



**City of Belle Isle
 Planning & Zoning Board Regular Session Minutes
 January 24, 2017 – 6:30pm**

Frank Kruppenbacher City Attorney	David Woods Chairman District 1	Chris Shenefelt District 2	Steve Jarvis District 3	Gregg Templin District 4	Rainey Lane District 5	John McLeod District 6	Nicholas Fouraker Vice Chairman District 7
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On Tuesday, January 24, 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 Chairman Woods, Vice Chair Fouraker, Board member Templin, Board member Lane, Board member Shenefelt, City Manager April Fisher and City Clerk Yolanda Quiceno. Absent were Board member Jarvis, Board member McLeod and Attorney Kruppenbacher.

1. CALL TO ORDER

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

2. APPOINTMENT OF CHAIRMAN (per Sec 42-32(c1))

3. APPOINTMENT OF VICE CHAIR (per Sec 42-32(c1))

Chairman Woods opened discussion for appointment of a chairman and vice chair. Chairman Woods moved to appoint Board member Fouraker; however Board member Fouraker was not present to accept the appointment.

**Board member Templin moved to table the appointments to the following meeting.
 Board member Lane seconded the motion which was passed unanimously.**

4. APPROVAL OF MINUTES

- Chairman Woods called for approval of minutes
- a. Approval of the November 14, 2016 minutes
 - b. Approval of the November 29, 2016 minutes
 - c. December 27, 2016 – meeting cancelled

**Board member Templin moved to approve the minutes as edited.
 Board member Lane seconded the motion which was passed unanimously.**

5. Applicant Mattamy Orlando LLC - Case No. 2017-01-011

Pursuant to City of Belle Land Development Code Sec. 50-33(3)(b)4, the Board shall review a final plat for recommendation to City Council, submitted by applicant Mattamy Orlando LLC consisting of four tax parcels referenced by their Orange County Tax Parcel ID Numbers as follows 29-23-30-0000-00-011, 29-23-30-0000-00-018, 29-23-30-0000-00-019 AND 29-23-30-0000-00-020 Belle Isle, Orange County, Florida.

Clarke Sprinkle with offices at 1900 Summit Tower Blvd, Orlando, Florida, representing Mattamy Homes requested recommendations of approval of the final plat. He stated that the plat meets the engineering requirements that have been approved as well as the recommendations set forth by staff.

Chairman Woods asked if one of the issues of the lot width to allow a side yard setback has been addressed. Mr. Sprinkle said yes. Nothing has technically changed on the layout of the site; however, the drawings have been corrected to illustrate the lot width per staff recommendation.

Board member asked if this project was already approved by Orange County before it was annexed into the City. April Fisher said yes. Discussion ensued on the in/out traffic access on Daetwyler Drive.

April Fisher clarified for the record, although this project was previously confirmed with Orange County, that the plan is consistent with the annexation.

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

Board member Templin moved to recommend approval to Council for this request for a final plat pursuant to code Sec 50-33(3)(b)4 on the property consisting of four tax parcels referenced by their Orange County Tax Parcel ID Numbers as follows 29-23-30-0000-00-011, 29-23-30-0000-00-018, 29-23-30-0000-00-019 AND 29-23-30-0000-00-020 Belle Isle, Orange County, Florida.

Board member Lane seconded the motion which was passed unanimously.

6. Applicant Hoffner Fruit, LLC - Case No. 2017-01-003

Pursuant to Belle Isle Code Sec. 52-62 and Sec. 42-64, the Board shall consider and take action on a requested variance to place two signs on property frontage facing Conway Road with less than the required over 200 feet of right-of-way frontage established in Sec. 52-33; the property has 198.49 feet of frontage, submitted by applicant Hoffner Fruit, LLC located at 4400 Hoffner Avenue, Belle Isle, FL 32812 also known as Parcel #20-23-30-0000-00-012.

Chairman Woods gave a brief overview of the quasi-judicial hearing.

Randy Holihan residing at 2513 Trentwood Blvd, with Brandon Partners Developers, spoke on behalf of Hoffner Fruit, LLC. He said they are developing the parcel on Conway. He stated that the variance is to place two signs on the property frontage facing Conway Road with less than the required 200 feet established in the code.

The Board asked if the existing Winn Dixie sign staying on the property. Mr. Holihan said yes. The construction of a new sign will be placed 100ft from the current Winn Dixie sign.

