



CITY OF BELLE ISLE, FL

Planning and Zoning: Staff Report

October 25, 2022

Variance Application: 1705 WIND HARBOR ROAD

Applicant Request: PURSUANT TO BELLE ISLE CODE SEC. 50-74 (C) (3) AND SEC. 42-64, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW AN R-1-AA PROPERTY TO EXCEED THE 35% IMPERVIOUS SURFACE RATIO WITHOUT CREATING ONSITE RETENTION FOR STORM RUNOFF, SUBMITTED BY APPLICANT KELLY RUMMLER, LOCATED AT 1705 WIND HARBOR ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL #30-23-30-9330-00-110.

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

Staff Recommendations

Sec. 50-74 of the Code cites the assigned impervious surface ratio for all residential properties within Belle Isle. Further, Sec. 50-74 (c) (3) stipulates that the property owner is held responsible for providing water retention facilities for the runoff volume of rain created by the additional impervious area, which exceeds the base impervious ratio. The applicant seeks to expand their driveway area in the front yard, exceeding the base impervious area, without creating onsite retention.

Staff provides an evaluation based on the variance criteria for the application below:

1. **Special Conditions and/or Circumstances (Sec. 42-64 (1) d):**
At the end of their driveway, the property is located adjacent to a plant landscape, which has existed for over ten years. The elevation of this property is like the surrounding neighbors. As such, no special conditions and/or circumstances have been determined.
2. **Not Self-Created (Sec. 42-64 (1) e):**
The variance request is self-created as the application is seeking to exceed with base impervious ratio, which is allowed by code if onsite retention is created onto the lot to account for the rainfall that cannot percolate into the proposed impervious area.

3. Minimum Possible Variance (Sec. 42-64 (1) f):

The applicant does not explore other options to meet their objective, which is to accommodate additional cars in their driveway. While the front yard may not be a viable option to place a swale as a measure for onsite retention, the applicant can seek to install other forms of onsite retention in the backyard.

4. Purpose and Intent (Sec. 42-64 (1) g):

The requested variance could be injurious to the neighborhood as the additional storm runoff cannot percolate naturally through the permeable areas of the property. The general purpose and intent of the land development code of Sec. 54-70 are applied to all properties within the City regarding the impervious surface ratio.

Based on the applicant's preference to expand their existing driveway to accommodate additional cars into their property, this objective does not meet the hardship test of a variance request. Considering these review criteria, the staff does not recommend approval of the requested variance.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, and continue the application if additional information is being requested for consideration, or deny the application, citing which criteria are not met.

A decision by the Board may be appealed by any aggrieved person to the City Council according to Code Sec. 42-64.