

Frank	David Woods	Chris	Duane	Gregg	Dr. Stuart	John	Nicholas Fouraker
Kruppenbacher	Chairman	Shenefelt	Jackson	Templin	Bernstein	McLeod	Vice Chairman
City Attorney	District 1	District 2	District 3	District 4	District 5	District 6	District 7

On Tuesday, October 27, 2015 the Belle Isle Planning & Zoning Board met in a regular session at 6:30pm in the Belle Isle City Hall Council Chambers. Present was Chairman Woods, Board member Jackson, Board member Templin, Board member Bernstein, Board member McLeod, Attorney Tom Callan and City Clerk Yolanda Quiceno. Absent were Vice Chairman Fouraker, Board member Shenefelt and City Attorney Kruppenbacher.

CALL TO ORDER

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

APPROVAL OF MINUTES

Chairman Woods called for approval of the September 22, 2015 minutes.

Chairman Woods requested changes to the minutes as follows,

Page 2, Paragraph 9 Reads, "Board member Templin asked if the buffer on the two corners for the single family homes considered in the open space calculations. Mr. Levy said the way the code is written, that area and the storm water pond area is not considered usable, and not included in the open space calculation, nor is the parameter buffering."

<u>Should Read</u>, "Board member Templin asked if the buffer on the two <u>sides by</u> the single family homes considered in the open space calculations. Mr. Levy said the way the code is written, that area and the storm water pond area is not considered usable, and not included in the open space calculation, nor is the <u>perimeter</u> buffering."

Page 4, Paragraph 5 Reads, "Attorney Callan said this is a recommendation to City Council and will be posted within the ten days for a meeting on October 6 or November 3, 2015."

<u>Should Read</u>, "Attorney Callan said this is a recommendation to City Council and will be posted within ten days for a meeting on October 6 or November 3, 2015."

Board member McLeod moved to approve the minutes with changes as noted. Board member Shenefelt seconded the motion which passed unanimously.

Public Hearing Case#2015-10-001

Applicant Sarah Goodwin on behalf of Lake Conway East HOA, Inc. property owner of 5918 Cove Drive, Belle Isle, FL 32812, also described as Parcel I.D #20-23-30-0000-005, requests a variance from CH 50 SEC 50-102(a)(4)(a) to allow an accessory building to be constructed (1) foot from the property line from the required 5 feet.

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

Sara Goodwin residing at 4324 Kandra Court, Belle Isle speaking as the President of the Home Owners Association (HOA) said she is requesting placement of a much needed storage unit due to limited space on the HOA lake lot. The additional storage is needed to store items used during HOA events. She stated that she spoke with the neighbors Ward & Michelle Davis residing at 5912 Cove Drive and Brett & Jeanette Bartos residing at 3600 Quando Drive who provided a letter of agreement for the file. She stated that a letter was delivered to Mr. & Mrs. Davis, however it has not been returned. Chairman Woods noted that the letter does not state the setback from the property line. Ms. Goodwin said she spoke with the neighbors and said they are aware it will be placed as close to the property line as possible.

Templin asked if the construction is vinyl, aluminum or wood. Ms. Goodwin said it would be aluminum, built to code and will have no electricity. The unit will be used for storage.

Chairman Woods asked if the long axis will be oriented adjacent to the Ward property or perpendicular to the property line. Ms. Goodwin said it will be in front of the hedge and will not be visible by Mr. Ward Davis. Ms Goodwin provided a sketch for the record. After review of the sketch, Chairman Woods said it is set to be placed one foot from the property line with the long dimension to the property line.

Chairman Woods stated he fails to see how it is limited space when there is 80 ft over to the shore on the other side.

Ms. Goodwin said the HOA typically have gatherings in the area with tables and chairs and the 5 ft setback will utilize space used for the parking area. She would like be as close to the property line as possible to allow better use of the space.

Chairman Woods asked if the current drainage project currently on site will substantially change any of the alignment of the surface infrastructure on the site. Ms. Goodwin said the drainage project is being done by the City and it will not change the surface infrastructure.

Chairman Woods asked about public parking and said it seems the assembly area is very flexible on how it can be laid out and is having trouble with item D; literal enforcement of the ordinance which results in unnecessary hardship.

Chairman McLeod said the gatherings are very crowded and the 5 ft gap between the shed and the fence is a miss-use of space.

Chairman Woods opened for public comments.

Charles Goodwin residing at 4324 Kandra Court, Belle Isle said one hardship is that his home currently stores all the HOA tables, chairs and decorations used by 186 homes. With the small lot, on this voluntary HOA, the residents need this alternate storage. There is no way to accommodate the parking and many residents are encouraged to walk down to the gathering area. The addition of the children's playground took a few parking spaces. The location of the shed is the only location where the vehicles enter and turn to the lake lot and placing it out 5ft will cause a challenge for the larger vehicles needing to make a turn. He noted that the surrounding neighbors are very accommodating and the HOA runs things by them before pursuing any changes. The addition will not be an eye sore but an asset to the community.

Attorney Callan asked if the hedge is on the HOA property. Ms. Goodwin said the hedge is on Mr. Ward's property and the shed will be behind the wrought iron fence.

There being no further comments, Chairman Woods called for further discussion or a motion.

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 CH 50 SEC 50-102(a)(4)(a) to allow an accessory building to be constructed (1) one foot from the property line from the required (5) five feet on the property described as 5918 Cove Drive, Belle Isle, FL 32812, also described as Parcel I.D #20-23-30-0000-005 Belle Isle, Orange County, Florida; with the provision that the location be parallel to the chain link fence in front of the hedge and not the wrought iron fence.

Board member Jackson seconded the motion which passed 4:1 with Chairman Woods's nay.

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

ADJOURN

There being no further business Chairman Woods called for a motion to adjourn, unanimously approved at 7:00pm.

Yolanda Quiceno, CMC-City Clerk