



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 6, 2021

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Appeal of P&Z Approval of Decorative Columns and Gates for Seminole Properties

Background: The P&Z Board's decision to approve the variances for decorative columns and gates for 6814 and 6820 Seminole Drive.

The basis of the appeal is that the P&Z Board, although approving the variance, the board also added an arbitrary requirement that the columns be set back 20 feet from the right of way (as opposed to the road). The appellants believe this condition should be changed to allow a 20-foot setback from the road, not the right-of-way.

The procedure for this appeal is the same as other recent appeals.

With the decision of the P&Z Board being appealed, Section 42-71 (b) (3) states that "The council shall conduct a trial de novo hearing upon any appeal taken from the ruling of the board, and hear the testimony of witnesses and other evidence offered by the aggrieved person and interested parties to the appeal and may, in conformity with this article and the Land Development Code, rules and regulations adopted thereunder, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the board."

De Novo Hearing: The city council shall hear the appeal as a new matter.

Before the meeting on Tuesday evening, the Council Members should familiarize themselves with BIMC ARTICLE IV. - EX PARTE COMMUNICATIONS, Sec. 2-163.

Staff Recommendation: Approve the variance with a 20-foot setback from the road as requested by the property owners. Site Plan with conditions as approved by the P&Z Board. The staff also recommends that this approval be extended to 6806 Seminole and 6814 Seminole to provide consistency with the surrounding properties.

Suggested Motion: I move that we approve the variances of 6814 Seminole and 6820 Seminole for decorative columns with gates with the condition that the columns are set back 20-feet from the road.

Alternatives: Do not approve the variances or approve the variances with conditions.

Fiscal Impact: None

Attachments: Emails Appealing the P&Z Decision
P&Z Staff Reports
P&Z Minutes for April 27, 2021