

City of Belle Isle

1600 Nela Avenue, Belle Isle, Florida 32809 * Tel 407-851-7730 * Fax 407-240-2222

APPLICATION FOR VARIANCE / SPECIAL EXCEPTION

DATE: 09.01.22

P&Z CASE #: 2022-09-003

[x] VARIANCE [] SPECIAL EXCEPTION [] OTHER

DATE OF HEARING:

Table with 2 columns: Applicant (Kelly F. Rummler), Owner (Kelly F. Rummler), ADDRESS (1705 Wind Harbor Road Belle Isle, FL 32809), PHONE (863-514-5371), PARCEL TAX ID #: (30-23-30-9330-00110)

LAND USE CLASSIFICATION: 0100-Single Family ZONING DISTRICT: R-1-AA

DETAILED VARIANCE REQUEST: Eliminate on site retention requirement or allow to be placed on front property swale due to driveway expansion. Please see application supplement.

SECTION OF CODE VARIANCE REQUESTED ON: Section 50-74 Impervious Surface Ratio of the City Code

- 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...
By submitting the application, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property...
Applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application...
Sec. 42-64. - Variances. The board shall have the power to approve, conditionally approve or deny applications for 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...
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...
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...
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...

**Kelly F. Rummler
1705 Wind Harbor Rd.
Belle Isle, FL 32809**

Variance Request – Application Supplement

Special Conditions and /or Circumstances

Section 42-64 (1) d

What are the special conditions and circumstances unique to your property? What would be the unnecessary hardship?

Eliminate on site retention requirement or allow to be placed on front property swale. Due to slope of land, placement would need to be downhill for retention. No place on property with the exception of the swale due to drain field.

Not Self-Created

Section 42-64 (1) e

How were the special conditions noted above created?

We are widening driveway to accommodate more cars. Due to the large street planter and the new addition of a 1'23" pole offset, there is no on street parking in front of our property. This makes an undue burden on neighbors due to us having to park in street, in front of their property.

Minimum Possible Variance

Section 42-64 (1) f

Can you accomplish your objective in another way? List alternatives you have considered and evidence as to why they are not feasible.

Considering property slope and drain field our alternative to asking for the elimination of the retention requirement is permission for use of swale.

Purpose and Intent

Section 42-64 (1) g

What effects will approval of the variance have on adjacent properties or the surrounding neighborhood?

Allowing the elimination of retention requirement or the use of swale will allow more cars to park in driveway eliminating street parking which is more dangerous and not as beautiful for the neighborhood.

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 ensure compliance 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 discretion of the board, such variance may be revoked for violation of the condition and/or 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 or both. Under no circumstances, except as permitted above, shall the board grant a variance to permit a use not generally or by special exception permitted 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.



APPLICANT'S SIGNATURE



OWNER'S SIGNATURE

FOR OFFICE USE ONLY:

FEE: \$300.00

9-1-2022
Date Paid

CK207
Check/Cash



Rec'd By

Determination _____

Appealed to City Council: Yes No

Council Action: _____







City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809
Tel 407-851-7730 * Fax 407-240-2222 * www.cityofbelleislefl.org

DRIVEWAY/PAVERS REVIEW APPLICATION

Date: 3/2/22 Permit # _____

I, the undersigned, hereby request permission for the construction of a Driveway(s) on City of Belle Isle right-of-way at the following location:
Parcel # 30-23-30-9330-00-110 To obtain this information please visit OrangeCountyfl.net

Inspection must be completed prior to the concrete pour.

