

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: February 1, 2022

P&Z CASE #: 2022-02-001

☒ VARIANCE ☐ SPECIAL EXCEPTION ☐ OTHER

DATE OF HEARING: _____

Applicant <u>NASH & CHERIE SHOOK</u>	Owner <u>William NASH & CHERIE RENEE SHOOK</u>
ADDRESS <u>5700 COVE DRIVE</u>	<u>5700 COVE DRIVE, BELLE ISLE, FL</u>
PHONE: <u>407 497 8767</u>	
PARCEL TAX ID #: <u>20-23-30-1660-00-010</u>	

LAND USE CLASSIFICATION: RESIDENTIAL ZONING DISTRICT: _____

DETAILED VARIANCE REQUEST: SEEKING A VARIANCE APPROVAL ON SIZE
(ADDITIONAL SQUARE FOOTAGE) OF NEW DETACHED GARAGE BUILDING
PERMIT


SECTION OF CODE VARIANCE REQUESTED ON: SECTION 50-102(A)(5)


- 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.
- Sec. 42-64. - Variances. The board shall have the power to approve, conditionally approve or deny applications for variance from the terms of the Land Development Code.
 - o Criteria. The board shall not approve an application for a variance from terms of the Land Development Code unless and until:
 - a. 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.
 - b. Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
 - c. 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.
 - d. 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.
 - e. 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 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.

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 ensure compliance with the Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Land Development Code and punishable in accordance with this article. At the discretion of the board, such variance may be revoked for violation of the condition and/or safeguards.
- b. The board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances, except as permitted above, shall the board grant a variance to permit a use not generally or by special exception permitted 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.


APPLICANT'S SIGNATURE


OWNER'S SIGNATURE

FOR OFFICE USE ONLY:

FEE: \$300.00

2/2/22 CK2563 Hep

Date Paid

Check/Cash

Rec'd By

Determination _____

Appealed to City Council: ☐ Yes ☐ No

Council Action: _____

Property: 5700 Cove Drive

Applicants: Nash & Cherie Shook

Garage: Variance Request – Application Supplement

1. Special Conditions and/or Circumstances

- a. Applicants are offering that the proposed garage dimensions are in the same spirit of what current day new lakefront residential construction is offering, which includes an expanded garage space footprint (whether attached or detached), i.e, 2+ car parking, adequate overhead space for household storage, a workshop area and room for lawn & garden equipment; it is our desire to have what is considered a standard practice in lakefront residential living.
- b. Our residence was built in 1951 and at a time when closets were not designed inside the bedrooms (none of our 4 bedrooms have closets inside the bedroom). There are closets but they are small and reflect an era where possessions of clothing, personal items, keepsakes, etc were different.
- c. Our residence is a single story home (so no attic space) with a crawl space (no storage there); the total square footage of closet/storage space in the residence is 107 square feet. Most every new home construction offers in excess of 400 square feet of closet and storage so we are hoping to compensate for the loss of residential storage space within our new detached garage footprint.
- d. Lot size of 5700 Cove Drive is bigger than most residential HOA lots (.62 acre) and contains extensive trees (19 palm trees; several large 60'-80' high oak trees), a large and lengthy hedge [15' high, 200' long] along southern property border, and enriched landscaping around the front and back of house, all of which requires storage of extensive lawn and garden equipment to maintain proper upkeep.
- e. Need to protect and provide safe storage of moveable outdoor items like patio furniture, mower(s), trailers (utility, boat and/or jet ski), kayaks, stand-up boards, in addition to above referenced lawn and garden equipment.
- f. The current garage footprint (total of 364 sq ft) is reflective of the standards from 1951 (single car garage) and is significantly inadequate for 21st century expectation and needs; it has a 7 ft height and rendered
- g. Minimizing needed storage space in the new garage may negatively impact future resell value and lack appeal from potential lakefront home buyers.
- h. Current parking and storage don't offer modern features for added security (locking, perimeter lighting) and provide opportunity for theft due to items being stored outside of a secured area (we were robbed in 2007; filed an Orange County police report).
- i. Current parking and storage are inadequate and also contributes to premature deterioration due to exposure to the weather elements which has required more frequent maintenance, repairs and replacement. It also diminishes equipment life expectancy of lakefront accessories.
- j. Applicants are attempting to keep with current new lakefront construction standards and avoid a potential reduced value of a lake front residence. living, create a considerable downside and appeal to reselling property to its potential value and ultimately impact taxable value.

