

CITY OF BELLE ISLE, FL PLANNING & ZONING BOARD MEETING

Held in City Hall Chambers 1600 Nela Avenue, Belle Isle Held the 4th Tuesday of Every Month Tuesday, July 22, 2025 * 6:30 PM

AGENDA

Planning and Zoning Board Members

District 3 member – Randy Holihan, Chairman Vice Chairman – District 4 member – Vinton Squires

District 1 member – Robert Agrusa | District 2 member – Todd Zimmerman | District 5 member – Rainey Conduff | District 6 member – Andrew Thompson | District 7 member – Dr. Leonard Hobbs

Welcome to the City of Belle Isle Planning & Zoning meeting. Agendas and all supporting backup materials for each agenda item are available in the City Clerk's office or on the city's website at www.belleislefl.gov. Anyone wishing to appeal a recommended action of the Board should refer to the notice regarding appeals below. CAUTION: Untimely filing by any appellant will result in an automatic denial of the appeal.

- 1. Call to Order and Confirmation of Quorum
- 2. Invocation and Pledge to Flag Board Member Hobbs, District 7
- 3. Approval of Minutes na
- 4. Public Hearings
 - Planning and Zoning Case Number 2025-07-001:PURSUANT TO SECTION 42-64 (THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD SHALL REVIEW AND TAKE ACTION ON A REQUESTED VARIANCE FROM SECTION 50-78 (A) (1) AND (E) TO ALLOW BLACK ARTIFICIAL TURF INSTEAD OF THE REQUIRED GREEN COLOR, SUBMITTED BY APPLICANT AND PROPERTY OWNER LESLIE ARMSTRONG, LOCATED AT 5705 COVE DRIVE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID #20-23-30-1662-00-020.
- 5. Other Business
- 6. Adjournment

APPEALS: Please be advised that Section 286.0105, Florida Statutes, states that "if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, they will need a record of the proceedings, and that for such purpose, may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." A notice of appeal to the City Clerk should be submitted within fifteen (15) days after such recommendation or decision is made. "Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-851-7730) at least 48 hours in advance of the meeting (Belle Isle's City Code Section 42-71). —Page 1 of 1



City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809 Tel 407-851-7730 * Fax 407-240-2222 * www.belleislefl.gov

| Variance and Special Exception Application | | | | | | | |
|---|---|--|--|--|--|--|--|
| City Code Chapter 42, Art. II, Sec. 41-61 thru 41-72 AND Sec 42-64 Land Development Code | | | | | | | |
| APPLICANT Les Lie Armstrong | OWNER Lost, e Armstrong | | | | | | |
| ADDRESS 5705 Care Drive | PROJECT ADDRESS | | | | | | |
| CONTACT NUMBER 805746 0244 | OWNER'S CONTACT NUMBER | | | | | | |
| EMAIL h3issis 30 @ gnail. com | OWNER'S EMAIL h 3:55: 5300 gna com | | | | | | |
| PARCEL ID# | EL ID# | | | | | | |
| LANDUSE CLASSIFICATION Home Residence | ZONING DISTRICT | | | | | | |
| SECTION OF THE CODE VARIANCE REQUESTED ON | all black Artificial grass | | | | | | |
| The applicant hereby states that the property for which this hearing is requested has not been the subject of a hearing before the Planning and Zoning Board of the kind and type requested in the application within nine (9) months. Further, the requested user does not violate any deed restriction of the property. By applying, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property during reasonable hours to inspect the area to which the application applies. The applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) picture of the front of the property and at least two photos (from different angles) of the specific area of the property to which the application applies. | | | | | | | |
| APPLICANTS SIGNATURE | OWNER'S SIGNATURE | | | | | | |
| VARIANCE SPECIAL OTHER | P&Z CASE NUMBER DATE OF HEARING 3035 - 07-01 July 22 2025 | | | | | | |

Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

Criteria. The Board shall not approve an application for a variance from terms of the Land Development Code unless and until:

- a. A written application for a variance is submitted to the city manager or the city manager's designee on a form provided by the city clerk setting forth all of the special conditions and circumstances that exist in favor of the granting of the variance and addressing the requirements of subsections (1)d—g of this section of the criteria set forth in this section. Upon submission of the properly completed application and the appropriate fee, the city manager or the city manager's designee shall refer the application to the board.
- Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
- c. The public hearing on the application for the variance shall be held. The applicant, the applicant's agent as evidenced by a signed writing or the applicant's attorney shall appear before the board.
- d. It is determined that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved, including but not limited to dimensions, topography or soil conditions.
- e. It has been determined that personal hardship is not being considered as grounds for a variance since the variance will continue to affect the character of the neighborhood after title to the property has passed and that the special conditions and circumstances were not created in order to circumvent the Land



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Variance and Special Exception Application

Development Code or for the purpose of obtaining a variance.

