



City of Belle Isle
 1600 Nela Avenue, Belle Isle, FL 32809
 Tel 407-851-7730 * Fax 407-240-2222 * www.belleislefl.gov
Variance and Special Exception Application

Variance and Special Exception Application

City Code Chapter 42, Art. II, Sec. 41-61 thru 41-72 AND Sec 42-64 Land Development Code

APPLICANT Lawrence & Christina Clifford		OWNER Lawrence & Christina Clifford	
ADDRESS 4914 Gran Lac Ave Belle Iste FL 32812		PROJECT ADDRESS 4914 Gran Lac Ave Belle Iste FL 32812	
CONTACT NUMBER 407- 879-7679		OWNER'S CONTACT NUMBER 789-417-7539	
EMAIL austin@bestbuiltpool.com		OWNER'S EMAIL Lac737@gmail.com	
PARCEL ID# 18-23-30-4386-03-810			
LAND USE CLASSIFICATION Residential - Single Family		ZONING DISTRICT R- 1	
SECTION OF THE CODE VARIANCE REQUESTED ON Variance for a six (6) foot encroachment into front building setback along Gran Lac Avenue, in accordance with Land Development Code Section 42-64		<input checked="" type="checkbox"/> Variance Fee \$300 <input type="checkbox"/> Special Exception \$750	
<p><small>DETAILED VARIANCE REQUEST I am requesting a variance to allow the proposed pool deck and fence to encroach six (6) feet into the front building setback along Gran Lac Avenue. This variance is necessitated by the property's unique conditions, including its irregular lot shape and the curved frontage along Gran Lac Avenue. These conditions significantly reduce the usable buildable area when applying standard setback requirements. Additionally, the property is uniquely constrained by a large, mature oak tree situated in the rear yard. This established oak tree significantly limits the feasibility of placing the pool and deck in the rear without compromising the tree's health and root system. Consequently, these conditions make it impractical to locate the pool and deck in the rear, reinforcing the need for the variance to be granted for the front setback encroachment. By situating the pool, deck and fence in the side yard, the applicant avoids significant impacts on the existing residence and preserves the functional use of the backyard. This minor encroachment represents the minimum variance necessary to achieve reasonable use of the property, in line with the City of Belle Isle's Land Development Code. The hardship is not self-created and is due to the original subdivision layout and the natural topography and geometry of the lot. The variance will not negatively impact adjacent properties and will maintain neighborhood character, safety, and aesthetics. Furthermore, the variance aligns with the general purpose and intent of the Code and will not be injurious to the public welfare. In addition, I am providing the required documentation, including a detailed site plan, photographs, and a notarized statement affirming that the hardship is not self-imposed. The variance requested is the least deviation necessary and ensures that the property remains consistent with the surrounding residential uses. In conclusion, granting this variance will allow reasonable use of the property while preserving the intent of the City's Land Development Code and ensuring no negative impact on the neighborhood.</small></p> <ul style="list-style-type: none"> • 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 nine (9) months. Further, the requested user does not violate any property deed restriction. • By applying, I authorize the City of Belle Isle employees and members of the P&Z Board to enter my property during reasonable hours to inspect the area to which the application applies. • The applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) picture of the front of the property and at least two photos (from different angles) of the specific area of the property to which the application applies. 			
APPLICANTS SIGNATURE 		OWNER'S SIGNATURE 	
<input checked="" type="checkbox"/> VARIANCE	<input type="checkbox"/> SPECIAL EXCEPTION	<input type="checkbox"/> OTHER	P&Z CASE NUMBER 2026-01-018
			DATE OF HEARING 2-24-2026

VARIANCE

Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

Criteria. The Board shall not approve an application for a variance from terms of the Land Development Code unless and until:

- a. A written application for a variance is submitted to the city manager or the city manager's designee on a form provided by the city clerk setting forth all of the special conditions and circumstances that exist in favor of the granting of the variance and addressing the requirements of subsections (1)d—g of this section of the criteria set forth in this section. Upon submission of the properly completed application and the appropriate fee, the city manager or the city

- manager's designee shall refer the application to the board.
- b. Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
- c. The public hearing on the application for the variance shall be held. The applicant, the applicant's agent as evidenced by a signed writing or the applicant's attorney shall appear before the board.
- d. It is determined that 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.