2. Not Self-Created

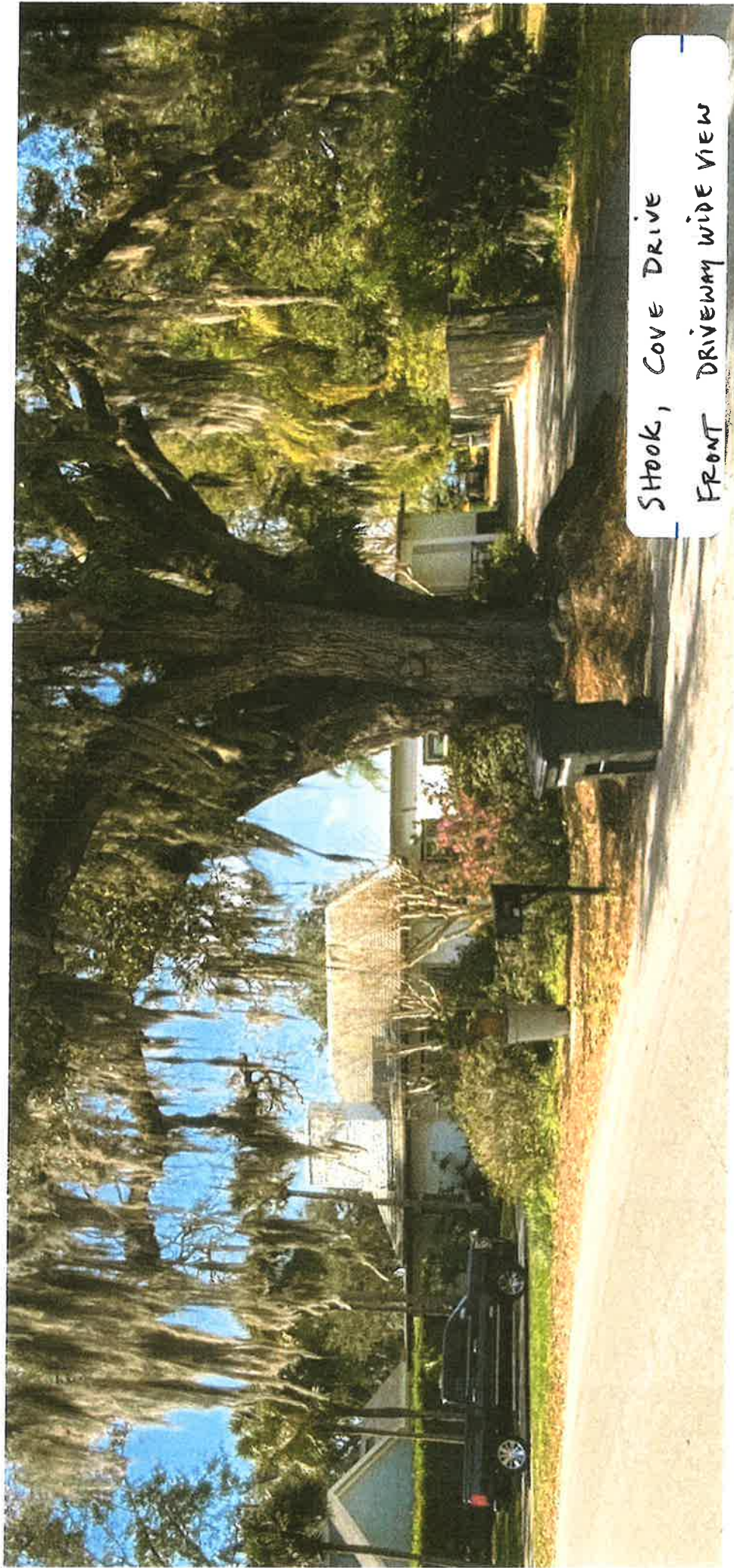
- a. The current garage structure is 354 square feet
- b. The original construction of 5700 Cove Drive residence and detached garage was in 1951 and guided by the building codes from that period.
- c. It was a single bay garage, constructed 70 feet due west of the residence (toward the lake) and to this day, this is the sole covered parking space available
- d. Previous owners of 5700 Cove Drive did not improve the detached garage which does not have functional windows, no electrical and entries and roofing continues to deteriorate.
- e. Due to its dimensions, we haven't been able to use for vehicle parking but as a make-shift workshop and storage of lawn and garden equipment.
- f. In 1951, most every homeowner only owned one vehicle. In today's multigenerational family residences, especially in lakefront residences there are at least 2 or 3 vehicles so parking, storage and security needs are much different.

3. Minimum Possible Variance

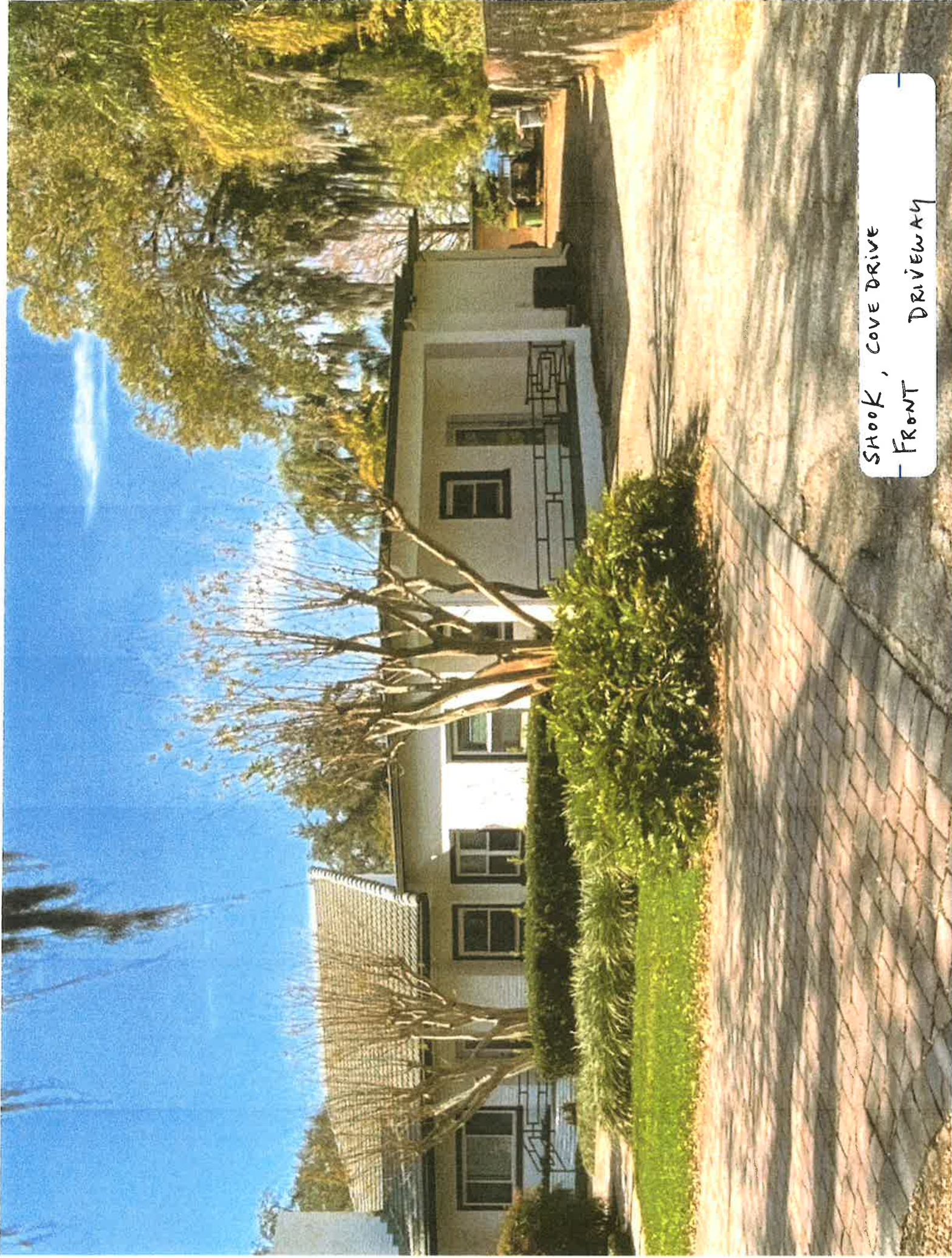
- a. Over last 7 years, applicants have started and stopped their pursuit to rebuild their garage primarily due to expense of previous versions and nearly 20 months of loss of income due to two job eliminations. There have been three different versions of garage plans, each time modifying (reducing) features, layout and square footage. This has come with considerable expense.
- b. In earlier versions (2012) the garage plans were designed using Orange County codes, hence the need to continually revise drawings.
- c. Applicants have considered modifying our plans (a fourth time) by attaching the garage to the residence but that adjusted site plan would create a more restricted lakefront view from within the residence; it would also crowd an already limited entry (driveway width) to the rear of the property and worst of all, negatively impact the natural orientation to drive in and park with north-facing garage doors (allowing adequate turn-around space).
- d. Attaching the garage to the residence also removes the original design of this mid-century modern home features which our intent was to attempt to be true to the original design and keep the garage in a separate, unattached building
- e. Applicants have considered modernizing the current garage but this option was cost prohibitive and would only offer 364 square feet of parking (which the roof height needed to be increased 2 feet) and storage to utilize. We took advice from two contractors who reviewed this option that also provided estimates (roughly +\$50,000) which would be a poor use of the funding.

