
NOTICE OF PUBLIC MEETING

JULY 23, 2019 – 6:30PM

CITY OF BELLE ISLE PLANNING AND ZONING BOARD REGULAR SESSION

ITEM 3 MEMORANDUM

TO: Planning and Zoning Board

DATE: July 23, 2019

PUBLIC HEARING CASE #2019-07-002

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 CONVERSION OF A PREVIOUSLY PERMITTED STORAGE SHED TO BECOME WHAT THE LAND DEVELOPMENT CODE DEFINES AS A GUEST COTTAGE ON A SINGLE-FAMILY RESIDENTIAL PROPERTY WITH A PRIMARY DETACHED SINGLE-FAMILY DWELLING, SUBMITTED BY APPLICANT JOSH BROWN, LOCATED AT 2705 NELA AVENUE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 19-23-30-5888-03-060.

Background:

1. On June 19, 2019, Josh Brown submitted the application and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, July 13, 2019, Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on Thursday, July 11, 2019.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing. The Board will need to determine if the criteria set forth in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met, and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, the criteria of Section 42-63 and 54-75 (c)(5) of the Belle Isle Land Development Code having been met TO APPROVE the SPECIAL EXCEPTION TO ALLOW CONVERSION OF A PREVIOUSLY PERMITTED STORAGE SHED TO BECOME WHAT THE LAND DEVELOPMENT CODE DEFINES AS A GUEST COTTAGE ON A SINGLE-FAMILY RESIDENTIAL PROPERTY WITH A PRIMARY DETACHED SINGLE-FAMILY DWELLING submitted by applicant JOSH BROWN, LOCATED AT 2705 NELA AVENUE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 19-23-30-5888-03-060.

SAMPLE MOTION TO DENY:

"I move, the justifying criteria of the Belle Isle Land Development Code, Section 54-75(c)(5), having NOT been met; ***[use only if NONE of the justifying criteria have been met]*** the requirements of section 42-63, Subsections: ***[STATE ONLY THE SUBSECTIONS BELOW THAT ARE NOT SATISFIED]*** having NOT been met; ***[may be used in addition to above or alone]*** TO DENY the proposed SPECIAL EXCEPTION TO ALLOW CONVERSION OF A PREVIOUSLY PERMITTED STORAGE SHED TO BECOME WHAT THE LAND DEVELOPMENT CODE DEFINES AS A GUEST COTTAGE ON A SINGLE-FAMILY RESIDENTIAL PROPERTY WITH A PRIMARY DETACHED SINGLE-FAMILY DWELLING submitted by applicant JOSH BROWN, LOCATED AT 2705 NELA AVENUE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 19-23-30-5888-03-060.

SUBSECTION (D), a 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.

SUBSECTION (E), 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 Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the 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.

Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



April Fisher, AICP
fisherpds@outlook.com
407-494-8789

July 12, 2019

Special Exception Application: 2705 NELA AVENUE

Applicant Request: 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 CONVERSION OF A PREVIOUSLY PERMITTED STORAGE SHED TO BECOME WHAT THE LAND DEVELOPMENT CODE DEFINES AS A GUEST COTTAGE ON A SINGLE-FAMILY RESIDENTIAL PROPERTY WITH A PRIMARY DETACHED SINGLE-FAMILY DWELLING, SUBMITTED BY APPLICANT JOSH BROWN, LOCATED AT 2705 NELA AVENUE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 19-23-30-5888-03-060.

Zoning/ Existing Use: R-1-AA/ Single-family Residence

Review Comments

This application seeks a special exception as identified above. The property is currently developed with a primary single-family home and the accessory structure to be converted exists today on site. A shed structure/ utility room (the accessory structure to be converted) was permitted in 2014 by the City. The applicant is seeking to add air conditioning, and bathroom facilities to the structure. The kitchen facilities identified on the applicant's plan are not allowed by code. Storage sheds do not typically have these types of improvements but are used for the storage of lawn equipment and other supplies, because of this, the improvements to the existing structure redefine it as a guest cottage, therefore requiring a special exception process.

