



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, September 23, 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**
 - a. Approval of the P&Z Board Meeting Minutes - August 26, 2025
4. **Public Hearings**
 - a. **Planning and Zoning Case Number 2025-08-014:** 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 50-73 (A), SECTION 50-102 (A)(2), AND SECTION 50-102 (A)(5)(F) TO ALLOW A DETACHED GARAGE TO BE BUILT THAT WOULD PROJECT INTO THE REQUIRED SIDE YARD BUILDING SETBACK AREA, BE LOCATED IN THE FRONT YARD, AND EXCEED THE MAXIMUM SIZE ALLOWED, SUBMITTED BY APPLICANT DANIEL KENNEDY, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 2801 HOFFNER AVENUE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 18-23-30-4388-03-970.
 - b. **Planning and Zoning Case Number 2025-08-027:** 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 50-102 (B) (5) (A) TO ALLOW A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.
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, FL
PLANNING & ZONING BOARD MEETING

Tuesday, August 26, 2025 * 6:30 PM

MINUTES

a.

The Belle Isle Planning & Zoning Board met on August 26, 2025, at 6:30 p.m. at the City Hall Chambers at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Board member Agrusa
Board member Zimmerman
Board member Hobbs
Board member Holihan
Board member Squires (Applicant)

Absent was:

Board member Thompson
Board member Conduff

City Manager Rick Rudometkin, Attorney Hilary Griffith, City Planner April Fisher, and City Clerk Yolanda Quiceno were also present.

1. Call to Order and Confirmation of Quorum

Chairman Holihan opened the meeting at 6:30 p.m., and the Clerk confirmed the quorum.

Chairman Holihan asked for a motion to excuse Board members Conduff and Thompson from the meeting.

Board member Agrusa moved to excuse Board members Conduff and Thompson.

Board member Hobbs seconded the motion, which passed 5:0.

2. Invocation and Pledge to Flag

Board member Hobbs gave the invocation and led the pledge to the flag.

3. Approval of Minutes

Approval of the P&Z Board meeting minutes – July 22, 2025

Board member Agrusa moved to approve the minutes as presented.

Board member Hobbs seconded the motion, which passed 5:0.

4. Public Hearings

a. Planning and Zoning Case Number 2025-07-012:

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 50-73 (A) TO ALLOW AN ATTACHED TWO-CAR GARAGE TO BE BUILT THAT WOULD PROJECT INTO THE REQUIRED SIDE YARD BUILDING SETBACK AREA, SUBMITTED BY APPLICANT VINTON SQUIRES, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 2488 TRENTWOOD BOULEVARD, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 30-23-30-0000-00-014.

CM Rudometkin read the Public Hearing case number 2025-07-012 by title.

Chairman Holihan called for the staff report.

April Fisher, City Planner, presented the variance request submitted to allow the construction of an attached two-car garage, adjacent to the principal house. Staff recommend approval based on meeting the criteria established in the Code, in harmony with the neighborhood, and considering the unique circumstances of

this property. She said the property has an irregular shape, with driveway access on a curve at the cul-de-sac, and abuts the right-of-way on the subject property line that is not in use.

Board member Zimmerman asked for clarification on the history of the platted road. CM Rudometkin stated that before the platted road was constructed, a road with an entrance to the park existed, leading to McCoy. Since then, the development of hotels on McCoy Road has made this road unusable. The chances of making it a viable road are very slim.

Chairman Holihan asked if it would be advisable to recommend to the Council that it vacate the plat. City Planner Fisher said it would be an action of the City Council; however, she does not know if it is something that should be addressed at this time.

Vinton Squires, the applicant residing at 2483 Trentwood Blvd and the owner of 2488 Trentwood Blvd, stated that he would like to renovate the existing carport to a garage. The survey indicated the road leading down to the swale, as shown in the old plat book. There is a buffer zone of bushes and trees that are 60 ft tall, and the garbage will not be visible from the park.

Chairman Holihan opened for public comment.

- Greg Templin, a resident of 2489 Trentwood Blvd. since 1960, spoke in favor of the variance.
- Chairman Holihan stated that the City had received a letter from Harry Deschane, dated August 20, 2025, in favor of the variance.

There being no further comment, Chairman Holihan closed public comment.

