
NOTICE OF PUBLIC MEETING

NOVEMBER 28, 2017 – 6:30PM

CITY OF BELLE ISLE PLANNING AND ZONING BOARD REGULAR SESSION

ITEM 5

MEMORANDUM

TO: Planning and Zoning Board

DATE: November 17, 2017

Public Hearing Case #2017-11-007 - Pursuant to Belle Isle Code Sec. 50-102 (b) (16) and Sec. 42-64, the Board shall consider and take action on a requested variance to place a wall with gate in the front yard of a residential property, submitted by applicant Dina Janicke located at 2221 Hoffner Avenue, Belle Isle, FL 32809 also known as Parcel #18-23-30-5120-00-320.

Background:

1. On October 31, 2017, Dina Janicke submitted the application and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, November 18, 2017 Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on Wednesday, November 15, 2017.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing.

The Board will need to determine if the criteria set forth of the Land Development Code have been met, and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, the criteria of Code Section 50-102(b)(16) and Sec. 42-64 of the Belle Isle Land Development Code having been met to approve this request for a variance to place a wall with gate in the front yard of a residential property, submitted by applicant Dina Janicke located at 2221 Hoffner Avenue, Belle Isle, FL 32809 also known as Parcel #18-23-30-5120-00-320.

SAMPLE MOTION TO DENY:

"I move, the justifying criteria of the Belle Isle Land Development Code, Section 50-102(b) and Sec. 42-64, having NOT been met; [use only if NONE of the justifying criteria have been met] the requirements of section 42-64(1) Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone] to deny this request to place a wall with gate in the front yard of a residential property, submitted by applicant Dina Janicke located at 2221 Hoffner Avenue, Belle Isle, FL 32809 also known as Parcel #18-23-30-5120-00-320.

SUBSECTION (D), 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 not be contrary to the public interest.

Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



April Fisher, AICP
fisherpds@outlook.com
407-494-8789

November 16, 2017

Variance Application: 2221 Hoffner Avenue

Applicant Request: Variance to allow a wall with gate in the front yard

Existing Zoning/Use: R-1-AA/ single-family home

Review Comments

This variance application seeks a variance from Sec. 50-102 (b) (5) (a) to allow a wall with gate in the front yard. The code expressly prohibits fences or walls in the front yard of a property. The applicant constructed the wall and gate prior to receiving a permit and is now trying to permit the wall with gate. A variance is required before the wall can receive a building permit.

The board in granting an application for the variance may consider as justifying criteria, the following from Sec. 50-102 (b) (16):

1. A difference in grade between the property upon which the fence will be installed and the immediately adjacent property;
2. The height or construction materials of already existing abutting walls or fences; and/or
3. Conditions existing upon or occupational use of adjacent property creating an exceptional privacy or security need of applicant.

The requirements of Sec. 42-64 (1) except for subsections 42-64 (1) (d) and (1) (f) shall otherwise be met.

The applicant has provided information supporting the variance request. Please see this information enclosed with this agenda item packet.

Staff Recommendation

Based on the applicant's identification that security and safety for her children's and pet's play area are primary issues for installing the wall in the front yard, coupled with the lot fronting in close proximity to the curve on Hoffner Avenue, staff recommends approval of the requested variance. These items identified are consistent with meeting the criteria established in Sec. 50-102 (b) (16) (3) and the required criteria in Sec. 42-64 (1).

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: 10/31/17 P&Z CASE #: 2017-11-007
VARIANCE SPECIAL EXCEPTION OTHER DATE OF HEARING: Nov 28 2017

Table with 2 columns: Applicant/Owner, Address, Phone, Parcel Tax ID #. Applicant: Dina Janicke, Owner: Dina Janicke, Address: 2221 Noffner Avenue, Phone: 561 414 7600, Parcel Tax ID #: 1F-23-30-5120-00-320

LAND USE CLASSIFICATION: ZONING DISTRICT:

DETAILED VARIANCE REQUEST: AFT - wall and gate front of home

SECTION OF CODE VARIANCE REQUESTED ON: 50-102 B 3+4

- 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 after title to the property has passed...
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.