4. Purpose and Intent

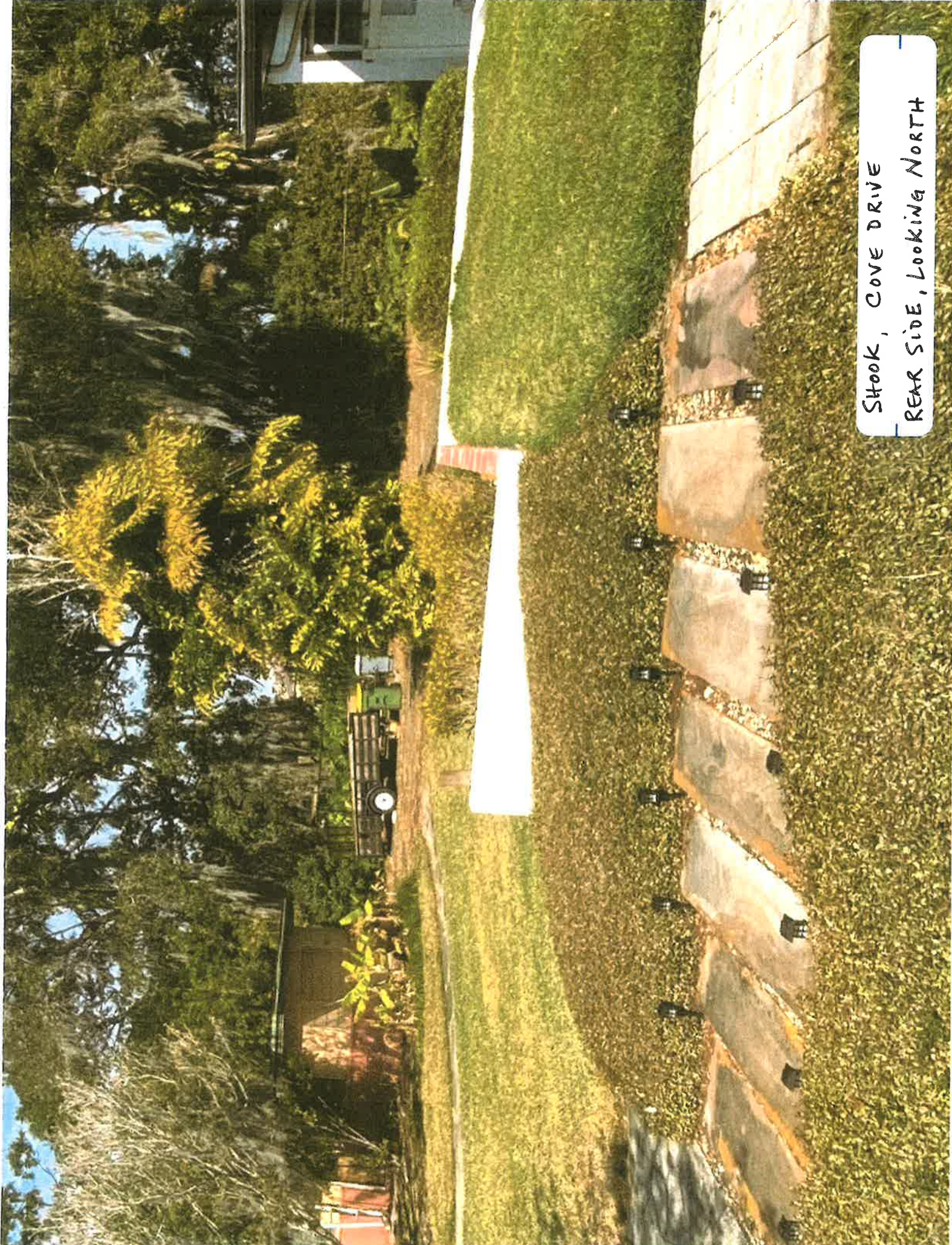
- a. The new garage is a single story, mid-century design to compliment and accentuate the primary residence.
- b. It is a deliberate attempt by the applicants to update the garage building to current expectations of size, convenience, security and features should this be a newly built residence.
- c. Because the new garage is out of view to passerby's an oversized impression would not be detected
- d. The intent to preserve the mid-century modern design elevates the likability of the residence, the desire of the property full features and would match, if not exceed the expectations of neighboring and future property owners