Please see the attached original plan approval documents. Beyond these documents, the City does not have details of the design of the originally permitted structure. It is difficult to determine, based on limited records, if what is built on the site currently conforms to the structure that was permitted in 2014. Storage sheds do not typically have concrete finished exteriors or a wall of windows in them, with an extended roof line.

The applicant has provided supporting documentation addressing the special exception criteria.

Staff Recommendation

Section 54-75 (C) (5) provides that a guest cottage (without a kitchen) may be permitted in a residential zoning district through the special exception process. The Code identifies that the Planning and Zoning Board will review special exception requests to determine whether the request would adversely affect the public interest and whether public health, safety, and welfare are promoted or improved.

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 kitchen facilities prior to submitting for building permitting;
3. The guest cottage must be maintained in a functional and aesthetically pleasing manner so as not to adversely impact the public interest; and,
4. Since the structure currently exists in a manner and materials different that what would normally be approved for a storage shed, the building permit application, survey, and plans must provide certification that all setbacks, maximum structure height, and size of the guest cottage structure meet code requirements as at the time originally permitted for an accessory building. Otherwise, a variance approval will be required for any deficiency before the building permit approval may be granted.

Additional Notes

Please note that the Board may approve the proposed special exception 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 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.

9-8-14



City of Belle Isle
Universal Engineering Sciences 3532 Maggie Blvd., Orlando, FL 32811
Tel 407-581-8161 * Fax 407-581-0313 * www.universalengineering.com

REVISION APPLICATION

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Date: 9/4/14

Permit Number: 2014-07-003
Original Permit Number Issued

Contact Name Melanie Winters Phone: _____

Project Address 2705 Nela Avenue Belle Isle, FL 32809 32812

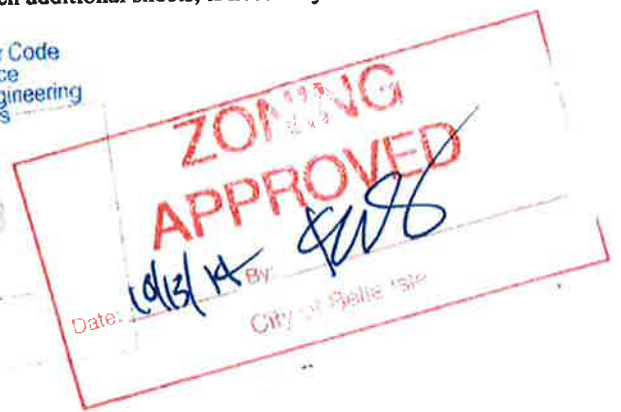
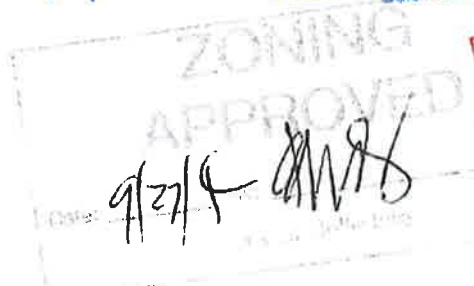
Nature of Change Addition of utility room, change of contractor

Change in Job Cost \$4500.00

Do revisions affect: Site Architectural Structural Mechanical Electrical Plumbing

Itemize below for each drawing specific proposed changes. Attach additional sheets, if necessary.

Examiner Approval: Angel Puez
10/27/2014



Date _____ Finalized/Inspected by: _____

Zoning = \$165.00
Fee: \$ 30.00 ✓195.00
Cash/Check#: 9188

Date Rec'd: 10-28-14

Rec'd By: [Signature]

