



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

**Meeting Date:** June 5, 2018

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Appeal Lot Split for 7020 Seminole Drive, Public Hearing Case #2018-04-010

**Background:** Greg Gent is appealing the P&Z decision to approve a variance for the lot split at 7020 Seminole Drive. The appeal to Council is a quasi-judicial action by the Council; therefore Council members should familiarize themselves with BIMC ARTICLE IV. - EX PARTE COMMUNICATIONS. Once Council rules on the appeal, the Council make want to set aside some time on this agenda or a future agenda to discuss the future of lot splits and until that time, consider a moratorium on lot splits until a determination could be made as to benefit or detriment that continued lot splits are to the City.

**Staff Recommendation:** Hear the appeal.

**Suggested Motion:** If Council wants to approve the appeal: I move we approve the appeal of Gregory Gent and deny the variance for a lot split at 7020 Seminole Drive, Public Hearing Case #2018-04-010

If Council wants to deny the appeal: I move we deny the appeal of Gregory Gent and approve the variance for a lot split at 7020 Seminole Drive, Public Hearing Case #2018-04-010

**Alternatives:** None

**Fiscal Impact:** TBD (Revenue to the City would be derived from two parcels and residences built on those two parcels)

**Attachments:** Request from Gregory Gent  
Notice to property owners  
Criteria for Variance  
Emails regarding 7020 Seminole  
Minutes from April 24, 2018 P&Z Meeting  
Information from April 24 P&Z Meeting



Yolanda Quiceno &lt;yquiceno@belleislefl.gov&gt;

**Fwd: opposition to and appear of 7020 Seminole variance approval**

**Gregory Gent** <skygreg@icloud.com>  
To: yquiceno@belleislefl.gov

Thu, May 3, 2018 at 2:44 PM

Hi, Yolanda, I meant to send this to you but left you off accidentally.

I want to appeal this P&Z decision. Can you let me know what the process is to do?

Thanks so much!

Begin forwarded message:

**From:** Gregory Gent <skygreg@icloud.com>  
**Date:** May 2, 2018 at 7:09:09 AM EDT  
**To:** Ed Gold <egold@cobifl.com>, acarugno@cobifl.com, jweinsier@cobifl.com, district4@belleislefl.gov, hreadey@cobifl.com, district6@belleislefl.gov, Sue Nielsen <snielsen@cobifl.com>  
**Cc:** bfrancis@belleislefl.gov, lpisano@cobifl.com  
**Subject:** opposition to and appear of 7020 Seminole variance approval

I'm writing to express opposition and appeal the variance approval (and forthcoming lot split request) for 7020 Seminole. I'm also expressing opposition to lot splits in general.

I wasn't able to attend the P&Z meeting, but did listen to the audio recording afterwards. Many thoughts were given as why this would be good. However, none of the reasons met the hardship standard that a variance requires.

Mr. Lance bought this property in 2004. For many years he held on to the property, expecting to eventually build his personal full time residence there. No variance or lot split was ever requested previously because, one can assume, Mr. Lance wanted to utilize the entire property for his residence. For more than 13 years, a single lot was something Mr. Lance was obviously in favor of.

It wasn't until Mr. Lance chose a personal residence elsewhere and resigned from council that he now thought the property should be divided into two. This is not a hardship. This is not a reason to approve a variance. Building two homes to maximize profit is not a reason to approve a variance.

There were several comments at the meeting implying that something 'new' would be better for the neighborhood than what is currently there. Most would agree. The current property is in less than stellar condition and has been a bit of an eyesore for many years. I think it is fair to say that there has been little to no effort or dollars put towards this house during the 14 years that Mr. Lance has owned it. Concern now by Mr. Lance for better looking structure(s) on the property doesn't seem to be a reason for the variance approval.

Some time ago, P&Z voted to approve a lot split at 6820 Seminole. At the P&Z meeting (I was there) Daryl Carter talked about his fondness for Belle Isle and his goal was to build two nice homes on that property. There was no hardship in this case either, but P&Z approved anyway. Within months, Mr. Carter flipped the property, in a no-money deed transfer to Chris Comins, who had unsuccessfully tried previously to purchase the property (this entire transaction should probably be investigated). Again, this lot split never should have happened as there was no hardship.

Now, others are using this mistake as precedent for other lot splits. I believe the city has erred in allowing this, and needs to take corrective action.

The South lake has recently had a kayak/canoe launch added, approved a soon-to-be-built multi-family compound on the previous Larkin property, a higher density development next door to that, etc. There is no need to continue adding to the density of the lakes, even with one-off lot splits.

I ask the council to review P&Z's decision, determine what hardship justified the approval, and deny the variance. As I said previously, I don't believe any hardship exists. Mr. Lance for a decade and a half was in favor of a single lot. I'm certain many others would be in favor of purchasing that property and building a single new residence, as Mr. Lance had intended all along.



## CITY OF BELLE ISLE, FLORIDA

1600 Nela Avenue  
Belle Isle, Florida 32809  
(407) 851-7730 • FAX (407) 240-2222  
[www.cityofbelleislefl.org](http://www.cityofbelleislefl.org)

Mayor  
Lydia Pisano

City Manager  
Bob Francis

City Council

Ed Gold  
District 1

Anthony Carugno  
District 2

Jeremy Weinsier  
District 3

Mike Sims  
District 4

Harvey Readey  
Vice Mayor  
District 5

Jim Partin  
District 6

Sue Nielsen  
District 7

May 4, 2018

Add1

Add2

Add3

Add4

**RE: APPEAL of Public Hearing Case #2018-04-010**

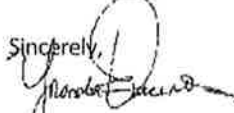
Dear Property Owner:

You are hereby given notice that the City Council will hold a Public Hearing on Tuesday, June 5, 2018 at 6:30 p.m., or as soon thereafter as possible, at the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809, to hear an appeal of the Planning & Zoning approval of Public Hearing Case 2018-04-010:

**APPEAL of Public Hearing Case #2018-04-010** - Pursuant to Belle Isle Code Sec. 42-64, the Board shall consider and take action on a requested variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for the lots that comprises the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet, submitted by applicant Brent Walters, located at 7020 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-150.

You are invited to attend and express your opinion on the matter. Any person(s) with disabilities needing assistance to participate in these proceedings should contact the Planning and Zoning office at (407) 851-7730 at least 24 hours in advance of the meeting.

In the event that you decide to appeal the decision made by the City Council, you will need a record of the proceeding. For that purpose, you may need to ensure that a verbatim record of the hearing is made to include evidence and testimony upon which the appeal is to be based. The burden of making such a verbatim record is on the appellant. F.S. 286.0105; 1986 Op. Atty.

