### MEMORANDUM

TO: Planning and Zoning Board

**DATE:** April 22, 2025

**RE:** Variance Application – 7209 Gondola Avenue

Planning and Zoning Case Number 2025-02-003: PURSUANT TO SECTION 42-64, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD SHALL REVIEW AND TAKE ACTION ON A REQUESTED VARIANCE FROM SECTION 50-73 (A) TO ALLOW AN ATTACHED CARPORT TO PROJECT INTO THE REQUIRED FRONT YARD BUILDING SETBACK AREA, SUBMITTED BY APPLICANT DAWN STOCKDALE, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 7209 GONDOLA DRIVE, BELLE ISLE, FLORIDA 32809, ALSO KNOWN AS PARCEL ID # 25-23-29-5884-14-020.

### Background:

- 1. On February 5, 2025, the applicant submitted a Variance application and the paperwork.
- 2. On April 11, 2025, letters to the abutting property owners were mailed within 300 feet of the subject property, and a Notice of Public Hearing legal advertisement was placed in the Orlando Sentinel on April 12, 2025.

The Board may adopt all, some, or none of these determinations as part of its findings of fact and add any additional findings of fact presented at the public hearing. The Board must determine if the criteria outlined 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 42—64, 50-73(A) TO APPROVE AN ATTACHED CARPORT TO PROJECT INTO THE REQUIRED FRONT YARD BUILDING SETBACK AREA, SUBMITTED BY APPLICANT DAWN STOCKDALE, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 7209 GONDOLA DRIVE, BELLE ISLE, FLORIDA 32809, ALSO KNOWN AS PARCEL ID # 25-23-29-5884-14-020.

SAMPLE MOTION TO DENY: "I MOVE, PURSUANT TO BELLE ISLE CODE 42-64, 50-73(A), HAVING NOT BEEN MET, TO DENY [use only if NONE of the justifying criteria have been met] the requirements of, Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone] AN ATTACHED CARPORT TO PROJECT INTO THE REQUIRED FRONT YARD BUILDING SETBACK AREA, SUBMITTED BY APPLICANT DAWN STOCKDALE, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 7209 GONDOLA DRIVE, BELLE ISLE, FLORIDA 32809, ALSO KNOWN AS PARCEL ID # 25-23-29-5884-14-020.

Or the Board can request that it be tabled to a date certain to allow for revisions as discussed.

**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, FL 32809 Tel 407-851-7730 \* Fax 407-240-2222 \* www.belleislefl.gov

Variance and Special	<b>Exception Application</b>									
City Code Chapter 42, Art. II, Sec. 41-61 thru 41-72 AND Sec 42-64 Land Development Code										
APPLICANT Dawn Stockdale	OWNER Dawn Stockdale									
ADDRESS 7209 Gondola Dr	PROJECT ADDRESS 7209 Gondola Dr									
CONTACT NUMBER 407-256-4853	OWNER'S CONTACT NUMBER 407-256-4853									
EMAIL DawnStockdale71@gmail.com	OWNER'S EMAIL DawnStockdale71@gmail.com									
PARCEL ID# 25-23-29-5884-14-020										
LAND USE CLASSIFICATION 0100 - Single Family	ZONING DISTRICT BI-R-1-A									
SECTION OF THE CODE VARIANCE REQUESTED ON Code Section	50-102									
New 2-car carport to be built within front se system in the side yard. New carport will no structure will undergo elevation improveme	ot match existing structure, as existing nts that will match the new carport.									
<ul> <li>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 nine (9) months. Further, the requested user does not violate any deed restriction of the property.</li> <li>By applying, I authorize City of Bella Isle employees and members of the P&amp;Z Board to enter my property during reasonable hours to inspect the area to which the application applies.</li> <li>The applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) picture of the front of the property and at least two photos (from different angles) of the specific area of the property to which the application applies.</li> </ul>										
APPLICANTS SIGNATURE	OWNER'S SIGNATURE									
VARIANCE SPECIAL OTHER	P&Z CASE NUMBER DATE OF HEARING 2025-02-003 4/22/20-25									

Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

Criteria. The Board shall not approve an application for a variance from terms of the Land Development Code unless and until:

- a. A written application for a variance is submitted to the city manager or the city manager's designee on a form provided by the city clerk setting forth all of the special conditions and circumstances that exist in favor of the granting of the variance and addressing the requirements of subsections (1)d—g of this section of the criteria set forth in this section. Upon submission of the properly completed application and the appropriate fee, the city manager or the city manager's designee shall refer the application to the board.
- Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
- c. The public hearing on the application for the variance shall be held. The applicant, the applicant's agent as evidenced by a signed writing or the applicant's attorney shall appear before the board.
- d. It is determined 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.
- e. It has been determined that 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 Land



City of Belle Isle
1600 Nela Avenue, Belle Isle, FL 32809
Tel 407-851-7730 \* Fax 407-240-2222 \* www.belleislefl.gov
Variance and Special Exception Application

Development Code or for the purpose of obtaining a variance.

- f. It is determined that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
- g. It is determined that the granting of the variance will be in harmony with the general purpose and intent of the Land Development 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.
- h. The board shall find that the preceding requirements have been met by the applicant for a variance.

The Board shall find that the preceding requirements have been met by the applicant for a variance.

(2) Violations of conditions.

 In granting any variance, the Board may prescribe appropriate conditions and safeguards to comply with the Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which

- the variance is granted, shall be deemed a violation of this Land Development Code and punishable in accordance with this article. At the Board's discretion, such variance may be revoked for violation of the condition and safeguards.
- b. The Board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed. Under no circumstances, except as permitted above, shall the Board grant a variance to allow a use not generally or by special exception allowed in the zoning district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code in the zoning district. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.

Applications submitted must meet all of the above criteria before the Board can grant a variance. The burden of proof is on the applicant to comply with the criteria.

A special exception addresses the compatibility of uses, differing slightly from a variance. The approval of a special exception depends on how the request affects the surrounding area. All uses allowed as special exceptions are listed within the individual zoning districts. Before the Board can approve a special exception, the request must meet all of the following criteria:

- 1. A written application for a special exception must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month. (See Above)
- The Board shall find that it is empowered under the section of the zoning ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.
- It is determined that public health, safety, comfort, order, convenience, prosperity, morals, or general welfare is promoted, protected, or improved.

### **General Information**

- 1. Certain conditions may be prescribed on the special exception or variance approved by the Board.
- 2. The applicant must be present at all hearings.
- 3. Decisions rendered by the Board do not become final until fifteen (15) days after the hearing. The fifteen-day waiting period allows all aggrieved parties to appeal the decision. Any person filing an appeal will submit, within fifteen (15) days of the decision, a notice stating where they feel the Planning and Zoning Board erred in their decision. Belle Isle's City Council will then hold an appeal hearing.
- 4. Sec 42-61 thru 41-72 Variances and special exceptions granted by the Board will become void if a permit necessary for utilization of the variance or special exception is not issued within six (6) months of the date approved by the Planning and Zoning Board.

FOR OFFICE USE ONLY:

FEE: \$300

25/25

Check/Cash

A Rec of By

City of Belle Isle Planning and Zoning Board 1600 Nela Ave. Belle Isle, FL 32809 (407)851-7730

RE:

**Request for Variance Approval** 

7209 Gondola Dr. Belle Isle, FL 32809

Dear Board Members,

AHACHED

The new proposed detached carport will impact the front setback by 3ft as reflected in the plot plan. This is the minimum variance due to the unique property layout (triangular) as well as the septic system in the side yard.

The uniqueness of this property is that it is a triangular lot, with most of the property located in the front of the house. The septic system and drain field are located on the south end of the house just behind the existing driveway and where the new carport will be located.

