



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

City Code Chapter 42, Art. II, Sec. 41-41 thru 41-72 AND Sec 42-64 Land Development Code

2022-10-011

APPLICANT Steve Kneipp	OWNER Christopher George
ADDRESS 2745 Citrus Tower Blvd Unit B Clermont FL 34711	PROJECT ADDRESS 6814 Seminole Dr Belle Isle, FL 32812
CONTACT NUMBER 407-402-1145	OWNER'S CONTACT NUMBER 407-227-7806
EMAIL steve@southeastshell.com	OWNER'S EMAIL christopher.george@ushadvisors.com
PARCEL ID# 29-23-30-4389-02-031	
LAND USE CLASSIFICATION Residential	ZONING DISTRICT R-1-AA
SECTION OF THE CODE VARIANCE REQUESTED ON 50-102(b)(5)(a)	
DETAILED VARIANCE REQUEST To allow a 4 tiered 18"x8" CMU low landscape wall in front of the single family residence structure. Landscape wall is needed due to the elevated grade on the right side of the property created from the drain field mound.	
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. By applying, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property during reasonable hours to inspect the area to which the application applies. 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.	
APPLICANT'S SIGNATURE	OWNER'S SIGNATURE
<input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> SPECIAL EXCEPTION <input type="checkbox"/> OTHER	P&Z CASE NUMBER _____ DATE OF HEARING _____

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.

- b. 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

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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 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.

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

(2) Violations of conditions.

- a. 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

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)
2. 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.
3. 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	<u>10-6-22</u> Date Paid	<u>13496</u> Check/Cash	<u>[Signature]</u> Rec'd By
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Property Record - 29-23-30-4389-02-031

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

Property Summary as of 10/17/2022

Property Name

6814 Seminole Dr

Names

George Christopher James

Municipality

BI - Belle Isle

Property Use

0030 - Vacant Water

Mailing Address

437 Harbour Oaks Pointe Dr
Orlando, FL 32809-3013

Physical Address

6814 Seminole Dr
Orlando, FL 32812



QR Code For Mobile Phone



6814 SEMINOLE DR, BELLE ISLE, FL 32812 1/7/2022 10:16 AM

Property Features

Property Description

LAKE CONWAY PARK G/138 LOT 3 BLOCK B & A PORTION OF LAND BETWEEN THE EAST AND WEST PROPERTY LINES LOT 3 BLOCK B EXTENDED TO THE WATERS OF LAKE CONWAY DESC: COMM AT THE SW CORNER LOT 1 TH S81-46-00E 158.04 FT TO THE POB TH CONT S81-46-00E 73.32 FT TH S25-32-00W 180 FT TH N71-25-00W 70.52 FT TH N29-42-28E 166.73 FT TO THE POB



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ABOUT YOUR PUBLIC HEARING

The following information is provided to assist applicants in applying for a variance, special exception, or use determination. Please familiarize yourself with the process by visiting