Sincerely,  


Yolanda Quiceno  
CMC-City Clerk

Attachment (Email dated 5/2/2018 from Gregory Gent Appellant)

**City Council Session - June 5, 2018**  
**Appeal of Public Hearing Case No. 2018-04-010 - 7020 Seminole Drive**

Parcel	FullName	FullName2	Address	City	StZip
292313000000044	TIITF		3900 COMMONWEALTH BLVD	TALLAHASSEE	FL 32399
302329438902100	DONHAM DEBORAH L		6904 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902120	WILKINS AIMEE	WILKINS JOHN T	6910 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902130	MCCUTCHEN DANIEL C	MCCUTCHEN KAREN C	6916 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902141	SUGGS LINDA D		6922 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902150	LANCE CYNTHIA G	LANCE PAUL ROBERT	3401 TRENTWOOD BLVD	BELLE ISLE	FL 32812
302329438902171	MAUDLIN MARGO A		7026 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903130	DELVALLE ADELIRIS		6922 BARBY LN	BELLE ISLE	FL 32812
302329438903140	ALEXANDER LINCOLN	RAMOS DAISY	6928 BARBY LN	BELLE ISLE	FL 32812
302329438903150	OAF HOWARD J	OAF CLAUDYS C	7006 BARBY LN	BELLE ISLE	FL 32812
302329438903160	FERNANDEZ ALANA S		7012 BARBY LN	BELLE ISLE	FL 32812
302329438903170	SOTO JEANMARIE		7020 BARBY LN	BELLE ISLE	FL 32812
302329438903180	LANAM GARY	LANAM LYNDA	7026 BARBY LN	BELLE ISLE	FL 32812
302329438903190	SCOTT DENISE M	SCOTT JAMES W	7032 BARBY LN	BELLE ISLE	FL 32812
302329438903201	MCKEE DARREN J	MCKEE KIMBERLY A	3315 WARREN PARK RD	BELLE ISLE	FL 32812
302329438903202	DELL KAREN DOLORES ESTATE	C/O CHARLES EDWARD DELL	7029 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903220	DOUD ROBERT LEROY III		7025 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903230	KRIZAN JESSICA RAE		7019 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903240	MARSHALL JOELLE	GONZALEZ CARLOS JAVIER	6714 HARVEST RUN DR	HARRISON	TN 37341
302329438903250	PENROD CLAY W JR		7007 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903260	HUSMANN MARGARITA S TR		4391 BENEDICTINE CIR	ORLANDO	FL 32812
302329438903270	ALVAREZ JORGE RAFAEL		6921 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903280	GUZMAN CARLOS A		6915 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903290	BERLAGE ALICE ANNE		1243 INVERNESS DR	DUNEDIN	FL 34698
302329438904010	ORANGE COUNTY BCC	C/O REAL ESTATE MNGT DEPT	PO BOX 1393	ORLANDO	FL 32802
302329438904020	STEPHENSON HEATHER A		7204 SEMINOLE DR	BELLE ISLE	FL 32812
302329438905010	ORANGE COUNTY BCC	C/O REAL ESTATE MNGT DEPT	PO BOX 1393	ORLANDO	FL 32802

# Variance Request – Application Supplement

*Standards of Variance Justification	Section 42-64 of the Land Development Code (LDC) states that no application for a Zoning Variance shall be approved unless the Planning and Zoning Board finds that all of the following standards are met. Please answer each bold-text question in a separate typed or written document and submit it to the City as part of your variance request.
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 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. <b>WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP?</b>
Not Self-Created Section 42-64 (1) e	The applicant must prove that the special conditions and circumstances do not result from the actions of the applicant. A personal (self-created) hardship shall not justify a variance; i.e. when the applicant by their own conduct creates the hardship alleged to exist, they are not entitled to relief. <b>HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?</b>
Minimum Possible Variance Section 42-64 (1) f	The applicant must prove that the zoning variance is the minimum variance that will make possible the reasonable use of the land, building or structure. <b>CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.</b>
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. <b>WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE: ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC)</b>

\*For a variance application from Sec. 50-102 (b) fences and walls, please also identify how you comply with the variance criteria identified in Sec. 50-102 (b) (16). Please note for a fence variance, you do not have to comply with Sec. 42-64 (1) d and (1) f.



Bob Francis &lt;bfrancis@belleislefl.gov&gt;

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**7020 Seminole dr variance**

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**Dbotyos** <dbotyos@cfl.rr.com>

Tue, Apr 24, 2018 at 5:45 PM

To: bfrancis@belleislefl.gov

Hi Bob, my name is Daniel Botyos and I live at 2224 Homewood Dr. and was trying to make the planning and zoning meeting in person but may not be able to be there. A concern that myself and several of the neighbors had with the variance was the density of it is a little concerning. We are opposed to this variance that will allow two houses to go on that property. The last variance to allow two homes next to the old trailer park really adds to the density of that corner of Belle Isle. What precedent are we sending if we allow this & for future exceptions reducing the lot width. It is concerning that any other property that comes close to being able to split their lot will think of doing the same thing. Please help maintain the integrity of Belle Isle. Thank you for forwarding the information to the planning and zoning committee.

Daniel Botyos

Sent from my iPhone



**Bob Francis** <bfrancis@belleislefl.gov>

## Opposed to P & Z Boards decision to approve 7020 Seminole Dr lot split

**Beth Lowell** <bethlowell40@hotmail.com>

Mon, May 14, 2018 at 5:14 PM

To: "lpisano@cobifl.com" <lpisano@cobifl.com>, "bfrancis@belleislefl.gov" <bfrancis@belleislefl.gov>, "egold@belleislefl.gov" <egold@belleislefl.gov>, "hreadey@belleislefl.gov" <hreadey@belleislefl.gov>, "msims@belleislefl.gov" <msims@belleislefl.gov>, "district6@belleislefl.gov" <district6@belleislefl.gov>, "acarugno@belleislefl.gov" <acarugno@belleislefl.gov>

Dear, Mayor Pisano, Mr. Francis and Esteemed Commissioners,

For the record my name is Beth Lowell, I reside at 2416 Homewood Dr. Belle Isle, 32809. I was in attendance at the Planning and Zoning meeting, where they voted to approve the variance on 7020 Seminole Dr.

It is my understanding the goal of splitting that lot is to allow the current owner to ultimately build two single family homes, where there is currently only one now.

I did speak, at the meeting and go on record opposing this action. I would like this email to serve as my continued opposition for several reasons listed below.

1. The argument was made, by one P & Z member that 2 new homes would be/look better than the one house that is there now, due to the condition of that house and due to the fact that renter(s) are in there now - to that I ask, if the condition of the current house is so bad, was the owner given any citations, by code enforcement, for not keeping it up? And who is to say they won't rent the new homes as well and in the long term be right back to where we are now with two homes.
2. The argument was made, by another P & Z member, that building one house on that current lot would not appraise for a future sale -- to that I ask, is that the duty of the P&Z board to worry about the appraisal value of an owners house, down the road, should they decide to sell? (No) Also, I am not in the Real Estate or appraisal business but I completely disagree with that statement. One nice house, on that size lot would most certainly appraise. In fact, within Belle Isle, there are many house on larger lots, with great resale value.
3. Another P & Z member said they were in favor of granting the variance, if part of the agreement was they had to tear down the dock quickly, because it too was in such poor condition--I ask again was the home owner given a citation to take care of that dock?
4. The issue with density also came up and yes two nicer homes would probably be more aesthetically pleasing. And yes, if I were a neighbor of this current home, I too would think that would help my property value if two new homes were built, why wouldn't they want that; however, no one considers the additional traffic with increased density in our neighborhoods (which has already increased dramatically in 5 years). With the five new homes being built on the old trailer park lot and, if this lot split goes thorough, you will then be adding a **minimum** of 14 more cars traveling within the neighborhood probably daily.
5. By granting this, a precedent is being set. This owner may only be asking for a few feet variance, but where does the line get drawn? (actually I thought it already was) The first person wants 5 ft. the next 10, the next 20 etc.

