

ITEM 6

MEMORANDUM

TO: Planning and Zoning Board

DATE: August 25, 2020

Public Hearing Case #2020-08-006 - Pursuant to Belle Isle Code Sec. 48-33 the Board shall consider and take action on a requested variance from Sec. 48-32 (A) (1) and Sec. 48-34 to allow an expansion of the dock to extend the roof of an existing nonconforming dock, allow replacement of pilings and decking on the nonconforming dock, and allow a variance from the required side setback for the existing dock, submitted by applicant Jeffrey Giles, located at 5842 Cove Drive, Belle Isle, FL 32812 also known as Parcel Number 20-23-30-1660-00-090

Background:

7. On June 10, 2020, Jeffrey Giles submitted a request, application and required paperwork.
8. A Notice of Public Hearing legal advertisement was placed in the Saturday, August 15, 2020, Orlando Sentinel.
9. Letters to the abutting property owners within 300 feet of the subject property were mailed on Thursday, August 13, 2020.

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 in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met, and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, pursuant to Belle Isle Code Sec. 48-33, the criteria of Section 48-32 (A) (1) and Sec. 48-34 of the Belle Isle Land Development Code having been met **TO APPROVE** an expansion of the dock to extend the roof of an existing nonconforming dock, allow replacement of pilings and decking on the nonconforming dock, and allow a variance from the required side setback for the existing dock, submitted by applicant Jeffrey Giles, located at 5842 Cove Drive, Belle Isle, FL 32812 also known as Parcel Number 20-23-30-1660-00-090

SAMPLE MOTION TO DENY:

"I move, pursuant to Belle Isle Code Sec. 48-33, the justifying criteria of the Belle Isle Land Development Code, **having NOT been met; [use only if NONE of the justifying criteria have been met]** the requirements of Section 48-32 (A) (1) and Sec. 48-34, Subsections: [STATE ONLY THE SUBSECTIONS BELOW THAT ARE NOT SATISFIED] **having NOT been met;** [may be used in addition to above or alone] **TO DENY** an expansion of the dock to extend the roof of an existing nonconforming dock, allow replacement of pilings and decking on the nonconforming dock, and allow a variance from the required side setback for the existing dock, submitted by applicant Jeffrey Giles, located at 5842 Cove Drive, Belle Isle, FL 32812 also known as Parcel Number 20-23-30-1660-00-090

SUBSECTION (D), a 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.

SUBSECTION (E), 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 Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the 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.

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: 6/10/2020

P&Z CASE #: 2020-08-006

☐ VARIANCE ☐ SPECIAL EXCEPTION ☐ OTHER

DATE OF HEARING: August 25 2020

APPLICANT: JEFFREY GILES

OWNER: JEFFREY GILES

ADDRESS: 5842 COVE DR

BELLE ISLE 32812

407 509 8309

PHONE: 407 509 8309

PARCEL TAX ID #: 20 23 30 16 60 00 090

LAND USE CLASSIFICATION: 0130-SFR-LF ZONING DISTRICT: _____

DETAILED VARIANCE REQUEST: EXISTING BOAT HOUSE / DOCK
CHANGING FOOTPRINT OF ROOF TO COVER PART
OF DECK. THERE IS A 5' SET BACK

SECTION OF CODE VARIANCE REQUESTED ON: _____

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 Jeffrey Giles

FOR OFFICE USE ONLY:

FEE: \$150.00

8/6/2020

Date Paid

19292508

Check/Cash

Hrp

Rec'd By

Determination _____

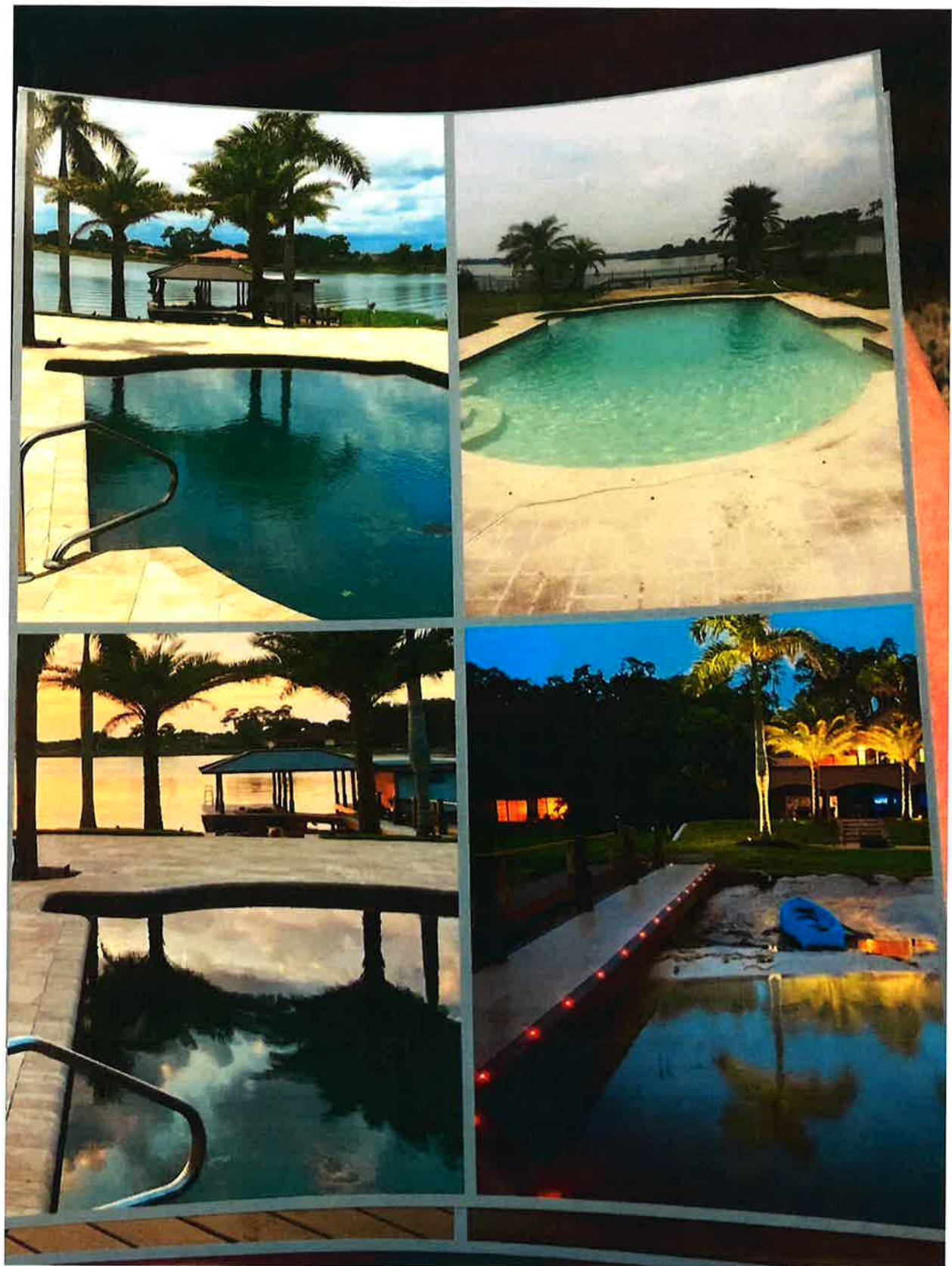
Appealed to City Council: ☐ Yes ☐ No

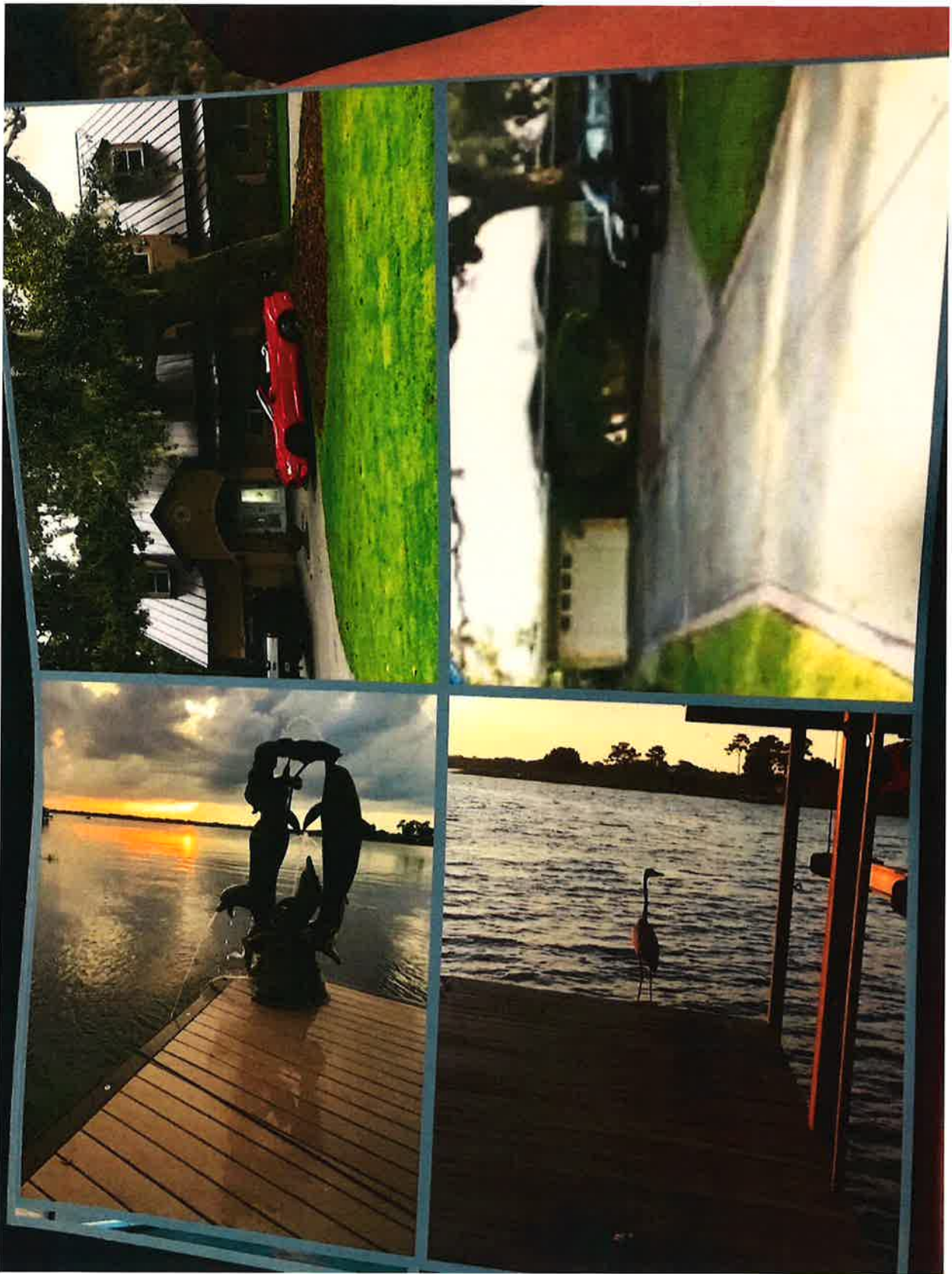
Council Action: _____

Variance Request - Application Supplement

<p>* Standards of Variance Justification</p>	<p>Section 42-64 of the Land Development Code (LDC) states that no application for 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.</p>
<p>Special Conditions and/or Circumstances Section 42-64 (1) d</p>	<p>WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP? <i>The boat dock was an existing structure when we purchase our home. We wanted to cover a portion of the existing deck to provide some kind of shade. It would not be practical to constantly have to put up and take down a canopy everytime we wanted to have shade.</i></p>
<p>Not Self-Created Section 42-64 (1) e</p>	<p>HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED? <i>When boat dock was originally done, there was no cover over the deck area.</i></p>
<p>Minimum Possible Variance Section 42-64 (1) f</p>	<p>CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE. <i>Put a blue canopy over deck area. It would not be financially feasible as we would risk wind damage due to the frequent storms we have and not to mention the unappealing view for lake homeowners and my family.</i></p>
<p>Purpose and Intent Section 42-64 (1) f</p>	<p>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) <i>There are no negative effects as to the additional coverage over the deck. The positive effects are that not only does it add a nice look to our cove, it also adds an increase in property value.</i></p>

* 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.

