
August 14, 2020

Variance Application: 3526 Country Lakes Drive

Applicant Request: PURSUANT TO BELLE ISLE CODE SEC. 50-102 (A) (6), (7), AND (D) (1) AND SEC. 42-64, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A SWIMMING POOL, SURROUNDING PATIO/DECK, AND SCREEN ENCLOSURE TO BE LOCATED WITHIN THE REQUIRED SETBACKS FROM THE 86.9 CONTOUR LINE OR NORMAL HIGH WATER ELEVATION OF LAKE CONWAY, SUBMITTED BY APPLICANT JORDAN MEARS LOCATED AT 3526 COUNTRY LAKES DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL #20-23-30-4980-00-050.

Existing Zoning/Use: Residential / Single-Family Home

This variance application seeks a variance as identified above.

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 application requests a variance from the 35-foot swimming pool setback from the Normal High Water Elevation. The special condition with the subject property is that the property is located on a canal and has a shorter backyard distance from the building to the Normal High Water Elevation than other similar properties.

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

The request for a variance is not self-created as the property lines were drawn prior to the property owner seeking to add the swimming pool.

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

The requested variance is the minimum possible variance to make reasonable use of the land. The application states that the swimming pool will encroach into the required setback by four feet.

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

The requested variance is in harmony with the general purpose and intent of the Land Development Code and therefore is not injurious to the neighborhood, nor detrimental to the public welfare, and will not be contrary to the public interest. This is because the swimming pool will be in line with abutting properties and does not negatively impact the view that neighbors have of the canal.

Staff provides a recommendation to approve the requested variance based on meeting each of the above criteria. The Land Development Code provides in Sec. 42-64 (1) h. that unless all criteria are met, a variance should not be approved.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met.

A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.