Thank you for your time and for reading this email. I do plan to make the meeting tomorrow to hear about the appeal made, by Greg Gent, and hear the outcome. If necessary I am prepared to read or summarize this email.

5/31/2018

City of Belle Isle, Florida Mail - Opposed to P & Z Boards decsion to approve 7020 Seminole Dr lot split

Kind regards,

Beth Lowell



**City of Belle Isle**  
**Planning & Zoning Board Regular Session Minutes**  
**April 24, 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, April 24, 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, Board member Shenefelt, Board member Jervis, Board member Lane and Board member Templin and Board member Cheezum. Absent was Vice Chairman Woods.

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

**1. CALL TO ORDER**

Chairman Fouraker called the meeting to order at 6:30pm and opened with the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Chairman Fouraker called for approval of the minutes. The City Clerk requested that the minutes of March 27<sup>th</sup> be placed for approval at the next scheduled meeting. Board consensus was to add approval of the minutes of March 27<sup>th</sup> to the following meeting.

2. **Public Hearing Case #2018-04-010** - Pursuant to Belle Isle Code Sec. 42-64, the Board shall consider and take action on a requested variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for the lots that comprises the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet, submitted by applicant Brent Walters, located at 7020 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-150.

Brent Walters, applicant, said the property is well under utilized as a single lot and their intention is to split the 150 foot property into two-75 foot lots, demolish the existing structure and build two homes on the property. The vast majority of the lots in the area are 75-foot and the lot split will easily meet all zoning requirements. Additionally, the lots are 315 feet to the water line and will create ½ acre parcel post split.

Chairman Fouraker opened for public comment.

- Debra Donham residing at 6904 Seminole Drive spoke in favor of the lot split.
- Linda Suggs 6922 Seminole Drive spoke in favor of the lot split.
- Bobby Lance residing at 6615 Matchett Road, property owner, said the property was purchased over 15 years ago. They have decided to build-out the property with two homes because after some research found that one home will be over utilized as far as the neighborhood. The plan will bring great value to the area. He spoke with the neighboring residents and they did not oppose to the idea. He would like to improve to neighborhood and continue to bring in more tax dollars.
- Beth Lowell residing 2416 Homewood Drive spoke in opposition to the variance because it will create more density in the area.

- Daniel Botyos residing at 2224 Homewood Drive shared his concerns with the added density this plan will bring. It already is a busy area and he would like to see a plan that will keep up with the integrity of the area.
- Michael Jungen residing at 2010 Hoffner Avenue said the home currently is a rental and is happy to see that the plan is for two new single family homes that would hold the appeal to the area.

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

Board member Templin said he is in favor of the plan because most of the lots in the area are 70 foot lots. However, he asked for clarification of the existing boat dock. He said if the lot split is approved, and the house is demolished, the existing boat dock will not be in compliance and will create a zero lot line.

Brent Walters stated that the boat dock will be demolished if the lot split is approved.

The Board discussed the type of homes that can be built on a R1AA zoned lot and the time frame allowed starting pulling permits. Brent Walters said their intention is to start as soon as possible and asked for 6 months to start the demo of the existing home and existing boat dock from the time of approval.

April Fisher said the Board can place a condition on the variance approval to have the boat dock removed along with the home and the time allotted for permitting can start from the date of the City Council lot split approval.

April Fisher said the lot split process does not allow for conditions for approval by City Council. The applicant will be required to record the lot split with Orange County. The code allows for a one-time lot split per property.

Attorney Geller said Section 42-67 of the City code states the following,

- (a) Time limitations. If a special exception or variance is approved by the board and the duration of the validity of the special exception or variance is not limited, the special exception or variance shall become void if:
  - (1) Six months after the board approved the variance or special exception, all permits necessary for the utilization of the special exception or variance have not been issued; or
  - (2) One year after issuance of the last issued permit necessary for the utilization of the special exception or variance, all construction associated with the special exception or variance has not been completed.
- (b) Extensions. For good cause shown, the city manager may grant up to two six-month extensions to any time limits associated with a special exception or variance.

Discussion ensued on permitting time limitations and extensions.

Board member Shenefelt asked why the Board is convinced that approval is good for the neighborhood in the long term.

Chairman Fouraker said, for the record, he received a call from a neighboring resident, Randy Holihan, who is opposed to approval of the request. He said Mr. Holihan believes just because a previous approval was made for another property it does not create a condition of approval, precedent or historical significance.

After discussion, Board member Templin moved to approve this request of a proposed variance from Sec. 54-2 (a). Substandard Lots of Record, to allow for the lots that comprises the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet, submitted by applicant Brent Walters, located at 7020 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-150 with the following condition, that the dock be removed at the same time of the existing home.

Board member Cheezum seconded the motion which passed 6:1 with Board member Shenefelt, nay.

3. **Public Hearing Case #2018-04-011** - Pursuant to Belle Isle Code Sec. 50-102 (b) (16) and Sec. 42-64, the Board shall consider and take action on a requested variance to place a four- foot high wall in the front yard of a residential property, submitted by applicants Michael G. Jungen and Fhanor Lenis, located at 2010 Hoffner Avenue, Belle Isle, FL 32809 also known as Parcel # 18-23-30-3648-00-271.

Applicant Michael Jungen gave a brief overview on the purchase of his home. There was a wind burst that cleared most of their oak trees on the back of the property. During the hurricane they relied on the Van Dyke's easement for temporary access to their back yard. At this time they have to start the process to gain access along both sides of their home. Their lot has a weird, narrow configuration and has caused some issues on a new design that will restore character, maintain the appeal of the neighborhood and the privacy areas between the neighbors. They would like to maintain the 4 foot character wall to continue that of the Van Dykes while creating additional parking spaces in the front of their home and maintain the privacy. He has communicated with the neighbors and they are not opposed to the application as presented.

Chairman Fouraker shared his concerns that there is currently a structure very close to the road and a wall will make it even closer; the austere look because of the removal and loss of a lot of landscaping. He does not believe this is a hardship and the plan does not have enough detail showing quantifiable distance from the road.

Mr. Jungen said the plan shows decorative planters and shared his commitment that ensures that greenery and softening of the appeal is the ultimate result.

Board member Shenefelt said this is an exceptional situation because of the winding road and all the houses are very close to the road. He noted Vice Chairman Woods's opinion at a previous meeting of the Board creating a Hoffner overlay because we will continue to see requests from homeowners on Hoffner that are seeking walls at the front of their property.

After discussion of moving this discussion to a future meeting, City Manager Francis asked if there is a standard the applicant can tangibly review before the next meeting. Board consensus was to allow the Board additional time to visit the property and for the applicants to 1) provide a landscaping plan; and 2), provide the distance between the road and the wall.

**Board member Cheezum motioned to continue this application to a date certain of May 22nd, 2018.**  
**Board member Lane seconded the motion which passed unanimously 6:0.**

4. AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA APPROVING THE REZONING APPLICATION OF THE CITY OF BELLE ISLE, PROPERTY OWNER/APPLICANT OF "LOT 2 WALLACE STREET" AND REZONING THAT CERTAIN PROPERTY LOCATED ON WALLACE STREET, BELLE ISLE, FLORIDA, IDENTIFIED IN THE ORANGE COUNTY TAX ROLLS WITH PARCEL NUMBER 24-23-29-8977-00-021 MORE PARTICULARLY DESCRIBED IN ORANGE COUNTY RECORDS, ORANGE COUNTY, FLORIDA, FROM SINGLE-FAMILY DWELLING DISTRICT (R-1-AA) TO OPEN SPACE (OS); PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

Chairman Fouraker read Ordinance 18-03 by title.