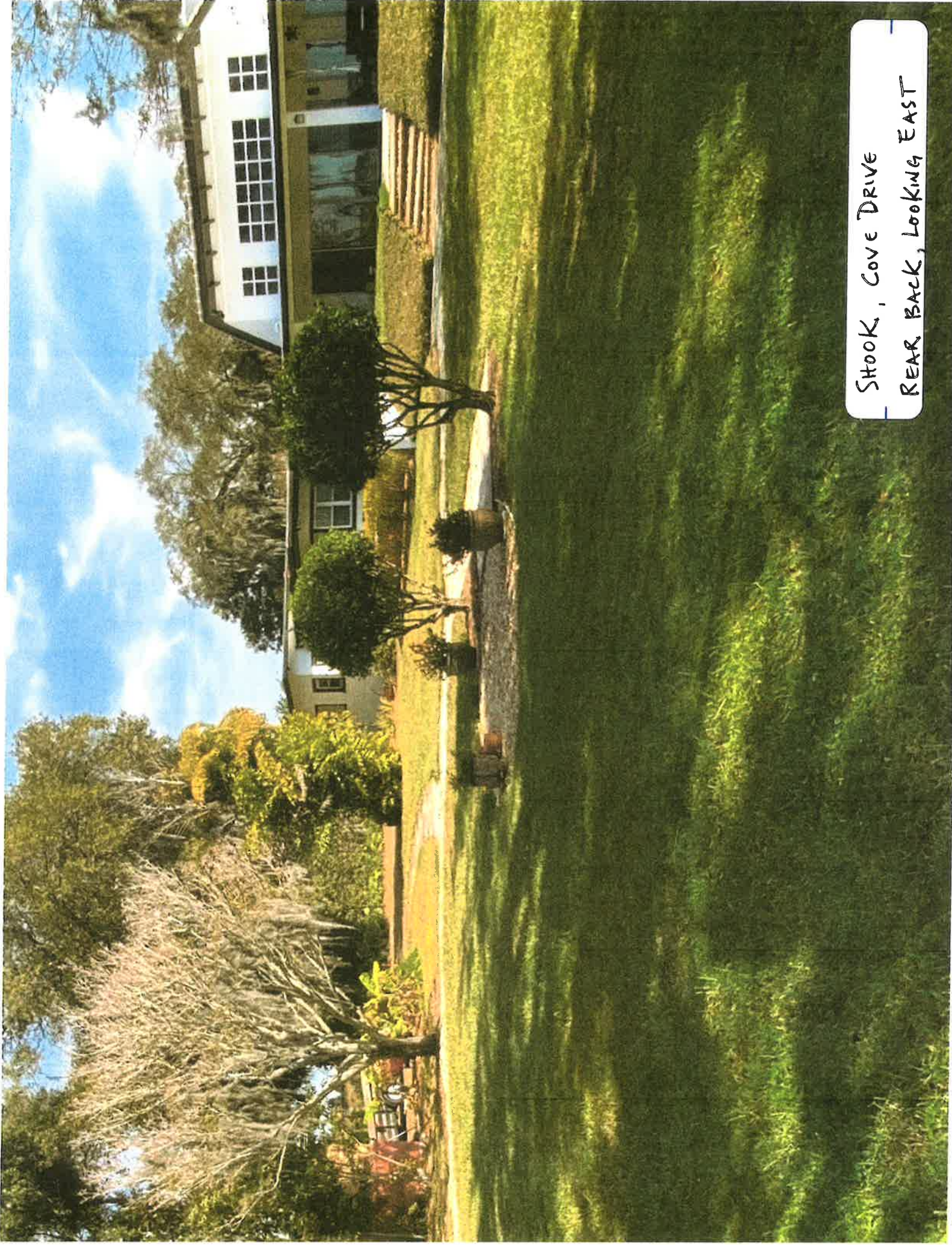
SHOOK, COVE DRIVE
FRONT DRIVEWAY WIDE VIEW



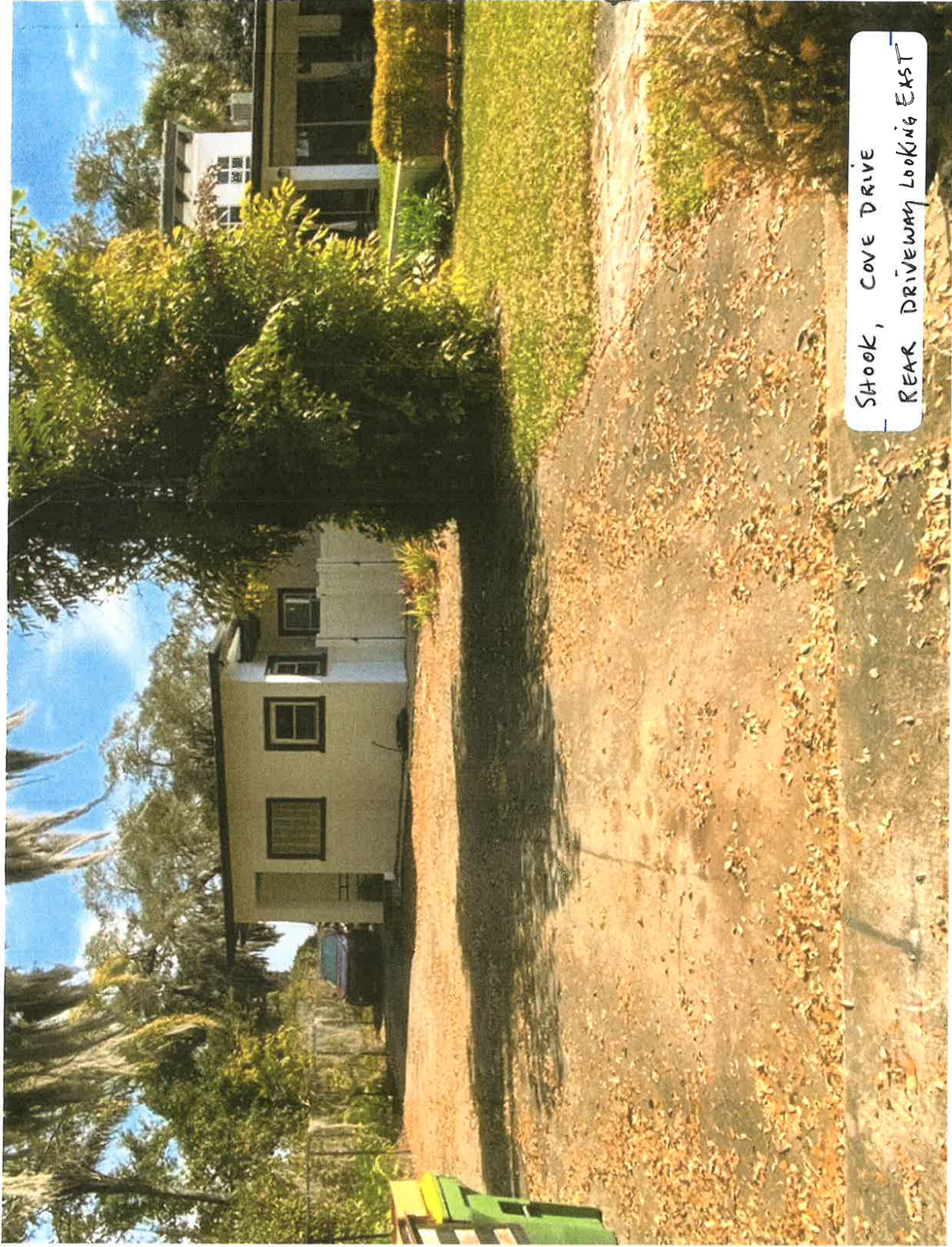
SHOOK, COVE DRIVE
- FRONT DRIVEWAY



SHOOK, COVE DRIVE
REAR SIDE, LOOKING NORTH



SHOOK, COVE DRIVE
REAR BACK, LOOKING EAST



SHOOK, COVE DRIVE
REAR DRIVEWAY LOOKING EAST

You MUST contact our office if you no longer reside on the property or if the property is rented or vacant.

This exemption receipt is not valid if the ownership or use of the property has changed as of January 1st. Any property owner who fails to notify the Property Appraiser of changes shall be subject to the penalties outlined in F.S. 196.011.

