

May 11th, 2021

6822 Seminole Drive – P&Z Board Appeal

Notice of Appeal:

Please consider this a formal appeal of the decision made by the planning and zoning board on April 27th, 2021. The board made a recommendation to grant our request for decorative columns with gates. However, the board also added an arbitrary requirement that the columns be set back 20 feet from the right of way (as opposed to the road), and we are appealing that portion of the board's decision for the following reasons.

1. No Traffic Impediment. A 20-foot setback from the road is more than sufficient to alleviate any traffic concerns. This is more than enough room for any vehicles to clear Seminole Drive when they turn into the driveway. A requirement from the right of way would set the columns back at a minimum of 31 feet off of the edge of the road, which is excessive and unnecessary.
2. Tree Hardship. The requirement of a 20-foot setback from the right of way would require the removal of a \$2,500 palm tree which is unlikely to survive a replanting according to an arborist who examined the tree. Requiring the removal of this tree seems to go against the spirit of the city's code, which promotes keeping as much green space and as many trees as possible.
3. Selective Enforcement. Many other homes on Seminole Drive and in Belle Isle have columns and gates right on the edge of the sidewalk, including some that were approved in the past couple of years. It is unprecedented and unreasonable to place a new requirement on our lot when no other existing homes have this burden. We are not asking to have columns right on the edge of the sidewalk like other homes on Seminole Drive. In fact, the 20-foot setback that we have requested is more than reasonable considering the columns that the board has approved in past years, and there is nothing in the city code that supports the board's arbitrary requirement of a specific setback from the right of way.
4. Aesthetics. Columns set back 31' from the edge of Seminole Drive would look unusual and architecturally unappealing.

For those reasons we request that the board revise its approval to remove the requirement of the 20-foot setback from the right of way and approve our application as originally submitted.

Regards,

Steve & Cory Kneipp