




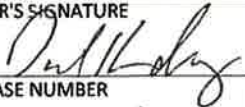
# City of Belle Isle

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. 41-61 thru 41-72 AND Sec 42-64 Land Development Code

APPLICANT <b>Alex Dinger</b>	OWNER <b>George and Debra Kennedy Family Trust</b>
ADDRESS <b>2120 33rd St, Orlando, FL 32839</b>	PROJECT ADDRESS <small>2601 Holmer Ave Belle Isle, FL 32812</small>
CONTACT NUMBER <b>407-583-6251</b>	OWNER'S CONTACT NUMBER <b>321-689-2866</b>
EMAIL <b>alex@summertimedocks.com</b>	OWNER'S EMAIL <b>Dkennedy084@gmail.com</b>
PARCEL ID# <b>18-23-30-4388-03-970</b>	
LAND USE CLASSIFICATION <b>0130 - Sfr - Lake Front</b>	ZONING DISTRICT <b>Section 42-64 (1) f</b>
SECTION OF THE CODE VARIANCE REQUESTED ON	
DETAILED VARIANCE REQUEST <b>We are requesting an additional 43.5 square feet to the 603.5 square feet allowed for the terminal platform of the boat dock.</b>	
<ul style="list-style-type: none"> <li>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.</li> <li>By applying, I authorize City of Belle Isle employees and members of the P&amp;Z Board to enter my property during reasonable hours to inspect the area to which the application applies.</li> <li>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.</li> </ul>	
APPLICANTS SIGNATURE 	OWNER'S SIGNATURE 
<input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> SPECIAL EXCEPTION <input type="checkbox"/> OTHER	P&Z CASE NUMBER <b>2024-11-009</b> 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



City of Belle Isle  
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 Tel 407-851-7730 \* Fax 407-240-2222 \* [www.belleislefl.gov](http://www.belleislefl.gov)  
**Variance and Special Exception Application**

### 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. <b>WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY?</b> <b>WHAT WOULD BE THE UNNECESSARY HARDSHIP?</b>
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. <b>HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?</b>
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. <b>CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY?</b> <b>LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.</b>
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. <b>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).</b>

\*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.



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**

Date Paid \_\_\_\_\_

Check/Cash \_\_\_\_\_

Rec'd By \_\_\_\_\_



Licensed General Contractor: CGC1511647

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**Summertime Deck and Dock, LLC**  
2120 33<sup>rd</sup> St. Orlando, FL. 32839  
Phone: 407.583.6251  
[www.SummertimeDocks.com](http://www.SummertimeDocks.com)  
[info@summertimedocks.com](mailto:info@summertimedocks.com)

City of Belle Isle  
1600 Nela Avenue,  
Belle Isle, FL 3280

Variance Narrative – 2024-11-6

To Whom It May Concern,

We, Summertime Deck and Dock, on behalf of George and Debra Kennedy Family Trust, owner of the property located at 2801 Hoffner Ave., are requesting a variance approval to the dock design criteria code requirements per sec. 48-32 (a)(6) *Number and location of docks*. Based on the *Standards of Variance Justification* of sec 42-64 of the Land Development Code, the following information is being provided, addressing each section:

**\*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?** Given the pie shape of the property and shoreline length, the building code does not allow enough square footage to accommodate two boat slips for a boat dock to serve its intended purpose for boat mooring and cradle storage if the applicant is unable to construct their dock with the square footage requested.

**\*Not-Self-Created – Section 42-64(1)e: HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?** The Belle Isle building code *section 48-32 (A) (3)* states “The terminal platform of the dock collectively may not exceed the square footage of ten times the linear shoreline frontage for the first 75 feet of linear shoreline frontage and then five times the linear shoreline frontage for each foot in excess of 75 feet thereafter”. Given the particularly sharp angles of the property lines, creating a pie shape, the linear shoreline frontage is 60.35 feet, which allows for 603.5 square feet of terminal platform per Belle Isle code. Our proposed dock design is the minimum square footage needed to house two boat slips with a small catwalk in between the slips to allow for access to the slip area.