Parcel: 20-23-30-1660-00-010

Situs: 5700 COVE DR
Legal: CONWAY GARDENS R/18 LOT 1 & 30 FT STRIP
ON N & LAND TO LAKE

Exemption: ADDITIONAL HOMESTEAD
HOMESTEAD

Amy Mercade
AMY MERCADO ORANGE COUNTY PROPERTY APPRAISER
FOR FURTHER INFORMATION CALL (407) 836-5044 or visit ocpafl.org

11/21



YOU MAY QUALIFY FOR ADDITIONAL EXEMPTIONS!

Please visit our website at ocpafl.org and click on EXEMPTIONS to find out more!

You may be eligible for Portability and other exemptions including:

Widow/Widower	Fallen Hero
Limited Income Senior	Military/Disabled Veterans
Limited Income Senior Plus	Combat Related Senior Veteran
Total & Permanent Civilian Disability	Total & Permanent First Responder

Deadline to file for all 2022 exemptions is March 1, 2022

If you no longer qualify for the exemptions shown on this receipt, please contact our office immediately at 407-836-5044



Orange County Property Appraiser
200 S. Orange Avenue, Suite 1700
Orlando, Florida 32801-3438
RETURN SERVICE REQUESTED

FIRST-CLASS
MAIL
U.S. POSTAGE
PAID
ORLANDO, FL
PERMIT NO. 133

Parcel: 20-23-30-1660-00-010



2 - 77314

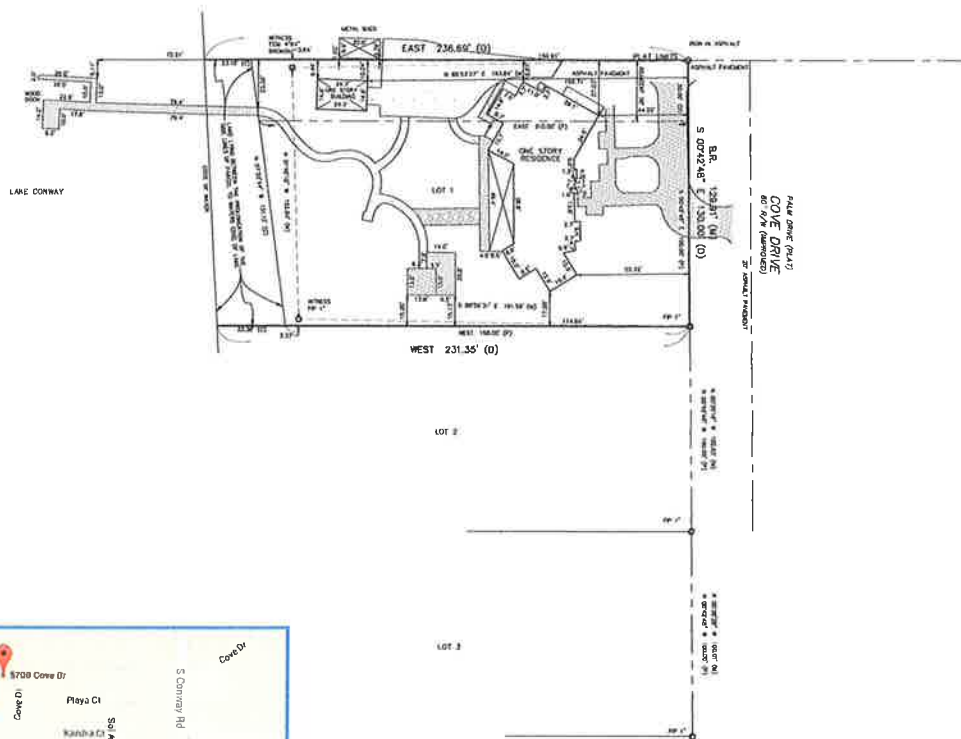
SHOOK WILLIAM N
SHOOK CHERIE R
5700 COVE DR
BELLE ISLE FL 32812-2817

THIS IS YOUR 2022 EXEMPTION RECEIPT CARD

Please Retain for Your Records

THIS IS YOUR 2022 EXEMPTION RECEIPT CARD

Please Retain for Your Records



Legal Description

Lot 1 and a strip of land 30 feet wide adjoining the entire North side of said Lot 1 and also the land lying between the prolongation of side lines of above described property to the waters edge of Lake Conway, CONWAY GARDENS, according to the plat thereof as recorded in Plat Book R, Page 18, of the Public Records of Orange County, Florida.

Community number: 120181 **Panel:** 0430

Suffix: F.F.I.R.M. **Date:** 9/25/2009 **Flood Zone:** X & AE

Date of field work: 9/9/2015 **Completion Date:** 9/14/2015

Certified to:

William N. Shook; Cherie R. Shook; Navy Federal Title Services; Commonwealth Land Title Insurance Company; Navy Federal Credit Union, its successors and/or assigns.

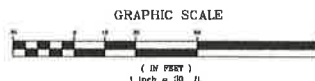
Property Address:

5700 Cove Drive
Orlando, FL 32812

Survey number: SL 158665

NOTES:
Adjacent properties shown herein are per plat and/or from the best available sources. Researched & they boundary line, does not take responsibility for the reliability of this information.

In compliance with Public Record 54-17 002 (2015) if the location of adjacent or Right-of-Way of record, other than those on record plat, is required, the information must be furnished to the surveyor and mapmaker.