To: City of Belle Isle

10/31/17

Re: 2221 Hoffner Avenue
Belle Isle, FL 32809

Standard 1:

The special conditions needed for my property are that my front yard is where my children and dogs play. I do not have a backyard with my home. The property sits on Hoffner Avenue and right on a curve where heavy traffic runs all day and night. Even though a 25 per hour speed limit is listed, many drivers do not adhere to this and speed. Due to the location of my home, car accidents are highly possible and I need to have a wall that protects my children and animals. There was an accident 2 years ago that knocked down my mailbox and an electrical pole into my front yard. Had a wall not been up, one of my children could have been seriously injured.

My son's bedroom is downstairs and he never would sleep in his room until the wall and gate were erected. Since the car accident happened in our driveway 2 years ago, he has had nightmares and would not sleep downstairs.

The height of the wall is needed to prevent my dogs from jumping over it and getting out onto Hoffner Avenue, which would also cause an accident. My dogs jump very high and without the height it sits at currently, they very well could jump over the wall.

In addition, Hoffner Avenue is a thoroughfare with many drivers that do not live in this neighborhood. Sometimes, they cat call to me or yell things to my children. This makes me feel very unsafe and uncomfortable. With the wall and gate, I feel safe living alone in this house with my children, as it is an added layer of protection for us.

The unnecessary hardships would be that one of my children or animals could get seriously injured by one of the drivers that does not adhere to the speed reduction, one of my dogs could get out, which could cause a traffic accident, or that my family could be subject to a crime without an added layer of protection that prevents criminals from entering our property.

Standard # 2 - Not self-created

The applicant did not create the special conditions noted above.

The car accident, which resulted in my mailbox and electrical pole crashing into my front yard, were a result of drivers not adhering to the posted speed limit. My home sits directly on the curve, which results in many cars that could potentially have an accident, as they do not adhere to the speed limit.

The home was built and sits on a property that demands for a front yard to be used for children to play. This makes it necessary to have protection for them to play from the road since it is a major thoroughfare.

The increase in transient traffic and crime is not self-created. The wall is an added layer of protection which helps to prevent criminal activity.

Standard # 3: Minimum possible variance

The height of the wall cannot be any lower as this would make the front yard, where my children predominately play, to be viewable by every passerby. For security reasons and in order for my children to be safe, the wall cannot be any lower.

My dogs can climb and jump over the wall if it is not at the current height of 6 feet. There is no way for me to stop my dogs from climbing and jumping over the wall if it is lowered in height. I have attached articles, which state this.

A chain link fence would not work, as dog can easily climb these. A picket fence would not work as the dogs can dig underneath or climb over it. Any height lower than 6 feet would be a danger to my animals and the traffic on Hoffner Avenue.

Standard #3: Purpose and Intent

The wall and gate are in harmony with the existing neighborhood and are aesthetically pleasing. I am attaching supporting letters from each of my neighbors stating that the wall is satisfying to them and aesthetically pleasing. The wall adds as protection to public welfare as it helps with traffic control, as passerbies have nothing to view. It also helps by preventing a car from harming a child as the wall adds a layer of protection from the curve that exists in front of my property.

Sincerely,



Dina Janicke
2221 Hoffner Avenue
Belle Isle, FL 32809
561-414-7600
dinam451@gmail.com

9/4/17

To Whom It May Concern:

I am writing to ask for an exception on the wall that was built on my property at 2221 Hoffner Avenue.

I am a single woman with two small children ages 10 and under and two dogs. I had the wall installed for the safety and security of my family. We live directly on the bend of Hoffner Avenue where many car accidents have occurred. It is well known that many people do not observe the flashing traffic signal that requires cars to go 25 miles per hour. In fact, two years ago, a car took out the mailbox and electric utility pole in front of my home and was overturned in the front yard. An accident like this could have killed one of my children or dogs if they were outside playing in our front yard.

