

**ITEM 3**

**MEMORANDUM**

**TO:** Planning and Zoning Board

**DATE:** December 9, 2019

**PUBLIC HEARING CASE #2019-10-033** - 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.

**Background:**

1. On October 21, 2019, ProTeam LLC submitted the application and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, November 29, 2019, Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on Wednesday, November 27, 2019.

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 in Chapter 42, Article III, Section 42-64(1) 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 Section 42-63 and 54-75 (c)(5) of the Belle Isle Land Development Code having been met TO APPROVE the SPECIAL EXCEPTION TO ALLOW 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.

**SAMPLE MOTION TO DENY:** "I move, the justifying criteria of the Belle Isle Land Development Code, Section 54-75(c)(5), having NOT been met; ***[use only if NONE of the justifying criteria have been met]*** the requirements of section 42-63, 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** the proposed 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.

**SUBSECTION (D),** a 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.

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: 10/21/19

P&Z CASE #: 2019-10-033

VARIANCE  SPECIAL EXCEPTION  OTHER

DATE OF HEARING: 11/26/19

APPLICANT: ProTeam LLC

OWNER: Mark:

ADDRESS: 2520 Homewood Drive  
Belle Isle FL 32809

Jessica Jones

PHONE: 321-295-6572

PARCEL TAX ID #: 19-23-30-5888-06-122

LAND USE CLASSIFICATION: Lakefront Residential ZONING DISTRICT: R1 AA

DETAILED VARIANCE REQUEST: 300 sqft living space. New guest cottage without a kitchen that adheres to the setbacks and impervious surface ratio regulations stated in the City of Belle Isle Code.

SECTION OF CODE VARIANCE REQUESTED ON: Sec 42-63 special exemption

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 a period of nine (9) months prior to the filing of the application. Further that the requested use does not violate any deed restriction of the property.

By submitting the application, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property, during reasonable hours, to inspect the area of my property to which the application applies.

Applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) photograph of the front of the property and at least two photographs (from different angles) of the specific area of the property to which the application applies.

K. Smith  
APPLICANT'S SIGNATURE

DocuSigned by:  
Jessica M Jones  
OWNER'S SIGNATURE

FOR OFFICE USE ONLY:	FEE: \$150.00	N/A SPECIAL EXCEPTION		
		Date Paid	Check/Cash	Rec'd By
Determination _____				
Appealed to City Council: <input type="checkbox"/> Yes <input type="checkbox"/> No				
Council Action: _____				

Date: 10/22/2019

RE: JONES RESIDENCE  
2520 Homewood Drive,  
Belle Isle, Florida, 32809



KEVIN SCHWEIZER  
ARCHITECT  
AA26002346

email: admin@ksarchitect.net  
cell: (386) 405 - 8322  
office: (386) 314 - 0044  
website: ksarchitect.net  
145 Canal Street,  
New Smyrna Beach,  
FL, 32168

Dear City of Belle Isle Planning and Zoning Board,

Please find attached the responses to the variance request application supplement questions that are part of the special exception application process.

***What are the special conditions and circumstances unique to your property? What would be the unnecessary hardship?***

The owner of the 2520 Homewood Drive property is seeking the addition of a guest cottage, which is a detached 300 square foot living structure without a kitchen, for family and friend use only. This guest cottage is to be built within the required building setback limits and to meet City of Belle Isle Codes and Regulations. I am the son of the architect who designed the original house in 1965 and we want to maintain the architectural aesthetics in the new design. However, the permitting of the guest cottage needs to be approved by the planning and zoning board through a special exception, before it gets reviewed by the building department.

***How were the special conditions noted above created?***

There is no reasonable place to locate the guest cottage other than the proposed location due to the placement of the existing house, pool and drain field. The proposed guest cottage is located South of the pool in a detached manner but still tying it to the original house with cohesive architectural aesthetics.

***Can you accomplish your objective in another way? List alternatives you have considered and evidence as to why they are not feasible.***

Without eliminating the existing structures, an alternative placement for the guest cottage would not be feasible.

