

City of Belle Isle
Planning & Zoning Board Regular Session Minutes
May 23, 2017 – 6:30pm

Frank Kruppenbacher City Attorney	David Woods Vice Chairman District 1	Chris Shenefelt District 2	Steve Jervis District 3	Gregg Templin District 4	Rainey Lane District 5	OPEN District 6	Nicholas Fouraker Chairman District 7
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On Tuesday, May 23, 2017 the Belle Isle Planning & Zoning Board met in a regular session at 6:30pm in the Belle Isle City Hall Council Chambers. Present was Attorney Callan, Vice Chairman Woods, Board member Templin, Board member Lane, Board member Jervis, City Manager Bob Francis, City Planner April Fisher and City Clerk Yolanda Quiceno. Absent were Chairman Fouraker, Board member Shenefelt and open seat for District 6.

1. CALL TO ORDER

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

2. Applicant Hoffner Fruit, LLC - Case No. 2017-04-028

Public Hearing Case #2017-04-028

Pursuant to City of Belle Isle Land Development Code Sec. 50-33(2)(d), the Board shall review an informal plat for recommendation to City Council, submitted by applicant Hoffner Fruit, LLC consisting of one tax parcel referenced located at 4400 Hoffner Avenue, Belle Isle, FL 32812, Orange County also known as Parcel #20-23-30-0000-00-012.

Vice Chairman Woods introduced April Fisher to present the staff report.

April Fisher, City Planner, addressed the Board and said she did not prepare a staff report with this type of application because it is more of a technical review. Tinklepaugh Surveying Services, Inc. was hired by the City to provide the review on the proposed plat which has been attached to the agenda packet. She gave an overview of the plat referenced for conformity. Most of the corrections needed have been fixed by the applicant. If the Board recalls this particular property was presented and approved last year for a lot split. The code restricts a second lot split. Because of that, the applicant needs to divide the land up again and go through the platting process. In order to remedy all the items on the proposed plat they will need to record the lot split first to get a new legal description to comply with that requirement in the plat process. Based on the professional surveyor review, staff is recommending a recommendation for approval with the condition that all of the corrections needed and conditions identified be remedied before it goes to City Council for final approval. Attorney Callan said the technical requirements are under Chapter 177 of the Florida Statute.

Randy Holihan residing at 2513 Trentwood Blvd, with Brandon Partners Developers, spoke on behalf of Hoffner Fruit, LLC. He said most of the changes are technical and is looking to have the changes updated as quickly as possible before they present to City Council.

Vice Chairman Woods opened for public comment.

- Stephanie Lutz residing at 5310 Hawford Circle shared her concerns on the trimming of the trees that provided privacy to her property and others by the wall. She is fully exposed by the area of the wall and would like to know what the plans are to replace the trees.

- Anthony Dinardo 5345 Hawford Circle shared his concern on the tree privacy canopy and would like to know what barrier will be created. He further addressed the vibration to his home created by the machinery used. He asked if there were any limitations that can be imposed on the use of those types of rollers. Bob Francis said there are no standards on how a developer should develop. The machines used are in common use for compaction. He has provided a point of contact with the developer for those residents interested in contacting them with their concerns.

Vice Chairman Woods said there was a site plan review a few months ago and the site plan was addressed. April Fisher said, at that time, the applicant submitted a landscaping plan with the site engineering for review along with a lighting plan with the building application for the portion closest to that neighborhood. The plan was approved because it was consistent with code requirements per code. Discussion ensued and a brief summary of the lot split was discussed. April Fisher stated that the landscape plans are available for review or copy at City Hall.

City Manager Bob Francis asked if the applicant has an estimated time frame for completion. Mr. Holihan said he can have the Engineers responses by end of the week; however, the timing will also depend on the City Planners review.

- Tawana Dinardo residing at 5345 Hawford Circle asked why the applicant chose to cut the landscaping that created a perfect buffer. Mr. Holihan said he does not believe the trees were “butchered” but was trimmed down as directed by an arborist.

There being no further public comments, Vice Chairman Woods closed for Board discussion.

Attorney Callan spoke on the conditions required to satisfy the requirements for approval.

Board member Templin moved to recommend approval, with the condition that the applicant completes the requirements as presented by Tinklepaugh Surveying Services, Inc., to City Council this request of an informal plat submitted by applicant Hoffner Fruit, LLC consisting of one tax parcel referenced located at 4400 Hoffner Avenue, Belle Isle, FL 32812, Orange County also known as Parcel #20-23-30-0000-00-012.

Board member Lane seconded the motion which was passed unanimously.

3. Public Hearing Case #2017-04-043

Pursuant to Belle Isle Code Sec. 50-102 (b) (16) and Sec. 42-64, the Board shall consider and take action on a requested variance to place a fence with gate in the front yard of a residential property, submitted by applicant Daniel Barnes located at 6838 Seminole Drive, Belle Isle, FL 32812 also known as Parcel #29-23-30-4389-02-090.

Vice Chairman Woods introduced April Fisher to present the staff report.