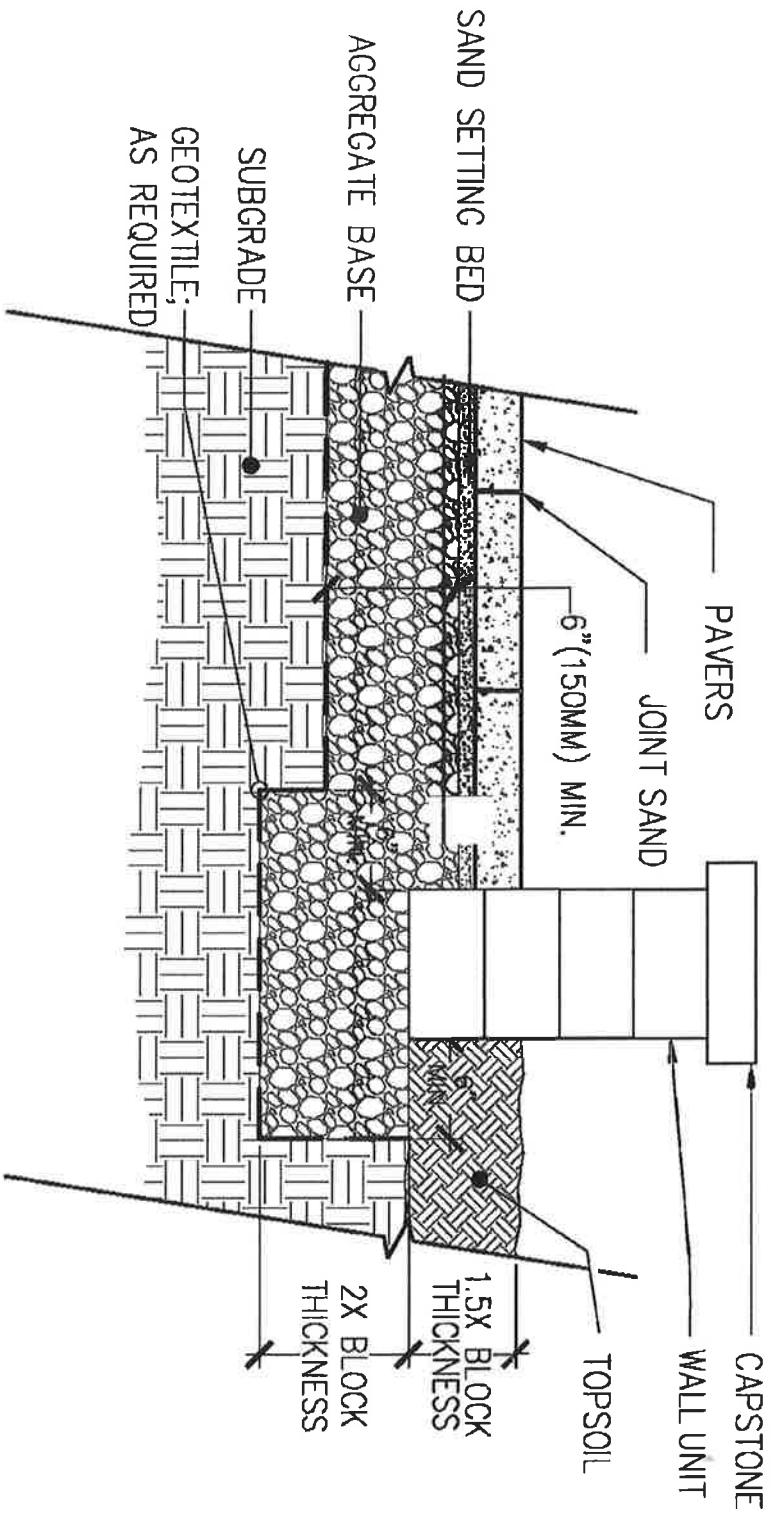
The City of Belle Isle's Planning and Zoning Board, which comprises seven (7) non-paid volunteer residents, meets on the fourth Tuesday of the month to hear various planning and zoning issues, including variances, special exceptions, and use determinations. In recommending approval or denial of a request, the Board looks at each application individually to determine if the request meets the following criteria:

A written application for a **variance must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month**. The application **MUST** include:

- a. the \$300 filing fee,
- b. a completed application form,
- c. proof of ownership of the property, or a notarized statement from the owner with the representative's information,
- d. Ten (10) copies of a plot plan or survey showing all improvements to the property, ten copies of a scale drawing of the planned construction, illustrated on the survey, and digital format for large-scale documents is required.
- e. For boat dock variances, the survey must clearly illustrate the Normal High Water Line elevation (NHWL) of Lake Conway.
- f. **A narrative addressing how the variance complies with the following:**