Property Owners Name Joshua & Kelly Rummel Mobile 863-514-5172
Property Address 1705 Wind Harbor Rd. Estimated Value of Work: 11,000
Contractor Name Joseph Auer IV Company Name Booth's Cobblestones
Phone 407-521-2823 License No. CBC059858

The Driveway/Sidewalk is to be constructed in the following manner:

The Driveway(s) will be constructed in accordance with the above requirements and those on the reverse side. The Applicant is responsible for construction and will also maintain the above described Driveway in a safe and adequate condition. The Applicant will save and keep the City of Belle Isle harmless from any and all damages, claims, or injuries that may occur by reason of this construction of said facility. **The Applicant binds and obliges himself to confirm to the above description and the attached survey/sketch. See Reverse side for specifications.**

JJ's Waste & Recycling is by legal contract the sole authorized provider of garbage, recycling, yard waste, and commercial garbage and construction debris collection and disposal services with the city limits of the City. Contractors, homeowners and commercial businesses may contact JJ's Waste & Recycling at 407-298-3932 to setup accounts for Commercial, Construction Roll Off, or other services needed. Rates are fixed by contract and are available at City Hall or from JJ's Waste & Recycling. The City enforces the contract through its code enforcement office. Failure to comply will result in a stop work order.

Signature Kelly Rummel Owner Agent

FOR BELLE ISLE USE ONLY
FEE \$30.00 Cash or Chk# _____ Recd _____

ZONING APPROVAL STAMP:

Impervious Surface Ratio Worksheet

Development Zoned A-1, A-2, R-1-AAA, R-1-AA, R-1-A, R-1 per Section 50-74 Impervious Surface Ratio of the City Code

- Total Lot Area (sqft) X 0.35 = Allowable Impervious Area (BASE).
Total Lot Area 14,568 X 0.35 =
Allowable Impervious Area (BASE) 5099
- Calculate the "proposed" impervious area on the lot. This includes the sum of all areas that do not allow direct percolation of rainwater. *Examples include house, pool, deck, driveway, accessory building, etc*
 - House 3,905
 - Driveway 1,228
 - Walkway 182
 - Accessory Buildings _____
 - Pool & Spa _____
 - Deck & Patio N/A
 - Other A/c pond 120

Actual Impervious Area (AIA) 5327
- If AIA is less than BASE, subtract AIA from BASE to determine the amount of impervious area that may be added without providing onsite retention.
- If AIA is greater than BASE, then onsite retention **must be provided.**

Assuming 7.5 inches of rainfall based on a 24hr 10 year Rain Event (TP40), the formula is:
(7.5 inches rainfall/12 Inches p/foot) X (result from line 4) = cubic feet of storage volume needed

145 cubic Ft
Storage to Be 30' x 10' x 12" deep
VARIANCE REQUESTED

SWERDLOFF & PERRY SURVEYING, INC.

370 Waymont Court • Lake Mary, FL 32746 • Voice 407.688.7631 • Fax 407.688.7691 • sandpsurveying@gmail.com

Legal Description

Lot 11, WIND HARBOR, according to the plat thereof, as recorded in Plat Book 7, Page(s) 60 through 61, of the Public Records of Orange County, FL.

