

City of Belle Isle
Planning & Zoning Board Regular Session Minutes
January 23, 2018 – 6:30pm

Dan Langley City Attorney	David Woods Vice Chairman District 1	Chris Shenefelt District 2	Shawn Jervis District 3	Gregg Templin District 4	Rainey Lane District 5	Russell Cheezum District 6	Nicholas Fouraker Chairman District 7
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On Tuesday, January 23, 2018 the Belle Isle Planning & Zoning Board met in a regular session at 6:30pm in the Belle Isle City Hall Council Chambers. Present was Chairman Fouraker, Vice Chairman Woods, Board member Cheezum, Board member Lane, and Board member Templin. Absent were: Board member Jervis and Board member Shenefelt.

Also present was City Manager Bob Francis, Attorney Dan Langley, City Planner April Fisher and City Clerk Yolanda Quiceno.

CALL TO ORDER

Chairman Fouraker called the meeting to order at 6:35pm and opened with the Pledge of Allegiance.

Chairman Fouraker asked for Board approval to rearrange the order of the agenda items. He requested Board approval to rearrange the agenda items as follows,

- 1) Public Hearing Case #2018-01-004
- 2) Public Hearing Case #2017-18-025
- 3) Appointment of Chairman (per Sec 42-32(c1)
- 4) Appointment of Vice Chair (per Sec 42-32(c1)

**Board member Cheezum motioned to rearrange the agenda items as requested.
Board member Templin seconded the motion, which passed unanimously.**

APPROVAL OF MINUTES

There were no minutes presented for approval.

PUBLIC HEARING CASE #2018-01-004 - PURSUANT TO BELLE ISLE CODE SEC. 50-102 (B) (7) AND SEC. 50-102 (B) (16), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO PLACE A FENCE EXCEEDING FOUR FEET IN HEIGHT WITHIN 35 FEET OF THE 86.9 CONTOUR LINE OR THE NORMAL HIGH WATER ELEVATION OF LAKE CONWAY, SUBMITTED BY APPLICANT STEVE AND CARA READ, LOCATED AT 6401 GIBSON DRIVE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL NUMBER 24-23-29-0600-01-060. THE APPLICANT IS REQUESTING APPROVAL OF A SIX-FOOT HIGH FENCE.

For the record, April Fisher, City Planner clarified that the 86.9 Contour Line was included in the title language because the current Belle Isle code has not been revised to reflect the current normal high water level elevation.

Cara Read property owner of 6401 Gibson Drive addressed the Board and stated that the grandfathered 6' wood fence to the water was destroyed during Hurricane Irma. Replacement of the 6' fence going down to the water is currently not allowed by code. This fence will allow her family privacy since it abuts to Delia Beach and it will also provide safety for the park visitors from her dogs. Mrs. Read said she spoke

with her neighbor who did not show any opposition. In addition, she stated that she has not received any other opposition from any other surrounding resident.

City Manager Bob Francis said the City is in support of the fence because Delia Beach is going to be renovated and will become more of a neighborhood draw. It will be a good opportunity for placement of the fence for their privacy and the public's enjoyment.

Chairman Fouraker opened for public comment. There being none he closed public comment and opened for Board discussion.

Vice Chairman Woods moved, the criteria of Code Sec. 50-102 (B) (7) and Sec. 50-102 (B) (16) of the Belle Isle Land Development Code having been met to approve this request for a variance TO PLACE A FENCE EXCEEDING FOUR FEET AND NOT EXCEEDING SIX FEET IN HEIGHT WITHIN 35 FEET OF THE 86.9 CONTOUR LINE OR THE NORMAL HIGH WATER ELEVATION OF LAKE CONWAY on the property described as 6401 Gibson Drive, Belle Isle, FL 32809 also known as Parcel Number 24-23-29-0600-01-060, Orange County, FL.

Board member Lane seconded the motion which passed unanimously 5:0.

Chairman Fouraker stated that the applicant should wait 15 days for any potential appeals before starting any work.

PUBLIC HEARING CASE #2017-08-025 (CONTINUED FROM SEPTEMBER 26, 2017) - PURSUANT TO BELLE ISLE CODE SEC. 48-33, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO BUILD A 730 SQUARE FOOT ROOF STRUCTURE OVER AN EXISTING RESIDENTIAL DOCK, WITH A LARGER AREA THAN WHAT IS NORMALLY PERMITTED BASED ON THE LINEAR SHORE LINE FRONTAGE FOR THE LOT, SUBMITTED BY APPLICANT SUMMERTIME DECK AND DOCK, LOCATED AT 7210 SEMINOLE DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL NUMBER 29-23- 30-4389-04-050.

Troy Buswell property owner of 7210 Seminole Drive said the property was purchased in late 2016. He has been working with the neighbors, who have been in opposition, to try and work out a compromise without additional expense and a total re-configuration of the current plans. He is requesting Board approval for a continuance.

Chairman Fouraker opened for public comment.

Attorney Langley stated from a legal stand point the public hearing should not be opened and continued to a date certain. Chairman Fouraker said the request that is before us is potentially going to change based on the dialogue that is happening privately. The applicant is asking to continue the meeting and if you had a comment today it will be moot because what they submitted today may not be the same as what is submitted in the future.

Debra Donham residing at 6904 Seminole Drive shared her concerns with a current issue she is having with her neighbor and asked that the applicants compromise with their neighbors.

There being no further comments Chairman Fouraker closed public comment and opened for Board discussion.

Board member Templin motioned to continue this public hearing case to the February 27th Planning & Zoning Board meeting.

Board member Cheezum seconded the motion which passed unanimously 5:0.

OTHER BUSINESS

City Manager Francis reported that he and the City Planner met with Paul Rock, his father law and the Engineer regarding the 2635 McCoy property. He stated that the applicant had a couple of scenarios they would like the Board to review before they submit for another public hearing. Mr. Francis said the applicant asked if the Board would approve a workshop within the next two weeks. He further added that the residents that would be affected would be noticed and the property will be posted.

Attorney Langley recommended that the Board not come to any conclusions at the workshop; it is more of an informational gathering opportunity.

After discussion, the Board consensus was to schedule a workshop for Thursday, February 1, 2018 from 6:30-8:00pm, will allow for public comment and to have the City Manager and City Planner lead the workshop.

Appointment of Chairman (per Sec 42-32(c1))

Appointment of Vice Chair (per Sec 42-32(c1))

Chairman Fouraker opened discussion for appointment of a chairman and vice chair.

**Board member Templin moved to appoint Nicholas Fouraker for Chairman.
Board member Lane seconded the motion which was passed unanimously.**

**Board member Fouraker moved to appoint David Woods for Vice-Chairman
Board member Templin seconded the motion which was passed unanimously.**

For the record, Chairman Fouraker announced that Board member Shenefelt and Board member Jervis could not attend due to their work schedule.

ADJOURNED

There being no further business Chairman Fouraker called for a motion to adjourn, unanimously approved at 7:15pm.

Yolanda Quiceno
City Clerk, CMC