

**CITY OF BELLE ISLE
PLANNING AND ZONING BOARD**

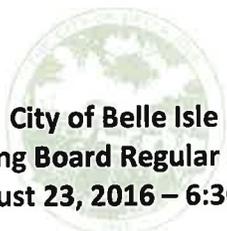
REGULAR SESSION

**October 25, 2016
6:30 P.M.**

UPDATED

1. Call to Order, Confirmation of Quorum and Pledge to Flag
2. **Topline Recreation presentation**
3. Approval of Minutes
 - a. Approval of the August 23, 2016 minutes
 - b. Approval of September 27, 2016 minutes
4. Proposed Warren Park Canoe Launch Site Plan. Case No. 2016-10-008 - Pursuant to Belle Isle Code Sec. 54-83 (f) (3), the Board shall review and take action on the proposed site plan, submitted by Orange County, for a canoe launch at 3406 Warren Park Road. The proposed canoe launch includes plans for a lakeside launch for low impact, non-motorized water craft such as canoes, kayaks and paddle boards.
5. Ordinance No. 16-09 (continuation) - The Board shall review a proposed ordinance for recommendation to Council as follows, AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE BELLE ISLE CODE OF ORDINANCES CONCERNING BOAT DOCK REGULATIONS; BY AMENDING PART II, CODE OF ORDINANCES; BY AMENDING SUBPART B, LAND DEVELOPMENT CODE; BY AMENDING CHAPTER 48, ENVIRONMENTAL REGULATIONS, ARTICLE II, BOAT DOCKS; BY AMENDING CHAPTER 54, ZONING DISTRICTS AND REGULATIONS; BY AMENDING SECTION 54-1, RESTRICTIONS UPON LAND, BUILDING AND STRUCTURES; BY AMENDING SECTION 54-79, RETAIL COMMERCIAL DISTRICT C-1; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
6. Adjourn

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.



City of Belle Isle
Planning & Zoning Board Regular Session Minutes
August 23, 2016 – 6:30pm

Frank Kruppenbacher City Attorney	David Woods Chairman District 1	Chris Shenefelt District 2	Tom Leftwich District 3	Gregg Templin District 4	OPEN District 5	John McLeod District 6	Nicholas Fouraker Vice Chairman District 7
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On Tuesday, August 23, 2016 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 Woods, Board member Shenefelt, Board member Leftwich, Board member Templin, Board member McLeod and Vice Chairman Fouraker. Admin Assistant Judith Hunter was also present. Absent were City Clerk Yolanda Quiceno and Attorney Kruppenbacher. District 5 – open seat.

1. CALL TO ORDER

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

Chairman Woods called for a moment of silence for fellow Board member Dr. Stuart Bernstein.

He announced that Ordinance No. 16-09 has been pulled from the agenda and will not be heard at tonight’s meeting. He stated that it will be heard at the next scheduled meeting due to the dual meeting going on at the school

2. APPROVAL OF MINUTES

- a. P&Z Board meeting May 24, 2016
- b. P&Z Board meeting June 28, 2016 – no meeting
- c. P&Z Board meeting July 26, 2016 – no quorum

Board member Shenefelt motioned to approve the minutes as presented.
Board member McLeod seconded the motion which passed unanimously.

3. PUBLIC HEARING CASE #2016-07-013

Applicant Christian Myburgh from Summertime Deck & Dock representing Erik Olsen, property owner of 2424 Hoffner Avenue, Belle Isle, FL also described as Parcel I.D. # 18-23-30-8856-05-210 request a variance from Section 48-32 to exceed maximum square footage allowed. Calculated by ten times the length of shoreline of the property, maximum allowed sq ft is approximately 420 to build a platform at the beginning of the dock, which will put the project 124 sq ft over the maximum allowed square footage.

Chairman Woods provided an overview, in brief, of the variance process and criteria for approval.

Robyn Lopez from Summertime Deck & Dock gave an overview of the project and spoke to the site plan provided in the packet. Chairman Woods recognized that there is a significant portion of the extra square footage is actually above the normal high water elevation and would not account towards the terminal platform.

Chairman Woods opened for public comment, hearing none he closed public comment and opened for board discussion.