To whom it may concern,

I am requesting a variance to allow the proposed pool deck and fence to encroach six (6) feet into the front building setback along Gran Lac Avenue. This variance is necessitated by the property's unique conditions, including its irregular lot shape and the curved frontage along Gran Lac Avenue. These conditions significantly reduce the usable buildable area when applying standard setback requirements.

Additionally, the property is uniquely constrained by a large, mature oak tree situated in the rear yard. This established oak tree significantly limits the feasibility of placing the pool and deck in the rear without compromising the tree's health and root system. Consequently, these conditions make it impractical to locate the pool and deck in the rear, reinforcing the need for the variance to be granted for the front setback encroachment.

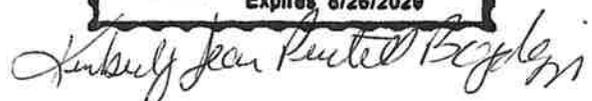
By situating the pool, deck and fence in the side yard, the applicant avoids significant impacts on the existing residence and preserves the functional use of the backyard. This minor encroachment represents the minimum variance necessary to achieve reasonable use of the property, in line with the City of Belle Isle's Land Development Code.

The hardship is not self-created and is due to the original subdivision layout and the natural topography and geometry of the lot. The variance will not negatively impact adjacent properties and will maintain neighborhood character, safety, and aesthetics. Furthermore, the variance aligns with the general purpose and intent of the Code and will not be injurious to the public welfare.

In addition, I am providing the required documentation, including a detailed site plan, photographs, and a notarized statement affirming that the hardship is not self-imposed. The variance requested is the least deviation necessary and ensures that the property remains consistent with the surrounding residential uses.

In conclusion, granting this variance will allow reasonable use of the property while preserving the intent of the City's Land Development Code and ensuring no negative impact on the neighborhood.

Thank you very much for your consideration.