Board member Agrusa moved, Planning & Zoning Case No 2025-07-012, to allow an attached two-car garage to be built, replacing the existing carport that would project into the required side yard building setback area by four feet, consistent with the accompanying plan for this application.

Board member Hobbs seconded the motion, which passed 4:0.

April Fisher, City Planner, stated that the Public has 15 days to appeal the Board's decision.

5. Adjournment

There being no further discussion, Vice Chairman Squires moved to adjourn, which was unanimously approved at 6:45 pm.

MEMORANDUM

TO: Planning and Zoning Board
DATE: September 23, 2025
RE: Variance Application 2801 Hoffner Avenue

Planning and Zoning Case Number 2025-08-014

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 50-73 (A), SECTION 50-102 (A)(2), AND SECTION 50-102 (A)(5)(F) TO ALLOW A DETACHED GARAGE TO BE BUILT THAT WOULD PROJECT INTO THE REQUIRED SIDE YARD BUILDING SETBACK AREA, BE LOCATED IN THE FRONT YARD, AND EXCEED THE MAXIMUM SIZE ALLOWED, SUBMITTED BY APPLICANT DANIEL KENNEDY, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 2801 HOFFNER AVENUE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 18-23-30-4388-03-970.

Background:

1. On August 11, 2025, the applicant submitted a Variance application and the paperwork.
2. On September 11, 2025, letters to the abutting property owners were mailed within 300 feet of the subject property, and a legal advertisement was placed in the Orlando Sentinel on September 13, 2025.
3. The Board may adopt all, some, or none of these determinations as part of its findings of fact and add any additional findings of fact presented at the public hearing. The Board must determine if the criteria outlined in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE: "I MOVE, PURSUANT TO BELLE ISLE CODE 42—64, 50-73(A), SECTION 50-102 (A)(2), AND SECTION 50-102 (A)(5)(F) TO APPROVE A DETACHED GARAGE TO BE BUILT THAT WOULD PROJECT INTO THE REQUIRED SIDE YARD BUILDING SETBACK AREA, BE LOCATED IN THE FRONT YARD, AND EXCEED THE MAXIMUM SIZE ALLOWED, SUBMITTED BY APPLICANT DANIEL KENNEDY, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 2801 HOFFNER AVENUE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 18-23-30-4388-03-970.

SAMPLE MOTION TO DENY: "I MOVE, PURSUANT TO BELLE ISLE CODE 42-64, 50-73(A), SECTION 50-102 (A)(2), AND SECTION 50-102 (A)(5)(F), HAVING NOT BEEN MET, TO DENY *[use only if NONE of the justifying criteria have been met] the requirements of, Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone]* A DETACHED GARAGE TO BE BUILT THAT WOULD PROJECT INTO THE REQUIRED SIDE YARD BUILDING SETBACK AREA, BE LOCATED IN THE FRONT YARD, AND EXCEED THE MAXIMUM SIZE ALLOWED, SUBMITTED BY APPLICANT DANIEL KENNEDY, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 2801 HOFFNER AVENUE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 18-23-30-4388-03-970.

Or the Board can request that it be tabled to a date certain to allow for revisions as discussed.

SUBSECTION (D), a 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.

SUBSECTION (E), 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 Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the 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.



City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809

Tel 407-851-7730 * Fax 407-240-2222 * www.belleislefl.gov

CITY OF BELLE ISLE
BUILDING DEPARTMENT
RCD: 8/11/25
1:20 pm

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 <u>Daniel Kennedy</u>	OWNER <u>George & Debra Kennedy Family Trust</u>
ADDRESS <u>2801 Hoffner Ave Belle Isle</u>	PROJECT ADDRESS <u>2801 Hoffner Ave</u>
CONTACT NUMBER <u>321-689-2866</u>	OWNER'S CONTACT NUMBER <u>321 689 2866</u>
EMAIL <u>DKennedy084@gmail.com</u>	OWNER'S EMAIL <u>DKennedy084@gmail.com</u>
PARCEL ID# <u>18-23-30-4388-03-976</u>	
LAND USE CLASSIFICATION	ZONING DISTRICT <u>R-1-AA Single family home</u>
SECTION OF THE CODE VARIANCE REQUESTED ON <u>50-102(a)(2) 50-102(a)(5)</u>	
DETAILED VARIANCE REQUEST <u>see attached letter please</u>	
<ul style="list-style-type: none"> 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 <u>[Signature]</u>	OWNER'S SIGNATURE <u>[Signature]</u>
<input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> SPECIAL EXCEPTION <input type="checkbox"/> OTHER	P&Z CASE NUMBER <u>2025-08-014</u> DATE OF HEARING <u>9-23-2025</u>