**\*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.** This variance request represents the minimum square footage needed to achieve the intent and purpose of the proposed boat dock (boat mooring and cradle storage). Based on the size of the homeowner’s boats, shrinking the size of the dock to meet the square footage allowed would not allow the owner to properly store his boats and protect them from the Florida elements. Additionally, removing or shrinking the walkway between the two slips would not allow the owner to board and/or disembark the boats in a safe manner.

\*Purpose and Intent – Section 42-64(1)g: **WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD.** The approval of this variance and the construction of the proposed dock will not have any negative effects were it to be approved. The construction of the proposed boat dock will not hinder any neighboring boaters from entering or exiting their properties. Nor will it be protruding out to where it would be a risk for boaters to run into.

Should you need any additional information to allow you to make an informed decision, please do not hesitate to call or email me personally. I can be reached at 407.583.6251 or [Alex@SummertimeDocks.com](mailto:Alex@SummertimeDocks.com)

Regards,

Alex Dinger

Summertime Deck and Dock

# Property Record - 18-23-30-4388-03-970

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

## Property Summary

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**Property Name**

2801 Hoffner Ave

**Names**

George And Debra Kennedy Family Trust

**Municipality**

BI - Belle Isle

**Property Use**

0130 - Sfr - Lake Front

**Mailing Address**

C/O George R Kennedy Trustee  
2801 Hoffner Ave  
Belle Isle, FL 32812-1003

**Physical Address**

2801 Hoffner Ave  
Belle Isle, FL 32812

QR  
Code  
For  
Mobile  
Phone



2801 HOFFNER AVE, BELLE ISLE, FL 32812 8/6/2023 9:30 AM



302318438803970 08/22/2006



## Value and Taxes

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### Historical Value and Tax Benefits