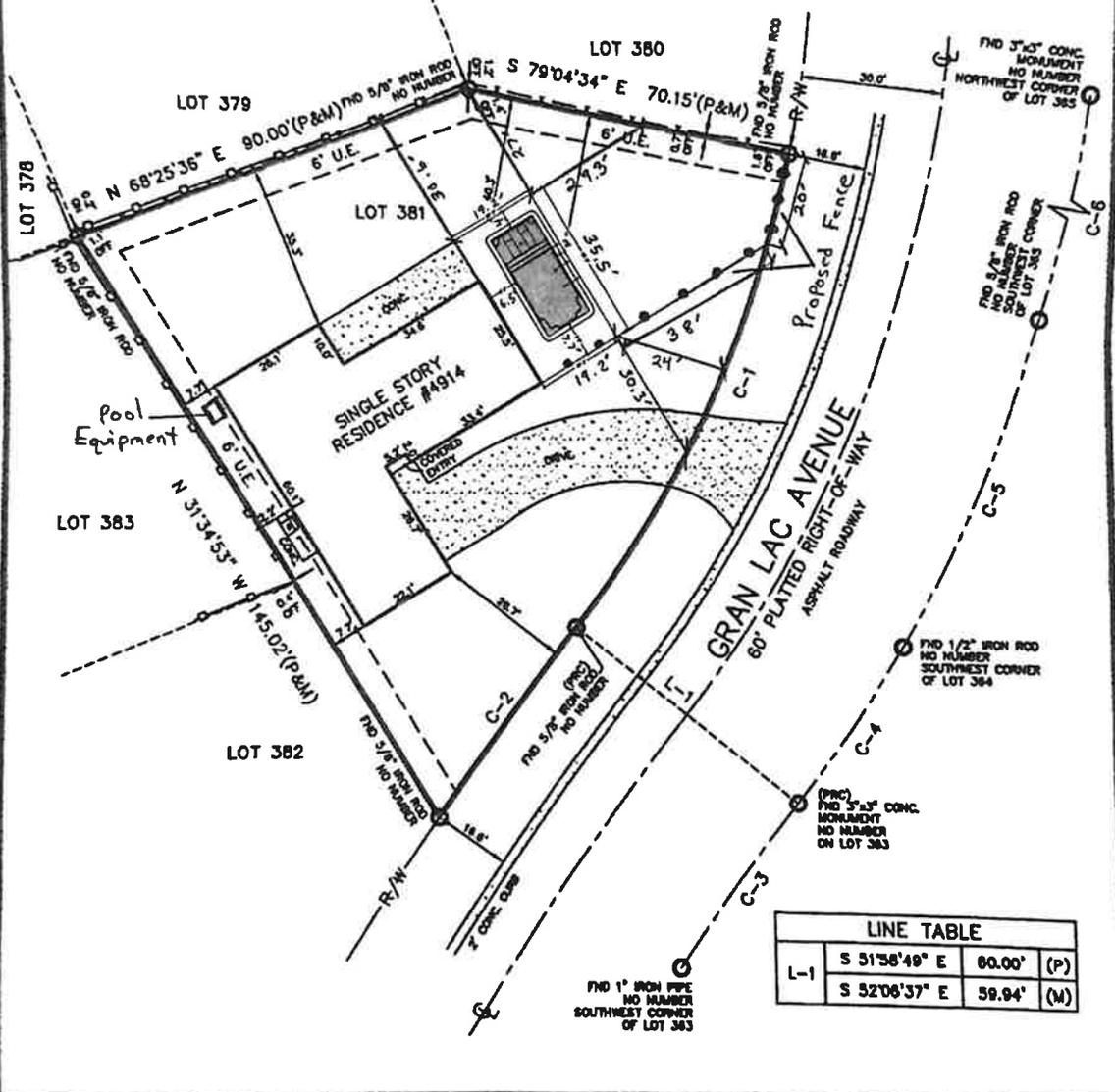


BOUNDARY SURVEY

SHEET 1 OF 2 (MAP OF SURVEY) - SEE SHEET TWO FOR SURVEY RELATED INFORMATION. SURVEY IS NOT COMPLETE WITHOUT BOTH SHEETS

NORTH
SCALE: 1" = 10'

CURVE TABLE					
CURVE	RADIUS	Δ	LENGTH	BEARINGS	CHORD
C-1	241.02'	27°04'36"	113.90'	S 24°28'01" W	112.84' (P)
			113.90'	S 24°28'01" W	112.84' (M)
C-2	871.92'	03°19'02"	50.48'	S 38°21'40" W	50.47' (P)
			50.48'	S 38°21'40" W	50.47' (M)
C-3	811.92'	03°01'36"	42.89'	S 38°30'23" W	42.89' (P)
			43.03'	N 38°28'00" E	43.02' (M)
C-4	301.11'	07°48'44"	40.88'	N 34°05'18" E	40.85' (P)
			41.00'	N 34°14'38" E	40.97' (M)
C-5	301.11'	14°37'45"	78.88'	N 22°53'01" E	78.87' (P)
			78.87'	N 22°42'09" E	78.87' (M)
C-6	301.11'	14°37'45"	78.88'	N 08°15'18" E	78.87' (P)
			78.79'	N 08°20'12" E	78.58' (M)



LINE TABLE			
L-1	S 51°58'49" E	80.00'	(P)
	S 52°06'37" E	59.94'	(M)

