

MEMORANDUM

TO: Planning and Zoning Board

DATE: October 22, 2024

RE: Variance Application – 4010 Isle Vista Avenue

P&Z Case Number 2024-09-025: 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.

Background:

1. On September 24, 2024, the applicant submitted a Special Exception Request and the required paperwork.
2. Letters to the abutting property owners were mailed within 300 feet of the subject property on October 11, 2024
3. A Notice of Public Hearing legal advertisement was placed in the Orlando Sentinel on October 12, 2024.

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 42-63 AND 50-73 (A), 54-75 (C) (9) **TO APPROVE** 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.

SAMPLE MOTION TO DENY:

"I MOVE, PURSUANT TO BELLE ISLE CODE 42-63 AND 50-73 (A), 54-75 (C) (9), 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]* 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.

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