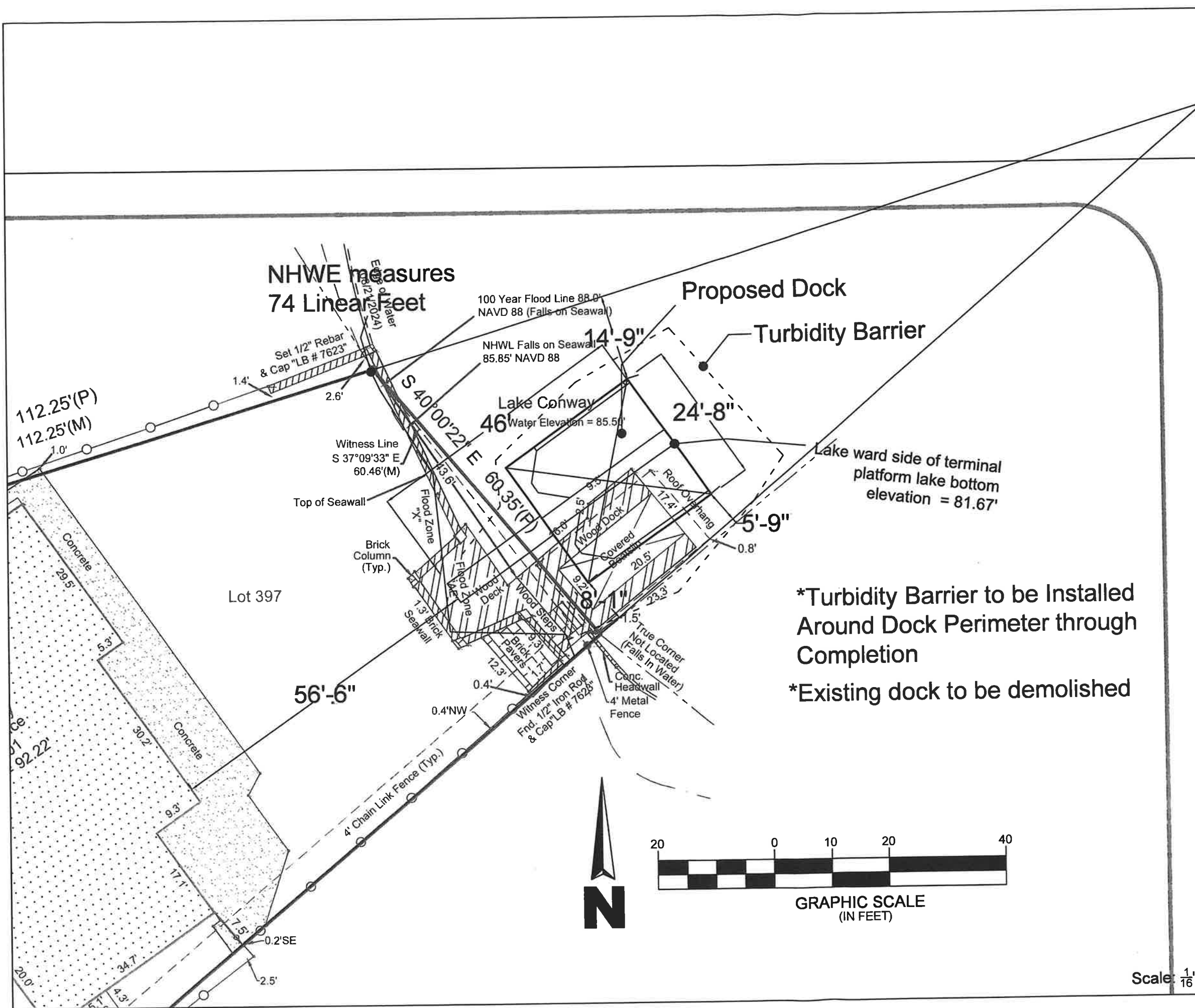












NHWE measures  
74 Linear Feet

Proposed Dock

Turbidity Barrier

\*Turbidity Barrier to be Installed  
Around Dock Perimeter through  
Completion  
\*Existing dock to be demolished

**101. GENERAL NOTES**

101.1 DETAILS SHOWN ON PLANS MAY BE FOR TYPICAL CONDITIONS. FOR CONDITIONS NOT SHOWN, PROVIDE DETAILS OF A SIMILAR NATURE, OR IF NOT CERTAIN HOW TO PROCEED, CONTACT THE ENGINEER OF RECORD.

101.2 DIMENSIONS SHOWN ON THESE PLANS SHALL BE VERIFIED BY THE CONTRACTOR OR BUILDER PRIOR TO CONSTRUCTION. THESE PLANS MAY NOT BE DRAWN TO SCALE. SCALING OF DRAWINGS IS STRONGLY DISCOURAGED.

101.3 THE CONTRACTOR SHALL COORDINATE ALL NEW WORK WITH EXISTING CONDITIONS AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER OF RECORD IMMEDIATELY AND BEFORE PROCEEDING WITH WORK.

101.4 OBTAIN APPROVAL FROM THE ENGINEER OF RECORD FOR ALL STRUCTURAL MODIFICATIONS OR SUBSTITUTIONS.

101.5 CONTRACTOR IS RESPONSIBLE FOR VERIFYING CONSTRUCTION PRACTICES, INCLUDING EXCAVATION PROCEDURES, SHORING, AND THE SEQUENCING OF CONSTRUCTION. CONTRACTOR SHOULD NOTIFY THE ENGINEER OF RECORD IF A CONFLICT EXISTS WITH VARIATIONS OR OTHER PROBLEMS WITH THE CONSTRUCTION DOCUMENTS.

Prepared for:  
**SUMMERLINE**  
Summerline Deck and Dock, LLC  
2120 33rd St.  
Orlando, FL 32839  
(407) 565-6251  
www.summerlinedocks.com



**102. APPLICABLE CODES AND STANDARDS**

CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THESE STRUCTURAL SPECIFICATIONS AND THE REQUIREMENTS CONTAINED IN THE FOLLOWING CODES AND STANDARDS. WHEN A DIFFERENCE EXISTS BETWEEN THESE SPECIFICATIONS AND ANY OTHER GOVERNING CODE, THE MORE STRINGENT SHALL CONTROL. ANY OTHER ITEMS NOT COVERED THEREIN SHALL BE COMMENSURATE WITH SOUND ENGINEERING AND STANDARD CONSTRUCTION PRACTICE.

