

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

Meeting Date: September 5, 2023

To: Honorable Mayor and City Council Members

From: Interim City Manager, Chief Grimm

Subject: Appeal of P&Z Hearing 2023-06-002 of Boat Dock Extension

Background: The P&Z Board's decision to deny the variance was a two-part motion with a denial of the dock extension since it did not meet the requirements per code.

Board member Woods moved TO DENY a dock to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location.

Board member Thompson moved, TO APPROVE a dock to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location.

The procedure for this appeal is the same as past appeals.

With the decision of the P&Z Board being appealed, Section 42-71 (b) (3) states that "The council shall conduct a trial de novo hearing upon any appeal taken from the ruling of the board, and hear the testimony of witnesses and other evidence offered by the aggrieved person and interested parties to the appeal and may, in conformity with this article and the Land Development Code, rules and regulations adopted thereunder, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the board."

De Novo Hearing: The city council shall hear the appeal as a new matter.

Before the meeting on Tuesday evening, the Council Members should familiarize themselves with BIMC ARTICLE IV. - EX PARTE COMMUNICATIONS, Sec. 2-163.

Staff Recommendation: None – City Council decision on the appeal presented.

Suggested Motion: I move to a dock to extend greater than 15 feet lakeward of an existing dock within 300 feet of the proposed location, submitted by applicant Matthew Langbehn representing homeowner Edward Harrison located at 2506 Homewood Drive, Belle Isle, FL 32809 also known as Orange County Tax Parcel ID #19-23-30-5888-06-160.

Alternatives: Do not approve the variance or approve the variances with conditions.

Fiscal Impact: None

Attachments: Applicant Letter Appealing the P&Z Decision
P&Z Staff Reports
P&Z Minutes for July 25, 2023