



CITY OF BELLE ISLE, FL PLANNING & ZONING BOARD MEETING

Tuesday, February 22, 2022 * 6:30 pm
MINUTES

The Belle Isle Planning & Zoning Board met in a special session on February 22, 2022, at 6:30 pm at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Board member Lane
Board member Squires
Board member Woods
Board member Statham
Board member Hobbs

Absent was:

Board member Thompson
Board member Shenefelt

Also present were City Manager Bob Francis, Attorney Dan Langley, and City Clerk Yolanda Quiceno.

1. Call to Order and Confirmation of Quorum

Chairman Lane called the meeting to order at 6:30 pm. The City Clerk confirmed the quorum.

2. Invocation and Pledge to Flag – Board member Hobbs - District 7

3. Approval of Minutes

a. Approval of Planning & Zoning meeting minutes - January 25, 2022

As presented, Board member Woods approved the minutes of January 25, 2022.

Board member Statham seconded the motion, which passed unanimously 5:0.

Chairman Lane asked for a motion to excuse Board member Thompson and Board member Shenefelt from tonight's meeting.

Board member Woods moved to excuse the absence of Board member Thompson and Board member Shenefelt.

Board member Hobbs seconded the motion, which passed unanimously 5:0.

4. Public Hearings

a. Public Hearing Case #2022-01-031- Pursuant to Belle Isle Code Sec. 50-102 (b) (5), Sec. 50-102 (b) (16) and Sec. 42-64, the Board shall consider and take action on a requested variance to place a fence in the front yard of a residential property, submitted by applicant Daniel E. Colpitts located at 2203 Hoffner Avenue, Orlando, FL 32809 also known as Parcel # 18-23-30-5120-00-360.

April Fisher, City Planner, said the application seeks a variance from Sec. 50-102 (b) (5) (a) to allow a fence in the front yard of the property. The applicant has provided information supporting the variance request with additional information about the security and safety issues encountered. They propose a 6-foot fence in the front yard based on the height and style of the fence; it may be construed to be in harmony with the neighborhood. Staff recommends approval of the application.

The applicant Dan Colpitts said Hoffner Avenue is a busy road, and the homeowners have had to replace sprinklers on their yard because of car riders driving on their lawn and strangers knocking on their door asking for money. The request is to place a decorative remote aluminum fence with 6 foot tall vinyl on the side.

Board member Woods said typically, gates in the front yard are required to have enough space for the vehicle to get off the road with the gate closed. It doesn't appear that the applicant has the room with the proposed layout with a ROW

of 50 feet wide, 25 feet on one side with a 12-foot lane. Most vehicles typically are 16-18 feet long, and there should be at least 20-feet off the edge of the road. Mr. Woods said he would not want to create a problem that makes a vehicle hang out on the road. Mr. Colpitts said it is a wide driveway, and cars can safely pull in front of the driveway.

Board member Statham asked if the applicant was willing to recess the gate to allow cars to park off-road. Mr. Colpitts said there would not be enough room to push the gate in further to maneuver a vehicle on the property. The application does not demonstrate the actual dimensional reference to make a determination.

April Fisher said concerning gates and driveways, there is no specified setback. The front setback for a lot applies to the primary building. The idea, in the past, has been if the gate is not swinging out onto the roadway, it is not recognized as a hazard and suffices for the public safety of the code. Discussion ensued.

Mr. Francis said on the south side of Hoffner, there is no right of way, and cars have to park parallel with traffic. There is enough room by the fog line and the fence's location. He is more concerned with the south side of the Hoffner, and they have enough brick driveway to accommodate a vehicle parked going in the direction of traffic.

Chairman Lane opened for public comment.

Stanley Evans, residing at 2203 Hoffner, shared his concern with his family's safety with so many different people knocking on their front door asking for money and the many cars that use our property as a turnaround.

Anthony Carugno residing at 2372 Hoffner Avenue, spoke in favor of the application and said the home is at at-portion of Hoffner and Venetian. Many drivers use this area to make u-turns to get away from the traffic, and he has lost many animals on this road.

Board member Woods said the Board had discussed an overlay for homes on Hoffner. He believes the discussion has established a reasonable probability that vehicles can pull off the road without obstructing traffic.

After discussion, Board Member Squires moved, pursuant to Belle Isle Code Sec. 50-102 (b) (5), Sec. 50-102 (b) (16) and Sec. 42-64 of the Belle Isle Land Development Code, having been met to approve a fence in the front yard of a residential property, submitted by applicant Daniel E. Colpitts located at 2203 Hoffner Avenue, Orlando, FL 32809 also known as Parcel # 18-23-30-5120-00-360.