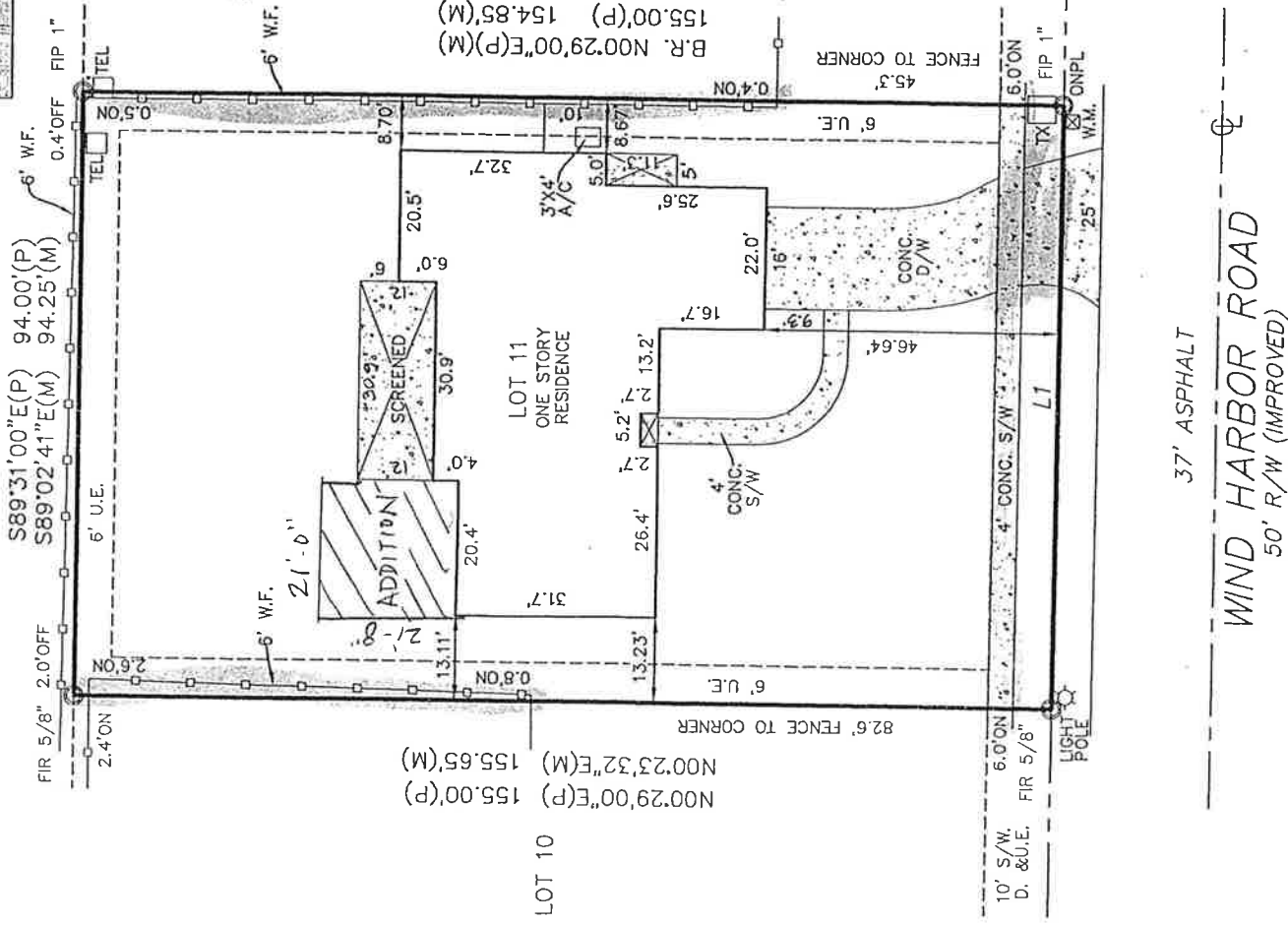
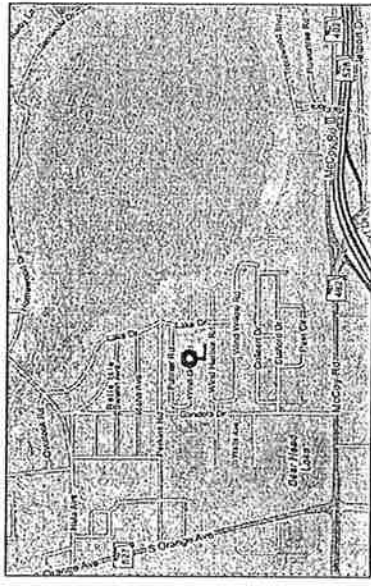
Community number: 120181 Panel: 0430

Suffix: F.F.I.R.M. Date: 9/25/2009 Flood Zone: X

Date of field work: 9/29/2015 Completion Date: 10/1/2015

Certified to:

Joshua Rummier; Kelly Rummier; Dominion Title Company; Chicago Title Insurance Company; CenterState Bank of Florida, N.A., its successors and/or assigns.



NUMBER	BEARING	DISTANCE
L1(P)	S 89°31'00\"E	94.00'
L1(M)	S 89°31'55\"E	94.00'
L2(P)	S 89°31'00\"E	94.00'
L2(M)	S 89°31'19\"E	93.55'
L3(P)	S 89°31'00\"E	94.00'
L3(M)	S 89°28'47\"E	93.81'

I hereby acknowledge that I have reviewed and received a copy of this survey prior to finalizing the purchase of the Property and consent to all items shown on this survey. No title coverage shall exist for items shown or identified on this survey.