City Manager Francis said at the time of the previous designation recommendation by the Board of the Wallace property the City only had a public, utilities and buildings designation. City Council did not approve the Board's previous recommendation to designate the property to public utilities and buildings because they did not want the option to allow a build out of a large building on the property. City Council directed the City Manager to create an open space designation for review and recommendation by the Board.

Chairman Fouraker said the City purchased this property and the school isn't getting use of it. He would not want the Board to be in the middle between the City Council and School Board. If the Board recommends this use when will we see the school use the property and have the children benefit from the purchase of this property? How can the City grow if the City cannot be competitive with surrounding areas? He would like to see this property shared and it does not speak well with the continued relationship between the City and the School.

Board member Templin said the ordinance is specifically to keep the property vacant and to not allow any development.

City Manager Francis said about six months ago he was directed by Council to create a Land Use/Hold Harmless Agreement so that the School can use the property under certain circumstances. One of the reasons why the City did not want the school to use the field is because it has not been graded and someone can get hurt. To date, the City has not received any feedback.

**Board member Templin motioned to recommend approval of Ordinance 18-03 to City Council.**  
**Board member Cheezum seconded the motion which passed unanimously 6:0.**

5. AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE BELLE ISLE CODE OF ORDINANCES CONCERNING PLANNED DEVELOPMENT DISTRICTS; BY AMENDING PART II, CODE OF ORDINANCES; BY AMENDING SUBPART B, LAND DEVELOPMENT CODE; BY AMENDING CHAPTER 54, ZONING DISTRICTS AND REGULATIONS, ARTICLE III, ZONING CLASSIFICATIONS; BY AMENDING SECTION 54-77, PLANNED DEVELOPMENT DISTRICT PD; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

Chairman Fouraker read Ordinance 18-05 by title.

April Fisher gave a brief overview of Ordinance 18-05 and said it is an amendment to the City's Land Development Code to allow for commercial planned developments. At the present, the code only addresses residential plan developments. If the City seeks to make a change with a commercial development the City is restricted except in the variance process. It is common to have PD regulations for residential developments as well as commercial. There is text that is recommended to be stricken because it references Comprehensive Plan language that may cause an internal conflict. The City cannot condition straight zoning but the City can condition Planned Development's which are tied to a development order.

April Fisher recommended removal of item Section 54-77(c)(4) – Communications towers and antennas due to cautionary purposes and should not be listed as an automatic use.

Attorney Geller stated some of the other cities he has represented typically have a tower as a recommended use.

**Board member Lane motioned to recommend approval of the proposed Planned Development District amendments and Ordinance 18-05 to City Council and the deletion of Section 54-77(c)(4)- Communications towers and antennas.**

**Board member Cheezum seconded the motion which passed unanimously 6:0.**

#### **ADJOURNED**

There being no further business Chairman Fouraker called for a motion to adjourn, unanimously approved at 8:30pm.

Yolanda Quiceno  
City Clerk, CMC

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**NOTICE OF PUBLIC MEETING**  
**April 24, 2018- 6:30 PM**

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**CITY OF BELLE ISLE**  
**PLANNING AND ZONING BOARD REGULAR SESSION**

1. Call to Order, Confirmation of Quorum and Pledge to Flag
2. Public Hearing Case #2018-04-010 - Pursuant to Belle Isle Code Sec. 42-64, the Board shall consider and take action on a requested variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for the lots that comprises the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet, submitted by applicant Brent Walters, located at 7020 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-150.
3. Public Hearing Case #2018-04-011 - Pursuant to Belle Isle Code Sec. 50-102 (b) (16) and Sec. 42-64, the Board shall consider and take action on a requested variance to place a four- foot high wall in the front yard of a residential property, submitted by applicants Michael G. Jungen and Phanor Lenis, located at 2010 Hoffner Avenue, Belle Isle, FL 32809 also known as Parcel # 18-23-30-3648-00-271.
4. AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA APPROVING THE REZONING APPLICATION OF THE CITY OF BELLE ISLE, PROPERTY OWNER/APPLICANT OF "LOT 2 WALLACE STREET" AND REZONING THAT CERTAIN PROPERTY LOCATED ON WALLACE STREET, BELLE ISLE, FLORIDA, IDENTIFIED IN THE ORANGE COUNTY TAX ROLLS WITH PARCEL NUMBER 24-23-29-8977-00-021 MORE PARTICULARLY DESCRIBED IN ORANGE COUNTY RECORDS, ORANGE COUNTY, FLORIDA, FROM SINGLE-FAMILY DWELLING DISTRICT (R-1-AA) TO OPEN SPACE (OS); PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.
5. AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE BELLE ISLE CODE OF ORDINANCES CONCERNING PLANNED DEVELOPMENT DISTRICTS; BY AMENDING PART II, CODE OF ORDINANCES; BY AMENDING SUBPART B, LAND DEVELOPMENT CODE; BY AMENDING CHAPTER 54, ZONING DISTRICTS AND REGULATIONS, ARTICLE III, ZONING CLASSIFICATIONS; BY AMENDING SECTION 54-77, PLANNED DEVELOPMENT DISTRICT PD; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.
6. Other Business
7. Adjournment

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Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based, Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.

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## NOTICE OF PUBLIC MEETING

APRIL 24, 2018 – 6:30PM

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### CITY OF BELLE ISLE

### PLANNING AND ZONING BOARD REGULAR SESSION

#### ITEM 2

**TO:** Planning and Zoning Board

**DATE:** April 24, 2018

Public Hearing Case #2018-04-010 - Pursuant to Belle Isle Code Sec. 42-64, the Board shall consider and take action on a requested variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for the lots that comprises the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet, submitted by applicant Brent Walters, located at 7020 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-150.

#### **Background:**

1. On April 6, 2018, Brent Walters representing the applicant submitted the application and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, April 14, 2018 Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on Thursday, April 12, 2018.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing.

The Board will need to determine if the criteria set forth of the Land Development Code have been met, and approve, approve with conditions, or deny this request.

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#### **SAMPLE MOTION TO APPROVE or DENY:**

"I move to recommend (Approval or Denial/or Approve with conditions) to City Council this request of a proposed variance from Sec. 54-2 (a). Substandard Lots of Record, to allow for the lots that comprises the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet, submitted by applicant Brent Walters, located at 7020 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-150.

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Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



April Fisher, AICP  
[fisherpds@outlook.com](mailto:fisherpds@outlook.com)  
407-494-8789

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April 15, 2018

**Variance Application:** 7020 Seminole Drive

**Applicant Request:** Variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for the lots that comprise the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as on tract, and allow for a reduction from Sec. 50-73.-Site and Building Requirements, for the R-1-AA required minimum lot width of 85 feet in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet.

**Existing Zoning/Use:** R-1-AA/ single-family home

#### **Review Comments**

This variance application seeks relief from the requirements of Sec. 54-2 (a) that requires aggregation of substandard lots that were lots of record under single ownership on or after October 7, 1957. The lots in question are currently developed as one property with a single-family house constructed across three lots.