My dogs also can jump very high and I do not want one of them getting out on Hoffner Avenue which could also cause a dangerous collision.

My son's bedroom is downstairs and he never would sleep in his room until the wall and gate were erected. He feels safe now without seeing all of the drive by traffic out his front window. I have also had men catcall out of their car window to me before the wall was up, when I have been outside doing yard work. This made me very uncomfortable, as I feel very exposed to all of the drive by traffic that uses Hoffner Avenue as a thoroughfare. I feel safe now living alone in this house with my two children as we have a layer of security from the very busy traffic on Hoffner Avenue.

The wall is aesthetically pleasing as well and each of my neighbors has written a letter stating that they approve of the wall and are very pleased with it.

Sincerely,



Dina Janicke
2221 Hoffner Avenue
Belle Isle, FL 32809
561-414-7600
dinam451@gmail.com

Not issued
2/20/17

9/7/2017

To Whom it May Concern,

I, Wendy Siegler, property
owner at 2231 Hoffner Ave., Orlando,
FL 32809 hereby acknowledge and
approve of the gate and wall
of Ms. Dina Janicke, property
owner of 2221 Hoffner Ave, Orlando,
FL 32809. The gate and
wall do not bother me, and
believe it adds to the property.

Wendy Siegler

9/16/2017

TO WHOM IT MAY CONCERN:

MY NAME IS RICHARD CUTLER.
I LIVE AT 2213 HOFFNER AVE ORLANDO FLA.
THIS LETTER IS IN REFERENCE TO
THE FRONT GATE AND WALL AT
2221 HOFFNER AVE. I LIVE NEXT DOOR
AT HAVE NO PROBLEM WITH THIS WALL
THE WALL AND GATE PROVIDE MUCH
NEEDED PRIVACY AND SECURITY FROM
BUSY HOFFNER AVE. IF YOU HAVE
ANY OTHER QUESTIONS OR CONCERNS
PLEASE FEEL FREE TO CONTACT ME.

SINCERELY,

RICHARD CUTLER
2213 HOFFNER AVE
ORLANDO FLA 32809
407-694-7425

- [🔍 Searches](#)
- [🔗 Sales Search](#)
- [📄 Results](#)
- [📄 Property Record Card](#)
- [📌 My Favorites](#)

[Sign up for e-Notify...](#)

2221 Hoffner Ave < 18-23-30-5120-00-320 >

Name(s)	Physical Street Address
Janicke Dina	2221 Hoffner Ave
Mailing Address On File	Postal City and Zipcode
2221 Hoffner Ave	Orlando, FL 32809
Belle Isle, FL 32809-3533	Property Use
Incorrect Mailing Address?	0130 - Sfr - Lake Front
	Municipality
	Belle Isle



View 2017 Property Record Card

- [Property Features](#)
- [Values, Exemptions and Taxes](#)
- [Sales Analysis](#)
- [Location Info](#)
- [Market Stats](#)
- [Update Information](#)

2018 values will be available in August of 2018.

Property Description

[View Plat](#)

J H LIVINGSTONS SUB B/33 PIECE 50 BY 160 FT LYING ON W SIDE OF ROAD WLY OF LOT 61 & 62 BLK E VENETIAN GARDENS


Total Land Area 8,001 sqft (+/-) | 0.18 acres (+/-) [GIS Calculated](#) [Notice](#)

Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0130 - Sfr - Lake Front	R-1-AA	1 LOT(S)	working...	working...	working...	working...

Page 1 of 1 (1 total records)

Buildings

Important Information		Structure				
	Model Code:	01 - Single Fam Residence	Actual Year Built:	2000	Gross Area:	2653 sqft
	Type Code:	0104 - Single Fam Class IV	Beds:	3	Living Area:	1918 sqft
	Building Value:	working...	Baths:	3.0	Exterior Wall:	Concrete Block Stucco
	Estimated New Cost:	working...	Floors:	2	Interior Wall:	Drywall

Page 1 of 1 (1 total records)

Extra Features

Description	Date Built	Units	XFOB Value
BD2 - Boat Dock 2	01/01/1997	1 Unit(s)	working...
PT2 - Patio 2	10/02/2000	1 Unit(s)	working...
BC2 - Boat Cover 2	01/01/2010	1 Unit(s)	working...