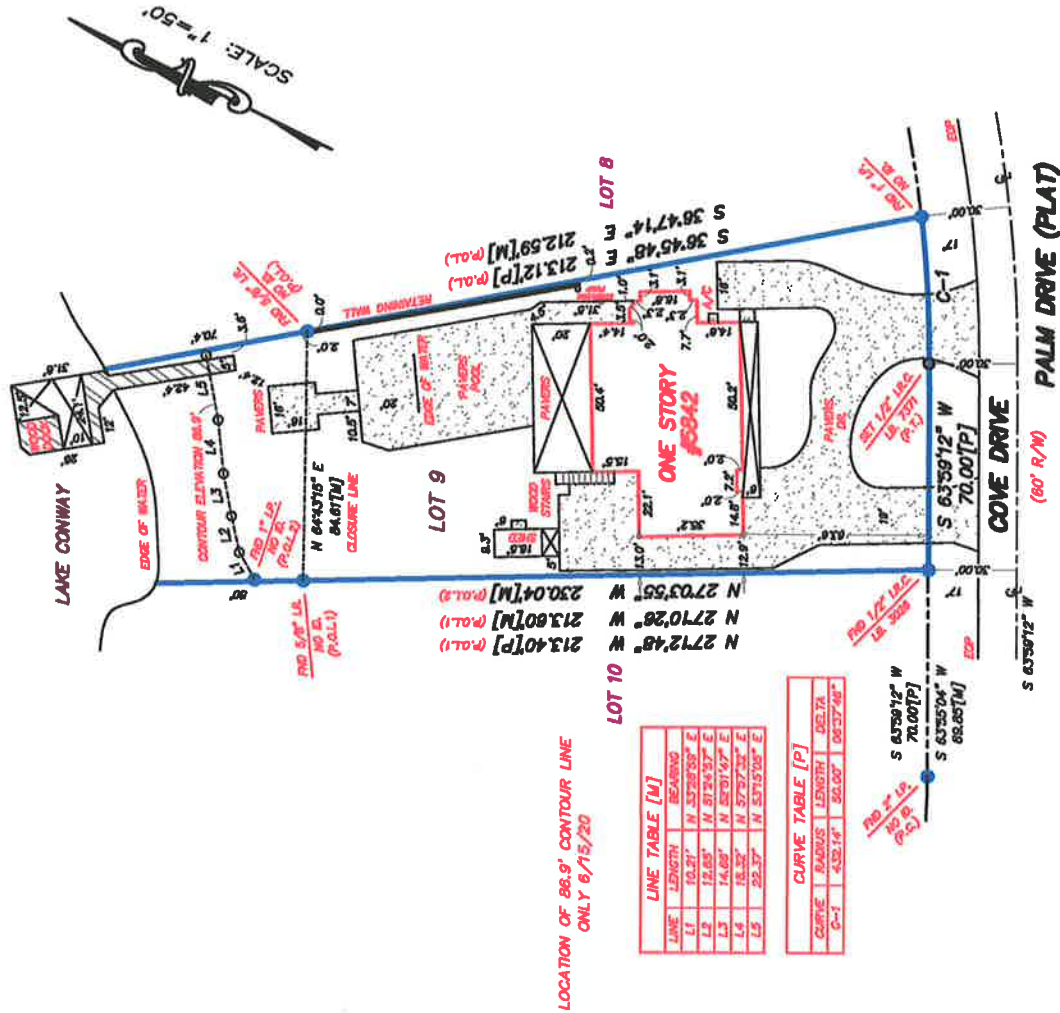


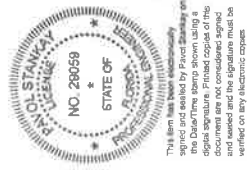
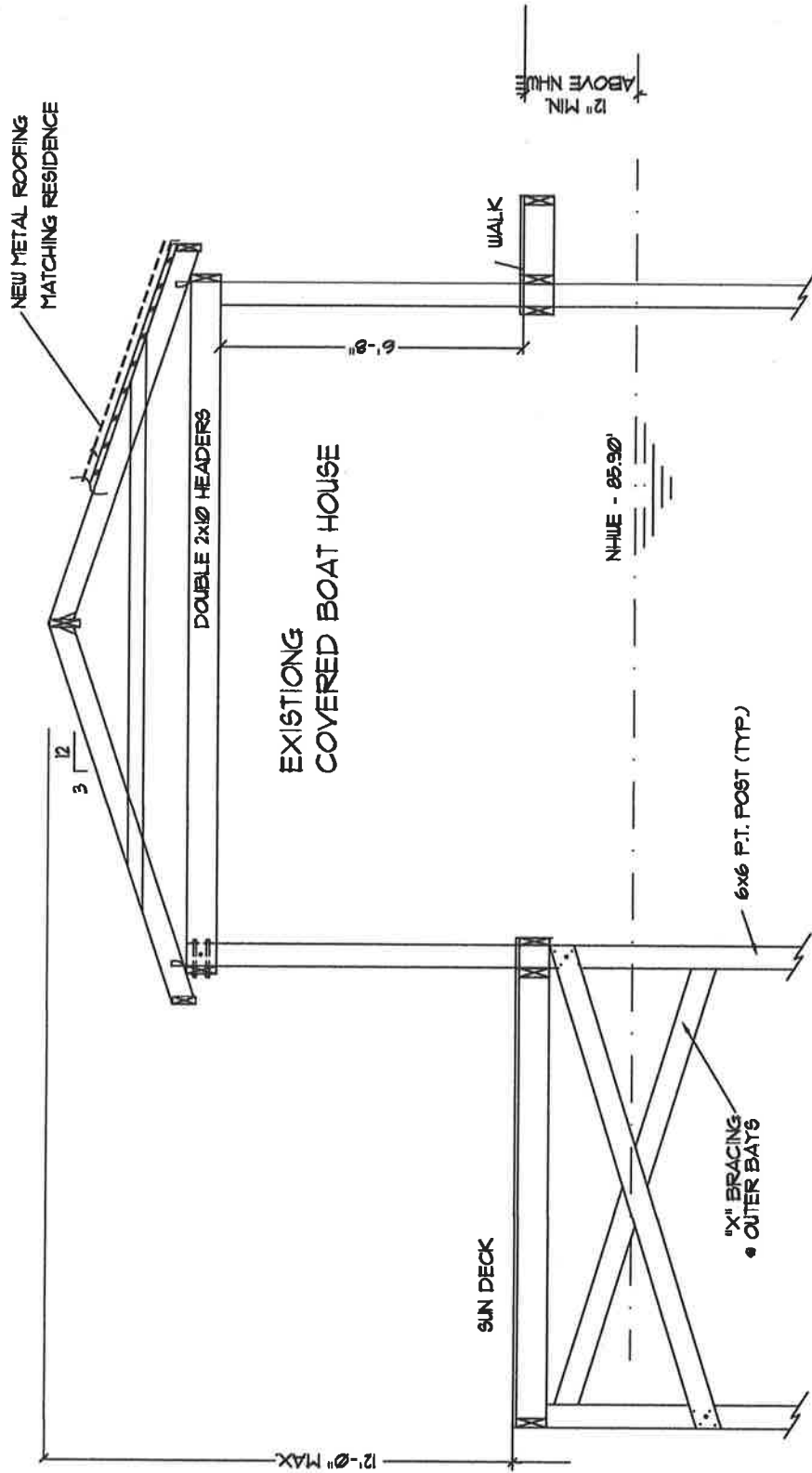


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
SURVEY NO. 107198A **FIELD DATE** 05/11/20