102.1 2023 FLORIDA BUILDING CODE 8th Edition - RESIDENTIAL  
102.2 AISC MANUAL OF STEEL CONSTRUCTION - 13TH EDITION  
102.3 ACI BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE - ACI 318-14  
102.4 AMERICAN WOOD COUNCIL - NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION - 2018 EDITION  
102.5 ASCE 7-16 MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES

**103. DESIGN LOADS**

THIS STRUCTURE HAS BEEN DESIGNED FOR THE FOLLOWING LOADS. DESIGN LOADS INDICATED ARE IN POUNDS PER SQUARE INCH UNLESS NOTED OTHERWISE. IF ANY PERMANENT MATERIALS EXCEED THESE LOADS, THE ENGINEER OF RECORD SHALL BE CONTACTED TO REVISE THE STRUCTURAL DESIGN AND CONSTRUCTION DOCUMENTS.

103.1 DEAD LOADS: WEIGHT OF STRUCTURE AND ALL THINGS PERMANENTLY ATTACHED  
DECK - 10 PSF ROOF - 10 PSF BOTTOM CHORD

103.2 LIVE LOADS:  
DECK - 40 PSF  
WIND SPEED - 140 MPH  
EXPOSURE - D  
INTERNAL PRESSURE COEFFICIENT - 0.0 (COMPLETELY OPEN)  
BUILDING TYPE: 1 - RISK FACTOR 1.0  
GUARDRAILS AND HANDRAILS - 200 PSF  
GUARDRAILS IN-FILL COMPONENTS - 50 PSF  
STAIRS - 40 PSF

**104. STRUCTURAL LUMBER FRAMING (DIMENSIONAL LUMBER)**

104.1 UNLESS NOTED OTHERWISE, ALL STRUCTURAL LUMBER SHALL BE SOUTHERN YELLOW PINE (SYP) #2 OR BETTER

104.2 STRUCTURAL LUMBER EXPOSED TO WEATHER SHALL BE PRESSURE TREATED OR MANUALLY SEALED AT TIME OF CONSTRUCTION.

104.3 ALL FASTENERS TO BE HOT DIPPED GALVANIZED (HDG) OR STAINLESS STEEL

104.4 ALL DECKING SHALL BE SOUTHERN YELLOW PINE (SYP) #2 OR BETTER OR WOOD/PLASTIC COMPOSITE CONFORMING WITH ASTM D7032.

104.5 HANDRAILS  
HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE ON EACH CONTINUOUS RUN OF TREADS OR FLIGHT WITH FOUR OR MORE RISERS

104.6 ILLUMINATION  
ALL STAIRS SHALL BE PROVIDED WITH ILLUMINATION IN ACCORDANCE WITH SECTION R303.7

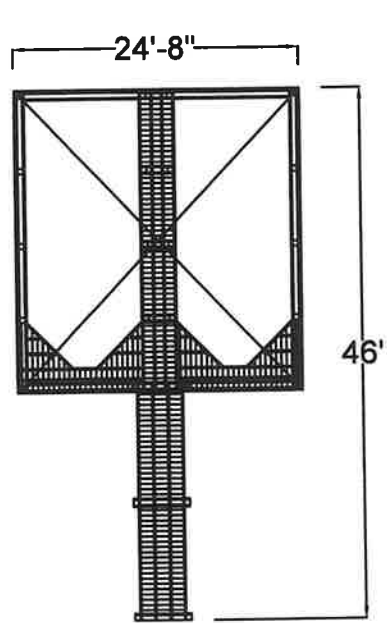
**Kennedy Dock**  
2801 Hoffner Ave  
Belle Isle, FL 32812

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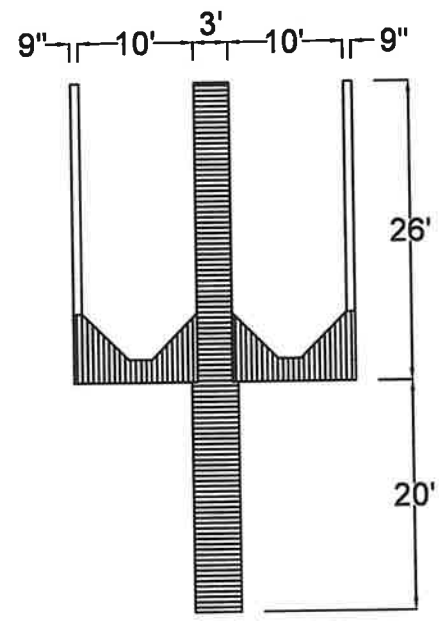
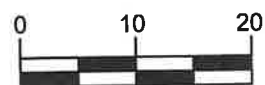
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SDD-24-7-1-120