SCALE: 1"=30'

37' ASPHALT
WIND HARBOR ROAD
50' R/W (IMPROVED)

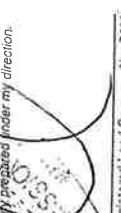
Property Address:
1705 Wind Harbor Road
Belle Isle, FL 32809
Survey number: SL 159294

LEGEND

- 0-0- Wire Fence
- 0-0- Wood Fence
- 0-0- Overhead Utilities
- 0-0- Power Pole
- 0-0- Water Meter
- 0-0- Asphalt
- 0-0- Block Wall
- 0-0- Brick/Pavers
- 0-0- Concrete
- 0-0- Covered Area
- 0-0- Centerline
- 0-0- Central Angle/Delta
- 0-0- Line Break Not to Scale
- 0-0- Bearing Reference
- 0-0- Bench Mark
- 0-0- Cable Riser
- 0-0- Calculated
- 0-0- Chain Link Fence
- 0-0- Chord
- 0-0- Chord Bearing
- 0-0- Concrete
- 0-0- Concrete Monument
- 0-0- Description or Deed
- 0-0- Deed Book
- 0-0- Drainage Easement
- D.H. Drill Hole
- D.U.E. Drainage & Utility Easement
- D.W. Driveaway
- E.S.M.T. Easement
- E.O.P. Edge of Pavement
- E.O.W. Edge of Water
- ENCR. Encroachment
- XX'XX' Existing Elevation
- F. Field
- FD. Found
- FD N&D. Found Nail & Disk
- F.C.M. Found Concrete Monument
- F.I.P. Found Iron Pipe
- F.I.R. Found Iron Rod
- L. Length
- L.B. Licensed Business
- M. Field Measured
- M.H. Manhole
- N&D. Non Radial
- N.R. Not To Scale
- N.T.S. Not To Scale
- O.R. Official Records
- O.R.B. Official Records Book
- P.G. Page
- P.V.M.T. Pavement
- P.C.P. Permanent Control Point
- P.R.M. Permanent Reference Monument
- P. Plat
- P.B. Plat Book
- P.E. Pool Equipment
- P.O.B. Point of Beginning
- P.O.C. Point of Commencement
- P.C. Point of Curvature
- P.I. Point of Intersection
- P.R.C. Point of Reverse Curvature
- P.T. Point of Tangency
- P.O.L. Point on Line
- Rad. Radius (Radial)
- R. Record
- R/W. Right of Way
- S.I.R. Set Iron Rod & Cap
- S/W. Sidewalk
- T/S/R. Township/Section/Range
- TEL. Telephone Facilities
- T.O.B. Top of Bank
- T.X. Transformer
- TYP. Typical
- U.E. Utility Easement
- W.F. Wood Fence
- W.C. Witness Corner

GENERAL NOTES

1. Legal description provided by others.
 2. The lands shown hereon were not abstracted for easements or other recorded encumbrances not shown on the plat unless specifically noted.
 3. Underground portions of footings, foundations or other improvements were not located.
 4. Wall ties are to the face of the wall.
 5. Only visible encroachments located.
 6. No identification found on property corners or dimensions shown are plat and measured unless otherwise noted.
 7. Dimensions shown are plat and measured unless otherwise noted.
 8. This is a BOUNDARY SURVEY unless otherwise noted.
 9. Not valid unless sealed with the surveyor's embossed seal.
 10. Where plat or deed bearing is identical to measured, this shall serve as the basis of bearings, unless noted otherwise.
 11. All lines are not radial unless otherwise noted.
 12. Re-certification does not indicate an update.
- I hereby certify that this survey is a true and correct representation of a survey prepared under my direction.