PROPERTY ADDRESS: 4914 GRAN LAC AVENUE, BELLE ISLE, FLORIDA 32812

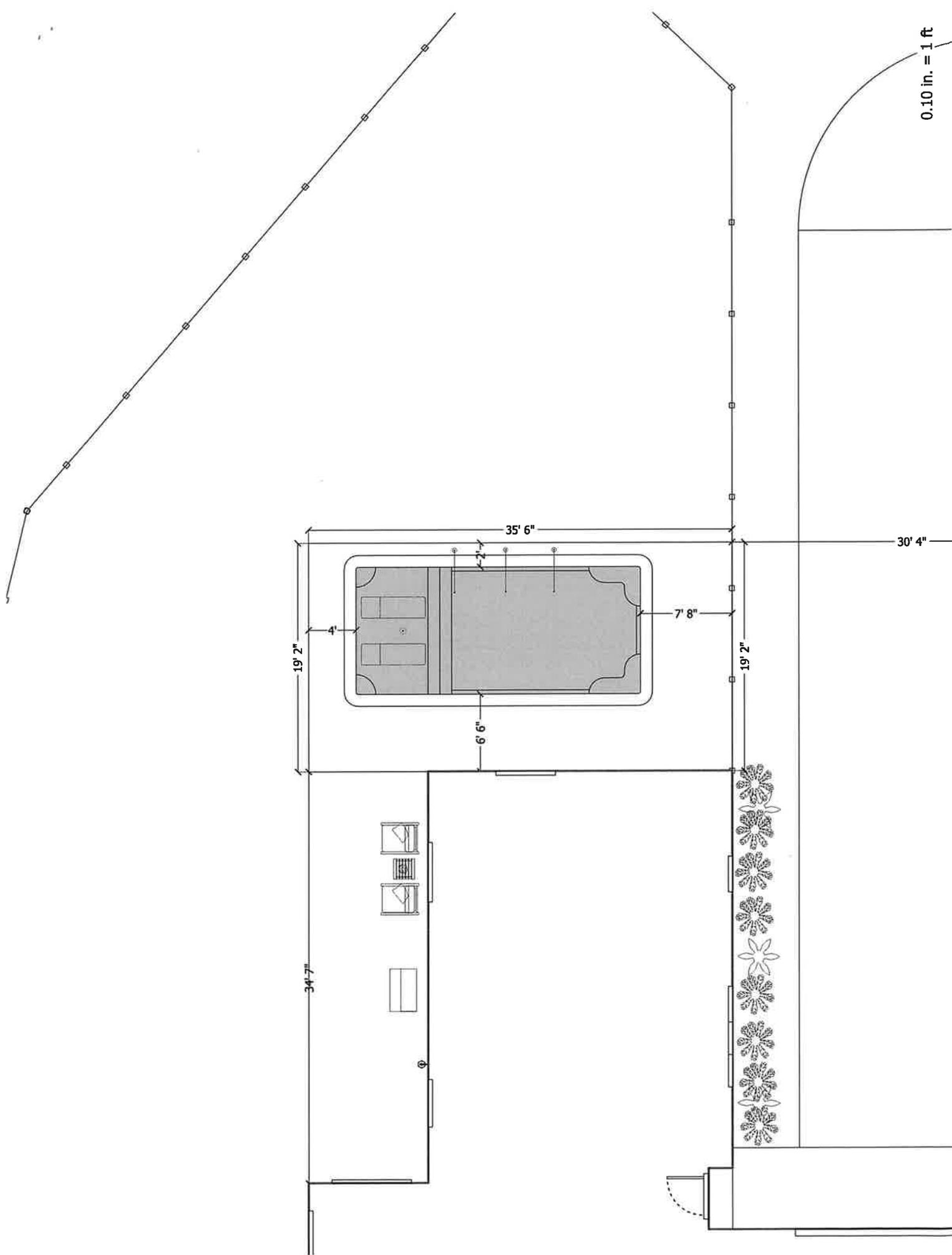


POINTS OF INTEREST:
1 CONC. PAD EXTENDS INTO THE SOUTHWESTERLY EASEMENT.

First Choice Surveying...
Your First Choice for Land Surveys

REVISIONS:
(REV.0 6/9/2025)

CLIENT NO. EFL-1111
JOB NO. 202501
FIELD DATE: 06/04/25
DRAWN BY: C
DRAWN DATE: 06/04/25
CHECKED BY: JLL
APPROVED BY: JLL



0.10 in. = 1 ft





Pool Studio

artistic conception

Exquisite Pool and Spa | Austin Kimmel



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- e. It has been determined that 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 Land Development Code or for the purpose of obtaining a variance.
- f. It is determined that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
- g. It is determined that the granting of the variance will be in harmony with the general purpose and intent of the Land Development 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.
- h. The board shall find that the preceding requirements have been met by the applicant for a variance.
- a. In granting any variance, the Board may prescribe appropriate conditions and safeguards to comply with the Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Land Development Code and punishable in accordance with this article. At the Board's discretion, such variance may be revoked for violation of the condition and safeguards.
- b. The Board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed. Under no circumstances, except as permitted above, shall the Board grant a variance to allow a use not generally or by special exception allowed in the zoning district involved or any use expressly or by implication prohibited by the terms of the Land Development Code in the zoning district. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of land, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.