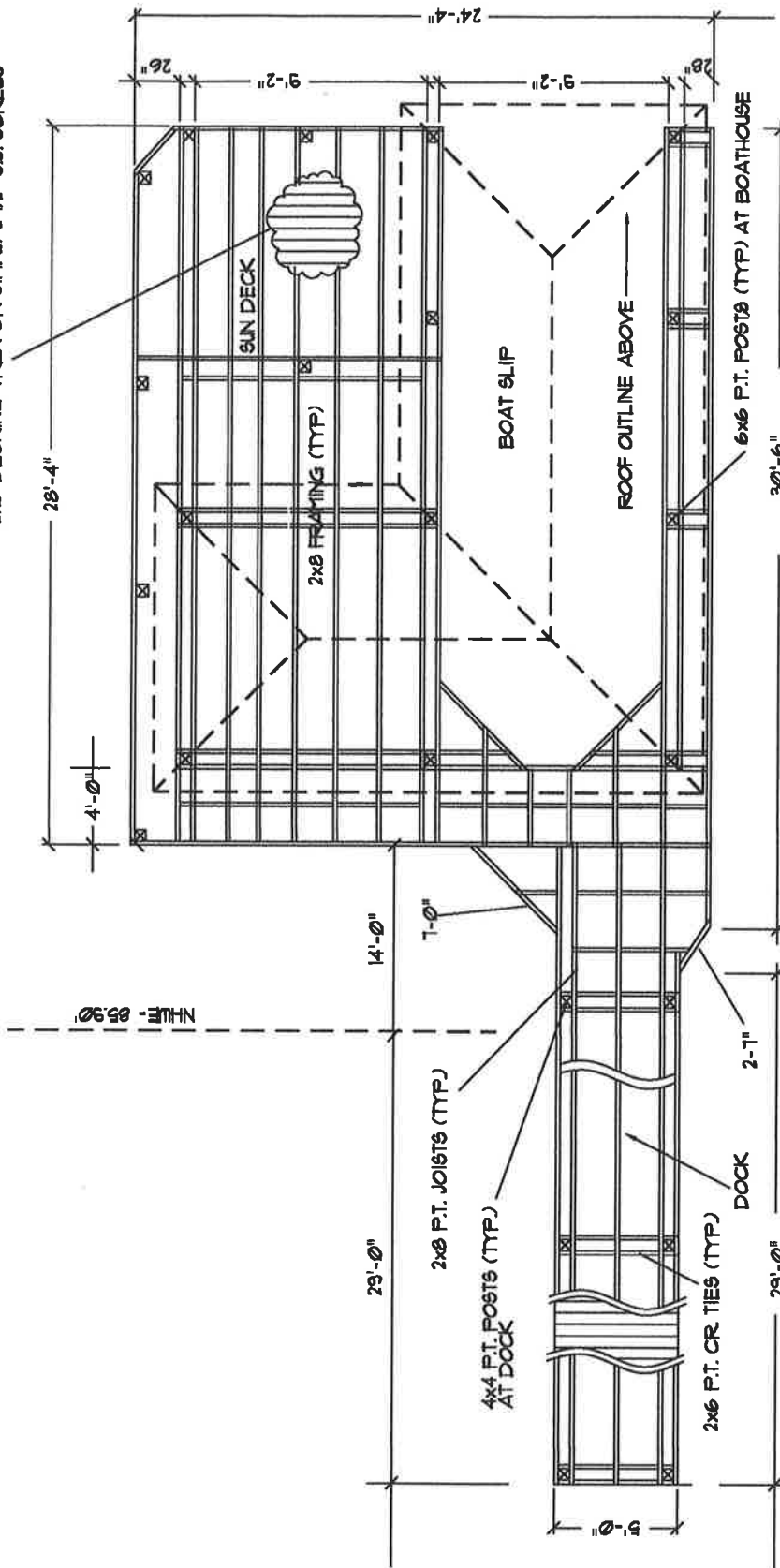


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SECTION
 SCALE: N.T.S.

 Stankay Engineering Group, Inc. Orlando, FL 32801, (407) 701-2145 PAVOL STANKAY, P.E. # 28059	PROPOSED DECK & DOCK
J. GILES RESIDENCE	5842 COVE DRIVE ORLANDO, FL 32812

2x6 DECKING-TREX OR SIM. W/ 2 1/2" S.S. SCREWS



PLAN VIEW

SCALE: N.T.S.

FOUNDATION NOTE:

ROOF POLES SHALL BE EMBEDDED
12" IN SOIL (MIN) OR TO HARDPAN

FRAMING NOTES:

FRAMING MATERIAL:
2 S.Y.F. MINIMUM
HIP ROOF 4/12 PITCH
2x8 P.T. RIDGE BEAM
2x6 P.T. RAFTERS @ 24" C/C
2x6 P.T. COLLAR BEAMS @ 48" C/C
2x8 P.T. HIP
5/8" T-I
1x4 ROOFING FELT
2x8 FT FACIA
ROOFING: SHINGLE (TO MATCH EXISTING)
(2) 2x10 P.T. HEADERS NAILLED &
BOLTED TO 6x6 POSTS

WOOD TREATMENT:
FRAMING / DECKING LUMBER - ACQ
FASTENERS TO BE 3" S.S. SCREWS
6x6 P.T. POLES - CCA @ 20
1/2" GALV. CARRIAGE BOLTS @ EA.
HEADER/COLUMN
4" W/ (3) BOLTS @ CORNER POSTS
(1) BOLTS @ INTERMEDIATE POSTS
SIMPSON STRONG TIE (H25 @ EA.
RAFTER/BEAM CONNECTION)



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SEG Stankay Engineering Group, Inc.
Orlando, FL 32807 (407) 101-2145
PAVOL STANKAY, P.E. #: 29099

PROPOSED DECK & DOCK

J. GILES RESIDENCE

5842 COVE DRIVE

ORLANDO, FL 32812

S.1