



CITY OF BELLE ISLE, Florida

Planning and Zoning: Staff Report

October 11, 2024

Special Exception Request: 4010 Isle Vista Avenue

Application Request: PURSUANT TO SECTION 50-73 (A), 54-75 (C) (9), AND 42-63, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD SHALL REVIEW AND TAKE ACTION ON A REQUESTED SPECIAL EXCEPTION TO ALLOW A TEN-FOOT REDUCTION OF THE FRONT YARD SETBACK FOR A NEW SINGLE-FAMILY RESIDENCE TO 20 FEET INSTEAD OF THE REQUIRED 30-FOOT FRONT YARD BUILDING SETBACK, SUBMITTED BY APPLICANT CASAGALAN LLC, LOCATED AT 4010 ISLE VISTA AVENUE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-0668-00-220.

Existing Zoning/Use: R-1-AA / Single-Family Home

Staff Recommendation

Pursuant to section 54-75 for single-family dwelling districts, staff provides an evaluation based on the Special Exception criteria for the application below.

Section 50-73 (A) outlines the general building setbacks for all zoning districts within the city. An R-1-AA zoning district requires that the building setbacks be 30 feet from the front lot line, 35 feet from the rear lot line, and 7.5 feet from the side lot lines. The applicant seeks to construct a new single-family home within ten feet of the required 30-foot front yard setback.

Section 54-75 (C) (9) provides the following permissible special exception use for the R-1-AA zoning district:

A reduction of the front yard and rear yard setback requirements of the R-1-AA and R-1-AAA zoning district may be permitted as a special exception, provided that: (i) the reduction shall be available only in those subdivisions which are private, gated communities having private internal roads, such that the subdivision is not accessible to the general public; (ii) the reduction shall not exceed a total (combined front and rear yard setbacks) of ten feet with a maximum reduction to rear yard setback of five feet; (iii) the special exception shall be requested as part of the preliminary subdivision plan review and approval process; (iv) the proposed reduction shall not be injurious to the health, safety or welfare of the public or surrounding property owners, and shall recognize and protect the character of surrounding properties.

Section 42-63 lists the criteria for a special exception request. The applicant has submitted a written application, as required, and has included a narrative letter to detail their request and its conformity and minimal impact on the subdivision. The Board must determine that the requested special exception meets the applicable zoning requirements, ensure proper public notice, and that the public health, safety, comfort, order, convenience, prosperity, morals, or general welfare is promoted, protected, or improved.

Staff recommends approval for the special exception use to allow a 10-foot reduction of the front yard, per section 54-75 (C) (9), as the property is located within (1) a private, gated community that is not accessible to the general public; (2) the proposed setback reduction does not exceed a total of ten feet; (3) the city-approved preliminary subdivision plan for Belle Vista showcases properties within the front and/or rear building setbacks; and (4) the proposed reduction is not injurious to the health, safety or welfare of the public or surrounding property owners, and meets the character of surrounding properties.

Additional Notes

Please note that the Board may approve the proposed special exception 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.