SWERDLOFF & PERRY

SC-100	Concrete Monument	N.T.B.	Not to Scale
SC-101	Concrete Monument	P.B.	Plat Book
SC-102	Concrete Monument	P.C.D.	Point of Curvature
SC-103	Concrete Monument	P.C.L.	Point of Curvature Line
SC-104	Concrete Monument	P.C.P.	Point of Curvature Point
SC-105	Concrete Monument	P.C.R.	Point of Curvature Radius
SC-106	Concrete Monument	P.C.S.	Point of Curvature Station
SC-107	Concrete Monument	P.C.T.	Point of Curvature Tangent
SC-108	Concrete Monument	P.C.U.	Point of Curvature Utility
SC-109	Concrete Monument	P.C.V.	Point of Curvature Vertical
SC-110	Concrete Monument	P.C.W.	Point of Curvature Water
SC-111	Concrete Monument	P.C.X.	Point of Curvature X
SC-112	Concrete Monument	P.C.Y.	Point of Curvature Y
SC-113	Concrete Monument	P.C.Z.	Point of Curvature Z
SC-114	Concrete Monument	P.C.A.	Point of Curvature A
SC-115	Concrete Monument	P.C.B.	Point of Curvature B
SC-116	Concrete Monument	P.C.C.	Point of Curvature C
SC-117	Concrete Monument	P.C.D.	Point of Curvature D
SC-118	Concrete Monument	P.C.E.	Point of Curvature E
SC-119	Concrete Monument	P.C.F.	Point of Curvature F
SC-120	Concrete Monument	P.C.G.	Point of Curvature G
SC-121	Concrete Monument	P.C.H.	Point of Curvature H
SC-122	Concrete Monument	P.C.I.	Point of Curvature I
SC-123	Concrete Monument	P.C.J.	Point of Curvature J
SC-124	Concrete Monument	P.C.K.	Point of Curvature K
SC-125	Concrete Monument	P.C.L.	Point of Curvature L
SC-126	Concrete Monument	P.C.M.	Point of Curvature M
SC-127	Concrete Monument	P.C.N.	Point of Curvature N
SC-128	Concrete Monument	P.C.O.	Point of Curvature O
SC-129	Concrete Monument	P.C.P.	Point of Curvature P
SC-130	Concrete Monument	P.C.Q.	Point of Curvature Q
SC-131	Concrete Monument	P.C.R.	Point of Curvature R
SC-132	Concrete Monument	P.C.S.	Point of Curvature S
SC-133	Concrete Monument	P.C.T.	Point of Curvature T
SC-134	Concrete Monument	P.C.U.	Point of Curvature U
SC-135	Concrete Monument	P.C.V.	Point of Curvature V
SC-136	Concrete Monument	P.C.W.	Point of Curvature W
SC-137	Concrete Monument	P.C.X.	Point of Curvature X
SC-138	Concrete Monument	P.C.Y.	Point of Curvature Y
SC-139	Concrete Monument	P.C.Z.	Point of Curvature Z
SC-140	Concrete Monument	P.C.A.	Point of Curvature A
SC-141	Concrete Monument	P.C.B.	Point of Curvature B
SC-142	Concrete Monument	P.C.C.	Point of Curvature C
SC-143	Concrete Monument	P.C.D.	Point of Curvature D
SC-144	Concrete Monument	P.C.E.	Point of Curvature E
SC-145	Concrete Monument	P.C.F.	Point of Curvature F
SC-146	Concrete Monument	P.C.G.	Point of Curvature G
SC-147	Concrete Monument	P.C.H.	Point of Curvature H
SC-148	Concrete Monument	P.C.I.	Point of Curvature I
SC-149	Concrete Monument	P.C.J.	Point of Curvature J
SC-150	Concrete Monument	P.C.K.	Point of Curvature K
SC-151	Concrete Monument	P.C.L.	Point of Curvature L
SC-152	Concrete Monument	P.C.M.	Point of Curvature M
SC-153	Concrete Monument	P.C.N.	Point of Curvature N
SC-154	Concrete Monument	P.C.O.	Point of Curvature O
SC-155	Concrete Monument	P.C.P.	Point of Curvature P
SC-156	Concrete Monument	P.C.Q.	Point of Curvature Q
SC-157	Concrete Monument	P.C.R.	Point of Curvature R
SC-158	Concrete Monument	P.C.S.	Point of Curvature S
SC-159	Concrete Monument	P.C.T.	Point of Curvature T
SC-160	Concrete Monument	P.C.U.	Point of Curvature U
SC-161	Concrete Monument	P.C.V.	Point of Curvature V
SC-162	Concrete Monument	P.C.W.	Point of Curvature W
SC-163	Concrete Monument	P.C.X.	Point of Curvature X
SC-164	Concrete Monument	P.C.Y.	Point of Curvature Y
SC-165	Concrete Monument	P.C.Z.	Point of Curvature Z
SC-166	Concrete Monument	P.C.A.	Point of Curvature A
SC-167	Concrete Monument	P.C.B.	Point of Curvature B
SC-168	Concrete Monument	P.C.C.	Point of Curvature C
SC-169	Concrete Monument	P.C.D.	Point of Curvature D
SC-170	Concrete Monument	P.C.E.	Point of Curvature E
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SC-177	Concrete Monument	P.C.L.	Point of Curvature L
SC-178	Concrete Monument	P.C.M.	Point of Curvature M
SC-179	Concrete Monument	P.C.N.	Point of Curvature N
SC-180	Concrete Monument	P.C.O.	Point of Curvature O
SC-181	Concrete Monument	P.C.P.	Point of Curvature P
SC-182	Concrete Monument	P.C.Q.	Point of Curvature Q
SC-183	Concrete Monument	P.C.R.	Point of Curvature R
SC-184	Concrete Monument	P.C.S.	Point of Curvature S
SC-185	Concrete Monument	P.C.T.	Point of Curvature T
SC-186	Concrete Monument	P.C.U.	Point of Curvature U
SC-187	Concrete Monument	P.C.V.	Point of Curvature V
SC-188	Concrete Monument	P.C.W.	Point of Curvature W
SC-189	Concrete Monument	P.C.X.	Point of Curvature X
SC-190	Concrete Monument	P.C.Y.	Point of Curvature Y
SC-191	Concrete Monument	P.C.Z.	Point of Curvature Z
SC-192	Concrete Monument	P.C.A.	Point of Curvature A
SC-193	Concrete Monument	P.C.B.	Point of Curvature B
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SC-197	Concrete Monument	P.C.F.	Point of Curvature F
SC-198	Concrete Monument	P.C.G.	Point of Curvature G
SC-199	Concrete Monument	P.C.H.	Point of Curvature H
SC-200	Concrete Monument	P.C.I.	Point of Curvature I

