



**CITY OF BELLE ISLE, FL**  
**PLANNING & ZONING BOARD MEETING**

Wednesday, January 3, 2024 \* 6:30 PM

**MINUTES**

The Belle Isle Planning & Zoning Board met on January 3, 2024, at 6:30 p.m. at the City Hall Chambers at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Board member Thompson  
Board member Shenefelt  
Board member Squires  
Board member Conduff

Absent was:

Board member Woods  
Board Member Holihan  
Board member Hobbs

Also present were City Manager Rick Rudometkin, Attorney Hilary Griffith, City Planner Raquel Lozano, and City Clerk Yolanda Quiceno.

**1. Call to Order and Confirmation of Quorum**

Chairman Conduff opened the meeting at 6:30 p.m. and confirmed the quorum.

**2. Invocation and Pledge to Flag**

Chairman Conduff gave the invocation and led the pledge to the flag.

Mayor Fouraker expressed his gratitude to the Board for serving the residents of the City. He welcomed Rick Rudometkin to the City and gave a brief introduction to the years of experience of the Board and staff.

**3. Appointment of Chairman and Vice Chairman**

**Board member Shenefelt nominated Rainey Conduff as Chairman.**

**Board member Squires seconded the motion, which passed unanimously.**

**Board member Shenefelt moved to nominate David Woods as Vice Chair.**

**Chairman Conduff seconded the motion, which passed unanimously.**

**4. Approval of Minutes**

a. Approval of minutes – November 28, 2023

**Board member Thompson moved to approve the November 28, 2023, minutes.**

**Board member Shenefelt seconded the motion, which passed unanimously 4:0.**

**5. Public Hearings**

a. PUBLIC HEARING #2023-09-028 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-102 (A) (1), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT MARK ADAMS, LOCATED AT 3104 INDIAN DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #29-23-30-4389-03-040. (Continuation from Nov 28, 2023)

Chairman Conduff read Public Hearing 2023-09-028 by title.

Chairman Conduff opened for public comment.

- Mark Adams, a resident, spoke in favor of the proposed variance.
- Steven Lindas, who resides at 3106 Indian Drive, spoke in favor of the proposed variance.
- City Planner Lozano noted that the petition and Letter in favor of the variance were emailed to the Board.

There being no further comments, Chairman Conduff closed the public comment section.

City Planner Raquel Lozano presented the variance and said the applicant seeks to build a detached metal garage in the rear yard. Code Section states buildings detached from the principal building are architecturally similar to the principal building and of like materials. The house has an 8-10 ft setback behind the principal building and may not be visible from the road.

Based on the variance criteria, the Staff recommends that the Board not approve the requested variance to build a detached garage architecturally different from the principal building with unlike materials as there are no special conditions or circumstances of the land; the request is a self-created hardship. It does not meet the purpose and intent of the city code.

Board member Shenefelt stated that he appreciates neighbors not in opposition; however, the proposed variance does not comply with the code. The Board spoke on parking vehicles on an unpaved surface. City Planner noted that they cannot park vehicles outside the building. If they were conditioned to add a driveway, it would be on the opposite side of the building and may not meet the allowed impervious surface ratio. The applicant stated that the structure will be used for storage and not parked outside the building area.

Margaret Adams, residing at 3104 Indian Drive, stated they would be willing to add bushes to hide the back of the building.

**After the Board discussed it, Board member Squires moved, pursuant to Belle Isle Code Sec. 42-64 and 50-102 (A) (1), to approve the application for a detached metal garage to be built architecturally different from the principal building with unlike materials submitted by applicant Mark Adams located at 3104 Indian Drive, Belle Isle, FL 32812, also known as Orange County Tax Parcel ID #29-23-30-4389-03-040.**

**Board member Thompson seconded the motion, which passed unanimously 3:1 with Board member Shenefelt, nay.**

Chairman Conduff stated that there is a 15-day waiting period for appeals before starting construction.