The Board shall find that the preceding requirements have been met by the applicant for a variance.

(2) Violations of conditions.

SPECIAL EXCEPTION

Applications submitted must meet all of the above criteria before the Board can grant a variance. The applicant bears the burden of proof that they comply with the criteria.

A special exception addresses the compatibility of uses, differing slightly from a variance. The approval of a special exception depends on how the request affects the surrounding area. All uses allowed as special exceptions are listed within the individual zoning districts. Before the Board can approve a special exception, the request must meet all of the following criteria:

1. A written application for a special exception must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month. (See Above)
2. The Board shall find that it is empowered under the section of the zoning ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.
3. It is determined that public health, safety, comfort, order, convenience, prosperity, morals, or general welfare is promoted, protected, or improved.

General Information

1. Certain conditions may be prescribed on the special exception or variance approved by the Board.
2. The applicant must be present at all hearings.
3. Decisions rendered by the Board do not become final until fifteen (15) days after the hearing. The fifteen-day waiting period allows all aggrieved parties to appeal the decision. Any person filing an appeal will submit, within fifteen (15) days of the decision, a notice stating where they feel the Planning and Zoning Board erred in their decision. Belle Isle's City Council will then hold an appeal hearing.
4. Sec 42-61 thru 41-72—Variances and special exceptions granted by the Board will become void if a permit necessary for utilizing the variance or special exception is not issued within six (6) months of the date approved by the Planning and Zoning Board.

FOR OFFICE USE ONLY: FEE: <input checked="" type="checkbox"/> \$300 VARIANCE <input type="checkbox"/> \$750 SPECIAL EXCEPTION	<u>1/22/26</u> Date Paid	<u>185</u> Check/Cash	 Rec'd By
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ABOUT YOUR PUBLIC HEARING

The following information is provided to assist applicants in applying for a variance, special exception, or use determination. The City of Belle Isle's Planning and Zoning Board, which comprises seven (7) non-paid volunteer residents, meets on the fourth Tuesday of the month to hear various planning and zoning issues, including variances, special exceptions, and use determinations. *In recommending approval or denial of a request, the Board looks at each application individually to determine if the request meets the following criteria:*

A written application for a **variance must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month.** The application **MUST** include:

- a. \$300 filing fee for a Variance: _____ \$750 filing fee for a Special Exception
- b. a completed application form,
- c. proof of ownership of the property, or a notarized statement from the owner with the representative's information,
- d. Ten (10) copies of a plot plan or survey showing all improvements to the property, ten copies of a scale drawing of the planned construction, illustrated on the survey, and digital format for large-scale documents is required.
- e. For boat dock variances, the survey must clearly illustrate Lake Conway's Normal High Water Line elevation (NHWL).
- f. **A narrative addressing how the variance complies with the following:**

*Standards of Variance Justification	Section 42-64 of the Land Development Code (LDC) states that no application for a Zoning Variance shall be approved unless the Planning and Zoning Board finds that all of the following standards are met. Please answer each bold-text question in a separate typed or written document and submit it to the City as part of your variance request.
Special Conditions and/or Circumstances Section 42-64 (1) d	The applicant must prove that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship. That 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. WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP?
Not-Self- Created Section 42-64 (1) e	The applicant must prove that the special conditions and circumstances do not result from the applicant's actions. A personal (self-created) hardship shall not justify a variance; i.e., when the applicant creates the alleged hardship, they are not entitled to relief by their conduct. HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?
Minimum Possible Variance Section 42-64 (1) f	The applicant must prove that the zoning variance is the minimum variance that will make the reasonable use of the land, building, or structure possible. CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.
Purpose and Intent Section 42-64 (1) g	The applicant must prove that approval of the zoning variance will be in harmony with the general purpose and intent of the Code, and such variance will not be injurious to the neighborhood, detrimental to public welfare, or contrary to the public interest. 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).

*For a variance application from Sec. 50-102 (b) fences and walls, please also identify how you comply with the variance criteria identified in Sec. 50-102 (b) (16). Please note that for a fence variance, you do not have to comply with Sec. 42-64 (1) d and (1) f.