- f. It is determined that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
- g. It is determined that the granting of the variance will be in harmony with the general purpose and intent of the Land Development Code, will not be injurious to the neighborhood, will not be detrimental to the public welfare, and will not be contrary to the public interest
- h. The board shall find that the preceding requirements have been met by the applicant for a variance.

The Board shall find that the preceding requirements have been met by the applicant for a variance.

(2) Violations of conditions.

 In granting any variance, the Board may prescribe appropriate conditions and safeguards to comply with the Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Land Development Code and punishable in accordance with this article. At the Board's discretion, such variance may be revoked for violation of the condition and safeguards.

b. The Board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed. Under no circumstances, except as permitted above, shall the Board grant a variance to allow a use not generally or by special exception allowed in the zoning district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code in the zoning district. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.

Applications submitted must meet all of the above criteria before the Board can grant a variance. The burden of proof is on the applicant to comply with the criteria.

A special exception addresses the compatibility of uses, differing slightly from a variance. The approval of a special exception depends on how the request affects the surrounding area. All uses allowed as special exceptions are listed within the individual zoning districts. Before the Board can approve a special exception, the request must meet all of the following criteria:

- A written application for a special exception must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month. (See Above)
- 2. The Board shall find that it is empowered under the section of the zoning ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.
- 3. It is determined that public health, safety, comfort, order, convenience, prosperity, morals, or general welfare is promoted, protected, or improved.

General Information

- 1. Certain conditions may be prescribed on the special exception or variance approved by the Board.
- 2. The applicant must be present at all hearings.
- 3. Decisions rendered by the Board do not become final until fifteen (15) days after the hearing. The fifteen-day waiting period allows all aggrieved parties to appeal the decision. Any person filing an appeal will submit, within fifteen (15) days of the decision, a notice stating where they feel the Planning and Zoning Board erred in their decision. Belle Isle's City Council will then hold an appeal hearing.
- Sec 42-61 thru 41-72 Variances and special exceptions granted by the Board will become void if a permit necessary for utilization
 of the variance or special exception is not issued within six (6) months of the date approved by the Planning and Zoning
 Board.

FOR OFFICE USE ONLY:

FEE: \$300

6/20/202

CR 6525 Check/Cash Rec'd By

2025-07-001



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Variance and Special Exception Application

ABOUT YOUR PUBLIC HEARING

The following information is provided to assist applicants in applying for a variance, special exception, or use determination. Please familiarize yourself with the process by visiting

The City of Belle Isle's Planning and Zoning Board, which comprises seven (7) non-paid volunteer residents, meets on the fourth Tuesday of the month to hear various planning and zoning issues, including variances, special exceptions, and use determinations. In recommending approval or denial of a request, the Board looks at each application individually to determine if the request meets the following criteria:

A written application for a variance must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month. The application MUST include:

- a. the \$300 filing fee,
- b. a completed application form,
- c. proof of ownership of the property, or a notarized statement from the owner with the representative's information,
- d. Ten (10) copies of a plot plan or survey showing all improvements to the property, ten copies of a scale drawing of the planned construction, illustrated on the survey, and digital format for large-scale documents is required.
- e. For boat dock variances, the survey must clearly illustrate the Normal High Water Line elevation (NHWL) of Lake Conway.
- f. A narrative addressing how the variance complies with the following:

| *Standards of Variance Justification | Section 42-64 of the Land Development Code (LDC) states that no application for a Zoning Variance shall be approved unless the Planning and Zoning Board finds that all of the following standards are met. Please answer each bold-text question in a separate typed or a written document and submit it to the City as part of your variance request. |
|---|--|
| Special Conditions and/or Circumstances Section 42-64 (1) d | The applicant must prove that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship. That hardship is created by special conditions and circumstances peculiar to the land, structure, or building involved, including but not limited to dimensions, topography, or soil conditions WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP? |
| Not-Self- Created Section 42-64 (1) e | The applicant must prove that the special conditions and circumstances do not result from the applicant's actions. A personal (self-created) hardship shall not justify a variance; i.e., when the applicant creates the alleged hardship, they are not entitled to relief by their conduct. HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED? |
| Minimum Possible Variance Section 42-64 (1) f | The applicant must prove that the zoning variance is the minimum variance that will make the reasonable use of the land, building, or structure possible. CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE. |
| Purpose and Intent Section 42-64 (1) g | The applicant must prove that approval of the zoning variance will be in harmony with the general purpose and intent of the Code, and such zoning variance will not be injurious to the neighborhood, not detrimental to public welfare, and not contrary to the public interest. WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE, ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC). |