Staff provided written comments for Case No, 2016-07-103 and has recommended, based on the criteria, for approval of the requested boat dock total area variance for a maximum 420 square feet allowed to 544 square feet.

After Board discussion, Board member Templin moved, the criteria of Chapter 42, Article III, Section 42-64(1) of the Belle Isle Land Development Code having been met, to approve this request for a variance from Section 48-32 to exceed maximum square footage allowed. Calculated by ten times the length of shoreline of the property, maximum allowed sq ft is approximately 420 to build a platform at the beginning of the dock, which will put the project 124 sq ft over the maximum allowed square footage on the property 2424 Hoffner Avenue, Belle Isle, FL also described as Parcel I.D. # 18-23-30-8856-05-210 Orange County, FL.

Board member Fouraker seconded the motion which passed unanimously.

Chairman Woods said the applicant should not start any construction before 15 days of this motion to allow the possibility of public appeal.

4. PUBLIC HEARING CASE #2016-06-005

Applicant Alana Fernandez property owner of 7012 Barby Lane, Belle Isle, FL 32812 also described as Parcel I.D. # 29-23-30-4389-03-160 request a variance from Section 50-102G to install an oversized 360 sq ft shed from the allowed 300 sq ft required by code.

Chairman Woods provided an overview, in brief, of the variance process and criteria for approval.

Alana Fernandez gave an overview of her application and stated that and is not encroaching on anyone's property, it will not affect the land and the neighbors are ok with the request. She stated that the carport was closed off before purchasing the property and made part of the home which eliminated the storage space on the property. She was renting a storage facility for the lawn equipment however, it has been very inconvenient. Due to her medical issues and based on the current needs the oversized shed is necessary.

Chairman Woods opened for public comment.

- Cindy Lance residing at 3401 Trentwood Blvd, Belle Isle spoke in favor of the variance.

Chairman Woods closed public comment and opened for Board discussion.

Chairman Woods stated that the Board must approve a variance based on the four criteria, the comments from staff and public comment.

Board member McLeod said he can appreciate the necessity for such a large storage shed and believes the Board can have flexibility with the request based on the applicant's need. Board member Fouraker was in agreement.

Board member Shenefelt understands the hardship and the Board may have some reasonable leeway however, approve may set precedent moving forward because the hardship is self imposed.

The Board asked if she will be willing to place a regular size shed. Ms. Fernandez said a small size shed will not accommodate her needs at this time. Discussion ensued on code requirements, special conditions and circumstances.

After Board discussion, Board member Fouraker moved, the justifying criteria of the Belle Isle Land Development Code, Chapter 42, Article III, Section 42-64(1), having been met to approve this request for a variance from Section 50-102G to install an oversized 360 sqft shed from the allowed 300 sq sf required by code on the property 7012 Barby Lane, Belle Isle, FL 32812 also described as Parcel I.D. # 29-23-30-4389-03-160 Orange County, FL.

Board member McLeod seconded the motion which failed 3:3 with Chairman Woods-nay, Board member Templin-nay and Board member Shenefelt-nay.

Chairman Woods said the applicant may appeal the Board's decision to Council.

5. ORDINANCE NO. 16-09

The Board shall review a proposed ordinance for recommendation to Council, AMENDING THE BELLE ISLE CODE OF ORDINANCES CONCERNING BOAT DOCK REGULATIONS; BY AMENDING PART II, CODE OF ORDINANCES; BY AMENDING SUBPART B, LAND DEVELOPMENT CODE; BY AMENDING CHAPTER 48, ENVIRONMENTAL REGULATIONS, ARTICLE II, BOAT DOCKS; BY AMENDING CHAPTER 54, ZONING DISTRICTS AND REGULATIONS; BY AMENDING SECTION 54-1, RESTRICTIONS UPON LAND, BUILDING AND STRUCTURES; BY AMENDING SECTION 54-79, RETAIL COMMERCIAL DISTRICT C-1; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Board member Templin motioned to continue discussion and review of the proposed code change to the next scheduled meeting.

Board member Shenefelt seconded the motion which passed unanimously.

6. ADJOURN

There being no further business Chairman Woods called for a motion to adjourn, unanimously approved at 7:13pm.

Yolanda Quiceno
CMC-City Clerk