*Standards of Variance Justification	Section 42-64 of the Land Development Code (LDC) states that no application for a Zoning Variance shall be approved unless the Planning and Zoning Board finds that all of the following standards are met. Please answer each bold-text question in a separate typed or a written document and submit it to the City as part of your variance request.
Special Conditions and/or Circumstances Section 42-64 (1) d	The applicant must prove that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship. That 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. WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP?
Not-Self- Created Section 42-64 (1) e	The applicant must prove that the special conditions and circumstances do not result from the applicant's actions. A personal (self-created) hardship shall not justify a variance; i.e., when the applicant creates the alleged hardship, they are not entitled to relief by their conduct. HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?
Minimum Possible Variance Section 42-64 (1) f	The applicant must prove that the zoning variance is the minimum variance that will make the reasonable use of the land, building, or structure possible. CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.
Purpose and Intent Section 42-64 (1) g	The applicant must prove that approval of the zoning variance will be in harmony with the general purpose and intent of the Code, and such zoning variance will not be injurious to the neighborhood, not detrimental to public welfare, and not contrary to the public interest. WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE, ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC).

***For a variance application from Sec. 50-102 (b) fences and walls, please also identify how you comply with the variance criteria identified in Sec. 50-102 (b) (16). Please note for a fence variance, and you do not have to comply with Sec. 42-64 (1) d and (1) f.**