- b. PUBLIC HEARING #2023-11-026 – PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A FRONT BUILDING SETBACK OF 20 FEET FROM THE REQUIRED 30-FOOT FRONT BUILDING SETBACK, SUBMITTED BY APPLICANTS JON BERGMAN AND DANIELLE BROWNE BERGMAN, LOCATED AT 3606 QUANDO DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #20-23-30-1646-00-910.

Board member Thompson read Public Hearing 2023-11-026 by Title.

City Planner Lozano stated that Public Hearing 2023-11-026 was pulled at the request of the applicant.

- c. PUBLIC HEARING #2023-11-033 - PURSUANT TO BELLE ISLE CODE SEC. 42-64, 50-73 (A), 54-3(D), AND 54-3(E), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A REAR BUILDING SETBACK OF 45 FEET AND 11 INCHES FROM THE REQUIRED 50-FOOT BUILDING SETBACK FROM THE 86.9

CONTOUR LINE (OR NORMAL HIGH-WATER ELEVATION) OF LAKE CONWAY, TO ALLOW STRUCTURAL ALTERATIONS TO AN EXISTING NONCONFORMING STRUCTURE AND TO ALLOW AN EXTENSION OF A NONCONFORMING STRUCTURE, SUBMITTED BY APPLICANTS NATHIN AND KRISTINE DAVENPORT, LOCATED AT 3433 CULLEN LAKE SHORE DRIVE, BELLE ISLE, FL 32812, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #17-23-30-4380-04-140.

Board member Shenefelt read Public Hearing 2023-11-033 by Title.

Nathin Davenport, residing at 3473 Cullen Lake Shore Drive, stated that his request is seeking to replace the currently covered porch due to a failing roof and excessive leaking. The porch was constructed in 2001 and does not extend past the house. The only way to correct the issue is to reconstruct the roof covering approximately 62' from the NHWE, which will not exceed the back of the house.

City Planner Lozano presented the variance and said the applicants inherited the existing rear porch area upon purchasing the property in 2019. The property survey shows the rear setback from the waterline is approximately 46 feet from the existing covered porch, and the setback from the porch to the seawall is 50 feet and 11 inches. The current porch area partially encroaches four feet within the designated setback from the normal high-water elevation of Lake Conway. The covered porch area aligns with the setback of the principal building. Under section 54-3(d) and (e), a nonconforming building or structure may be maintained and repaired so long as there are no structural changes, extensions, or enlargements to the site. The covered porch area shows signs of visible damage, as provided in the variance application, and the extent of damage is only determined once construction work commences.

Based on the variance criteria, Staff recommends that the Board approve the requested variances to allow a building setback of 45 feet and 11 inches from the required 50-foot setback of the normal-high water elevation of Lake Conway.

**After Board discussion, Board member Thompson moved, pursuant to Belle Isle Code Section 42-64 and 50-73 (A), to approve a front building setback of 20 feet from the required 30-foot front building setback, submitted by applicants Jon Bergman and Danielle Browne Bergman, located at 3606 Quando Drive, Belle Isle, FL 32812 also known as Orange County Tax Parcel ID #20-23-30-1646-00-910.**

**Board member Shenefelt seconded the motion, which passed unanimously 4:0.**

Staff stated that there is a 15-day waiting period for appeals before starting construction. Due to the mold, Ms. Lozano said she would contact UES about an early start permit that may allow the applicant to start demolition during the 15-day waiting period.

## **6. Other Business**

### Live Local Update – City Planner

City Planner Lozano provided the Board with a Fact Sheet, provided by RVi, for review on the Live Local Act and how it affects the City for affordable housing. After some research, she found that the new law may affect larger cities with undeveloped land. She recommends staff outline administrative operating procedures to share with the Council for approval.

**Chairman Rainey recommended that staff create administrative procedures regarding the Live Local Act for Council approval. Comm Shenefelt seconded the motion, which passed unanimously.**

## **7. Adjournment**

There being no further business, the meeting unanimously adjourned at 7:45 p.m.