This application is seeking to redevelop the property as two individual single-family lots. The proposed lot width of 75 feet is less than the required 85 feet in the current land development code district regulations for R-1-AA. This request requires a variance from the provisions of Sec. 54- 2 (a) and Sec. 50-73 to accommodate the redevelopment as proposed. If approved, the applicant could then seek a lot split to create the two lots.

The applicant has provided information supporting the variance request in the attached letter and documentation.

#### **Staff Recommendation**

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

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

The parcel has already been aggregated and developed as one parcel with a single-



single-family house on it. There are no special conditions or circumstances that restrict the property, as aggregated, and meeting the current land development code, from being used as a single-family property as currently configured.

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

The request for a variance is self-created as the application is seeking to deviate from code requirements for minimum required lot width so that a house may be built on two lots that currently are aggregated into one developed parcel.

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

The requested variance is the minimum possible variance to make reasonable use of the land and building as the current parcel lot width is a total of 150 feet and each proposed lot at 75 feet in width would be half of the total lot width of the current parcel.

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

The requested variance could be construed to be in harmony with the general purpose and intent of the land development code and not injurious to the neighborhood as other lots in the surrounding area of this property are developed with substandard lot widths. Across the street from this parcel, there are individual lots that are developed as single-family homes 70 feet in width. Directly abutting this property on the west side, properties are developed with a substandard lot width of 82.5 feet.

Staff provides a recommendation to not approve the request based on not meeting the criteria of special conditions/ circumstances and of being self-created. The land development code provides in Sec. 42-64 (1) h. that unless all criteria are met, a variance should not be approved.



# CITY OF BELLE ISLE, FLORIDA

1600 Nela Avenue  
Belle Isle, Florida 32809  
(407) 851-7730 • FAX (407) 240-2222  
[www.cityofbelleislefl.org](http://www.cityofbelleislefl.org)

Mayor  
Lydia Pisano

City Manager  
Bob Francis

Planning & Zoning  
Board

Nicholas Fouraker  
Chairman  
District 7

David Woods  
Vice Chairman  
District 1

Chris Shenefelt  
District 2

Shawn Jervls  
District 3

Gregg Templin  
District 4

Rainey Lane  
District 5

Russell Cheezum  
District 6

April 12, 2018

«Parcel»  
«FullName»  
«FullName2»  
«Address»  
«City», «STZip»

**APPLICANT:** Brent Walters representing Robert and Cynthia Lance  
**P&Z CASE** 2018-04-010  
**REQUEST** 7020 Seminole Drive, Belle Isle, FL 32809  
Parcel #29-23-30-4389-02-150

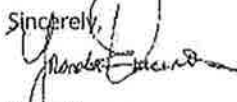
Dear Property Owner:

You are hereby given notice that the Planning & Zoning Board of the City of Belle Isle will hold a Public Hearing on Tuesday, April 24, 2018 at 6:30 p.m., or as soon thereafter as possible, at the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809, to review for recommendation to Council as follows:

Public Hearing Case #2018-04-010 - Pursuant to Belle Isle Code Sec. 42-64, the Board shall consider and take action on a requested variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for the lots that comprises the currently developed parcel to be redeveloped as two individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each of the two lots retaining a substandard lot width of 75 feet, submitted by applicant Brent Walters, located at 7020 Seminole Drive, Belle Isle, FL 32812 also known as Parcel # 29-23-30-4389-02-150.

You are invited to attend and express your opinion on the matter. Any person(s) with disabilities needing assistance to participate in these proceedings should contact the Planning and Zoning office at (407) 851-7730 at least 24 hours in advance of the meeting.

In the event that you decide to appeal the decision made by the Board, you will need a record of the proceeding. For that purpose, you may need to ensure that a verbatim record of the hearing is made to include evidence and testimony upon which the appeal is to be based. The burden of making such a verbatim record is on the appellant. F.S. 286.0105; 1986 Op. Atty.

Sincerely,  
  
Yolanda Quiceno  
CMC-City Clerk

P&Z Board Meeting - April 24, 2018  
Case No 2018-04-010 - 7020 Seminole Drive

Parcel	FullName	FullName2	Address	City	STZip
292313000000044	TIIF		3900 COMMONWEALTH BLVD	TALLAHASSEE	FL 32399
302329438902100	DONHAM DEBORAH L		6904 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902120	WILKINS AIMEE	WILKINS JOHN T	6910 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902130	MCCUTCHEN DANIEL C	MCCUTCHEN KAREN C	6916 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902141	SUGGS LINDA D		6922 SEMINOLE DR	BELLE ISLE	FL 32812
302329438902150	LANCE CYNTHIA G	LANCE PAUL ROBERT	3401 TRENTWOOD BLVD	BELLE ISLE	FL 32812
302329438902171	MAUDLIN MARGO A		7026 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903130	DELVALLE ADELIRIS		6922 BARBY LN	BELLE ISLE	FL 32812
302329438903140	ALEXANDER LINCOLN	RAMOS DAISY	6928 BARBY LN	BELLE ISLE	FL 32812
302329438903150	OAF HOWARD J	OAF CLAUDYS C	7006 BARBY LN	BELLE ISLE	FL 32812
302329438903160	FERNANDEZ ALANA S		7012 BARBY LN	BELLE ISLE	FL 32812
302329438903170	SOTO JEANMARIE		7020 BARBY LN	BELLE ISLE	FL 32812
302329438903180	LANAM GARY	LANAM LYNDA	7026 BARBY LN	BELLE ISLE	FL 32812
302329438903190	SCOTT DENISE M	SCOTT JAMES W	7032 BARBY LN	BELLE ISLE	FL 32812
302329438903201	MCKEE DARREN J	MCKEE KIMBERLY A	3315 WARREN PARK RD	BELLE ISLE	FL 32812
302329438903202	DELL KAREN DOLORES ESTATE	C/O CHARLES EDWARD DELL	7029 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903220	DOUD ROBERT LEROY III		7025 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903230	KRIZAN JESSICA RAE	GONZALEZ CARLOS JAVIER	7019 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903240	MARSHALL JOELLE		6714 HARVEST RUN DR	HARRISON	TN 37341
302329438903250	PENROD CLAY W JR		7007 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903260	HUSMANN MARGARITA S TR		4391 BENEDICTINE CIR	ORLANDO	FL 32812
302329438903270	ALVAREZ JORGE RAFAEL		6921 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903280	GUZMAN CARLOS A		6915 SEMINOLE DR	BELLE ISLE	FL 32812
302329438903290	BERLAGE ALICE ANNE		1243 INVERNESS DR	DUNEDIN	FL 34698
302329438904010	ORANGE COUNTY BCC	C/O REAL ESTATE MNGT DEPT	PO BOX 1393	ORLANDO	FL 32802
302329438904020	STEPHENSON HEATHER A		7204 SEMINOLE DR	BELLE ISLE	FL 32812
302329438905010	ORANGE COUNTY BCC	C/O REAL ESTATE MNGT DEPT	PO BOX 1393	ORLANDO	FL 32802

City of Belle Isle  
1600 Nela Avenue, Belle Isle, Florida 32809 \* Tel 407-851-7730 \* Fax 407-240-2222

**APPLICATION FOR VARIANCE / SPECIAL EXCEPTION**

check # 1435 \$150.00  
4/5/18

DATE: 05APR18  
☐ VARIANCE ☐ SPECIAL EXCEPTION ☐ OTHER  
APPLICANT: Brent Walters  
ADDRESS: 7020 Seminole Dr  
Belle Isle, FL 32809  
PHONE: 407-234-5187

P&Z CASE #: 2018-04-010  
DATE OF HEARING: \_\_\_\_\_  
OWNER: Robert & Cynthia Lance  
3401 Trentwood Blvd  
Belle Isle, FL 32812

PARCEL TAX ID #: 29-23-30-4389-02-150

LAND USE CLASSIFICATION: Low Den. Residential ZONING DISTRICT: R1-AA

DETAILED VARIANCE REQUEST: The Required minimum lot width within the zoning district is 85 feet.

