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Special Exception Application: 2520 HOMEWOOD DRIVE- GUEST COTTAGE WITHOUT A KITCHEN

Applicant Request: PURSUANT TO BELLE ISLE CODE SEC. 42-63 AND SEC. 54-75 (C) (5) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED SPECIAL EXCEPTION TO ALLOW A GUEST COTTAGE WITHOUT A KITCHEN ON A SINGLE-FAMILY RESIDENTIAL PROPERTY WITH A PRIMARY DETACHED SINGLE-FAMILY DWELLING, SUBMITTED BY APPLICANT PROTEAM LLC, LOCATED AT 2520 HOMEWOOD DRIVE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 19-23-30-5888-06-122.

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

Review Comments

This application seeks a special exception as identified above. The property is currently developed with a home that is being redeveloped. The property owner is in the process of permitting a new house to be located on the property incorporating the proposed guest cottage without a kitchen.

The applicant has provided supporting documentation addressing this special exception application.

Staff Recommendation

Section 54-75 (C) (5) provides that a guest cottage (without a kitchen) may be permitted in a residential zoning district through the special exception process. The Code identifies that the Planning and Zoning Board will review special exception requests to determine whether the request would adversely affect the public interest and whether public health, safety, and welfare are promoted or improved.

The proposed guest cottage meets the setback and height requirements of the R-1-AA Zoning District and is designed to be architecturally consistent with the primary structure. Additionally, the guest cottage is in the rear of the property, meeting the required 50-foot setback from the Normal High Water Elevation of Lake Conway. Due to meeting these requirements, and the location and design, the proposed guest cottage is in harmony with the purpose and intent of the Land Development Code.

Although the application states that the requested guest cottage is to be 300 square feet, the plan set submitted identifies an area larger than 300 square feet that could be construed to be part of the guest

cottage (area encompassing the guest suite, through to the attached bathroom and closet). This area roughly equals 355 square feet. The code does not prohibit the Planning and Zoning Board from approving a guest cottage larger than 300 square feet. The Board must find that the public health, safety, comfort, order, convenience, prosperity, morals or general welfare is promoted, protected or improved.

Based on consideration of these review criteria staff recommends approval of the request subject to the following conditions:

1. The guest cottage shall be used exclusively for housing members of the family occupying the principal building and their nonpaying guests, such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling;
2. The plans shall be revised to remove the proposed open exterior shower, BBQ Area and deck/patio areas (including the area for pool equipment) that are proposed to sit within the required 7.5-foot side setback area prior to submitting for building permitting. The deck/patio areas must meet an accessory building/structure 5-foot setback requirement from the side property line and the open exterior shower and any vertical structures in the BBQ Area and Wood Deck area must meet the 7.5-foot setback since these are attached to the guest cottage pursuant to Sec. 50-102 (a) (2); and,
3. Any changes to this special exception that are not memorialized in this approval must be submitted for review and approval by the Planning and Zoning Board.
4. The guest cottage must be maintained in a functional and aesthetically pleasing manner so as not to adversely impact the public interest.

Additional Notes

Please note that the Board may approve the proposed special exception 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 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.