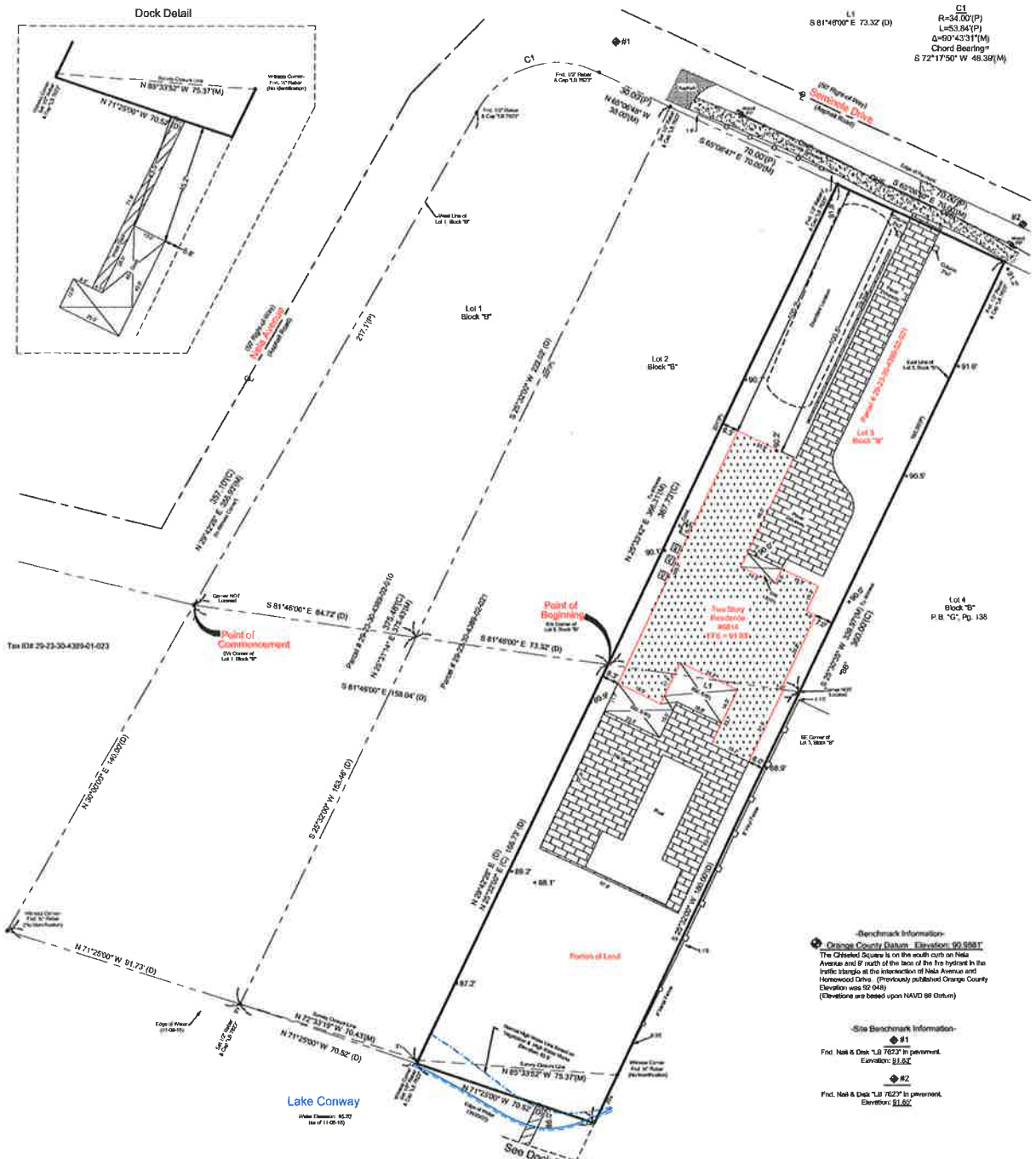
Boundary Survey

Legal Description:

Lot 3, Block B, Lake Conway Park, according to the Plat thereof as recorded in Plat Book G, Page 138, of the Public Records of Orange County, Florida, and the portion of land between the East and West property lines of said Lot 3, Block "B" extended to the waters of Lake Conway, being more particularly described as follows:
Commence from the Southwest corner of said Lot 1, Block "B" according to the Plat thereof as recorded in Plat Book G, Page 138, of the Public Records of Orange County, Florida, thence run S 81°46'00" E a distance of 158.04 feet to the Southwest corner of said Lot 3, Block "B" and the Point of Beginning; thence continue S 81°46'00" E a distance of 73.32 feet to the Southeast corner of said Lot 3, Block "B"; thence run S 25°32'00" W along the prolongation of the East line of Lot 3, Block "B" a distance of 180.00 feet to the waters of Lake Conway; thence run N 71°25'00" W a distance of 70.52 feet to a point on the prolongation of the West line of said Lot 3, Block "B"; thence run N 29°42'28" E along said West line of said Lot 3, Block "B" a distance of 166.73 feet to the Point of Beginning.

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE/X500/X. THIS PROPERTY WAS FOUND IN CITY OF BELLE ISLE, COMMUNITY NUMBER 120181, DATED 09/25/2008.

CERTIFIED TO: CHRISTOPHER GEORGE



Benchmark Information:
Orange County Datum - Elevation: 90.5981'
The Chained Square is on the south curb on Neil Avenue and if north of the base of the fire hydrant in the traffic triangle at the intersection of Neil Avenue and Homewood Drive. (Previously published Orange County Elevation was 90.948'). (Elevations are based upon NAVD 88 Datum)

Site Benchmark Information:
#1
Frd. Nail & Dsk. "LB 7623" in pavement. Elevation: 81.82'
#2
Frd. Nail & Dsk. "LB 7623" in pavement. Elevation: 81.82'

Revision: Final Survey - (09-01-22) - ADS
Revision: Foundation Survey - (07/12/21) - AWW
Revision: Updated Survey - (09/24/20) - ADS