We would like to proceed with a lot split creating two lots (75 feet wide each). We request a variance from  
the required minimum Lot width.

SECTION OF CODE VARIANCE REQUESTED ON: Minimum Lot Width

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.

APPLICANT'S SIGNATURE

OWNER'S SIGNATURE

FOR OFFICE USE ONLY: FEE: \$150.00

4/6/2018  
Date Paid

1435  
Check/Cash

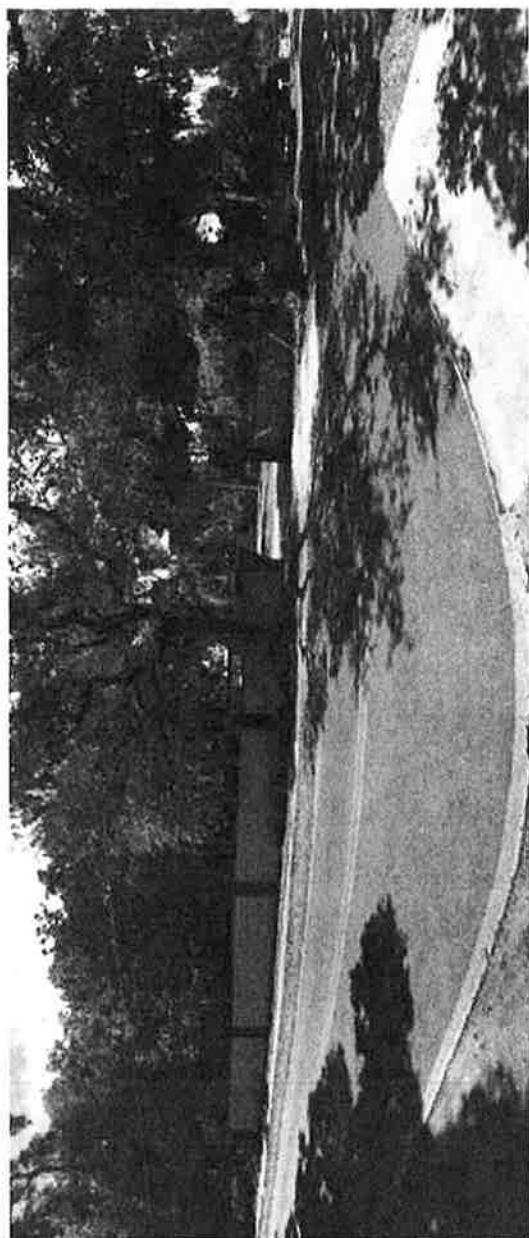
[Signature]  
Rec'd By

Determination \_\_\_\_\_

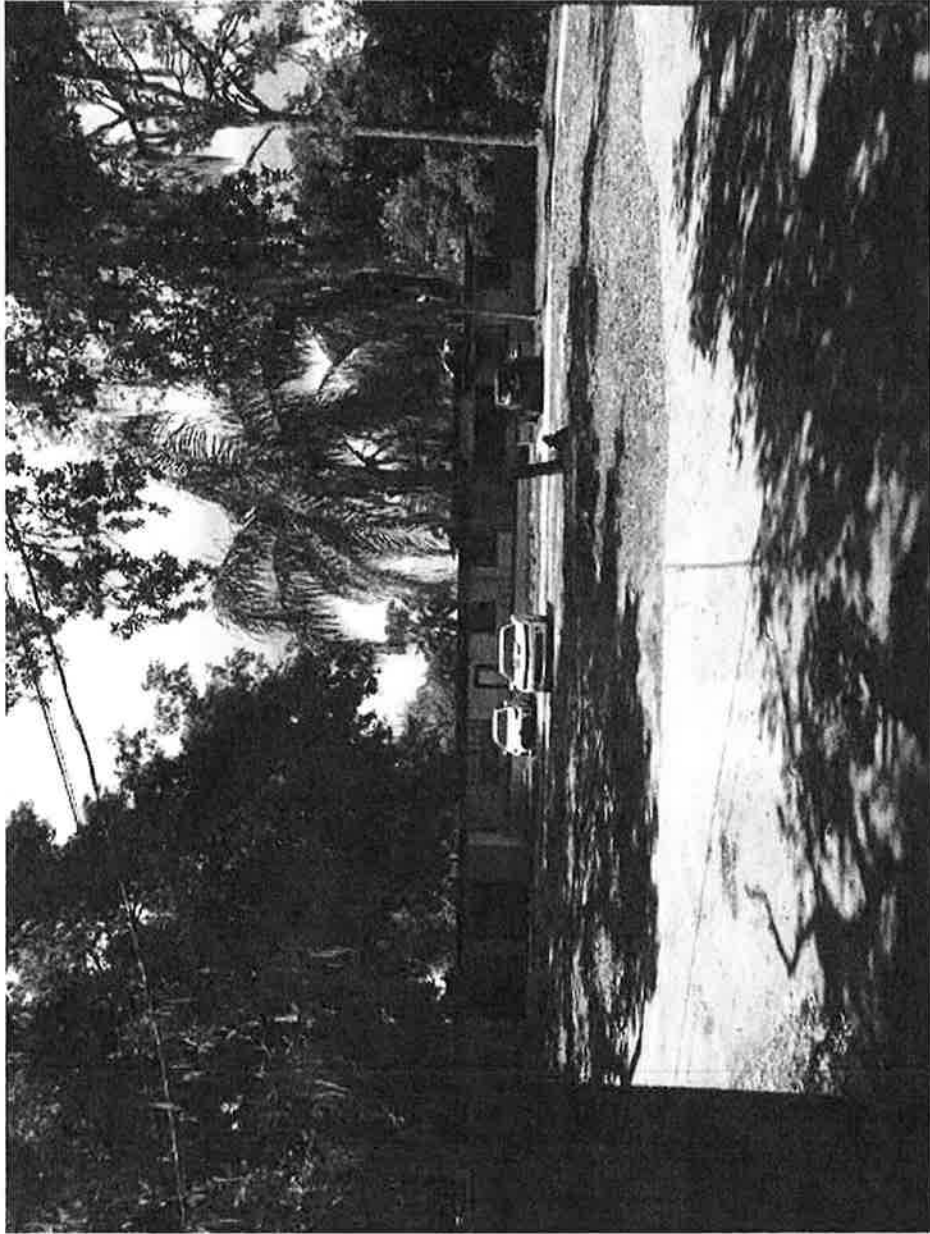
Appealed to City Council: ☐ Yes ☐ No

Council Action: \_\_\_\_\_











April 2, 2018

Belle Isle City Commission  
1600 Nela Ave  
Belle Isle, FL 32809

Re: 7020 Seminole Dr. Variance Request

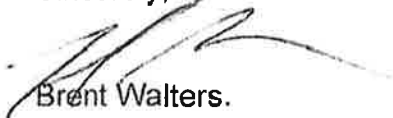
Belle Isle City Commission,

Thank you for your consideration of our variance application for a Lot Split at 7020 Seminole Dr. After reviewing the lots in the immediate area we have found that the vast majority are Non Conforming based on lot width (see attached overlay). Additionally, as other applicants have stated in the past, several other lots are non conforming based on House setbacks, total lot size, and house square footage (not reflected on attached overlay).

