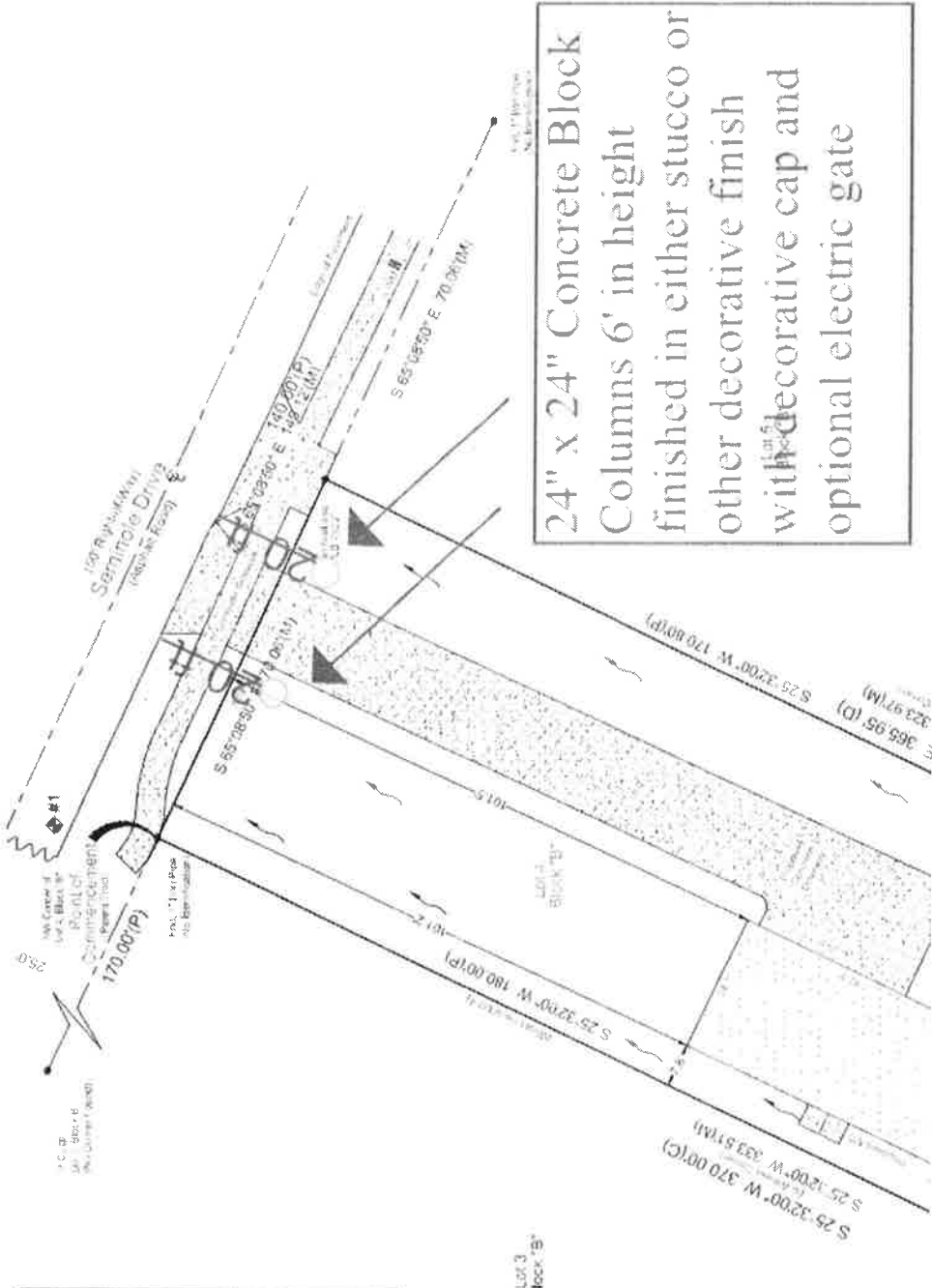




Plot Plan

Legal Description:
 Lot 4, Block B, Lake Conway Park, according to the plat thereof as recorded in Plat Book G Page 138 Public Records of Orange County, Florida and ALSO
 Beginning from the Southwest corner of said Lot 4, thence South 25°32' West 190.0 feet along the prolongation of the West line of said Lot 4 to Lake Conway, thence South 68°27'11" East 70.22 feet along Lake Conway to the prolongation of the East line of said Lot 4; thence N 25°32' E 195.15 feet to the Southeast corner of said Lot 4; thence N 72°36'58" W 73.77 feet along the South line of said Lot 4 to the POINT OF BEGINNING.
 Field Evidence:
 ALL THIS CORNER SURVEY BEING DRIVEN & SEARCHED WITH THE LOCAL SURVEYING MUNICIPALITY OF AUBURN, ALABAMA. THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE. A COPY OF THIS INSTRUMENT WAS FOUND IN CITY OF BELLE ISLE, COMMUNITY NUMBER 125-1, CATED 05/26/99, E-N

CERTIFIED TO:
 BRC BUILDERS, LLC



24" x 24" Concrete Block Columns 6' in height finished in either stucco or other decorative finish with decorative cap and optional electric gate