^{*}For a variance application from Sec. 50-102 (b) fences and walls, please also identify how you comply with the variance criteria identified in Sec. 50-102 (b) (16). Please note for a fence variance, and you do not have to comply with Sec. 42-64 (1) d and (1) f.



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Black Artificial Grass

| Residential Driveway/Paver Permit Application | | | | | | |
|---|--------------------------|---|---|---|--|--|
| City Code Chapter 50, Art | | | | | | |
| Property Owner's Names | Armstro | 41.C | Date | 16/02/2024 | | |
| Property Owner's Address 6 706 (| ve Prive | | Permit Nur | nber | | |
| Owner's Contact Number | VE VIIVE | Owner's Em | ail ¿ - | 7. 5.7 00001/000 | | |
| | Contractor's Name | | | 3:5 ris3n @gmail.com | | |
| FOR PRE AND FINAL | Rok | per-4 Smith | | | | |
| INSPECTION, PLEASE | Contractor's Comp | | | | | |
| CALL 689-500-3473 or log your request at | Smith Scape | | | | | |
| GoGov "MyBelleIsle" | Contractor's Conta | Contractor's Contact Number, 407 532 122 4 | | | | |
| Scan to download the "MyBellelsle" app | Contractor's License No. | | | | | |
| | | MPLETED PRIOR TO & AFTER POUR | | | | |
| | | Williamianianien | | | | |
| The Driveway will be constructed as illustrated and written on the attached survey, map, or document. | | Impervious Surface Ratio Worksheet Development Zoned A-1. A-2, R-1-AAA, R-1-AA, R-1-A, R-1 per Section 50-74 Impervious Surface Ratio of the City Code | | | | |
| Pavers | Asphalt | | | | | |
| After forming new driveways, call or schedule 24 pour. The contractor/Owner must be available on | | l | | 5 = Allowable Impervious Area (BASE). | | |
| and permit for the inspector/designee. | Site with plans | Total Lot Are | a 15, 0 | <u>⊘</u> X 0.35= | | |
| | ticial 6/95 | Allowable Im | nervious Are | a (BASE) 5250 | | |
| See the reverse side for specifications. Driveway(s) will be constructed under the attache | ed requirements | 1 | | | | |
| and on the reverse side. The Applicant is respons | sible for the | Calculate the "proposed" impervious area on the lot. This includes the sum of all areas that do not allow direct percolation of rainwater. (i.e., | | | | |
| construction and will maintain the above-describe safe and adequate condition. The Applicant will s | | house, pool, deck, Driveways, accessory buildings, etc. | | | | |
| City of Belle Isle harmless from all damages, claims, or injuries that | | House | | | | |
| may occur because of this construction of the said facility. The Applicant binds and obliges himself to conform to the description and the attached/approved survey/sketch. | | | | | | |
| | | Driveway | | | | |
| | | 1 | | | | |
| | | Accessory Buildings | | | | |
| Signature: | Pool & Spa | | | | | |
| OwnerAgent | | Deck & | Patio | | | |
| ZONING APPROVAL STAMP: | | · Other Artificial grass | | | | |
| | | Actual Impervious Area (AIA) | | | | |
| | | | | subtract AIA from BASE to determine the ea that may be added without providing onsite | | |
| | | retention. | te BASE onei | te retention must be provided | | |
| | | Assuming 7. | If AIA exceeds BASE, onsite retention must be provided. Assuming 7.5 inches of rainfall based on a 24 hr., ten-year rain event | | | |
| Inspection Report from Public Works | | (TP40), the formula is: (7.5 inches rainfall/12 inches p/foot) X (result from line 4) = cubic feet of storage volume needed. | | | | |
| Engineering Report (If required or N/A) Initial/date | | | | | | |
| I, the undersigned, request permission to construct a driveway on the City of Belle Isle's right-of-way. | | | | | | |
| Leslie J. Armstrong | Zeh A | Com | | 10/02/2024 | | |
| Print (Owner or Designee) Signature Date | | | | | | |
| FOR OFFICE USE ONLY: FEE: \$50.00 | | | | | | |

VARIANCE REQUEST

June 2025

First off, I want to say thank you for reviewing my request.