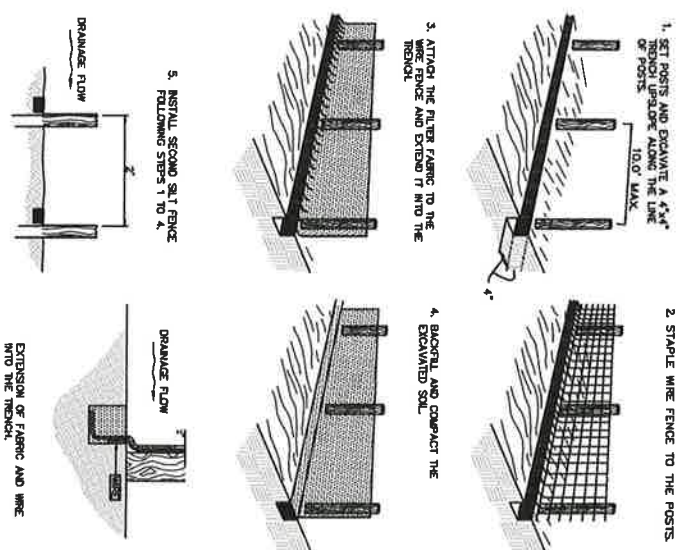
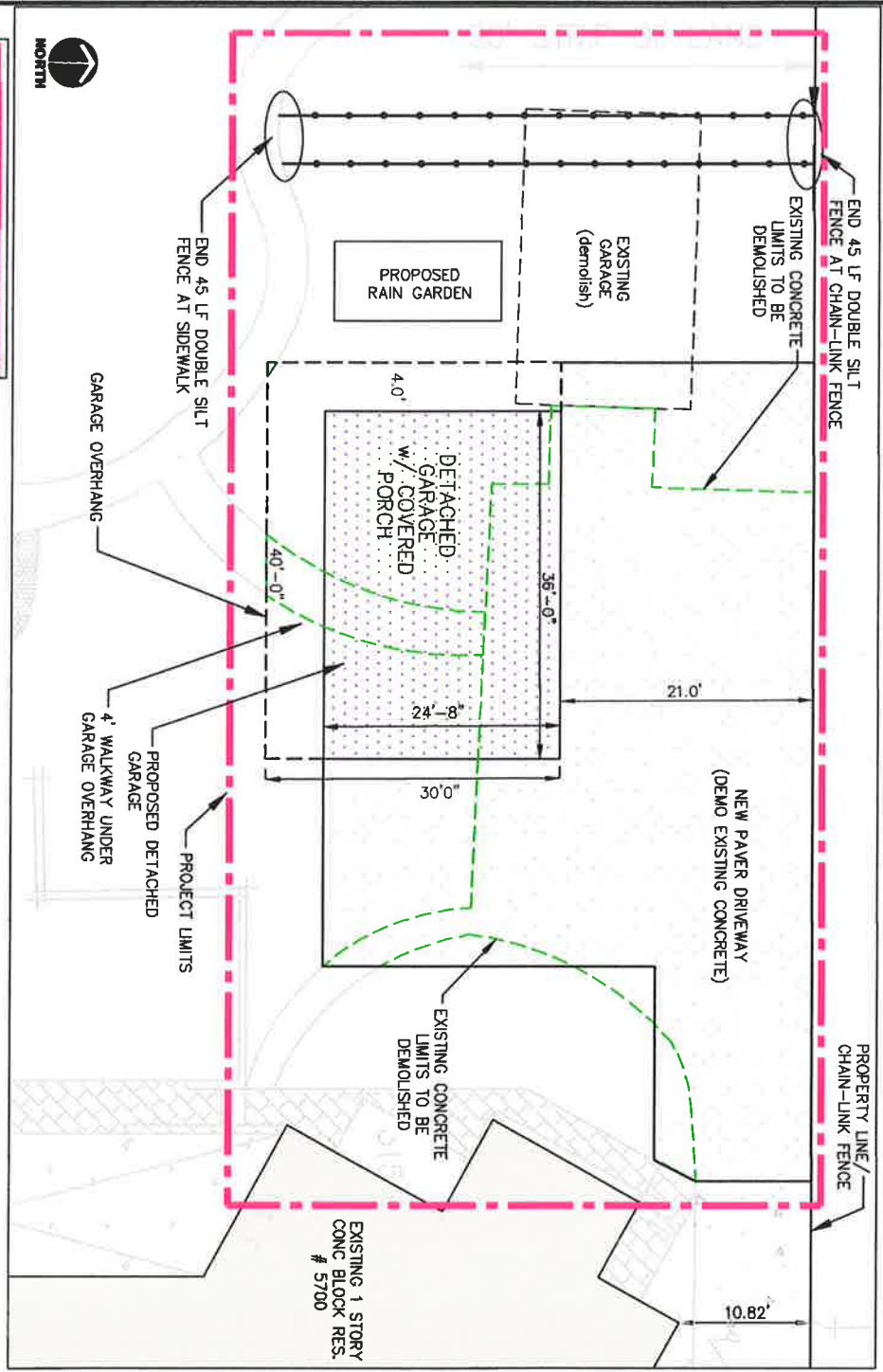
HARRIS
Harris Civil Engineers, LLC
1200 E. Hickory Street
Suite 200
Orlando, Florida 32803

EXISTING PROPERTY - SEE INSET ON PLAN FOR DETAIL

PROPOSED SITE PLAN - DETACHED GARAGE

5700 Cove Drive
Belle Isle, Florida 32812

EXHIBIT
A



SINGLE AND DOUBLE SILT FENCE DETAIL
ALL

HARRIS
Harris Civil Engineers, LLC
1200 E. Wilcof Street
Suite 200
Oviedo, Florida 32763