Page 1 of 1 (3 total records)

This Data Printed on 10/31/2017 and System Data Last Refreshed on 10/30/2017



how high can dogs jump



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six feet

Some dogs can jump as high as **six feet** into the air to clear objects like fences or obstacles, while other dogs can only jump a few inches off the ground. Small dogs with short legs and little agility will have a hard time jumping, while larger, stronger and more agile breeds can jump very high with little effort.



www.cuteness.com

How high can a dog jump? | FamilyPet

<https://familypet.com/how-high-can-a-dog-jump/>

Images Videos

People also ask

How high can dogs jump fence?

What is the world record long jump for a dog?

How do dogs jump?

How do you measure a dog for agility?

People also ask

How high does your dog jump? - YouTube



<https://www.youtube.com/watch?v=ftAgW00WyyqM>

Aug 19, 2011 - Uploaded by Leighton Oosthuisen

It took about three months to learn how to jump this height... While he can jump it without the landing mat ...

How high can the dog jump? - YouTube



<https://www.youtube.com/watch?v=OPib8tmipPI>

Oct 13, 2012 - Uploaded by barrelraces456

How high can a German Shepherd jump? - Duration: ... Can your dog jump from this high? ... Shih Tzu ...

How high can a dog jump? | FamilyPet

<https://familypet.com/how-high-can-a-dog-jump/>

Some dogs can jump as high as **six feet** into the air to clear objects like fences or obstacles, while other dogs can only jump a few inches off the ground. Small dogs with short legs and little agility will have a hard time jumping, while larger, stronger and more agile breeds can jump very high with little effort.

5 Things to Consider When Getting a Fence for Your Big Dog

blog.fenceauthority.com/fantastic-fences-for-big-dogs/

Aug 4, 2017 - 1. Big dogs need big fences...because they can jump! A four foot high fence is unlikely to deter a Husky, Golden Retriever, or Labrador, so you should look for a fence with a height of five or even six feet. For most breeds, six feet should be sufficient.

How high can dogs jump ?? - Netmums

<https://www.netmums.com> > Chat > General Coffeehouse Chat > General chat

Oct 2, 2012 - 13 posts - 12 authors

1. Would it vary between breeds of dog as to how high they can jump ? 2. How tall a fence are we going to need ? Any help or advice muchly ...

Drawing name: Z:\Projects\18300- Fence\17-100\Site Plan.dwg Site Plan (2) Jul 26, 2017 3:19pm by: user

FOUNDATIONS

1. SUBSURFACE SOIL CONDITIONS INFORMATION IS NOT AVAILABLE. FOUNDATIONS ARE EXISTING AND DESIGN IS BASED ON AN ASSUMED ALLOWABLE BEARING PRESSURE OF 2000 PSF.
2. NOTIFY ENGINEER IF EXISTING FOUNDATION CONDITIONS ENCOUNTERED DIFFER FROM SOILS EXPLORATION INFORMATION MADE AVAILABLE TO THE CONTRACTOR.