This entire area was platted as 70 foot lots and most remain that size. Currently the parcel is underutilized as a single family. The granting of this variance will create two 75 foot lots adding aesthetic value as well as added tax base to the city by allowing construction of two high quality custom homes selling for over 1,000,000 to replace the existing structure. Our request to split this lot is the only way to accomplish this goal and create conformity with the adjacent homes.

Please see attached documentation further detailing how the requested lot split will create conformity with the existing area.

Sincerely,



Brent Walters.

Prepared by:  
BARBIE BECKETT  
Internet Title Services, Inc.  
660 Palm Springs Drive  
Altamonte Springs, Florida 32701

File Number: 13206

## General Warranty Deed

Made this November 24, 2004 A.D. By Edward P. Hale, an unmarried man, whose address is: 2131 MAJESTIC WOODS BLVD. APOPKA FL 32712, hereinafter called the grantor, to Cynthia G. Lance and Paul Robert Lance, husband and wife, whose post office address is: 3401 Trentwood Blvd., Orlando, FL. 32812, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Orange County, Florida, viz:

The East 45 feet of Lot 15, all of Lot 16 and the West 35 feet of Lot 17, Block B, Lake Conway Park, according to the Plat thereof as recorded in Plat Book G, Page 138, Public Records of Orange County, Florida; including all rights, title, interest, claim and demand which the grantor has in and to the lands to lake as recorded in Deed Book 752, Page 446, Public Records of Orange County, Florida, insofar only as said lands lie between the above described property and the lake aforesaid.

Parcel ID Number: 29-23-30-4389-02150

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2004.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

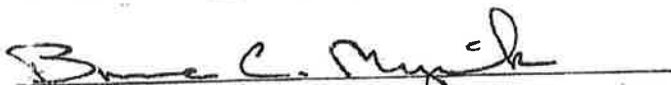
Signed, sealed and delivered in our presence:



Witness Printed Name BARBIE A. BECKETT

 (Seal)  
Edward P. Hale

Address:



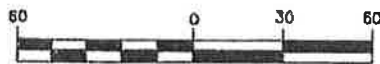
Witness Printed Name Bruce C. Myrick

Address:

(Seal)

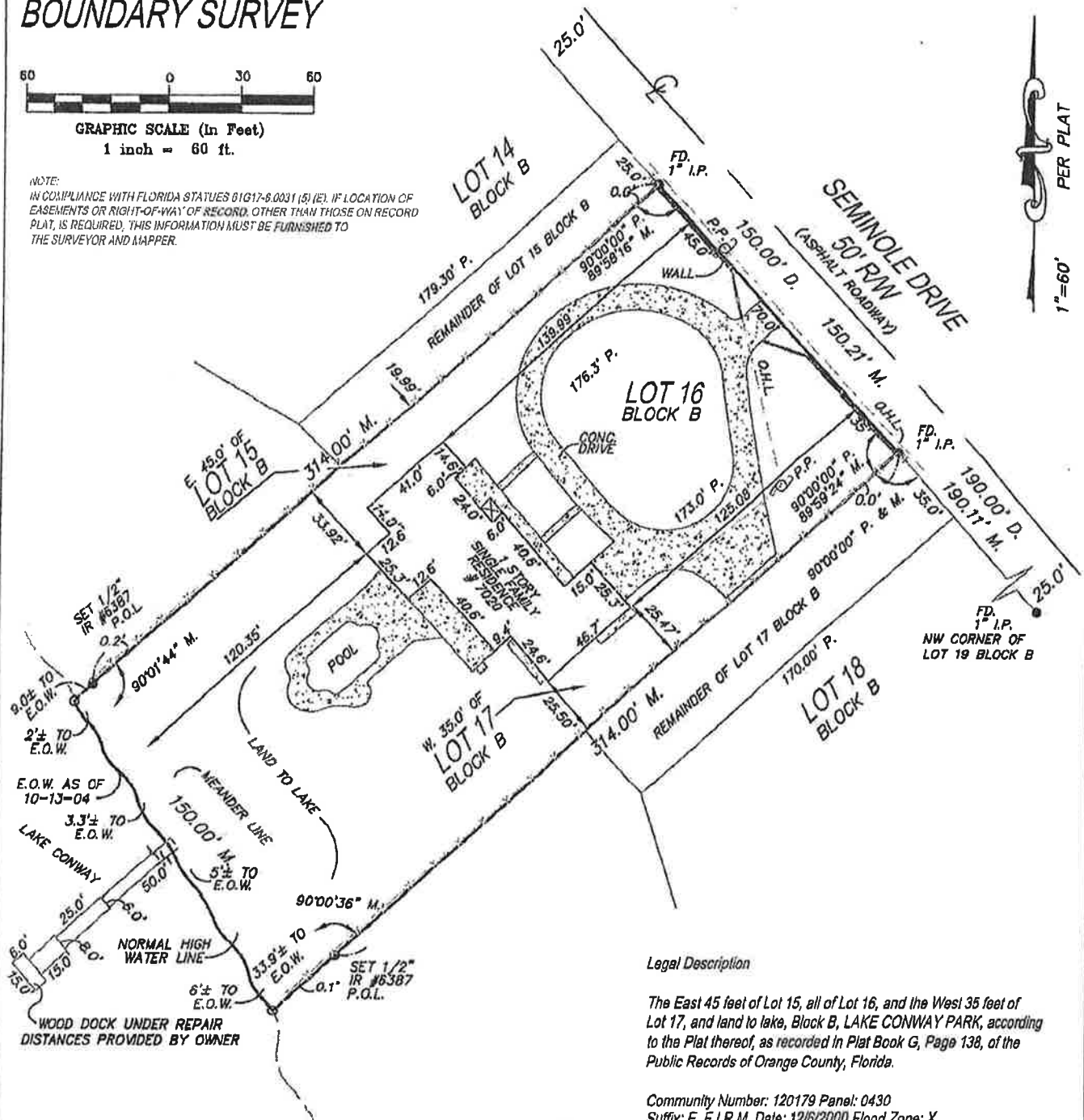
13

# BOUNDARY SURVEY



GRAPHIC SCALE (In Feet)  
1 inch = 60 ft.

NOTE:  
IN COMPLIANCE WITH FLORIDA STATUTES 81G17-6.0031 (5) (E), IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLAT, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER.



## Legal Description

The East 45 feet of Lot 15, all of Lot 16, and the West 35 feet of Lot 17, and land to lake, Block B, LAKE CONWAY PARK, according to the Plat thereof, as recorded in Plat Book G, Page 138, of the Public Records of Orange County, Florida.

Community Number: 120179 Panel: 0430

Suffix: E F.I.R.M. Date: 12/6/2000 Flood Zone: X

Field Work: 10/11/2004 Completed: 10/12/2004

## Certified To:

Paul Robert Lance; Cindy Lance; Internet Title Services, Inc.; First American Title Insurance Company; Sovereign Bank, its successors and/or assigns.