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 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.
- 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.
- 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.
- 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



City of Belle Isle

Universal Engineering Sciences 3532 Maggie Blvd., Orlando, FL 32811
Tel 407-581-8161 * Fax 407-581-0313 * www.universalengineering.com

Building / Land Use Permit Application

DATE: _____

PERMIT # _____

PROJECT ADDRESS 2801 Hoffman Ave, Belle Isle, FL 32809 ☒ 32812

PROPERTY OWNER George & Debra Kennedy Family Trust PHONE 321 689 2866 VALUE OF WORK (labor & material) \$ 30,000

PLEASE LIST THE NATURE OF YOUR PROPOSED IMPROVEMENTS

Detached garage for storage, etc. Will match existing structure architecturally.

Please provide information, if applicable.

- SINGLE FAMILY RESIDENCE:** 8.5"x11" Plat Survey, Plot Plan of Home and Floor Plans of New Construction/Revision Required
- BOAT DOCK:** DEP Clearance Required with Application (Call 407-897-4100); please provide a copy of their report
- SEPTIC SYSTEM (RESIDENTIAL):** - Provide verification of OC Health Dept approval for on-site septic tank system, per FAC Chap. 64E-6
- Homeowners will be required to have a contractor on record for homes that are rented and/or not homestead

Please Complete for the City of Belle Isle Zoning Review: **Parcel Id Number:** 18-23-30-4588-03-970

To obtain this information, please visit <http://www.ocpafil.org/Searches/ParcelSearch.aspx>

SPECIAL CONDITIONS: STRUCTURES MAY NOT ENCROACH INTO ANY EASEMENT OR REQUIRED SETBACK. Survey specific foundation plan required to show compliance with zoning setbacks. Note: this Zoning Approval MAY or MAY NOT be in conflict with your Deed Restrictions. For New Single Family Residence, a Traffic Impact Fee and School Impact will be assessed.

Wind Exposure Category: B ☒ C ☐ D ☐

PLANNING & ZONING APPROVAL: _____
DATE

PLEASE COMPLETE for Building Review (min. of 2 sets of signed/sealed plans required)

CONSTRUCTION TYPE Detached garage
OCCUPANCY GROUP Comm Res: ☒ Single Fam ☐ Multi Fam
#BLDG. _____ #UNITS _____ #STORIES 1 **TOTAL SQ.FT.** 905
MAX. FLOOR LOAD _____ MAX. OCCUPANCY _____
MIN. FLOOD ELEV. _____ LOW FLOOR ELEV. _____
WATER SERVICE WELL SEPTIC

BUILDING REVIEWER _____ DATE

VERIFIED CONTRACTOR'S LICENSE & INSURANCE ARE ON FILE _____ DATE

Per FSS 105.3.3:

An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies."

JJ's Waste & Recycling is by legal contract the sole authorized provider of garbage, recycling, yard waste, and commercial garbage and construction debris collection and disposal services with the city limits of the City. Contractors, homeowners and commercial businesses may JJ's Waste & Recycling at 407 298-3932 setup accounts for Commercial, Construction Roll Off, or other services needed. Rates are fixed by contract and are available at City Hall or from JJ's Waste & Recycling. The City enforces the contract through its code enforcement office. Failure to comply will result in a stop work order.

SEPARATE PERMITS ARE REQUIRED FOR ROOFING, ELECTRICAL, PLUMBING, GAS, MECHANICAL, SIGNS, POOLS, ENCLOSURES, ETC.