***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)***

There will be no effects to any adjacent properties as the proposed guest cottage is located in the rear yard of the property and meets all of the building setback requirements as well as the impervious surface ratio. The small scale of this cottage is actually much less impact on the lakeside portion of the site than a new, larger structure built to the waterfront setback. The proposed cottage will match the architectural aesthetic of the original building designed in 1965 by Architect Nils M. Schweizer; a very respected and prominent architect in the Central Florida area that designed many important Orlando landmarks, including the Orlando International Airport, the Chamber of Commerce and the Orlando Public Library.

Thank you,

A handwritten signature in black ink, appearing to read 'Kevin Schweizer'.

Kevin Schweizer, AIA  
AR0013154  
kevin@ksarchitect.net

Date: 10/10/2019

RE: JONES RESIDENCE  
2520 Homewood Drive,  
Belle Isle, Florida, 32809



KEVIN SCHWEIZER  
ARCHITECT

AA26002348

email: [admin@ksarchitect.net](mailto:admin@ksarchitect.net)

cell: (386) 405 - 8322

office: (386) 314 - 0044

website: [ksarchitect.net](http://ksarchitect.net)

145 Canal Street,  
New Smyrna Beach,  
FL, 32168

Dear Yolanda Quiceno,

I am the Architect for the renovation and addition project at 2520 Homewood Drive, Belle Isle, Florida, 32809. We have designed a guest cottage that is detached from the original existing residence designed by my father Nils M. Schweizer in 1965. The new guest cottage is 300 square foot of living space, without a kitchen and adheres to the setbacks and Impervious Surface Ratio regulations stated in the City of Belle Isle Code.

As an architect and son of the original architect of this residence, it is my intention that the architectural aesthetic of the new building adheres to the original design and is compatible with its surroundings, given the site and location.

I ask that you please consider this project for a special exception in your October Planning and Zoning Board meeting.

Thank you,

Kevin Schweizer, AIA  
AR0013154  
[kevin@ksarchitect.net](mailto:kevin@ksarchitect.net)

# Property Record - 19-23-30-5888-06-122

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

## Property Summary as of 10/21/2019

**Property Name**

2520 Homewood Dr

**Names**

Jones Mark Allen  
Jones Jessica M

**Municipality**

BI - Belle Isle

**Property Use**

0130 - Sfr - Lake Front

**Mailing Address**

2520 Homewood Dr  
Belle Isle, FL 32809-6111

**Physical Address**

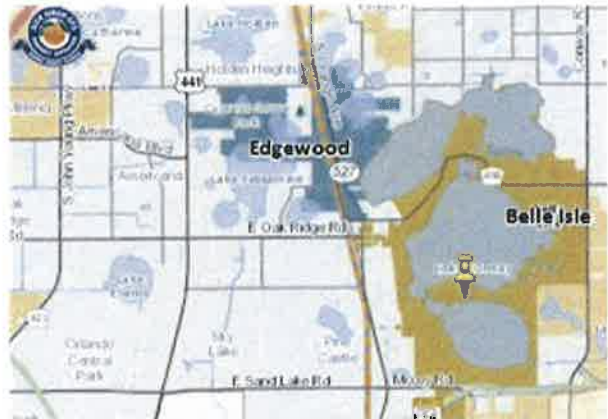
2520 Homewood Dr  
Orlando, FL 32809



QR Code For Mobile Phone











302319588806122 09/29/2006



## Value and Taxes

### Historical Value and Tax Benefits

Tax Year Values	Land	Building(s)	Feature(s)	Market Value	Assessed Value
2019  	\$345,000	+ \$249,187	+ \$25,250 =	\$619,437 (2.0%)	<b>\$619,437</b> (58%)
2018  	\$345,000	+ \$236,776	+ \$25,250 =	\$607,026 (.69%)	<b>\$392,471</b> (2.1%)
2017  	\$345,000	+ \$232,615	+ \$25,250 =	\$602,865 (5.3%)	<b>\$384,399</b> (2.1%)
2016  	\$320,000	+ \$227,550	+ \$25,250 =	\$572,800	<b>\$376,493</b>

# Boundary & Topographic Survey

## Legal Description:

THE WEST 8 FEET OF LOT 12, LOT 13 AND THE EAST 25 FEET OF LOT 14 AND LAND ON THE SOUTH TO WATER OF LAKE, BLOCK F, NELA ISLE (ISLAND SECTION), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK O, PAGE 99, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

### Flood Disclaimer:

By performing a search with the local governing municipality or www.fema.gov, the property appears to be located in Zone X, X500, AE. This Property was found in City of Belle Isle, community number 120181, dated 09/25/2009.