## Property Address:

7020 Seminole Drive  
Orlando, Florida 32812

Survey Number: O-137322

## GENERAL NOTES:

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS.
- 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 4) WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES
- 5) NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 6) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 7) NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS OTHERWISE SHOWN.
- 8) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- 9) FENCE OWNERSHIP NOT DETERMINED.
- 10) ELEVATIONS IF SHOWN ARE BASED UPON N.G.V.D. UNLESS OTHERWISE NOTED.
- 11) BEARINGS REFERENCED TO LINE NOTED B.R.
- 12) THIS SURVEY DEPICTED HERE FORMS A CLOSED GEOMETRIC FIGURE.
- 13) NO UNDERGROUND IMPROVEMENTS OR VISIBLE INSTALLATIONS

## LEGEND

—	CALCULATED CENTERLINE
—	WOOD FENCE
—	WIRE FENCE
●	PROPERTY CORNER
●	SITE BENCH MARK
●	ENCROACHMENT
●	CENTERLINE
●	CONCRETE MONUMENT

FD.	FOUND
O.H.L.	OVERHEAD LINES
P.P.	POWER POLE
TY	TRANSFORMER
CATV	CABLE RISER
W.M.	WATER METER

—	WOOD DECK
—	CONC. BLOCK WALL TYP.
—	COVERED AREA
—	CONCRETE
—	FIELD MEASURED
—	PLAT
—	CALCULATED

# LAKE CONWAY PARK.

PART 1  
APRIL 5

TH  
SEC.

1922.

IFICATE.

THE ME  
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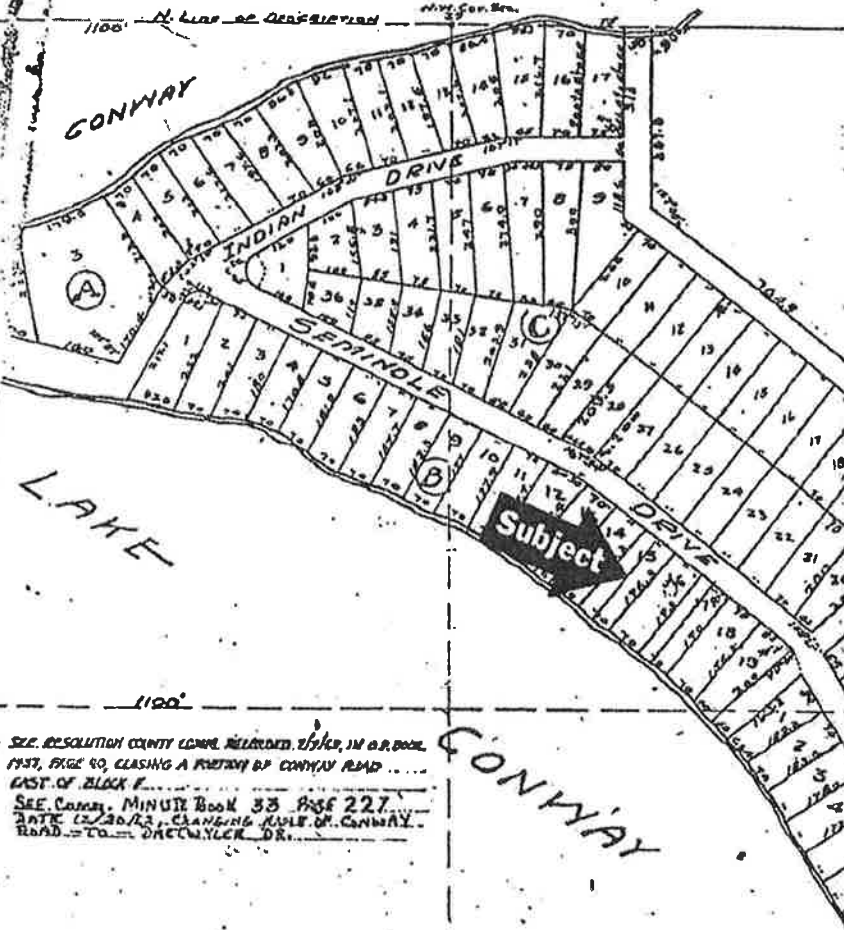
9th DAY 0

ERTIFICATE.

ITE, CIVIL ENGR.  
HERRON IS A TRUE  
IN OF THE LAND.  
HITE.  
ENGR.  
1ST A.D. 1922.  
DETTY HENDERSON  
NOTARY PUBLIC

SEC. RESOLUTION COUNTY COM. RECORDED 25/10/22 IN A.D. BOOK  
1937, PAGE 60, CLOSING A PORTION OF CONWAY ROAD  
EAST OF BLOCK F  
SEE CONN. MINUTE BOOK 33 PAGE 227  
DATE 12/20/22, CHANGING NAME OF CONWAY  
ROAD TO DRECHWYLER DR.

West Line Section 29



(ASPHALT ROADWAY)

**LOT 14**  
**BLOCK B**

ATION OF  
E ON RECORD  
TO

**179.30' P.**

REMAINDER OF LOT 15 BLOCK B

E 45.0' OF  
LOT 15  
BLOCK B

SET 1/2"  
IR #6387  
O P.O.L.

9.04 TO  
E.O.W.

E.O.W. AS OF  
10-13-04

LAKE CONWAY

— LAND TO LAKE

**MEANDER LINE**

150.00' M. TO W

NORMAL HIGH  
WATER LINE

6-4 E.O.W.  
LOCK UNDER REPAIR  
PROVIDED BY OWNER

W. 35.0' OF  
LOT 17-  
BLOCK B

SET 1/2"  
IR #6387  
P.O.L.

REMAINDER OF LOT 17 BLOCK B

**LOT 18  
BLOCK B**

**170.00'**

FD.  
1<sup>st</sup> I.P.  
NW CORNER OF  
LOT 19 BLOCK B

Legal De

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April 2, 2018

Belle Isle City Commission  
1600 Nela Ave  
Belle Isle, FL 32809

Re: 7020 Seminole Dr. Variance Request

Ms. April Fisher,

Please see below for specific answers to the variance application per your request. Additionally, please see attached supplemental letter for additional comments and details related to this request.

1. Specific Conditions or Circumstances –The current zoning was not in effect when the area was originally platted as 70 foot lots. The vast majority of lots in the area remain at 70 feet and are nonconforming based on lot size as well as other factors listed in the supplemental letter. Our hardship is that the property in question is more than twice as large as most other lots in the area (including lakefront). The city's rezoning and creation of non conforming lots throughout the area has created a hardship on our property owner as he must now request a variance for a lot split in order to create two lots that are in conformity with the surrounding community.
2. Not Self-Created – The owner of the lot did not create this hardship, as the area lots were originally platted at 70 feet, and most neighborhood lots remain this size.
3. Minimum Possible Variance – This parcel is currently 150 feet and we are requesting a lot split creating two 75-foot lots (still larger than almost all surrounding lots). This is the minimum possible variance to bring our lot into conformity with the surrounding properties.
4. Purpose and Intent – The generalized purpose and intent of zoning regulations as defined by Wikipedia is "To segregate uses that are incompatible and to prevent new development from interfering with existing uses and or preserve the character of a community". Granting this variance will allow our property to truly conform to the character or the community and surrounding homes.

Please see additional narrative and attachments for further details.

Sincerely,

Brent Walters