MASONRY CONSTRUCTION

1. HOLLOW LOAD BEARING UNITS SHALL BE NORMAL WEIGHT, GRADE N, TYPE 2, CONFORMING TO ASTM C90, WITH A MINIMUM NET COMPRESSIVE STRENGTH OF 1900 PSI (fm=1500 PSI).
2. MORTAR SHALL BE TYPE M OR S, CONFORMING TO ASTM C270.
3. COARSE GROUT SHALL CONFORM TO ASTM C478 WITH A MAXIMUM AGGREGATE SIZE OF 3/8" & A MINIMUM COMPRESSIVE STRENGTH OF 2,500 PSI.
4. VERTICAL REINFORCEMENT SHALL BE AS NOTED ON THE DRAWINGS WITH CELLS FILLED WITH COARSE GROUT.
5. VERTICAL REINFORCEMENT SHALL BE HELD IN POSITION AT THE TOP AND BOTTOM AND AT A MAXIMUM SPACING OF 6'-0". REINFORCEMENT SHALL BE PLACED IN THE CENTER OF THE MASONRY CELL TYPICAL UNLESS OTHERWISE NOTED.
6. REINFORCING STEEL SHALL BE LAPPED MINIMUM 48 BAR DIAMETERS, UNLESS NOTED OTHERWISE ON THE DRAWINGS.
7. HORIZONTAL WALL REINFORCEMENT SHALL BE STANDARD LADDER TYPE DUR-O-WAL AT 18" O.C., UNLESS SHOWN OTHERWISE ON THE DRAWINGS.
8. SPLICE WIRE REINFORCEMENT SHALL BE LAPPED AT LEAST 6" & CONTAIN AT LEAST ONE CROSS WIRE OF EACH PIECE OF REINFORCEMENT WITHIN THE 6" LAP WITH STANDARD "L" SHAPED PIECES AT CORNERS.
9. PROVIDE A KNOCK OUT BLOCK OR U-BLOCK REINFORCED WITH 1-#5 CONTINUOUS AT THE TO OF WALL.

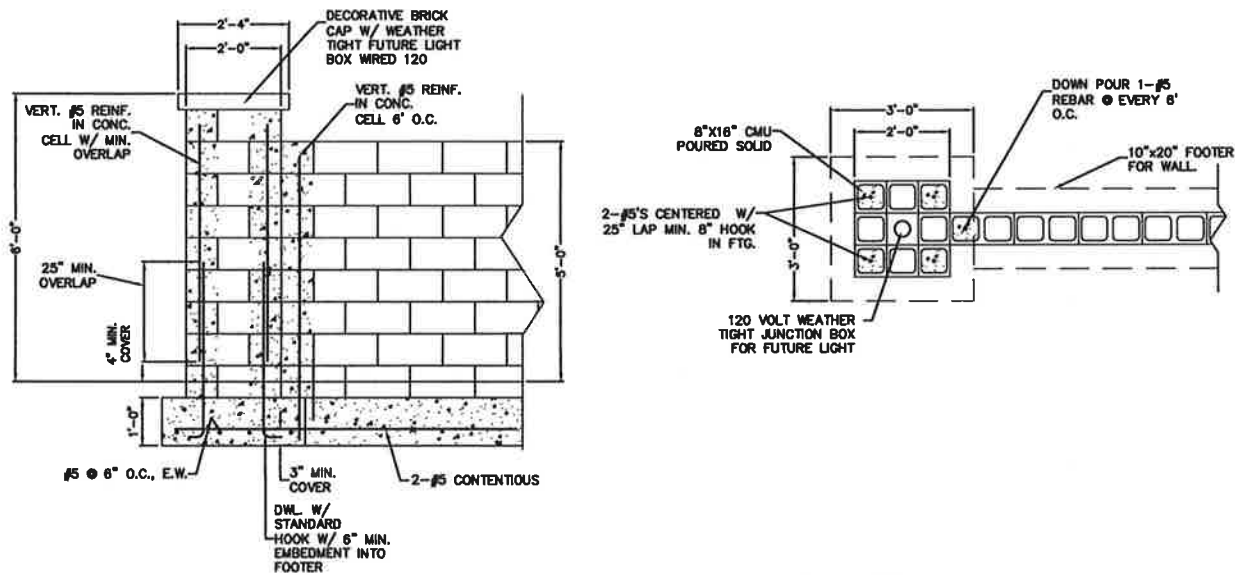
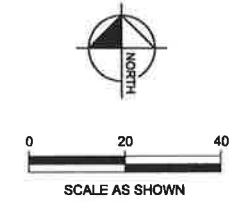
CAST IN PLACE CONCRETE