### CERTIFIED TO:

JESSICA M. JONES

-Vertical Datum-

-Benchmark Information-

Florida Department of Transportation Datum Elevation: 92.76'

Florida Department of Transportation  
Florida Permanent Reference Network (FPRN) District 5  
G.P.S. - Geodetic NTRIP Network Base I.D. - Orlando, Orange County  
Continuously Operating Reference Station (CORS) Station: ORL 1

(Elevations are based upon North American Vertical Datum 1988)

-Site Benchmark Information-

BM #1

Set Nail & Disk (LB 7623) in Edge of Pavement  
Elevation: 92.79'

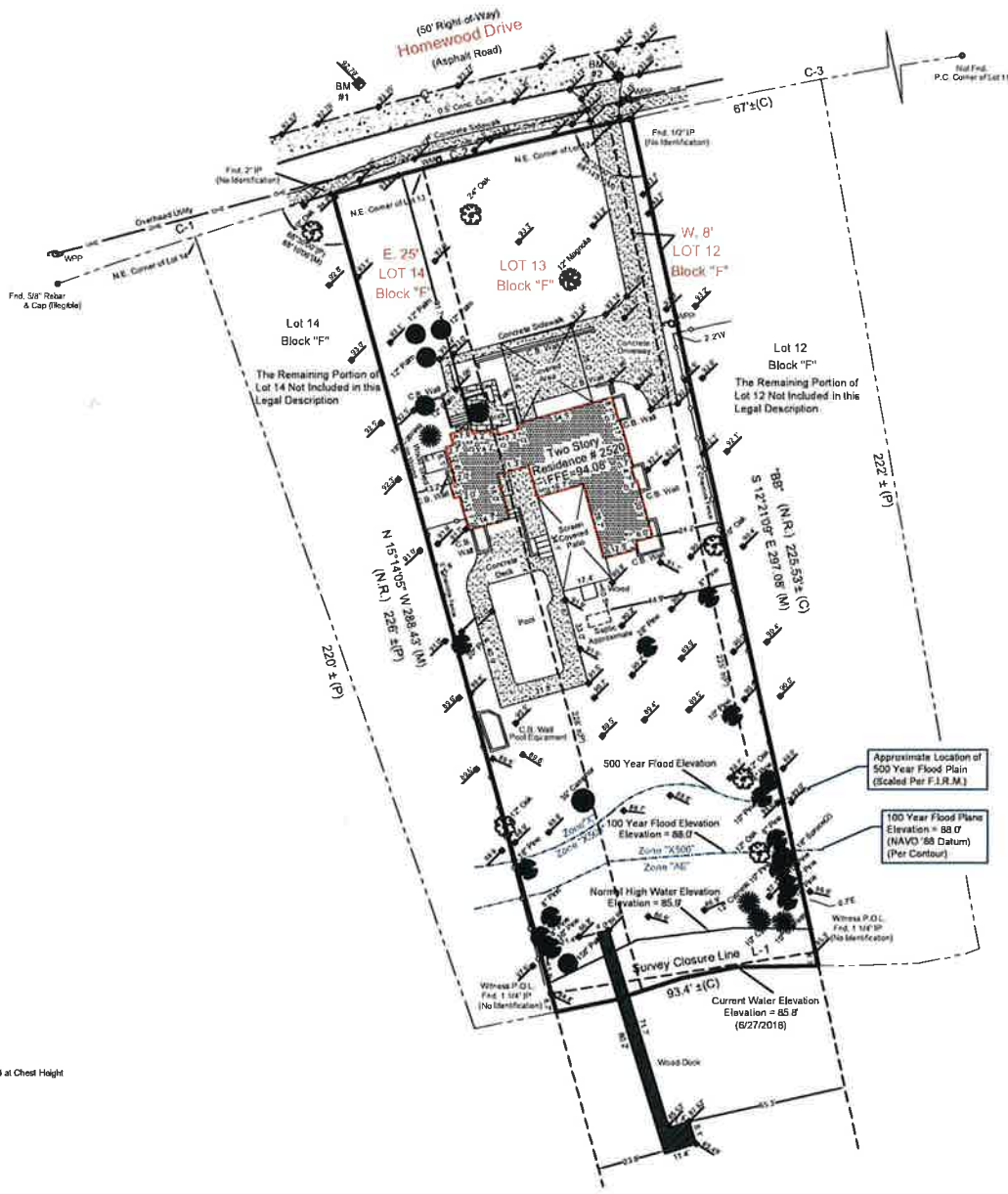
BM #2

Set Nail & Disk (LB 7623) in Edge of Pavement  
Elevation: 93.09'