PROJECT NUMBER 0115.1400335.0000

TASK NUMBER 01

CITY OF BELLE ISLE
Permit Application Review Sheet

Permit Number	2014-07-003	
Property Owner	Biswan	
Address	2705 Nela Ave	
Nature of Improvement	Revision	
Received Application	9-8-14	
Sent for Stormwater Review	9-19-14	revised plans 10-10-14
Stormwater Approved	9-27-14	10-13-14
Sent for Zoning Review	9-19-14	revised plans 10-10-14
Zoning Approved	9-27-14	10-13-14
Applied for Variance		
Variance Approved		
Sent to BO for Review	9-30-14	wo 42635
Building Official Approved	10/27/14	
Comments		
1.	9-8-14	cq emailed conts for ISR calcs
2.	9-16-14	cq recd ISR calcs + scheduled delivery to CoBI
3.	9-30-14	cq plu zoning approved plans
4.	10-1-14	cq emailed Angela comments to conts
5.	10-9-14	cq recd revised plans + prod app; scheduled
6.		delivery to CoBI for review. wo 43058
7.	10-17-14	cq recd Zoning approved plans; wo 43318
8.	10/27/2014	AP Plans not clear about addition of utility room.
9.	10-27-14	Susan Spoke w/ Melanie Winter Bros- Angela says have Architect
10.	10/27/14	AP Resolved w/ architect - Approved Revision
11.		
12.		



10/28/14

LAKE CONWAY RESIDENCE 2705 NELA AVE, BELL ISLE, FLORIDA

Revision-2
10/06/14

A110 - New storage shed, added details for sliding garage door. The foundation size is noted on the floor plan as (F1) and reinforcement is noted in the schedule.

A201 - Demo plan added the removal of the existing storage closet.

A210 - Floor plan adds reinforced CMU to the jamb of the new garage opening.

A215 - Foundation plan adds footing under the new CMU at the jamb of the new garage opening. Also a new footing adjacent to the existing fireplace has been added to address existing conditions.

A230 - Roof framing a new wood beam over the new garage opening has been added to replace the existing wood beam in this location to address existing conditions.

A401 - Section & details indicates new joist sistered to existing roof joists in living room and built up beam connection detail to address conditions found in existing roof joists in this area. Also a revised eave detail 14 has been added to enable larger door frame size at rear of house.

2705 Nela Ave

Impervious Surface Ratio Worksheet
Development Zoned A-1, A-2, R-1-AAA, R-1-AA, R-1-A, R-1 per
City Code, Section 50-74: Impervious Surface Ratio

received
9-16-14

1. Total Lot Area (sqft) X 0.35 = Allowable Impervious Area (BASE).

Total Lot Area 16,328 X 0.35=

Allowable Impervious Area (BASE) 5,715

2. Calculate the "proposed" impervious area on the lot. This includes the sum of all areas that do not allow direct percolation of rainwater. *Examples include house, pool, deck, driveway, accessory building, etc*

• House 2,669

• Driveway 1,290

• Walkway 169

• Accessory Buildings 300 (proposed)

• Pool & Spa _____

• Deck & Patio 347

• Other _____

Actual Impervious Area (AIA) 4,775

3. If AIA is less than BASE, subtract AIA from BASE to determine the amount of impervious area that may be added without providing onsite retention.

4. If AIA is greater than BASE, then onsite retention must be provided.

Assuming 7.5 inches of rainfall based on a 24hr 10 year Rain Event (TP40), the formula is: (7.5 inches rainfall/12 inches p/foot) X (result from line 4) = cubic feet of storage volume needed



Received
10-9-14

City of Belle Isle

Universal Engineering Sciences 3532 Maggie Blvd., Orlando, FL 32811
Tel 407-581-8161 * Fax 407-581-0313 * www.universalengineering.com

Product Approval Form

DATE: 10/6/14

PERMIT # 2014-07-003

PROJECT ADDRESS 2205 Nela Ave, Belle Isle, FL 32809 32812

As required by Florida Statute 553.842 and Florida Administrative Code 9B-72m, please provide the information and approval numbers of the building components listed below if they will be utilized on the building or structure. FL Approved products are listed online at www.floridabuilding.org or can be obtained from the local product supplier. The following information must be turned in with permit application and available onsite for inspections:

1. This Product Approval Cover Sheet
2. Internet screen from FloridaBuilding.org showing PA#, approval and code edition stamped
3. Manufacturer's installation details from FloridaBuilding.org and requirements for each product stamped

