



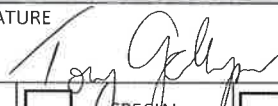
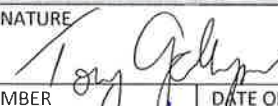
City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809

Tel 407-851-7730 * Fax 407-240-2222 * www.belleislefl.gov

Variance and Special Exception Application

City Code Chapter 42, Art. II, Sec. 41-61 thru 41-72 AND Sec 42-64 Land Development Code

APPLICANT Anthony Gallippi	OWNER Anthony Gallippi
ADDRESS 2913 Cullen Lake Shore Dr	PROJECT ADDRESS 2913 Cullen Lake Shore Dr
CONTACT NUMBER 404-353-3000	OWNER'S CONTACT NUMBER 404-353-3000
EMAIL tonygallippi@gmail.com	OWNER'S EMAIL tonygallippi@gmail.com
PARCEL ID# 18-23-30-4386-03-730	
LAND USE CLASSIFICATION 0104 Single Fam Class IV	ZONING DISTRICT R-1-AA
SECTION OF THE CODE VARIANCE REQUESTED ON 50-73(a)	
DETAILED VARIANCE REQUEST For Building Permit 2024-04-026, seeking a setback of 21 feet 3 inches from the normal high water line (NHWL) for an extension to the primary structure.	
<ul style="list-style-type: none"> 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 nine (9) months. Further, the requested user does not violate any deed restriction of the property. By applying, 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 to which the application applies. The applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) picture of the front of the property and at least two photos (from different angles) of the specific area of the property to which the application applies. 	
APPLICANTS SIGNATURE 	OWNER'S SIGNATURE 
<input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> SPECIAL EXCEPTION <input type="checkbox"/> OTHER	P&Z CASE NUMBER 2024-08-001 DATE OF HEARING 9/24/24

Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

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

Anthony Gallippi and Adriana Alvarez
2913 Cullen Lake Shore Dr
Belle Isle, FL 32812

Planning and Zoning
City of Belle Isle
1600 Nela Ave
Belle Isle, FL 32809

Application for a Variance to Section 50-73

Property Address: 2913 Cullen Lake Shore Dr
Parcel ID: 18-23-30-4386-03-730
Zoning District: R-1-AA

A variance was requested and approved unanimously by the Planning & Zoning Board on November 28, 2023 to allow a building setback of 21 feet and 3 inches from the 86.9 contour line (or normal high-water elevation) of Lake Conway instead of the required 50-foot building setback.

Per City code section 42-67, an approved variance expires 6 months after approval.

On April 11, 2024, a building permit was filed (Permit No **2024-04-026**) for an extension of the principal building, consistent with the approved variance. Documents were requested by the City and all documents were dropped off for review on April 17, 2024, by Cardell Construction.

Unfortunately, the building permit did not receive approval from the City before May 28, 2024, and the variance approved by the Board on November 28, 2023 expired.

To obtain final approval of Permit 24-04-026, we are seeking approval for the same variance to Sections 50-73 that was approved unanimously in November 2023:

- 50-73 (a) for the extension of the principal building, which states “The setback from Lake Conway shall be 50 feet from normal high-water elevation (86.9 contour line).”
Applicant is requesting a setback of 21 feet 3 inches.

Between the lake and the proposed extension of the principal building is a concrete seawall, which ranges from 8 to 16 inches thick, is rebar reinforced, and anchored. This

concrete seawall extends around the entire 700 ft of shoreline of the property. This seawall also allowed the Board to approve several prior variances for the principal building to be located as close as 25 feet from the lake contour line, closer than the basic requirement of 50 feet.

The proposed extension of the principal building is not viewable from the closest lake contour line, from any adjacent properties, or from any neighboring properties because the structure is completely obscured by a row of bamboo trees that are taller than the structure. The existing structure is only viewable from the lake.

The extension to the principal building size is planned to be 640 square feet, connected to the principal building by a breezeway. This plan provides a comfortable outdoor living space that maintains alignment and consistency with the pool and the existing principal building while not overcrowding the property. This extension shall be architecturally similar to the principal building and of like materials. This plan upgrades the area to be more visually appealing and inline with the house and community standards.

We can show the Board that the requirements for approving this variance have been met:

1. Special Conditions and/or Circumstances Section 42-64 (1) d

The applicant must prove that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship. That 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.