The home currently lacks covered parking, and being on the south end of the house, the automobiles are exposed to extreme heat and sun all day, which has damaged previous vehicles over time.

The proposed car port will not impact the neighbors in any way negatively. The property owner has limited options due to the uniqueness of this property and wishes to maintain integrity of the land while enhancing the property value.

Thank you for your consideration.

Dawn Stockdale

**Property Owner** 

### 7209 Gondola Dr, Belle Isle FL 32809





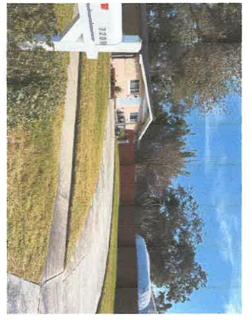




South Side

South Side





Full View from North





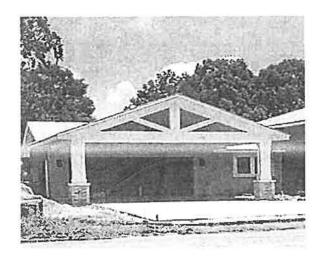


View from south property line



Red = property line

### Example of new car port and future improvements:



# Property Record - 25-23-29-5884-14-020

Orange County Property Appraiser • http://www.ocpafl.org

## **Property Summary**

7209 Gondola Dr Names

Property Name

Stockdale Dawn R Mcclain Kelly C

Municipality

BI - Belle Isle

Property Use

0103 - Single Fam Class III

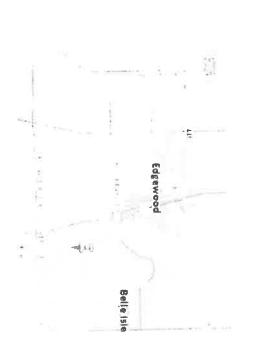
Mailing Address

7209 Gondola Dr Belle Isle, FL 32809-6811

Physical Address

7209 Gondola Dr Belle Islc, FL 32809

> Code For Mobile Phone



Value and Taxes

292325588414020 10/03/2006

# Historical Value and Tax Benefits

2021 S TX DEED	2022 \$ 1100	2023 S HX 550	2024 S BY 5	Tax Year Benefits	Tax Year Values 2024
\$25,000	\$25,000	\$25,000	\$25,000	Original Homestead	Land \$130,000 \$110,000 \$110,000 \$100,000
\$25,000	\$25,000	\$25,000	\$25,000	Additional Hx	## \$247,922 + \$189,764 + \$145,858 + \$116,959
\$0 \$76,604	\$0 \$120,733	\$0 \$159,164	\$0 \$231,698	Other SOH Cap	Feature(s) Market Value Assessed Value + \$29,700 = \$407,622 (24%) \$175,924 (3.0%) + \$30,200 = \$329,964 (15%) \$170,800 (3.0%) + \$30,700 = \$286,558 (21%) \$165,825 (3.0%) + \$20,640 = \$237,599 \$160,995
31,930				p Tax Savings	Assessed Value (a) S175,924 (3.0%) (b) S170,800 (3.0%) (c) S165,825 (3.0%) (c) S160,995

# 2024 Taxable Value and Certified Taxes

Taxing Authority Public Schools: By State Law (Rle) Public Schools: By Local Board Orange County (General) City Of Belle Isle Library - Operating Budget St Johns Water Management District Lake Conway Mstu										
Assd Value \$175,924 \$175,924 \$175,924 \$175,924 \$175,924 \$175,924 \$175,924										
Exemption \$25,000 \$50,000 \$50,000 \$50,000 \$50,000 \$50,000										
Tax Value \$150,924 \$150,924 \$125,924 \$125,924 \$125,924 \$125,924 \$125,924										
Millage Rate 3.2160 (1.36%) 3.2480 (0.00%) 4.4347 (0.00%) 4.4018 (0.00%) 0.3748 (0.00%) 0.1793 (0.00%) 0.5750 (0.00%) 16.4296										
Taxes \$485.37 \$490.20 \$558.44 \$554.29 \$47.20 \$22.58 \$72.41 \$2,230.49										
22 % 22 % 25 % 25 % 1 %										