Product Type	Manufacturer	Model/Series	FL Product Approval #	Product Type	Manufacturer	Model/Series	FL Product Approval #
EXTERIOR DOORS				WALL PANELS			
Swinging				Sliding			
Sliding				Soffits			
Sectional/Rollup				Storefront			
Other				Glass Block			
				Other			
WINDOWS				ROOFING PRODUCTS			
Single/Dbf Hung				Asphalt Shingles			
Horizontal Slider				Non Struct Metal	Millennium	M Seam	FL521-R ⁴
Casement	PGT	CA440	FL330-R11	Roofing Tiles			
Fixed				Single Ply Roof			
Mullion				Other			
Skylights							
Other							
STRUCTURAL COMPONENTS				OTHER			
Wood Connectors							
Wood Anchors							
Truss Plates							
Insulation Forms							
Lintels							
Other							

It is the applicant's responsibility to verify that specific products have been installed in accordance with their limitations and with the minimum required design pressures for the structure. Specific compliance will be verified during field inspections.

Applicant Signature

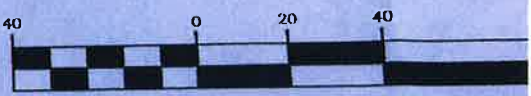
Date 10/8/14

85.9 CONTOUR PER
NAVD 1988 DATUM
86.9 CONTOUR PER
NGVD 1929 DATUM

LAKE
CONWAY



GRAPHIC S



(IN FEET
1 inch = 40

S67°24'02"E
74.64' (MEASURED)
S66°30'24"E
75.00' (PLATTED)

N85°26'26"E
28.30'

S62°21'24"E
52.43'

N72°14'13"W
77.90'

N23°33'13"E
N23°29'36"E

160.90' (MEASURED)
161.00' (PLATTED)

PB-0 PG-99
BLOCK-C LOT-6

WOODEN FORM BOARDS
ELEVATION = 90.01'

ONE STORY
RESIDENCE
2705 NELA AVE
F.F.E. = 91.28

WEST 25' OF LOT-1
PB-R PG-74

175.44' (MEASURED)
174.19' (PLATTED)
REMAINDER OF
LOT-1 PB-R PG-74

PB-R PG-74 LOT-2

PB-R PG-74 LOT-3

S23°23'05"W
S23°29'35"W

S66°30'24"E
50.00'

N24°16'36"E
170.40'

N25°03'36"E
180.40'

NELA AVENUE

N66°28'07"W
N66°30'24"W

100.11' (MEASURED)
100.00' (CALCULATED)

S64°56'24"E
75.00'

S64°56'24"E
75.00'

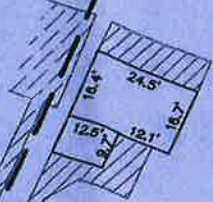
EDGE OF WATER

RECOVERED
1" IRON PIPE

RECOVERED
1/2" IRON ROD

RECOVERED
1" IRON PIPE

RECOVERED
3/4" IRON PIPE



ⓔ +0 April 7/1/19

2019-07-002

Josh Brown
2705 Nela Ave
Belle Isle, FL 32809

June 19th 2019

Belle Isle City Clerk,

I'm writing to request an exception for updating an accessory building (storage shed) I had constructed when I remodeled the house in 2015. I recently submitted a permit request for this update #2019-04-045 — it was denied for zoning approval.

The original permit for constructing the accessory building in question was done as an amendment to the permit & plans submitted as part of the home remodel by Winter Brothers Construction back in 2015. I originally utilized this building for storage and as a workshop while I was moving in and repairing the dock. Now that this is done I'd like to get more use out of the building (and the backyard).

This request is a part of an overall back yard improvement I am working on and will allow the building to act in a more cohesive way to the backyard. I've included a picture of the backyard as it exists today (Exhibit A) as well as a mock up in the spirit of what I'd like to do (Exhibit B). Also included are the plans showing replacing louvers with windows, adding insulating, split A/C system, bathroom and small sink that were submitted for the permit in question (Exhibit C).

Thank you for your consideration.

Josh Brown



Exhibit A: Existing Backyard With Shed



Exhibit B: Mockup of new shade canopy (permitting soon) and accessory building in reference