1. ALL CONCRETE SHALL HAVE THE FOLLOWING MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS:
FOOTINGS 2500 PSI
REMAINING CONCRETE 3000 PSI
2. ALL CONCRETE SHALL HAVE A SLUMP OF 4" PLUS OR MINUS 1" & HAVE 2 TO 4% AIR ENTRAINMENTS & A MAX. WATER/CEMENT RATIO OF 0.56.
3. CONCRETE MIX DESIGN SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF ACI 301 CHAPTER 3, METHOD 1 OR METHOD 2.
4. ALL REINFORCING STEEL SHALL BE NEW DOMESTIC DEFORMED BILLET STEEL CONFORMING TO ASTM A-615 GRADE 80.
5. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH "THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" ACI 318 LATEST EDITION & "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS," ACI 301.
6. WHERE BAR LENGTHS ARE GIVEN ON THE DRAWINGS, THE LENGTH OF ANY HOOK, IF REQUIRE, IS NOT INCLUDED. HOOKS SHALL BE PROVIDED AT DISCONTINUOUS ENDS OF ALL TOP BARS OF BEAMS & AT SLABS EDGES.
7. CONTRACTOR SHALL PROVIDE SPACERS, CHAIRS, BOLSTERS, ETC NECESSARY TO SUPPORT REINFORCING STEEL. SUPPORT ITEMS WHICH BEAR ON EXPOSED CONCRETE SURFACES SHALL HAVE ENDS WHICH ARE PLASTIC TIPPED OR STAINLESS STEEL.
8. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCEMENT:
3" CONCRETE CAST AGAINST & PERMANENTLY EXPOSED TO EARTH. 2" CONCRETE EXPOSED TO EARTH OR WEATHER #6 THROUGH #18 BARS 1-1/2" ALL OTHER CASES.
9. MINIMUM LAP SPLICES ON ALL REINFORCING BAR SPLICES SHALL BE 48 BAR DIAMETERS TYP. EXCEPT WHERE OTHERWISE NOTED ON THE DRAWINGS.
10. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A-185. WWF SHALL BE LAPPED AT LEAST 6" AND CONTAIN AT LEAST ONE CROSS WIRE WITHIN THE 6".
11. HORIZONTAL WALL, BEAM & FOOTING BARS SHALL BE BENT 1'-0" AROUND CORNERS OR CORNER BARS WITH 2'-0" LAP SHALL BE PROVIDED.
12. ALL REINFORCING DETAILS SHALL CONFORM TO MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES* ACI 315 LATEST EDITION, UNLESS DETAILED OTHERWISE ON THESE PLANS.