Field Date: 11/02/18 Date Completed: 11/08/18
Drawn By: JR File Number: IS-53265

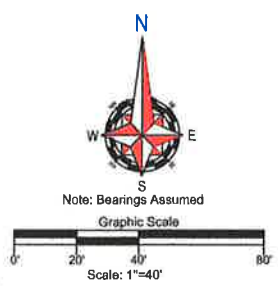
Legend:	
C - Calculated	PC - Point of Curvature
CB - Centerline	Pg - Page
CM - Concrete Monument	PI - Point of Intersection
Conc. - Concrete	P.O.B. - Point of Beginning
D - Description	P.O.L. - Point on Line
DE - Drainage Easement	PP - Power Pole
E - Easement	PRM - Permanent Reference Monument
F.E.M.A. - Federal Emergency Management Agency	PT - Point of Tangency
F.F.E. - Finished Floor Elevation	RI - Radius
FFL - Finish	Rad. - Radial
IP - Iron Pipe	Rec. - Recovered
L - Length (ft/in)	Rec. - Recovered
M - Metal	Ret. - Retard & Cap
N&D - Nail & Disk	Ret. - Recovered
N.R. - Non-Recall	Set - Set 1/2" Rebar & Cap "LB 7623"
ORIS - Official Records Book	Typ. - Typical
P - Plat	UE - Utility Easement
P.B. - Plat Book	WM - Water Meter
W - Wood Fence	Δ - Delta (Central Angle)
	○ - Chain Link Fence

Notes:
- Survey is Based upon the Legal Description Supplied by Client.
- Adjacent Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Mistakes.
- Subject to any Easements and/or Restrictions of Record.
- Bearing Data shown hereon, is Assumed and Based upon the Line Denoted with a "BD".
- Building Ties are NOT to be used to reconstruct Property Lines.
- Fence Ownership is NOT determined.
- Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- Septic Tanks and/or Driveway locations are approximate and MUST be verified by appropriate Utility Location Companies.
- Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be construed to give ANY Rights or Benefits to Anyone Other than those Certified.
- Flood Zone Determination Shown Herein is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Patterns and/or other information NOT HERE known by MCR given to the Surveying Company at the time of this Enclosure.
- Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.

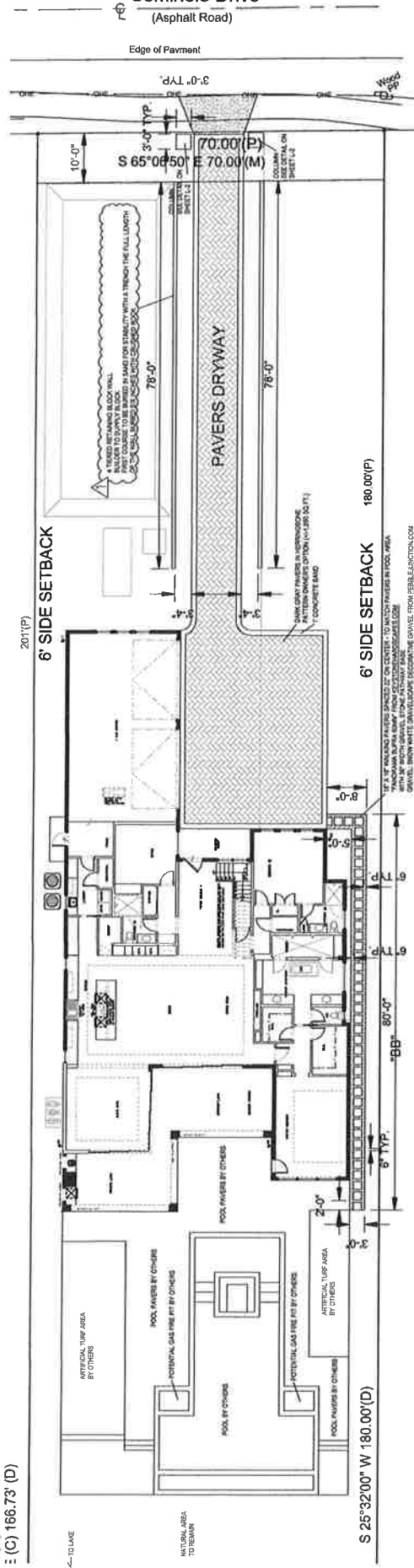
I hereby Certify that this Boundary Survey of the above described Property is True and Correct to the best of my Knowledge and Skill as a Surveyor under my Oath on the Date Shown, Based on Information furnished to me as Noted and Confirms to the Standard of Practice for Land Surveying in the State of Florida in accordance with Chapter 47, Florida Administrative Code, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland (FOR THE FIRM)
P.S. 9637 LB 7623
This Survey is intended for the use of Said Certified Parties. This Survey NOT VALID UNLESS SIGNED AND DATED WITH SURVEYOR'S SEAL.