**SO**

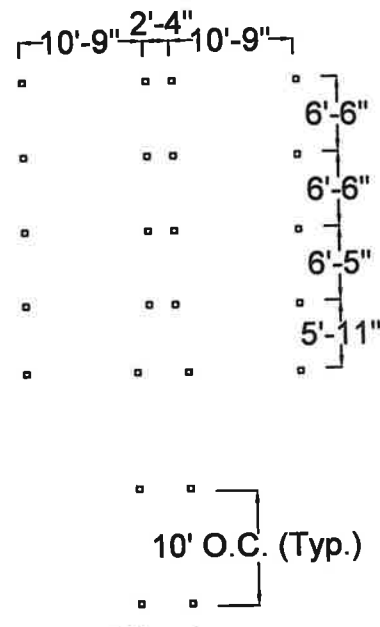
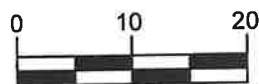
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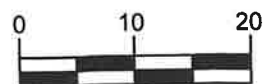
Plan View (Top View)



Decking Layout

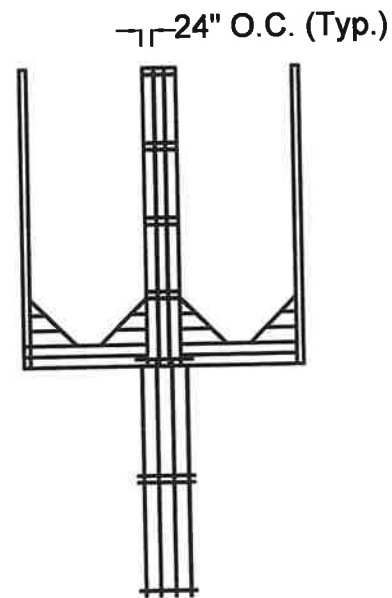


Piling Layout

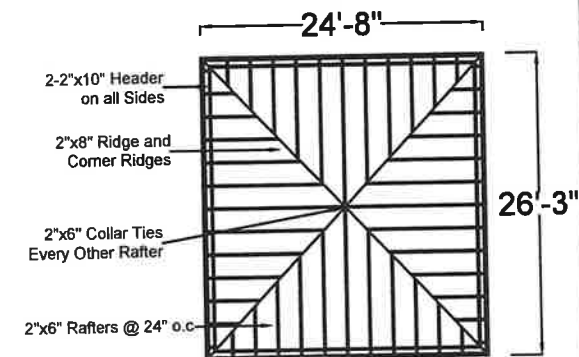


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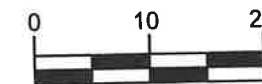
4'-6"



Framing Layout



Roof Layout



TERMINAL PLATFORM AREA: 647 Sq. Ft.  
 TERMINAL PLATFORM + WALKWAY AREA: 727 Sq. Ft.



Prepared for:  
**SUMMERTIME**  
 Summertime Deck and Dock, LLC  
 2120 33rd St.  
 Orlando, FL 32839  
 (407) 583-6251  
 www.summertime docks.com