SWERDLOFF & PERBY

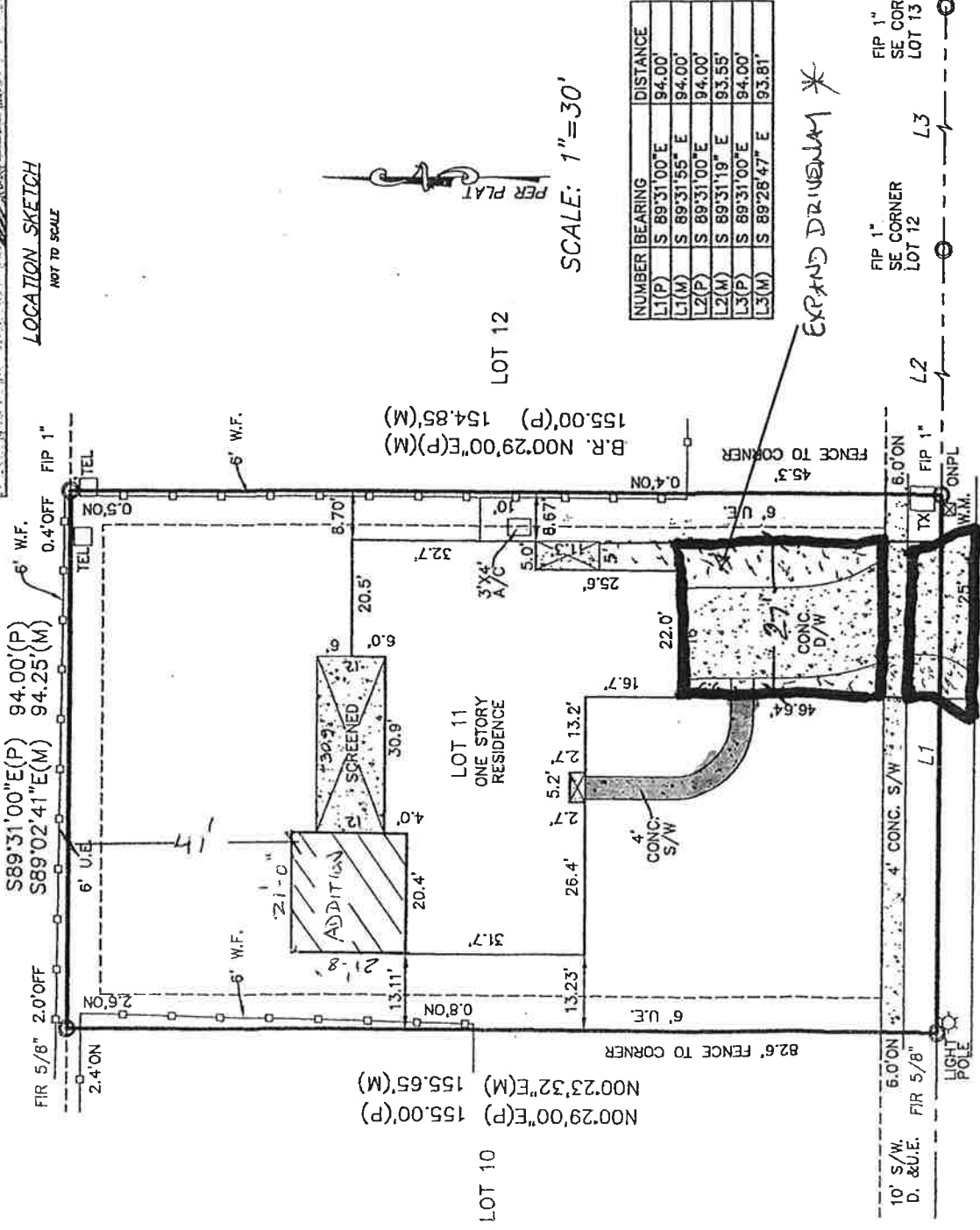
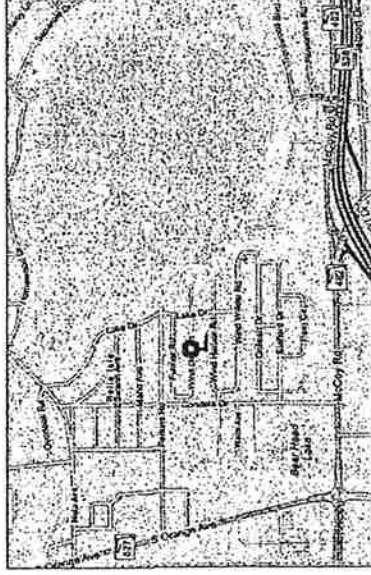
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EXPAND DRAWING *