Ireland & Associates Surveying, Inc.
800 Currency Cir, Suite 1020
Lake Mary, Florida 32746
www.IrelandSurveying.com
Office-407.678.3366 Fax-407.320.8165

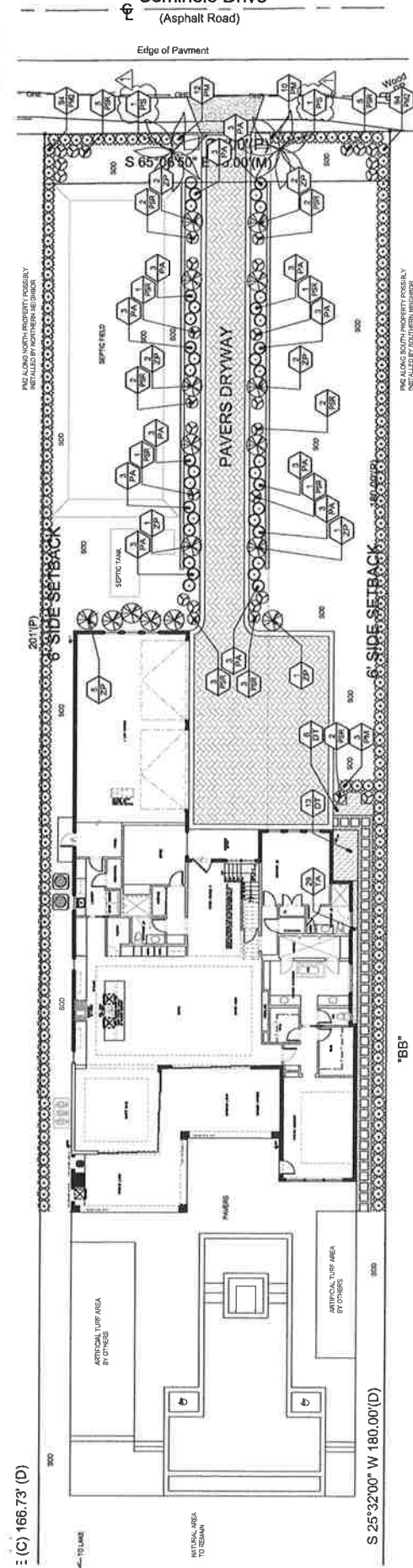


(C) 166.73' (D)



HARDSCAPE LAYOUT PLAN

(C) 166.73' (D)



LANDSCAPE LAYOUT PLAN

48 HOURS BEFORE YOU DIG

CALL 813-989-8888

IT'S THE LAW IN FLORIDA

FOR ANY AND ALL DIGGING

OPERATIONS TO PROTECT

UNDERGROUND UTILITIES

CALL 813-989-8888

FOR A FREE SERVICE TO YOUR AREA

CADDSCAPES, INC.
Florida Landscape Architecture Firm
432 Howell Loop, Landscape Architect
Jason Bridgewater, P.L.A.
Florida Water Star AP
Jason Bridgewater@gmail.com
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Office: 407 310-5567
Florida, FL 32724

DATE	REVISION	OWNER REVISIONS
9/14/22		



GEORGE PROPERTY
6614 SEMINOLE DRIVE
BELLE ISLE, FL

DATE: 5/17/22
DRAWN: JB
CHECKED: JB

L-1
LANDSCAPE PLAN
PROJECT NO: 2022 017