SPRINKLERS REQ'D	Y	N	
If Required - SUBMIT COPY OF PLANS FOR FIRE REVIEW			Date: Sent _____ RCD _____
ZONING	Y	N	\$ _____
CERT OF OCC	Y	N	\$ _____
TRAFFIC	Y	N	\$ _____
SCHOOL	Y	N	\$ _____
FIRE	Y	N	\$ _____
SWIMMING POOL	Y	N	\$ _____
SCREEN ENCLOSURE	Y	N	\$ _____
ROOFING	Y	N	\$ _____
BOAT DOCK	Y	N	\$ _____
BUILDING	Y	N	\$ _____
WINDOW(S)	Y	N	\$ _____
DOOR(S)	Y	N	\$ _____
FENCE	Y	N	\$ _____
SHED	Y	N	\$ _____
DRIVEWAY	Y	N	\$ _____
OTHER	Y	N	\$ _____

1% BCAIB FEE _____

1.5% DCA FEE _____

TOTAL _____

OTHER PERMITS REQUIRED:

ELECTRICAL	Y	NA
PREPOWER	Y	NA
MECHANICAL	Y	NA
PLUMBING	Y	NA
ROOFING	Y	NA
GAS	Y	NA

To Whom It May Concern,

My name is Daniel Kennedy, and I am the owner of the property located at 2801 Hoffner Avenue, Belle Isle, FL 32812. I am writing to formally request a variance from the City of Belle Isle Land Development Code in order to construct a detached garage/accessory structure on my property.

Due to the unique orientation and layout of my lot, it is not feasible to construct the proposed accessory structure in the rear yard as required by current zoning regulations. The existing home is positioned in a way that severely limits usable space in the rear yard, leaving the front yard as the only practical location for the proposed garage. As such, I am respectfully requesting a variance to allow for the construction of an accessory structure in the front yard that will be utilized as parking & storage.

The proposed garage will be designed and constructed to match the architectural style and materials of the existing residence to ensure visual cohesion and maintain the aesthetic character of the neighborhood. The structure will comply with all applicable sections of the Florida Building Code and LDC, except those directly addressed in this variance request.

The relevant code sections from the Belle Isle Land Development Code that will be non-compliant include:

- Section 50-102(a)(2) – Accessory buildings, including garages, are only permitted in the side and rear yards and are prohibited in the front yard.
- Section 50-102(a)(5) – Provides dimensional and placement requirements for garages in residential districts, including setbacks, height, and square footage limits.

I also respectfully submit that similar structures are present in the front yards of other properties along Hoffner Avenue, including:

- 2526 Hoffner Ave
- 1959 Hoffner Ave

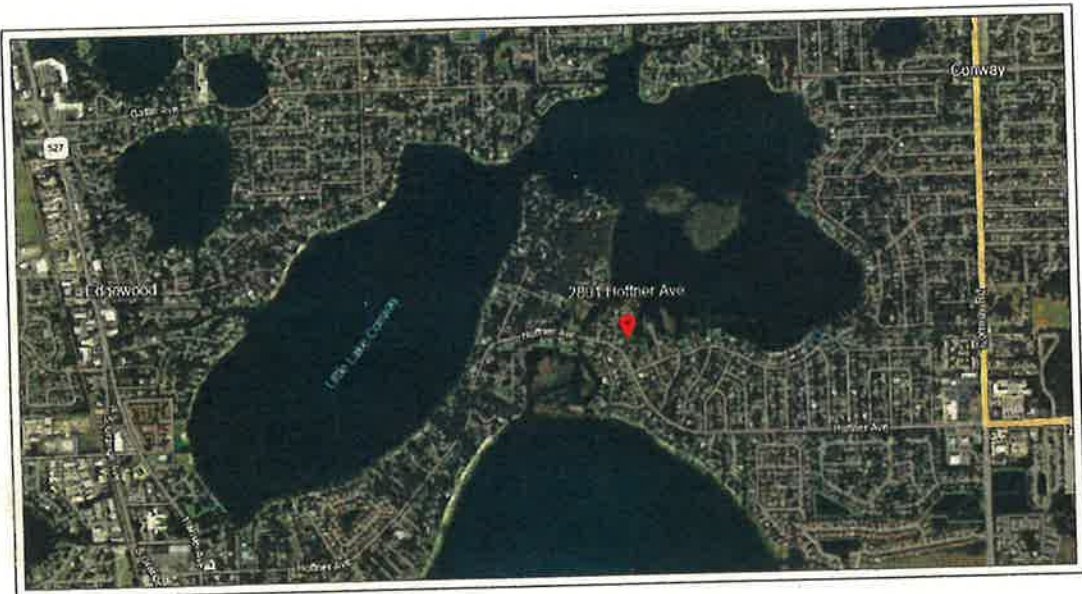
These examples illustrate that the presence of accessory structures in front yards is not without precedent in the area.