Our property has a special condition because of its shape and its location on the lake. The property is a narrow peninsula-shaped lot with a long driveway. While the property is approximately 1 acre in total size, there is a smaller area of buildable land surrounded by Lake Conway on three sides. To optimize the property for buildable land, this property has been developed with a concrete seawall, which is 8-16 inches thick, rebar reinforced, and anchored. This concrete seawall extends around the entire 700 ft of shoreline of the property. The property elevation has also been raised to 94.0 feet to support the principal structure and current accessory structures.

A literal enforcement of 50 feet from the lake contour line would not provide enough area for a patio deck and extension of the principal building to be rebuilt in their current location, and the property does not contain any other suitable area for these to be located.

2. Not-Self-Created Section 42-64 (1) e

The applicant must prove that the special conditions and circumstances do not result from the applicant's actions. A personal (self-created) hardship shall not justify a variance; i.e., when the applicant creates the alleged hardship, they are not entitled to relief by their conduct.

The existing patio deck, pool, and canopy shelter were permitted and built in 2007 and 2008, approximately 10 years before the applicant purchased the property. The damage that has resulted from multiple storms, plus the poor design are not the result of any applicant's actions.

3. Minimum Possible Variance Section 42-64 (1) f

The applicant must prove that the zoning variance is the minimum variance that will make the reasonable use of the land, building, or structure possible.

Given the unique shape of the property, there is no alternative location for the structures. We believe the prior owners built these structures in their optimal location, and prior variances were granted by the Board for the existing structures in these same locations. The seawall provides adequate assurance that structures can be located closer to the lake contour line without increasing risk to the property or to adjacent properties.

4. Purpose and Intent Section 42-64 (1) g

The applicant must prove that approval of the zoning variance will be in harmony with the general purpose and intent of the Code, and such zoning variance will not be injurious to the neighborhood, not detrimental to public welfare, and not contrary to the public interest.

Approval of the variance would have no effects on adjacent properties or the surrounding neighborhood. Their views of the existing structures are obscured and their views of the replacement structures would be equally obscured. The structures are not viewable from the street and would have no effect on traffic control or pedestrian safety.

Attached are photos of the property and existing structures, and a concept illustration of the proposed improvements. If you would like to visit the property, we would be happy to show you. Thank you for your consideration of this application.

Sincerely,

Anthony Gallippi and Adriana Alvarez
(404) 353-3000
tonygallippi@gmail.com

This instrument prepared by (and return to):
Kevin Jon Pribell, Esquire
KEVIN JON PRIBELL, P.A.
430 North Mills Avenue, Suite 1
Orlando, FL 32803

Tax Parcel ID: 18-23-30-4386-03730

[space above this line for recording]

Warranty Deed

(Statutory Form - FS 689.02)

This Indenture, made this ____ day of June, 2017, between **ERIC R. TRUMBLE and JACQUELINE M. TRUMBLE, husband and wife**, of the County of Orange in the State of Florida, party of the first part, whose post address is 315 Salvador Square, Winter Park, FL 32789, and **ANTHONY GALLIPPI and ADRIANA ALVAREZ, husband and wife**, party of the second part, and whose post office address is 2913 Cullen Lake Shore Drive, Orlando FL 32812,

Witnesseth:

That the said party of the first part, for and in consideration of the sum of \$10.00 and other valuable consideration, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns forever, the following described land, to wit:

Lot 373, LAKE CONWAY ESTATES SECTION SEVEN, according to the plat thereof as recorded in Plat Book Z, page 38, Public Records of Orange County, Florida.

This conveyance is made subject to (i) taxes for 2017 and subsequent years; (ii) zoning, restrictions, prohibitions, and other requirements imposed by government authority; and (iii) restrictions, easements and rights of way of record.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Dated on this ____ day of June, 2017.

Signed, sealed and delivered in the presence of:

Emily H. Cook

ERIC R. TRUMBLE

Kevin Jon Pribell

JACQUELINE M. TRUMBLE

[space below this line for acknowledgments]

STATE OF FLORIDA

ACKNOWLEDGMENT

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on this ____ day of June, 2017, by ERIC R. TRUMBLE and JACQUELINE M. TRUMBLE who are both personally known to me or who have produced _____ and _____, respectively, as identification.