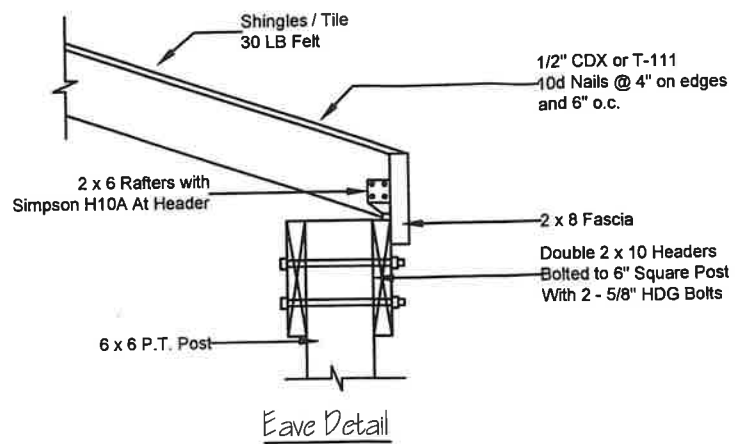
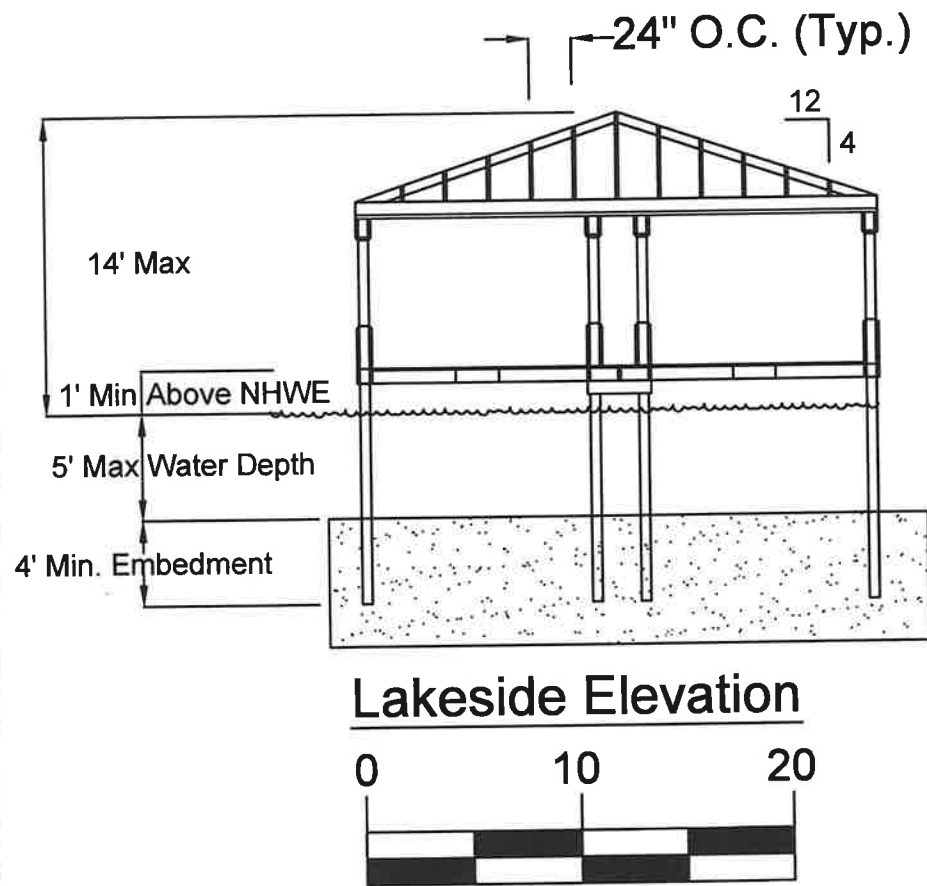
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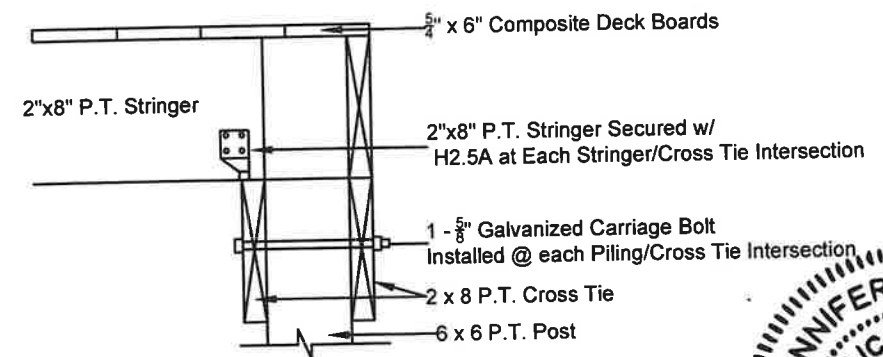
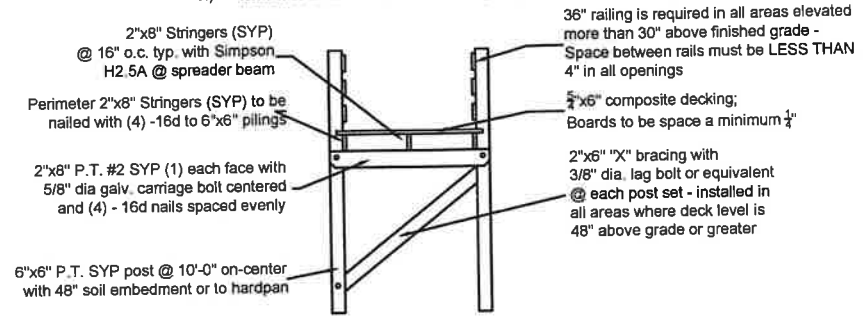
**S1**