# 2024 Non-Ad Valorem Assessments

CIT I OF PROPERTY	CITY OF BELLE ISLE	CITY OF BELLE ISLE	Levving Authority
	BELLE ISLE RES - GARBAGE - (407)851-7730	BELLE ISLE STRM - DRAINAGE - (407)851-7730	Assessment Description
	1.00	1.00	Units
	\$305.40	\$140.00	Rate
\$445.40	\$305.40	\$140.00	Assessment

### **Extra Features**

Description  FPL2 - Fireplace 2  AB1 - Accessory Building 1  SHNV - Shed No Value  PT2 - Patio 2  SCR2 - Scrn Enc 2  PL2 - Pool 2
Date Built 01/01/1995 01/01/1990 12/31/2008 12/31/2008 12/31/2011 12/31/2011
Units 1 Unit(s) 120 Square Feet 1 Unit(s) 1 Unit(s) 1 Unit(s) 1 Unit(s)
Unit Price \$2,500.00 \$10.00 \$0.00 \$2,000.00 \$5,000.00 \$25,000.00
\$2,500 \$1,200 \$1,200 \$0 \$2,000 \$5,000 \$19,000

### Sales

### Sales History

06/01/1969 \$15,900	03/31/1998	11/09/2001 \$45,200	08/27/2003	Sale Date Sale 09/10/2015 \$100
\$15,900	\$94,500	\$45,200	\$56,500	Sale Amount \$100
19690269534	19980131293	20010523330	20030543420	Instrument # 20150480425
01842 / 0623	05453 / 4885		07111 / 4863 Warranty Deed	Book/Page 10982 / 3780
Warranty Deed	Warrunty Deed	06393 / 4602 Quitclaim Deed	Warranty Deed	Deed Code Quitclaim Deed
	Davis Anneliese M	Stockdale Dawn R Mccauley Patricia A	Stockdale Dawn R	Seller(s) Stockdale Dawn R Mcclain Kelly C
	Stockdale Dawn R Mccauley Patricia A	Stockdale Dawn R	Stockdale Dawn R Mcclain Kelly C	Buyer(s) Stockdale Dawn R Mcclain Kelly C
Improved	Improved	Improved	Improved	Vac/1mp Improved

## **Property Features**

## **Property Description**

NELA ISLE M/55 LOT 2 BLK N

## Total Land Area

Interior Wall	Exterior Wall	Living Area	Gross Area	Floors	Baths	Beds	<b>Actual Year Built</b>	<b>Estimated New Cost</b>	<b>Building Value</b>	Type Code	Model Code	Buildings	Land Use Code 0100 - Single Family	Land	13,790 sqft (+/-)
Plastered	Cb,Stucco	1888 sqft	1948 sqft	_	2.0	3	1954	\$342,434	\$247,922	0103 - Single Fam Class III	01 - Single Fam Residence		Zoning Land Units R-1-A 1 LOT(S)		0.32 acres (+/-)
		ÿ.				ij	Į.	FOP - F/Opn Prch	FEP - F/Enc Prch	s III BAS - Base Area	nce Subarca Description		Unit Price Land Value \$130,000.00 \$130,000		GIS Calculated
1							* * * * * * * * * * * * * * * * * * * *	60	336	1552	Sqft		Class Unit Price \$0.00		
								\$2,850	\$44,657	\$294,927	Value		<b>Class Value</b> \$130,000		

### Survey Boundary

Legal Description: LOT 2, BLOCK N NELA ISLE ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK M, PAGE 55 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Flood Disclaimer: BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN CITY OF BELLE ISLE, COMMUNITY NUMBER 120181, DATED 2009-09-25.