Board member Hobbs seconded the motion, which passed 4:1 with Board member Statham, nay.

Chairman Lane said a 15-day appeal waiting period before starting any construction.

- b. Public Hearing Case #2022-01-039- Pursuant to Belle Isle Code Sec. 50-102 (b) (7), Sec. 50-102 (b) (16) and Sec. 42-64, the Board shall consider and take action on a requested variance to place a fence taller than four feet within 35 feet of the 86.9 Contour Line or Normal High Water Elevation of Lake Conway submitted by applicant Eric R. Wilson located at 5437 Pasadena Drive, Belle Isle, FL 32809 also known as Parcel #18-23-30-8858-00-020.

April Fisher said this variance application seeks a variance to allow a six-foot-high fence within 35 feet of the Normal High Water Elevation of Lake Conway to provide privacy and security. The proposed fence is directly abutting Lake Conway. A section of the code allows for an 8-foot fence by a public park. However, a standalone section of the code allows for a 4-foot fence 35 feet from the Lake. Staff is recommending approval.

Rick Wilson, the homeowner, asked that he place a wooden fence for security and privacy up to the existing aluminum fence. The City currently has a chain link fence from the boat ramp towards the water.

Chairman Lane opened for public comment. There being none, she closed public comment.

Board member Woods asked why the City is not providing the fencing buffer at our park. Mr. Francis said the current fence was installed approximately 5-years ago by the City and provides the required security. The homeowner is looking to have a privacy fence installed towards the water.

After discussion, Board member Woods moved, pursuant to Belle Isle Code 50-102 (b) (7), Sec. 50-102 (b) (16), and Sec. 42-64 of the Belle Isle Land Development Code having been met to approve a fence up to six feet within 35 feet of the 86.9 contour line or normal high water elevation of Lake Conway submitted by applicant Eric R. Wilson located at 5437 Pasadena Drive, Belle Isle, FL 32809 also known as Parcel #18-23-30-8858-00-020. Board member Squires seconded the motion, which passed unanimously, 5:0.

Chairman Lane said there is a 15-day appeal waiting period before starting any construction.

- c. Public Hearing Case #2022-02-001 - Pursuant to Belle Isle Code Sec. 42-64 and Sec. 50-102 (a) (5) (f), the Board shall consider and take action on a requested variance to allow a detached garage with a covered porch larger than 600 square feet, submitted by applicants Nash and Cherie Shook, located at 5700 Cove Drive, Belle Isle, FL 32812 also known as Parcel # 20-23-30-1660-00-010.

April Fisher said this variance application seeks a variance from Sec. 50-102 (a) (5) (f) to allow a detached garage larger than 600 square feet. The applicant has provided information supporting the variance request with additional information about the original design of the existing home and the character of the property they are trying to maintain through a rebuild of the existing detached garage. The detached structure will allow the applicant to have parking and storage space that the house currently doesn't have. In addition, they are requesting an area porch as a design element and allow them to enjoy the Lake and garden. Staff recommends approval because trying to keep an architectural system is a significant reason. Staff is also recommending the following conditions stipulated in the code that are not for habitable use, parking of vehicle allowed, and is architecturally similar to the principal building.

Nash Shook, the homeowner of 5700 Cove Drive, shared his design concept and renovations to date. He stated that the home does not have much closet space and storage. He said that he does want to keep the mid-century modern look and feel of the property. The site plan did restrict the lake view and asked for the added square footage to allow the added storage and continued lake view.

Board member Woods asked if the applicant had any consideration on capturing the runoff that may be created with the build-out. The applicant said yes, there is a rain garden design to capture the excess runoff on the north property line.

Chairman Lane opened for public comment. There being none, she closed public comment.

After discussion, Board member Hobbs moved, pursuant to Belle Isle Code Sec. 42-64 and Sec. 50-102 (a)(5)(f) of the Belle Isle Land Development Code having been met to allow a detached garage with a covered porch larger than 600 square feet, with the following conditions, (1) no to be used as habitable living space, and (2) architecturally similar to the principal structure submitted by applicants Nash and Cherie Shook, located at 5700 Cove Drive, Belle Isle, FL 32812 also known as Parcel # 20-23-30-1660-00-010. Board member Woods seconded the motion, which passed unanimously, 5:0.

Chairman Lane said there is a 15-day appeal waiting period before starting any construction.

5. Other Business

City Manager Francis and the Board thanked April Fisher for her professional service to the City.

6. Adjournment

There being no further business, Chairman Lane called for a motion to adjourn the meeting, unanimously approved at 7:15 pm.