1/16" = 1'-0"

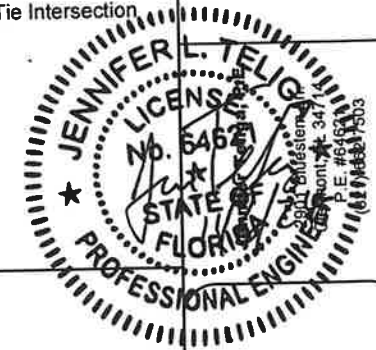
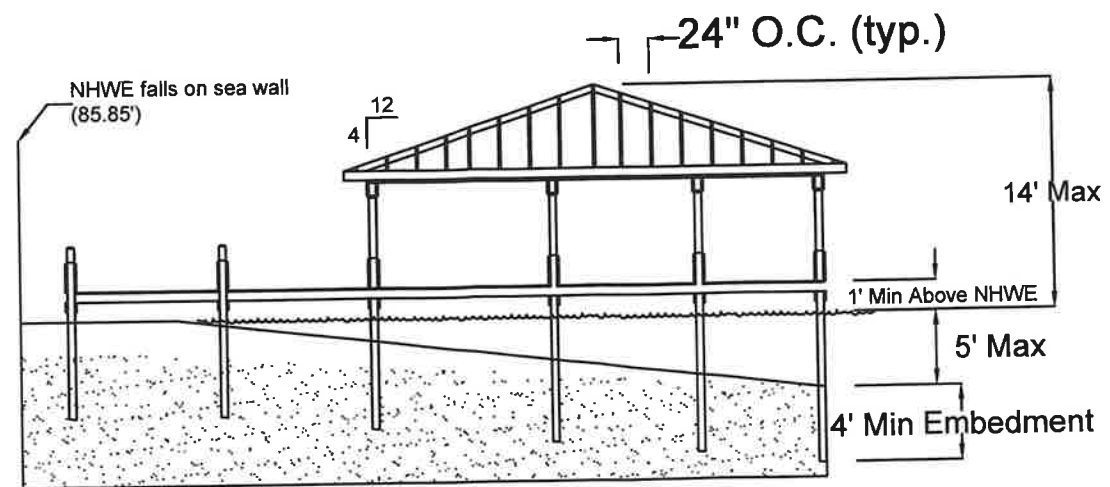
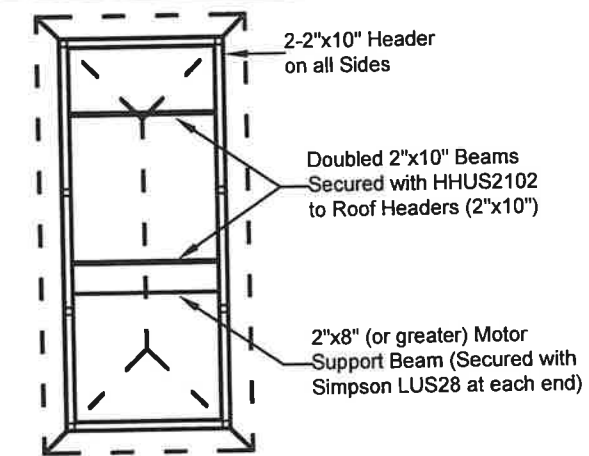


**Notes:**

- 1.) All framing to be fastened with 16d HDG ring shank nails.
- 2.) All decking to be fastened with 2-3/4" galvanized screws - 2 per board per stringer.
- 3.) All lumber to be Southern Yellow Pine (SYP).



\* refer to Typical Cross Section I for additional details\*



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Belle Isle, FL 32812

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Project:  
SDD-24-7-1-120

**S2**