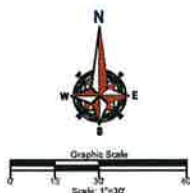
⊕ = Existing Elevations (Typical)

- Line Data**  
L-1  
Survey Closure Line  
S 81°10'20" W 93.19' (M)
- Curve Data**  
C-1  
R=1383.00'  
L=100.00'  
Δ=4°08'35"  
CB=N71°53'51"E  
C=99.98'  
N 71°55'15" E 100.0' (M)
- Curve Data**  
C-2  
R=1383.00'  
L=108.08'  
Δ=4°28'39"  
CB=N75°52'22"E  
C=108.05'  
N 75°53'41" E 107.6' (M)
- Curve Data**  
C-3  
R=1383.00'  
L=117.00'  
Δ=4°50'50"  
CB=S78°16'16"W  
C=116.97'

**Tree Note:**  
Palm - Denotes Tree Type  
(18") - Diameter of Tree measured at Chest Height



ALL BEARINGS SHOWN  
HEREON ARE ASSUMED



Field Date: 6/27/2018 Date Completed: 6/30/2018  
Drawn By: ATA File Number: IS-48961Topo

**Legends:**

C	Calculation	PC	Point of Curvature
K	Contour	PI	Point of Intersection
OB	Concrete Block	P.B.	Point of Beginning
OM	Concrete Monument	P.O.L.	Point on Line
Conc.	Concrete	PM	Permanent Reference Monument
D	Description	PT	Point of Tangency
DE	Drainage Easement	R	Radius
Dist.	Easement	R&C	Rebar & Cap
F.E.M.A.	Federal Emergency Management Agency	REC	Recovery
FFE	Finished Floor Elevation	REC	Recovery
F	Found	REC	Recovery
IP	Iron Pipe	SP	Set Nail & Disk
L	Length (Feet)	SP	Set Nail & Disk
M	Manhole	UB	Utility Burial
M&D	Manhole & Drain	UV	Utility Valve
N&D	Nail & Disk	VA	Water Valve
OR	Official Record Book	VA	Water Valve
P	Plot	VA	Water Valve
P.B.	Plot Book	VA	Water Valve
W	Wood Fence	VA	Water Valve

**Notes:**  
-Survey is Based upon the Legal Description Supplied by Client.  
-Adjacent Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Errors.  
-Subject to any Easements and/or Restrictions of Record.  
-Bearing Data shown hereon, is Assumed and Based upon the Line Demarcated with a 1/8" Error.  
-Building Ties are NOT to be used to reconstruct Property Lines.  
-Fence Ownership is NOT determined.  
-Head Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.  
-Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Licensed Companies.  
-Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon Shall be Construed to give ANY Rights or Benefits to Anyone Other than Those Confined.  
-Flood Zone Determination Shown Hereon is Given as a Courtesy and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER shown by NOR given to the Surveying Company at the time of this Endeavor.  
-Ireland & Associates Surveying Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.

I hereby certify that the ALTIMETER used in this survey of the above Property is in the and Correct to the Best of my Knowledge and Skill as usually required under my Oath and in Accordance with the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 46-17.002 Florida Statutes, Administrative Code, Pursuant to Section 475.007 Florida Statutes.

*Patrick K. Ireland* FOR 1250  
Patrick K. Ireland, P.S. 6637 LB 7623  
This Survey is Intended Only for the Use of Said Certified Parties.  
This Survey NOT VALID UNLESS Signed and Entailed with Surveyor's Seal.

**Ireland & Associates Surveying, Inc.**  
1301 S. International Parkway Suite 2001  
Lake Mary, Florida 32746  
www.irelandsurveying.com  
Office-407.678.3366 Fax-407.320.8165

