



City of Belle Isle
Planning & Zoning Board Regular Session Minutes
December 9, 2019 – 6:30 pm

Dan Langley City Attorney	David Woods Vice-Chairman District 1	Chris Shenefelt District 2	Shawn Jervis District 3	Randy Holihan Chairman District 4	Rainey Lane District 5	Andrew Thompson District 6	Leonard Hobbs District 7
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On Monday, December 9, 2019, the Belle Isle Planning & Zoning Board met in a regular session at 6:30 pm in the Belle Isle City Hall Council Chambers.

Present was Chairman Holihan, Vice Chairman Woods, Board member Shenefelt and Board member Lane. Also present was Attorney Langley, City Manager Francis, City Planner April Fisher, and City Clerk Yolanda Quiceno. Absent were Board member Jarvis, Board member Thompson and Board member Hobbs.

1. Call to Order

Chairman Holihan called the meeting to order at 6:30 pm and opened with the Pledge of Allegiance.

2. 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.

April Fisher, City Planner, gave a brief overview of the variance requesting a special exemption as identified. The property is currently developed with a home that is being redeveloped that holds significant history for the City. The property owner is in the process of permitting a new house to be located on the property incorporating the proposed guest cottage without a kitchen. As a point of reference, Ms. Fisher noted that the applicant would also be submitting for a boat dock under a separate agenda item at a future meeting.

Although the application states that the requested guest cottage is to be 300 sq ft guest cottage, it appears, in the plans submitted to be approximately 355 sqft (an area encompassing the guest suite, through to the attached bathroom and closet). The code does not restrict approval of a larger than 300 sq ft guest cottage but the code is silent when it speaks of special exceptions. The staff has provided guidelines to applicants that the accessory structure provision limits the size to more than 300 sqft in size. There is nothing in the code that prohibits approval if the application meets the character of the area. She is recommending approval based on the following conditions:

The proposed guest cottage meets the setback and height requirements of the R-1-AA Zoning District and is designed to be architecturally consistent with the primary structure. Additionally, the guest cottage is in the rear of the property, meeting the required 50-foot setback. Due to meeting these requirements, and the location and design, the proposed guest cottage is in harmony with the purpose and intent of the Land Development Code.

Based on consideration of these review criteria staff recommends approval of the request subject to the following conditions:

1. The guest cottage shall be used exclusively for housing members of the family occupying the principal building and their nonpaying guests, such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling;
2. The plans shall be revised to remove the proposed open exterior shower, BBQ Area, and deck/patio areas (including the area for pool equipment) that are proposed to sit within the required 7.5-foot side setback area before submitting for building permits. The deck/patio areas must meet an accessory building/structure 5-foot setback requirement from the side property line, and the open exterior shower and any vertical structures in the BBQ Area and Wood Deck area must meet the 7.5-foot setback since these are attached to the guest cottage under Sec. 50-102 (a) (2); and,

3. Any changes to this special exception that are not approved at this meeting must be resubmitted for review and approval by the Planning and Zoning Board.
4. The guest cottage must be maintained in a functional and aesthetically pleasing manner so as not to impact the public interest adversely.

Chairman Holihan opened for applicant testimony.

Mark Jones homeowner of 2520 Homewood Drive said they purchased the property a year and a half ago. He decided to develop the property with the original architect Kevin Schweizer to bring the property back to life and maintain the architectural aesthetics in the new design as originally built-in 1965.

Board member Woods inquired about the removal of the existing trees on the property. Mr. Jones said he did remove the invasive trees with approval from the City and Arborist. He does have a tree replacement plan as they move forward.

Kevin Schweizergave a brief overview of their family history and past projects. He said he is the son of Neil Schweizer, the original architect of the home. Mr. Schweizer provided a preliminary design presentation via powerpoint.

Board member Woods asked if they will need to have Board approval for the proposed 8ft fence. Ms. Fisher said they would be able to go to 8ft in height, without a variance, if they can provide letters from the abutting neighbors in favor of the height. Board member Woods shared his concern with the height of the fence obstructing the view of the neighbors. Mr. Schweizer said there is very heavy vegetation along the side of the site and does not see that becoming an issue.

Chairman Holihan shared his concern with the light noise from the custom lights and asked for a photometric plan. Mr. Schweizer said it would not be possible to produce a photometric plan but will design the lights to minimize offsite glare before moving forward.

The staff stated that they have not received any responses in favor of or opposing the special exception. Mr. Jones further added that the fireplace noted on the plans has been removed from the project and most of the renovations to the primary residence are mainly interior.

Chairman Holihan opened for public comment. There being none, he closed and opened for Board discussion.

Board member Woods pointed out a correction to the description of the impervious area.

Board member Shenefelt shared his concern with unenforceable restrictions, i.e. "exclusively for housing members of the family occupying the principal building and their nonpaying guests." The Board discussed the code and the importance of memorializing the restriction.

For clarification, the Board discussed the side setback for the outside shower and maintaining the 7.5 ft setback.

After discussion, Board member Lane moved, the criteria of Section 42-63 and Section 54-75 (c)(5) of the Belle Isle Land Development Code having been met TO APPROVE 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 with the following conditions,

1. The guest cottage shall be used exclusively for housing members of the family occupying the principal building and their nonpaying guests, such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling;
2. The plans shall be revised to remove the proposed open exterior shower, BBQ Area, and deck/patio areas (including the area for pool equipment) that are proposed to sit within the required 7.5-foot side setback area before submitting for building permits. The deck/patio areas must meet an accessory building/structure 5-foot setback requirement from the side property line and the open exterior shower and any vertical

structures in the BBQ Area and Wood Deck area must meet the 7.5-foot setback since these are attached to the guest cottage according to Sec. 50-102 (a) (2); and,

3. Any changes to this special exception that are not approved at this meeting must be submitted for review and approval by the Planning and Zoning Board.
4. The guest cottage must be maintained in a functional and aesthetically pleasing manner so as not to impact the public interest adversely.
5. To make certain the custom light adjacent to the neighbor does not spill over by providing visual design and is submitted with the application permit.
6. If the fence is greater than 6ft up to 8ft, they must provide approval of all abutting neighbors with the building permit.

Board member Shenefelt seconded the motion, which passed unanimously 4:0.

April Fisher said the applicant should wait for 15-days from approval for any appeals before submitting for a permit.

3. OTHER BUSINESS – n/a
4. ADJOURNED

There being no further business, Chairman Holihan adjourned the meeting at 7:00 pm.

Yolanda Quiceno
City Clerk, CMC