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

April Fisher stated that this type of application, in many jurisdictions, have a code provision for administrative areas and may be approved by staff. Since our code does not have that provision it is required to have Planning & Zoning approval. She stated that she is in support of the application.

Board member Lane moved, the criteria of Chapter 42, Article III, Section 42-64 and Section 52-62 of the Belle Isle Land Development Code having been met to approve this request for a variance to place two signs on property frontage facing Conway Road with less than the required over 200 feet of right-of-way frontage established in Sec. 52-33; the property has 198.49 feet of frontage on the property described as 4400 Hoffner Avenue, Belle Isle, FL also described as Parcel I.D. #29-23-30-0000-00-012, Orange County, FL.

Vice Chair Fouraker seconded the motion which was passed unanimously.

7. Applicant Daryl M. Carter – Case No. 2016-12-001

Pursuant to Belle Isle Code Sec. 42-64, the Board shall consider and take action on a requested variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for each individual lot (Lot 4 and Lot 5) that comprises the currently developed parcel to be redeveloped as individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each lot respectively retaining their historical substandard lot width of 70.06 feet, submitted by applicant Daryl M. Carter located at 6820 Seminole Drive, Belle Isle, FL 32812 also known as Parcel #29-23-30-4389-02-040.

Applicant Daryl Carter residing at 1545 Conway Isle Circle, Belle Isle provided documents for the file that relate to the many 70ft and smaller lots in the City showing his request being consistent with the surrounding neighborhood and not detrimental to the property. He is requesting a variance to allow for each individual lot to be redeveloped as individual lots instead of being required to be aggregated as one tract and allow for a reduction from the site and building requirements. Discussion ensued.

Chairman Fouraker recused himself from the vote because of his prior business relationship with the applicant.

Chairman Woods opened for public comment.

- Richard Weinsier residing at 6824 Seminole Drive spoke in favor of the request and stated that his lot to the East of the said property is the same size and he had been split the property the same way.
- Deborah Donham residing at 6904 Seminole Drive spoke in favor of the request.
- Greg Gent residing at 2924 Nela spoke to the adjacent lot and gave a brief summary of the past variance presented on the adjacent property. He stated that the community was not in favor of the previously proposed plan. He believes that those opposed to the prior proposal will be in support of this proposal. He, however, request that the Board place a stipulation on the lot split that the adjacent tract cannot be joined with the existing property. He is asking that the lots not be allowed to be aggregated after Board approval.

April Fisher stated that the motion is safeguarded because it is very specific to only apply to the two lots. The three lots of concern are zoned R-2 and have a different requirement. Any combination of the lots will have to be presented to the Board for approval.

- Chris Roper with offices at 420 S. Orange Avenue spoke in favor of the request.

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

Chairman Woods said the proposal fits the criteria with the exception of #2, the hardship not being self created is not satisfied. The applicant is choosing to subdivide and creating a situation themselves. Discussion ensued.

April Fisher said there is a provision in the code from October 7, 1957 that states if the lots are under single ownership it must be considered aggregated as one parcel. If it was a stand alone, they would have rights to develop the one substandard lot. Discussion ensued.

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 a variance from Sec. 54-2 (a). - Substandard Lots of Record, to allow for each individual lot (Lot 4 and Lot 5) that comprises the currently developed parcel to be redeveloped as individual lots instead of being required to be aggregated as one tract, and allow for a reduction from the Sec. 50-73.- Site and building requirements, for the R-1-AA required minimum lot width of 85 feet, in anticipation of a lot split request on the subject parcel, that would result in each lot respectively retaining their historical substandard lot width of 70.06 feet on the property described as 6820 Seminole Drive, Belle Isle, FL 32812 also known as Parcel #29-23-30-4389-02-040.

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.

Chairman Woods called for a motion to reopen discussion on appointment of officers.

**Board member Lane motioned to reopen the activation of officers.
Vice Chairman Fouraker seconded the motion which was passed unanimously.**

**Chairman Woods nominated Vice Chairman Fouraker as Chairman.
The motion was unanimously approved.**

**Chairman Fouraker nominated Board member Woods as Vice Chairman.
Board member Templin seconded the motion which was passed unanimously.**

April Fisher announced that the Boat Dock Ordinance will be presented to City Council for approval on February 7th with anticipation of a second reading to follow in the next meeting in February.

ADJOURN

There being no further business Chairman Woods called for a motion to adjourn, unanimously approved at 7:32pm.

Yolanda Quiceno
CMC-City Clerk