CERTIFIED TO: DAWN STOCKDALE

-Site Benc

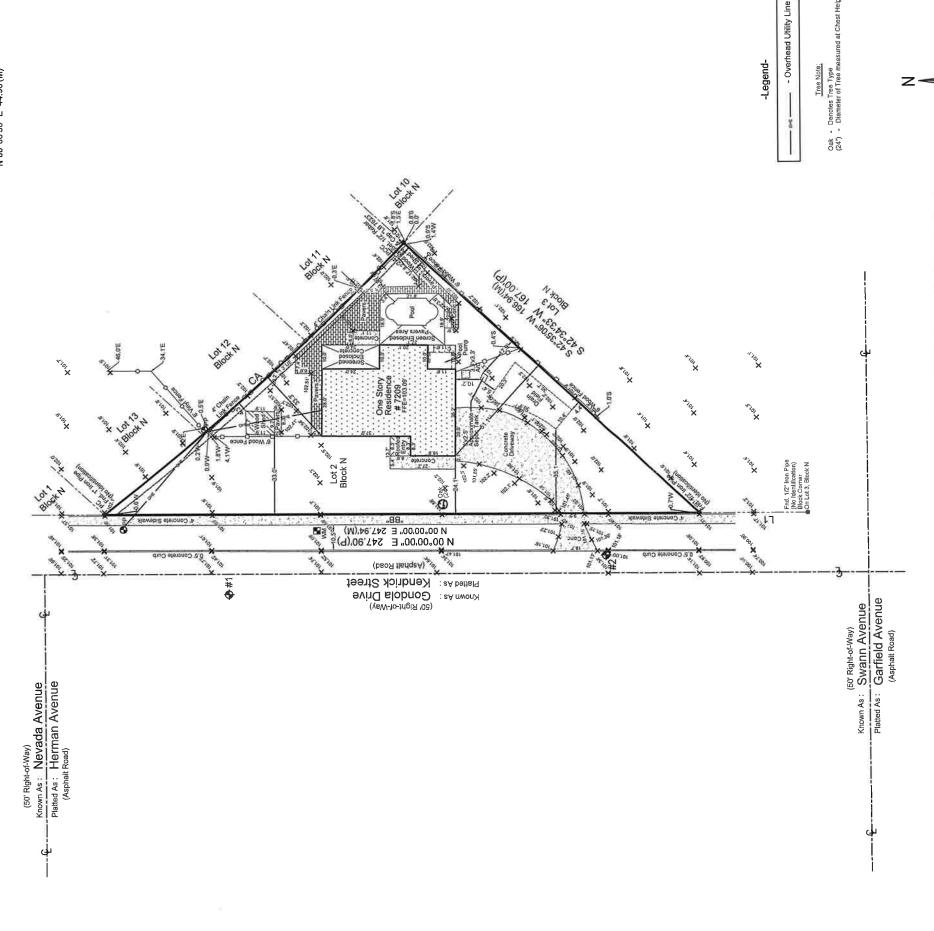
Set Nail & Disk "LB 7623"
Elevation: 10.

♣ #2 Set Nail & Disk "LB 7623" i Elevation: 101.03'

Florida Department of Transpo (Elevations are based upon NAVD 88

C1 R= 1110.00'(P) L= 168.60'(P) Δ= 08°42'10"(C) Chord Bearing= S 42°07'39" E 168.44'(C) S 42°05'54" E 168.50(M)

45.00'(P) N 00°06'36" E 44.98'(M)



reland & Associates Surveying, Inc. ndsurveying.com 6 Fax-407.320.8165 www.ireland Office-407.678.3366 ments and/or Restrictions of Record.

Thereon, is Assumed and Based upon the Line ption Supplied by Client. Seen Researched for Gap -Notes-Survey is Based upon the Legal Des Abutting Properties Deeds have NOT Overlaps and/or Histus PT Point of Red Radius Radius

=All Bea

Note