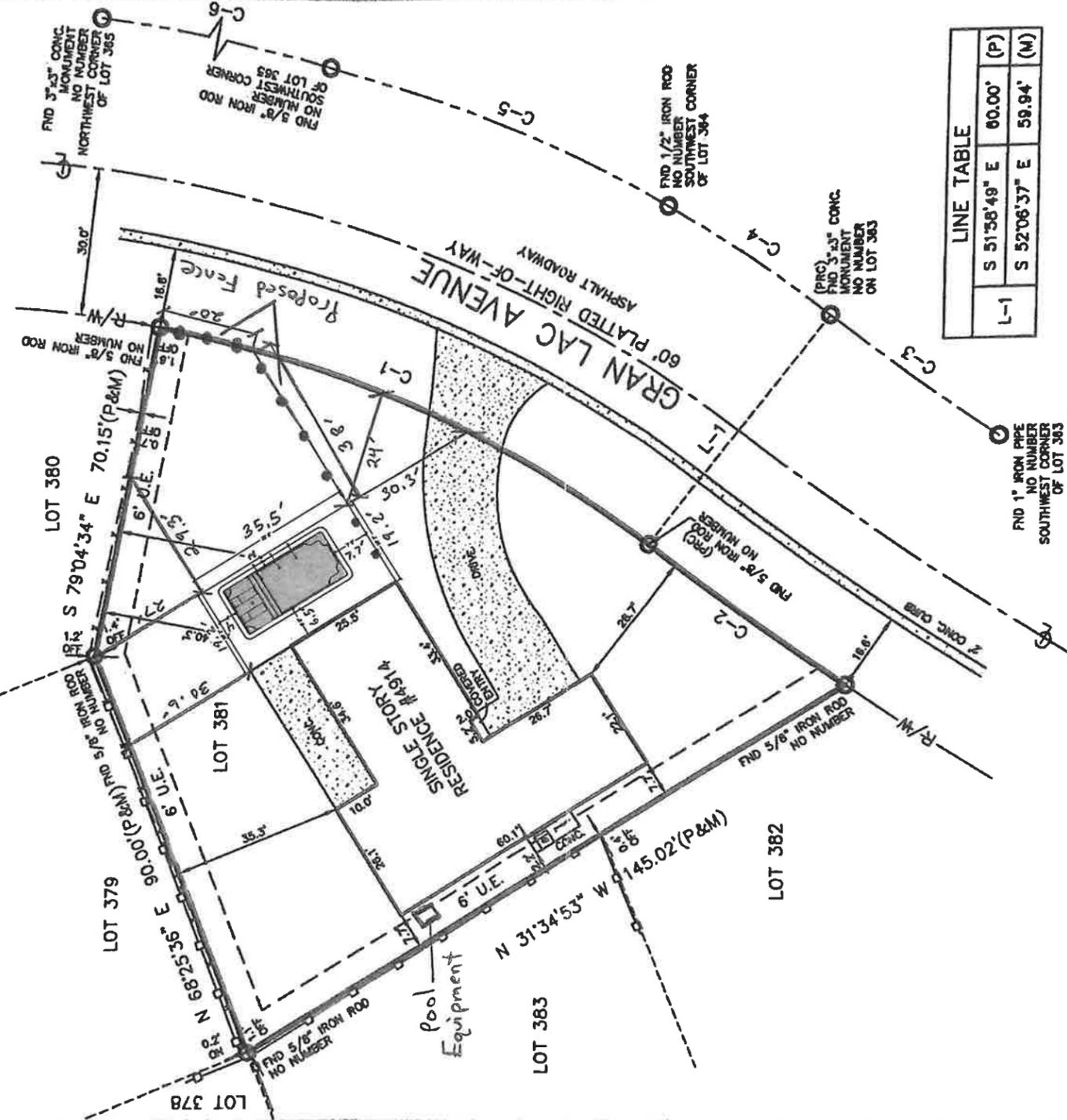


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POINTS OF INTEREST:
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REVISIONS:
(REV. 0 6/19/2025)

CLIENT NO. EEE-3-1388
JOB NO. 209550
FIELD DATE: 6/20/25
DRAWN BY: C.
DRAWN DATE: 6/20/25
CHECKED BY: J.L.
APPROVED BY: J.A.

First Choice Surveying...
Your First Choice for Land Surveys