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Variance Application: 1602 Overlook Road

Planning and Zoning Case Number 2026-06-050: PURSUANT TO SECTION 42-64, THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD SHALL REVIEW AND TAKE ACTION ON A REQUESTED VARIANCE FROM SECTION SECTION 50-102 (B) (8) TO ALLOW THE ROUGH SIDE OF A FENCE TO FACE OUT, SUBMITTED BY APPLICANT PERRY WILSON, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 1602 OVERLOOK ROAD, BELLE ISLE, FLORIDA 32809, ALSO KNOWN AS PARCEL ID # 25-23-29-5884-11-090.

Project Description and Background:

This application is to allow a fence to be built along the rear property line with the rough side facing out. The property owner has stated that there are fences on abutting properties preventing him from being able to build the fence with the finished side facing out. The Land Development Code (LDC) requires the rough side to face into the property on which the fence is being built.

Staff Recommendation: Deny the requested variance to allow a fence to be built with the rough side facing out due to the fact that all of the required variance criteria are not met. An evaluation based on the variance criteria for the application is below:

1. Special Conditions and/ or Circumstances (Section 42-64 (1) d):

This criterion is not met because the fence could be built per code requirements with a fence style that has a finished side on both sides of the fence, or it could be inset more into the yard.

2. Not Self- Created (Section 42-64 (1) e):

This criterion is not met as the applicant wants to have the rough side facing out to abutting properties.

3. Minimum Possible Variance (Section 42-64 (1) f):

The requested variance is the minimum possible variance needed to accommodate the fence with the rough side facing out as the rest of the property has a fence with the rough side facing in.

4. Purpose and Intent (Section 42-64 (1) g):

The requested variance is not in harmony with the general purpose and intent of the LDC and could be determined injurious to the neighborhood as most fences meet the code requirements for the rough side to face inward.

Next Steps

The Board may approve the variance application as it is, with specific conditions, continue the application if additional information is requested, or deny the application.

A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Sec. 42-71.

Motion Examples:

1. Approve the requested variance to allow a fence to be built that will have the rough side facing out.
2. Deny the requested variance to allow a fence to be built that will have the rough side facing out, [specify which standards are not met] or,
3. Continue the requested variance to allow a fence to be built that will have the rough side facing out, pending [specify information needed] from the applicant.