

5 November 2021

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To Whom It May Concern:

Please take this letter as our official Appeal to the Planning and Zoning Board's decision on our variance request (Hearing 2021-09-031) in relation to our Fence, which occurred on 26 October 2021. We would like the City Council to review our request at their next meeting. We feel that the Board, did not take into account the unique features of our property when making its decision, and instead only considered the direct wording of the code as written. Our property consists of 2 lots, with the house sitting on one. An addition added by prior owners over 20 years ago encroaches on the second lot by a few feet, but in reality the lot does not have a "house" sitting on it to measure the front from. We are asking for permission to rebuild a fence that has been in its exact same location for 40 plus years, we are not creating a new condition on our own, nor are we deterring from the look of Belle Isle or our neighborhood. All our surrounding neighbors, who would actually see this fence on a daily basis came out to support us at the hearing, and have no objection to it at all. The code is written so that all houses have a front yard, which we do have a large front yard in front of our house, and there is still a yard in front of the existing fence where we want to put the fence line back to.

To expand a bit on our initial variance application, it would cause us additional financial hardship to bring the fence back the 18 feet necessary to be "within code" as well because the value of our home would most likely decrease without the usable space being contained by the fence (this backyard was the main reason we purchased this particular home, and was considered as it sits currently in the appraisal). If you look at an aerial view of our home, this lot is essentially our backyard, it is not in front of a house, but to our right side, this is the only backyard that we have to use. The only board member who actually drove past our home and saw the layout and fence in person and how it sits today actually voted in our favor.

The literal enforcement of the provision creates a hardship to us as well because of the features of the land and existing buildings/sheds that sit on the empty lot. If we pull the fence line back to be in line with the front of the house sitting on our adjacent lot, we will not be able to move our boats and camper etc around in the yard because the fence line would be too close to the large shed/workshop that sits in the middle of the yard. As it sits now we can pull around it without having to go out onto the street and disturb anyone. If we can no longer drive past the front of the shed to access the other side of the yard, we would have to exit our property, and turn around on the street and enter it again from the other side, or back in from the street, which can be difficult on a daily basis.

We were also told in the meeting that the City has already been considering changes to the code that applies to our situation. All we are asking is to be able to secure and use for our own enjoyment, our property as it currently sits, while also improving the look of the neighborhood and Belle Isle as a community.

Thank you,

Michael Rice, Angela DelleFave, and Mary Turner, Owners
5115 La Croix Ave Belle Isle, FL 32812

Attachment: Aerial view of home and survey



La Croix Ave

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