NOTARY PUBLIC:

{notarial seal}

Kevin Jon Pribell, Notary Public-State of Florida at Large
My commission expires: March 15, 2021
My commission number is: GG 067871

Property Record - 18-23-30-4386-03-730

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

Property Summary as of 08/01/2024

Property Name

2913 Cullen Lake Shore Dr

Names

Gallippi Anthony
Alvarez Adriana

Municipality

BI - Belle Isle

Property Use

0104 - Single Fam Class IV

Mailing Address

2913 Cullen Lake Shore Dr
Belle Isle, FL 32812-1038

Physical Address

2913 Cullen Lake Shore Dr
Belle Isle, FL 32812

OR
OR
Code
Code
For
Mobile
Phone



2913 CULLEN LAKE SHORE DR ORLANDO FL 32812 3/2/2020 10:13 AM

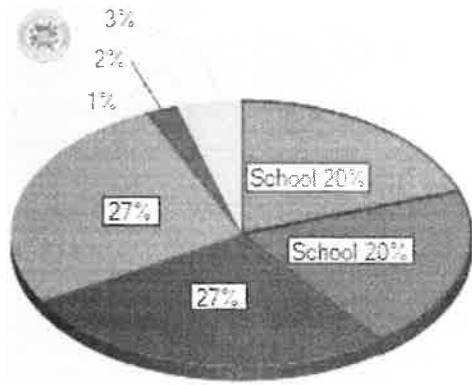


2913 CULLEN LAKE SHORE DR ORLANDO FL 32812 1/22/2019 1:56 PM



302318438603730 08/22/2006





Value and Taxes

Historical Value and Tax Benefits

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	Assessed Value
2023 <input checked="" type="checkbox"/> MKT	\$853,000	+ \$1,533,561	+ \$47,400 =	\$2,433,961 (15%)	\$1,766,612 (3.0%)
2022 <input checked="" type="checkbox"/> MKT	\$775,000	+ \$1,298,796	+ \$48,160 =	\$2,121,956 (14%)	\$1,715,157 (3.0%)
2021 <input checked="" type="checkbox"/> MKT	\$675,000	+ \$1,140,309	+ \$48,920 =	\$1,864,229 (4.1%)	\$1,665,201 (1.4%)
2020 <input checked="" type="checkbox"/> MKT	\$590,000	+ \$1,150,881	+ \$49,680 =	\$1,790,561	\$1,642,210

Tax Year Benefits	Original Homestead	Additional Hx	Other Exemptions	SOH Cap	Tax Savings
2023 <input checked="" type="checkbox"/> \$ <input checked="" type="checkbox"/> HX <input checked="" type="checkbox"/> CAP	\$25,000	\$25,000	\$0	\$667,349	\$11,594
2022 <input checked="" type="checkbox"/> \$ <input checked="" type="checkbox"/> HX <input checked="" type="checkbox"/> CAP	\$25,000	\$25,000	\$0	\$406,799	\$7,276
2021 <input checked="" type="checkbox"/> \$ <input checked="" type="checkbox"/> HX <input checked="" type="checkbox"/> CAP	\$25,000	\$25,000	\$0	\$199,028	\$3,960
2020 <input checked="" type="checkbox"/> \$ <input checked="" type="checkbox"/> HX <input checked="" type="checkbox"/> CAP	\$25,000	\$25,000	\$0	\$148,351	\$3,143

2023 Taxable Value and Certified Taxes

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	Taxes	%
Public Schools: By State Law (Rle)	\$1,766,612	\$25,000	\$1,741,612	3.1730 (-1.28%)	\$5,526.13	20%
Public Schools: By Local Board	\$1,766,612	\$25,000	\$1,741,612	3.2480 (0.00%)	\$5,656.76	20%
Orange County (General)	\$1,766,612	\$50,000	\$1,716,612	4.4347 (0.00%)	\$7,612.66	27%
City Of Belle Isle	\$1,766,612	\$50,000	\$1,716,612	4.4018 (0.00%)	\$7,556.18	27%
Library - Operating Budget	\$1,766,612	\$50,000	\$1,716,612	0.3748 (0.00%)	\$643.39	2%
St Johns Water Management District	\$1,766,612	\$50,000	\$1,716,612	0.1793 (-9.17%)	\$307.79	1%
Lake Conway Mstu	\$1,766,612	\$50,000	\$1,716,612	0.5750 (40.00%)	\$987.05	3%
				16.3866	\$28,289.96	

2023 Non-Ad Valorem Assessments

Levying Authority	Assessment Description	Units	Rate	Assessment
CITY OF BELLE ISLE	BELLE ISLE RES - GARBAGE - (407)851-7730	1.00	\$305.40	\$305.40
CITY OF BELLE ISLE	BELLE ISLE STRM - DRAINAGE - (407)851-7730	1.00	\$135.00	\$135.00
				\$440.40

Tax Savings