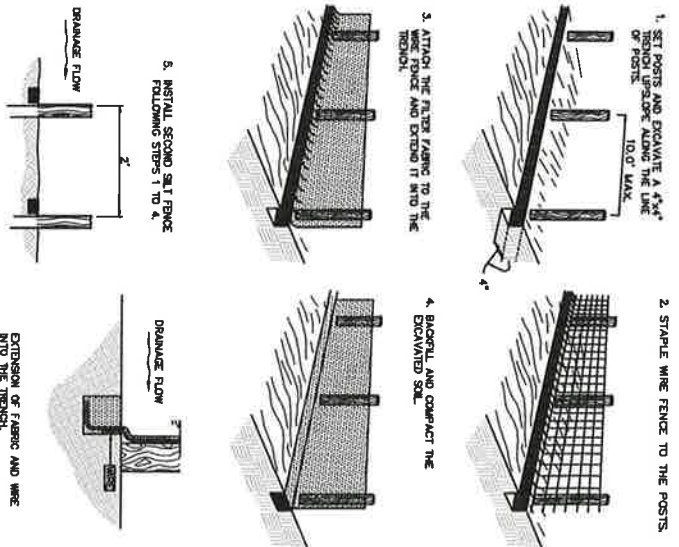
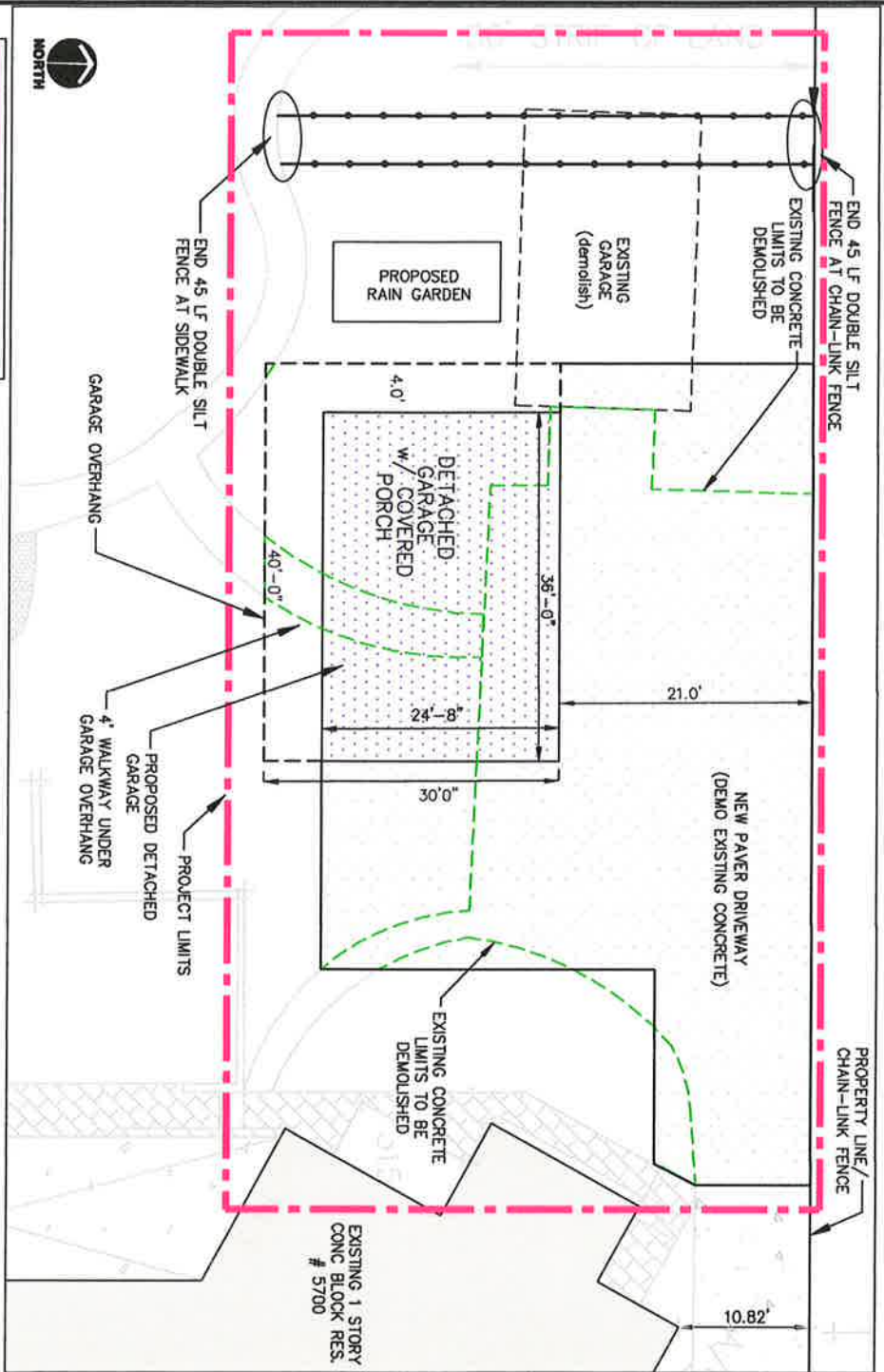
EXISTING PROPERTY - SEE INSET ON PLAN
FOR DETAIL

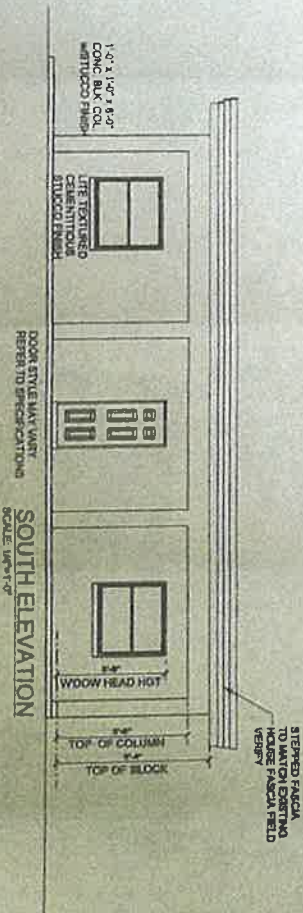
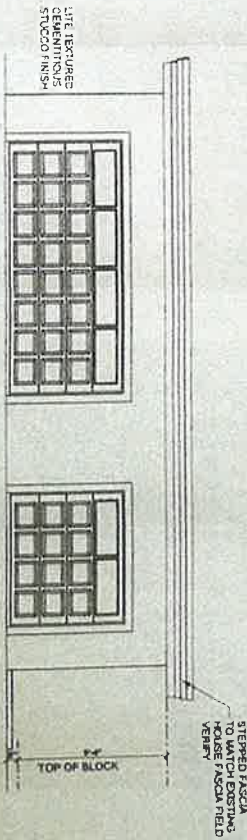
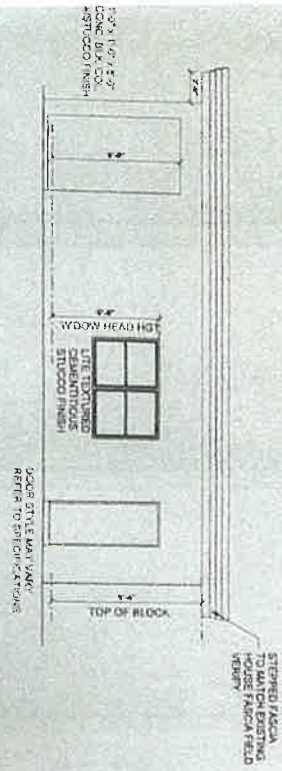
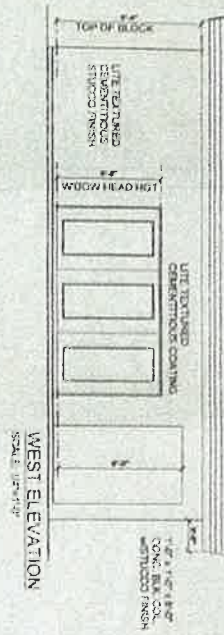
PROPOSED SITE PLAN - DETACHED GARAGE

5700 Cove Drive

Belle Isle, Florida 32812

EXHIBIT
A





William Nash & Cherie Shook

DETACHED GARAGE

2017-8-22

February 23, 2021

CALCULATIONS FOR WIND LOADS HAVE BEEN MADE BY:
TOMAS PONCE MOCEPE
 207 MEDALLION PLACE CHARLOTTE, NC 28206
 PHONE (407) 484-0037
 AND ARE IN COMPLIANCE WITH THE 2015 FIA EDITION
 OF THE FLORIDA RESIDENTIAL BUILDING CODE
 NO CLAIM IS MADE TO THE AUTHORITY OF THESE PLANS
TOMAS PONCE
 FPE # 50068

DESIGN & BUILDING CONCEPTS, LLC
 407 877-8854
 CH: 407 870-8774
 csharic@icloud.com