April Fisher, City Planner, addressed the Board and said one of the conditions existing is creating an exceptional privacy or security needed by the applicant. Based on the applicant’s identification that privacy and security are primary issues for installing the fence, coupled with lot configuration being narrower in the front, staff recommends approval of the requested variance. These items identified are consistent with meeting the criteria established in the Code and the required criteria. She noted that this is an after- the-fact

application as is a Code Enforcement issue. If the permit is approved, the applicant will incur double building permit fees for an after-the-fact permit.

Daniel Barnes homeowner of 6838 Seminole Drive said he was not aware of the required permit and unfortunately there was an oversight by the contractor. He has had several theft issues on his property and has invested a lot of money to maintain the safety of his home.

Vice Chairman Woods opened for public comment.

- Debra Donham residing to the east of the applicant at 6904 Seminole Drive spoke in favor of the fence; however, she shared her concerns with the removal of the bushes and the lighting noise that may spill over to her property. Mr. Barnes said there will not be any other lighting done other than two small dome lights on the columns.
- Bill Stump residing at 6838 Seminole Drive stated that there will not be any additional lights.
- Cindy Lance residing at 3401 Trentwood Blvd spoke in favor of the request. She said the fence is beautiful and is consistent with the other homes.
- Charles Smith residing at 6632 Hollyville Lane spoke in favor of the request.

There being no further public comment, Vice Chairman Woods closed public comment and opened for Board discussion.

Vice Chairman Woods said he is in agreement with staff in that the proximity to Warren Park can leave for endless stories of safety issues. In addition, he noticed that there are a very high percentage of zero setbacks in the area.

Board member Lane moved, the criteria of Chapter 42, Article III, 50-102 (b) (16) and Sec. 42-64 of the Belle Isle Land Development Code having been met to approve this request for a variance to place a fence with gate in the front yard of a residential property, submitted by applicant Daniel Barnes located at 6838 Seminole Drive, Belle Isle, FL 32812 also known as Parcel #29-23-30-4389-02-090.

Board member Templin seconded the motion which was passed unanimously.

Chairman Woods stated that the applicant should wait 15 days for any potential appeals.

4. Public Hearing Case #2017-04-013

Pursuant to Belle Isle Code Sec. 50-102 (a) (5) and Sec. 42-64, the Board shall consider and take action on a requested variance to place a detached garage in a residential district closer than the required twenty feet from the right-of-way, submitted by applicant Margo Mauldin located at 7026 Seminole Drive, Belle Isle, FL 32812 also known as Parcel #29-23-30-4389-02-171.

Vice Chairman Woods introduced April Fisher to present the staff report.

April Fisher, City Planner, addressed the Board and said this variance is a peculiar situation. This property abuts the City right-of-way which is used as part of Warren Park. It is not likely that this will ever be used as a roadway. The code requires, on corner lots, that a structure cannot be closer than 20 feet from that right of way. The applicant is proposing to place a garage 15 feet from that right-of-way and meets all other set back requirements. She is recommending support of approval.

There is a plan provided in the packet for the structure of the new garage. This plan is not being approved with this request; the Board is only approving the setback request. The proposed garage is defined as a canopy shelter which is not allowed in a residential district. The proposed plan is viewed as a use issue and not allowed by Code.

Margo Maudlin residing at 7206 Seminole Drive said they are trying to get an additional garage to store their expensive lawn equipment. They have had some safety and theft issues and looking to secure their property. The old shed is ready to come down and the proposed garage is a steel building coordinating with the design of the house.

The applicant asked if a resident is allowed to have a shed and a garage. April Fisher said there are two different provisions; the code allows one detached garage and two accessory structures. A garage is defined as architecturally similar to the main house and of the like materials. Discussion ensued on placement of the garage and code requirements.

Vice Chairman Woods opened for public comment.

- Cindy Lance residing at 3401 Trentwood Blvd spoke in favor of the request. The applicant has a wide, wooded lot and the request would not be very noticeable.

There being no further public comment, Vice Chairman Woods closed public comment and opened for Board discussion.

Vice Chairman Woods noted that this falls into a special situation and not of their own making.

Board member Jervis moved, the criteria of Chapter 42, Article III, 50-102 (a) (5) and Sec. 42-64 of the Belle Isle Land Development Code having been met to approve this request for a variance to place a detached garage in a residential district closer than the required twenty feet from the right-of-way, submitted by applicant Margo Mauldin located at 7026 Seminole Drive, Belle Isle, FL 32812 also known as Parcel #29-23-30-4389-02-171.

Board member Lane seconded the motion which was passed unanimously.

Chairman Woods stated that the applicant should wait 15 days for any potential appeals before starting any work.

OTHER BUSINESS

Board member Templin spoke of the new development Mattamy Homes and said the applicant stated they were going to place a barrier on Trentwood Blvd. They have recently widened the road and the barrier has not been installed. Bob Francis said Mattamy Homes has stated that they still need to put a raised barrier in the road. In addition, City Council has allocated approximately \$17,000-\$20,000 for a Traffic Study to be completed in the area to evaluate the traffic issues.

ADJOURN

There being no further business Vice Chairman Woods called for a motion to adjourn, unanimously approved at 7:41pm.

Yolanda Quiceno
CMC-City Clerk