Before I even moved to Florida, I knew I wanted a mid-century modern house and all the design that goes with that style. Minimalism, architectural art and design are all part of that era. I want my yard to be an artistic statement that has style and everlasting beauty that will last far beyond the ages.

I have already created the art work in the front yard and now I would like to frame that art by using the black artificial grass. With the black being around the edges it will appear to be a frame for the art.

Artificial grass is good for the environment. It doesn't need watering (Florida is having a crisis with water supply), or weed killer treatments, fertilizer or gas lawn mowing. The weed killer and fertilizer are killing our ponds, lakes and estuaries. They are being over grown with algae caused by the chemicals. I feel this is a great solution to help a problem.

Thank you for your consideration.

June 2025

To: Belle Isle zoning/permit board

From: Leslie J. Armstrong, 5705 Cove Drive

To Whom it may concern,

I have lived in this community for 8 years, and in that time, I have improved my

property both the land and the home. I am blessed to be living in this area and

want to continue doing good for the community. However, as an elderly person

trying to finish my front yard it seems to be at a standstill. Back in May of 2021 I

was approved for artificial grass. All I'm asking is to be able to finish my front

yard as originally designed. I have no intention of harming the environment or

deteriorating the aesthetics of the community on the contrary I want to improve my

overall looking of the first impression of my home and help the environment. It

will create an artistic and beautiful addition to the community, if only allowed to

finish.

Leslie Armstrong

Attachments:

Boundary survey

STANDARDS OF VARIANCE JUSTIFICATION

- 1. Special conditions and/or circumstances Section 42-64 (1) d
 - a. What are the special conditions and circumstances unique to your property: None to my understanding
 - b. What would be the unnecessary hardship: Financial since not knowing that the zoning requirement was going to be green I purchased the Black artificial grass for \$10,000 dollars
- 2. Not-self-created Section 42-64 (1) e
 - a. How were the special conditions noted above created: As stated above there are no special conditions to my understanding
- 3. Minimum possible variance Section 42-64 (1) f
 - a. Can you accomplish your objective in another way: No. However, green artificial grass can be used (not desirable) as approved in Belle Isle new zoning law
 - b. List alternatives you have considered and evidence as to why they are not feasible: Green artificial grass is an alternative, however, it is not aesthetically pleasing to my design.
- 4. Purpose and intent Section 42-64 (1) g
 - a. What effects will approval of the variance have on adjacent properties or the surrounding neighborhood? (For example, adequate light, air, access, use of adjacent property, density, compatibility with surrounding land uses, traffic control, pedestrian safety, ETC.): Yard will be complete and it will beautify the neighborhood. It will also eliminate the excessive use of water for grass and the use of a fertilizer pollutant, and weed killer.

Thank you for your consideration

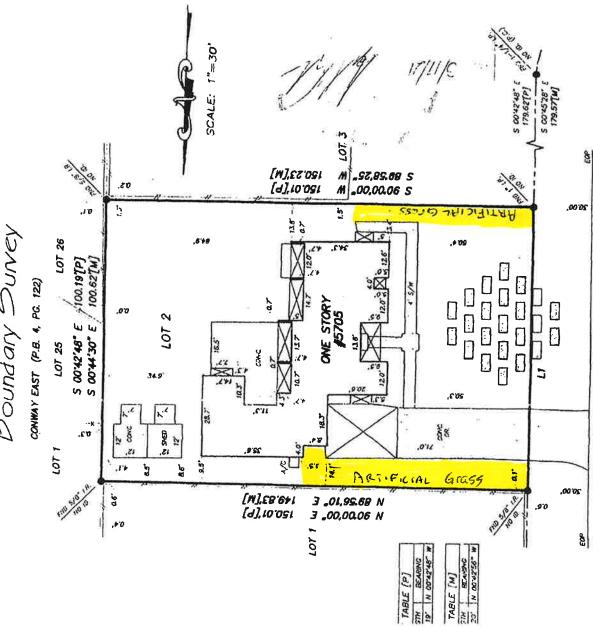
Leslie Armstrong



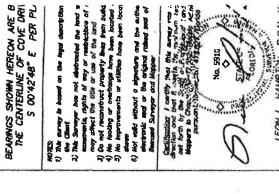




Doundary Survey



PLASTIC FEME



COVE DRIVE (60' R/W)

S 00'42'48" E