37' ASPHALT
 WIND HARBOR ROAD
 50' R/W (IMPROVED)

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 Belle Isle, FL 32809

Survey number: SL 159294

LEGEND

-O-O-	Wire Fence	D.H.	Drill Hole	P.R.M.	Permanent Reference Monument
-C-C-	Wood Fence	D.U.E.	Drainage & Utility Easement	P	Plat
-O-W-	Overhead Utilities	D/W	Driveway	P.B.	Plat Book
⊕	Power Pole	ESMT	Easement	P.E.	Pool Equipment
⊕	Water Meter	E.O.P.	Edge of Pavement	P.O.B.	Point of Beginning
⊕	Asphalt	E.O.W.	Edge of Water	P.O.C.	Point of Commencement
⊕	Block Wall	ENCR	Encroachment	P.C.C.	Point of Compound Curve
⊕	Brick/Pavers	XX-XX	Existing Elevation	P.C.	Point of Curvature
⊕	Concrete	F	Field	P.I.	Point of Intersection
⊕	Covered Area	FD	Found	P.I.C.	Point of Reverse Curvature
⊕	Centerline	FD N&D	Found Nail & Disk	P.T.	Point of Tangency
⊕	Central Angle/Delta	F.C.M.	Found Concrete Monument	P.O.L.	Point on Line
⊕	Line Break Not to Scale	F.I.P.	Found Iron Pipe	Rad	Radius (Radial)
⊕	Air Conditioning	F.I.R.	Found Iron Rod	R	Record
⊕	Bearing Reference	L	Length	R/W	Right of Way
⊕	Bench Mark	L.B.	Licensed Business	S.I.R.	Set Iron Rod & Cap
⊕	Cable Riser	M	Field Measured	T/S/W	Sidewalk
⊕	Calculated	M.H.	Manhole	TEL	Township/Section/Range
⊕	Chain Link Fence	N&D	Nail & Disk	T.O.B.	Top of Bank
⊕	Chord	N.R.	Non Radial	T.X	Transformer
⊕	Chord Bearing	N.T.S.	Not To Scale	T.Y.P.	Typical
⊕	Concrete	O.R.	Official Records	U.E.	Utility Easement
⊕	Concrete Monument	O.R.B.	Official Records Book	W.F.	Wood Fence
⊕	Description or Deed	P.G.	Page	W.C.	Witness Corner
⊕	Deed Book	P.V.M.T.	Pavement		
⊕	Drainage Easement	P.C.P.	Permanent Control Point		

GENERAL NOTES

- Legal description provided by others.
- The lands shown herein were not abstracted for easements or other recorded encumbrances not shown on the plat unless specifically noted.
- Underground portions of footings, foundations or other improvements were not located.
- Wall ties are to the face of the wall.
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- No identification found on property corners noted.
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- Not valid unless sealed with the signing surveyors embossed seal.
- Where plat or deed bearing is identical to measured, this shall serve as the basis of bearings, unless noted otherwise.
- All lines are non-radial unless otherwise noted.
- Re-certification does not indicate an update.
- I hereby certify that this survey is a true and correct representation of a survey prepared under my direction.

13. Unless otherwise noted, flood zone information provided by others.
 14. Septic tank and/or drainfield locations are approximate and MUST be verified by appropriate utility location companies.
 15. The closure of structures may not be precise due to building imperfections and decorative finishes.
 16. Pools and/or patios may be drawn as an approximation and not fully dimensioned due to irregular shape.
 17. Fence locations along property line may be exaggerated for clarity.
 18. The nature, extent or existence of riparian rights is not addressed herein.
 19. This survey meets all applicable accuracy requirements.
 20. This survey meets or exceeds the Minimum Technical Standards promulgated by the Florida Board of Professional Land Surveyors, 5-17, of the Florida Administrative Code, Section 4730.027, Florida Statutes.

Ralph Swadloff

Registered Land Surveyor No. 3411