



CITY OF BELLE ISLE, FL

Planning and Zoning: Staff Report

June 28, 2022

Variance Application: 2323 Cross Lake Road

Applicant Request: PURSUANT TO BELLE ISLE CODE SEC. 42-64, AND SEC. 50-102 (B) (5) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, SUBMITTED BY APPLICANT STEVE HESSON, LOCATED AT 2323 CROSS LAKE ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 18-23-30-7164-00-420.

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

This variance application seeks a variance from Sec. 50-102 (B) (5) to keep their front yard fence.

The applicant has provided information supporting the variance request with additional information about the existing neighborhood design and the character of the property they are trying to expand upon for the rear setback. Please see this information enclosed with this agenda item packet.

Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below:

1. Special Conditions and/or Circumstances

Given that the septic tank and drain field are located in the front yard, the conditions of this lot would qualify as a special circumstance for having a fence located in the front yard.

2. Not Self-Created

The special circumstance of this lot has not resulted from the applicant's actions. This house was developed in the 1950s with a septic tank and drain field installed in the front yard.

3. Minimum Possible Variance

While the applicant has suggested a hedge wall as an alternative solution to protecting the front yard, the roots may cause damage to the septic tank over time.

4. Purpose and Intent

The purpose and intent of maintaining this front yard fence is to prevent damage to the septic tank and their butterfly garden. Seeing how this fence was installed in 1986, and there have been no documented complaints to the City about this fence, the requested variance would not negatively impact the surrounding neighbors or the character of the neighborhood.

Staff provides a recommendation to approve the requested variance.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, and continue the application if additional information is being requested for consideration, or deny the application, citing which criteria are not met.

A decision by the Board may be appealed by any aggrieved person to the City Council pursuant to Code Sec. 42-64.