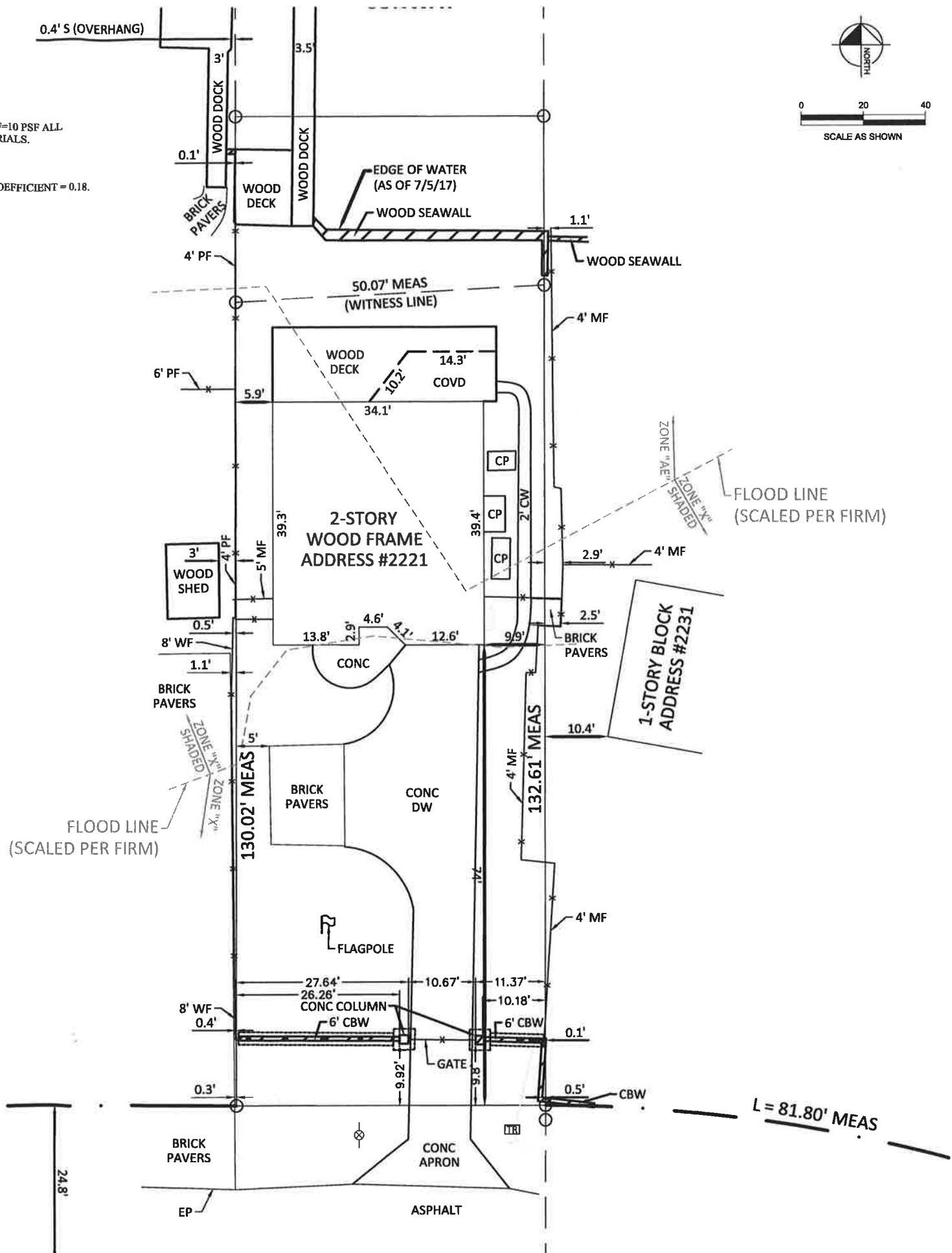
ENGINEER'S NOTES

DESIGN CRITERIA
2014 FLORIDA BUILDING CODE
5TH EDITION

1. DESIGNED FOR WIND SPEEDS OF Vult 140 MPH
2. LIVE LOADS USED=20 PSF, DEAD LOADS ROOF=10 PSF ALL OTHER DEAD LOADS= ACTUAL WT. OF MATERIALS.
3. WIND IMPORTANCE FACTOR = 1.0.
4. BUILDING CATEGORY = "CLOSED"
5. WIND EXPOSURE = "C".
6. TOTALLY ENCLOSED INTERNAL PRESSURE COEFFICIENT = 0.18.



24X24 MASONRY COLUMN DETAIL



DATE	BY
REVISIONS	
No.	
Chad Linn, P.E. P.E. #57524 P.O. BOX 140024 ORLANDO, FL 32814 PHONE: 407-252-8433	
DESIGN ENGINEER:	CHAD S. LINN
FLORIDA REGISTRATION NUMBER:	57524
SCALE AS NOTED	CSL
DESIGNED BY	DAH
DRAWN BY	DAH
CHECKED BY	CSL
SEAL	
SITE PLAN	
FLORIDA DIAN JANICKE 2221 HOFFNER AVE BELLE ISLE, FL 32809	
DATE	07/17
PROJECT NO.	18300-17-100
SHEET NUMBER	C1