



# CITY OF BELLE ISLE, Florida

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## Planning and Zoning: Staff Report

November 20, 2024

**Variance Request:** 3945 Isle Vista Ave

**Application Request:** PURSUANT TO SECTION 50-102 (A) (4) (C) AND 42-64, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD SHALL REVIEW AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW AN ACCESSORY BUILDING WITHIN SIX FEET OF AN EXISTING SCREEN ENCLOSURE ON THE SAME LOT, CONTRARY TO THE CITY'S LAND DEVELOPMENT CODE, SUBMITTED BY APPLICANT TRACEY BRYSON, C/O RVD GENERAL CONTRACTORS, LOCATED AT 3945 ISLE VISTA DRIVE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-0668-00-950.

**Existing Zoning/Use:** R-1-AA / Single-Family Home

### **Background**

The applicant submitted a building permit to construct a roofed pergola underneath an existing screen enclosure. Under section 50-102 (A) (4) (C), accessory buildings must be located at least six feet from all other accessory buildings, nonpermanent carports, garages, or screen enclosures on the same lot.

### **Staff Recommendation**

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

1. Special Conditions and/or Circumstances (Section 42-64 (1) d):

The lot's configuration does not create special conditions or circumstances to allow the requested variance. The rear yard provides ample space for a pergola six feet from the existing screen enclosure.

2. Not Self-Created (Section 42-64 (1) e):

The request to build an accessory structure is self-created, as the applicant seeks to construct the proposed structure for shade. A personal hardship is not grounds for a variance.

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

The requested variance seeks the maximum possible deviation from the land development code as the applicant seeks to construct an accessory building with no setback from the existing screen enclosure.

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

The variance requests to allow a roofed pergola underneath the existing screen enclosure do not meet the purpose and intent of the land development code.

Based on the variance criteria under section 42-64 (d-g), Staff recommends that the Board deny the requested variance to allow an accessory building within the designated six-foot setback from the screen enclosure.

Should the Board approve the requested variance, staff recommends that the applicant obtain approval from their local homeowner's association's architectural review board prior to issuing a building permit.

**Additional Notes**

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.