



PLANNING & ZONING

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407.836.4357
Non-Emergency

Website:
www.belleislefl.gov

Request for Lot Split

Date: March 20, 2024
To: Applicant Marvel Quevedo
Re: 1711 Hoffner Avenue, Belle Isle, FL 32809
PARCEL #19-23-30-4390-00-030
Case number: #2023-12-016

Project Overview

In December 2023, property owner Marvel Quevedo submitted a complete Lot Split Application for 1711 Hoffner Avenue in Belle Isle, Florida. The property currently features a single-family dwelling, a commercial building, and two accessory structures on a 1.94-acre lot. In 2019, Ms. Quevedo purchased the property with the existing nonconforming structures. The property owner seeks to split the lot into two parcels – resulting in one flagpole lot with lakefront access and a traditional, or interior, lot surrounded by parcels on three sides of the property. The proposal would maintain the residential and commercial buildings on one lot, with the second lot used to create a new single-family dwelling.

The property is legally nonconforming as the residential and commercial uses and buildings were permitted before the City’s Land Development Code (LDC) was established in 1992. The applicant has provided a Lot Split Application form, a survey and a legal description certified by a registered state surveyor of the property as it is to be divided, proof of ownership, and payment as set forth in the code. **The specific requirements for a lot split application are pursuant to sections 50-32, 50-33(1), 50-33(6) and 50-35, as the LDC outlines procedures for subdivision submittals and regulations for the design and performance of a subdivision.**

The applicant has also provided a Narrative Letter, petition from neighbors with no objection to the lot split proposal, and a Deed Restriction to not permit the legally nonconforming commercial building onsite after ten years. Staff requested additional information to review the proposed tree plan and the SFR site plan proposal for Lot 2. The applicant has shared that no trees would be removed, should the lot split be approved, and an outline of the proposed new single-family residence is shown on the property survey attached.

Land Use Designations and Public Service Providers

Future Land Use Designation: Low Density Residential
Zoning District: R-1-AA, Single-Family Residential
Current Uses: Commercial and Residential
Potable Water: Orlando Utilities Commission
Wastewater: On-site (Septic) Systems



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The City Land Development Code – Guidelines for Zoning Compliance

The Land Development Code (LDC), Chapter 50, Performance and Design Regulations, establishes subdivision standards for the City. **Section 50-73** outlines minimum building setbacks, lot sizes, floor area, and maximum building heights. For the R-1-AA zoning district, the minimum lot width is 85 feet, and the minimum lot size is 10,000 square feet.

Section 50-33(6) outlines the submittal requirements for a lot split application and further states that in this section, no variance will be given for any lot split that results in a lot or parcel that does not conform to every aspect of the LDC's requirements for newly created lots or parcels. The LDC explicitly states that no variance will be given for any lot split that results in a substandard lot.

Section 50-32 defines Lot Width as the following:

Lot width means the distance between the side lot lines, along a line drawn parallel to the front lot line measured at a distance from the front lot line equal to the greater of: (i) the minimum front yard setback required for the applicable zoning district, and (ii) a front yard setback established at a greater distance than required by the applicable zoning district pursuant to a deed restriction granted by the property owner in favor of the City.

The applicant, Marvel Quevedo, proposes a lot split that creates Lot 1 to meet the 85-foot lot width requirement and all other subdivision standards of the land development code. The configuration of Lot 2 proposes a 20-foot-wide accessway, extending 359.16 feet, and widens to an overall lot width of 116.94 feet.

Determination of Lot Split Application

Under **section 50-35**, Design Standards of Subdivision Regulations, a subdivision plat can only be approved if the Council finds after full consideration of all pertinent data that the subdivision can be served adequately and economically with public facilities and services suitable for a lot split request.

The Council must determine if the Lot Split Application for Lots 1 and 2 satisfies the City's Land Development Code requirements. Following **section 50-32**, the Council may measure the lot width of Lot 2 as 30 feet from the Hoffner Avenue right-of-way or 30 feet from the general front lot line located approximately 389.16 feet from the Hoffner Avenue right-of-way. Should a front yard setback be established at a greater distance than required by the applicable zoning district, then the Council may condition a deed restriction granted by the property owner in favor of the City.

If the Council approves the requested Lot Split Application, **section 50-33(6)(C)** requires the applicant to have the approved final plat recorded with the Orange County Comptroller's Office with signatures by City representatives. A Notice of No Further Lot Split, executed by the property owner, must also be approved by the City to record in the county's public records before the issuance of any building permit for lots or parcels created by lot split. The applicant must provide a copy of the recorded plat and notice of no further lot split to City Hall for zoning compliance to finalize the lot split permit process.