



CITY OF BELLE ISLE, Florida

Planning and Zoning: Staff Report

December 20, 2023

Variance Request: 3606 Quando Drive

Application Request: Public Hearing #2023-11-026 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A FRONT BUILDING SETBACK OF 20 FEET FROM THE REQUIRED 30-FOOT FRONT BUILDING SETBACK, SUBMITTED BY APPLICANTS JON BERGMAN AND DANIELLE BROWNE BERGMAN, LOCATED AT 3606 QUANDO DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #20-23-30-1646-00-910.

Existing Zoning/Use: R-1-AA / Single-Family Home

Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below.

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

Generally, a variance is authorized due to circumstances unique to the applicant's building and land itself. The requested variance does not meet the special condition or circumstances criteria as a financial and personal hardship does not constitute a hardship entitlement for a variance.

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

According to the applicant's Narrative Letter, the request to encroach ten feet within the 30-foot front yard setback is due to financial and personal hardship for accommodating an additional family member within the single-family residence. Financial and personal hardship is not an acceptable basis for granting variance approval. Following section 42-64, a qualifying hardship results from the conditions of the building and the property conditions.

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

The variance request makes reasonable use of the land as the proposed structure meets zoning district's side setback, height, and roof overhang requirements. The proposed additional living area is to accommodate one elderly parent as the principal building utilizes the three bedrooms for the family and workspace. The proposed living space may provide one bedroom, storage space, and bathroom accommodation for the elderly parent.

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

The requested variance is in harmony with the general purpose and intent of the Land Development Code and, therefore, is not injurious to the neighborhood nor detrimental to the public welfare and will not be contrary to the public interest. This is because the addition is proposed for the rear of the property and does not negatively impact another property's view, light, or access.

Based on the variance criteria of sections 42-64 (d) and (e), Staff recommends that the Board not approve the requested variance to allow a front yard setback of 20 feet as there are no special conditions or circumstances of the land and the request is a self-created hardship.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.