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August 9, 2023

Mayor Nicholas Fouraker
City of Belle Isle Council Members
1600 Nela Ave.
Belle Isle, FL 32809

Subject: Appeal of Case Number #2023-06-002 (Boat Dock Design Criteria)

Mayor Fouraker and Council Members,

My name is Matthew Langbehn and I am the applicant representing property owner Edward T. Harrison at 2506 Homewood Dr. I am writing this appeal letter to bring your attention to what I believe to be an error in the recent decision made by the board on July 25th regarding a request for a variance from SEC. 48-32(A)(6)(A) that states that "No dock shall be allowed to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location for the dock or dock addition without a variance".

First and foremost, I want to express my appreciation for the time and effort invested by the board members in addressing community matters and making decisions that shape our city's future. I acknowledge that the task is often complex and challenging, and I respect the dedication each of you brings to your responsibilities.

However, I am compelled to appeal the recent decision due to what I believe was based more-so on opinion and indecisiveness up against the meeting time constraints, rather than based on the fact the variance request had met each of the five criteria detailed in SEC. 48-33. Although I fully understand the hesitation the



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board may have felt interjecting on an issue that would have felt better if left “settled between neighbors”, I believe the board would have approved our request without hesitation had it not been for the few objections presented to the board. I fully understand the intent and purpose of these board meetings is to provide the community with an opportunity to voice their concerns, or approvals, but I also believe it can sometimes distract from the facts of the items presented. Ultimately, I believe the board’s decision deserves further scrutiny and another review of the information previously provided is necessary.

As it stands today, based on the board’s decision and interpretation of the code cited above, my client will be unable to construct a boat dock in adequate water depth to store his boat properly and safely. In other words, the dock in which our dock is being referenced to – the one in which we’re unable to build 15’ longer than – has been constructed in such a way that it will make it impossible to build a dock for the same intent and purpose as we plan to build for without the approval of a variance.

Given the importance of the decision and its potential implications for our community, I kindly request that the City Council conducts a thorough review of the matter. It is my hope that this review will take into account the concerns outlined above and any other pertinent information that may have been overlooked during the previous board proceedings.

I am open to providing any additional information or evidence that may be required to support my appeal and further clarify the aspects that I believe were not given due consideration. I respectfully request the opportunity to present my case in front of the City Council to ensure a fair and transparent review.

Thank you for your time and consideration of this appeal. I believe that by reevaluating the decision in light of the aforementioned factors, the City Council will arrive at a more just and equitable resolution that truly serves the best interests of our community.

Sincerely,
Matthew Langbehn