I am committed to ensuring that any construction on my property aligns with the character of the community and complies with the City's standards as closely as possible. I appreciate your consideration of my request and am happy to provide any additional information or documentation as needed. Please do not hesitate to reach out, should you have any questions or require further clarification.

NEW DETACHED GARAGE

2801 HOFFNER AVE.

BELLE ISLE, FL 32812



PROJECT LOCATION

PROJECT DESCRIPTION: THIS PROJECT IS TO CONSTRUCT A NEW, 25.5'x35.5' (905 SF) SECONDARY, DETACHED GARAGE IN THE FRONT YARD FOR ADDITIONAL STORAGE FOR TRAILER; BASED ON THE GARAGE'S PROPOSED LOCATION AND SIZE, A VARIANCE WILL BE REQUIRED TO BE SUBMITTED AND APPROVED PRIOR TO ANY CONSTRUCTION



SHEET INDEX

- S0 - GENERAL NOTES
- S1 - EXIST. SURVEY & PROPOSED SITE PLAN
- S2 - FOUNDATION PLAN
- S3 - ROOF FRAMING PLAN
- S4 - SECTION & CONNECTION DETAILS & MEP PLAN
- A1- ELEVATIONS
- C1- DRAINAGE PLAN

ACCESSORY STRUCTURES SHALL COMPLY WITH SECTION 50-102 OF THE LAND DEVELOPMENT CODE FOR THE CITY OF BELLE ISLE

ZONING DISTRICT:	R-1-AA / SINGLE-FAMILY HOME
LOT SIZE:	18,895 SF
ATTACHED STRUCTURE:	NO
SECONDARY GARAGE:	YES
GARAGE LOCATION:	FRONT YARD (VARIANCE REQUIRED)
MAXIMUM SIZE ALLOWED:	600 SF (VARIANCE REQUIRED)
MAXIMUM HEIGHT (TOP OF ROOF PEAK):	20'
MINIMUM SIDE YARD SET BACK:	7.5'
MINIMUM FRONT YARD SET BACK:	30' (VARIANCE REQUIRED)
MINIMUM REAR YARD SET BACK:	10'



T: (813)-364-2036

E: ESCOBARENGINEERINGLLC@GMAIL.COM

PROJECT NO: 240420 DATE: 3/31/2025



ESCobar, Grant, Timothy Herbert, P.E.
263317315
Date: 2023.03.31
09:07:20 -04'00'

ACCURACY STATEMENT:

This document has been electronically signed and sealed by the Engineer above using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

PROJECT: NEW DETACHED GARAGE

CLIENT: DANIEL KENNEDY
2801 HOFFNER AVE.
BELLE ISLE, FL 32812

REVISION:

DATE:

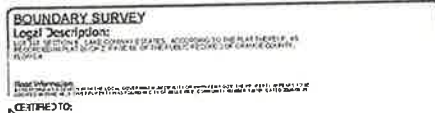
TITLE:

COVER SHEET

SHEET:

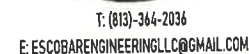
COVER

SO



IMPERVIOUS SURFACE CALCULATION			
TYPE	IN HRS SF	%IMP	REQUIRED
GREEN SPACE	9,676 SF	3%	290.3 HRS
IMPERVIOUS SURFACES	9,708 SF	40%	3883 HRS
PRIMARY STRUCTURE	4,251 SF		
DRIVEWAY	2,541 SF		
PAVING/WALKWAYS/AC	1,140 SF		
ACCESSORY STRUCTURES	140 SF		
FIRST CFTS TO GREEN SPACE 474/374			

- Site improvements include the addition of a new 90S SF detached, garage for trailer storage (accessory structure)
- Improvements to the existing driveway as per plan to match existing driveway adding 472 SF of impervious surface
- Changes to ISR - Greenspace ratio - see table (to note only impervious surfaces are shown on proposed site plan, refer to survey for site details and locations regarding sea wall, deck, and boatlift)
- Actual Impervious Area (AIA) is greater than BASE; therefore, additional onsite retention is required
- No changes to primary structure
- No changes within the R/W
- There are no protected tree species within 20' of proposed construction or staging areas; therefore no tree protection is required



PROJECT NO: 240420	DATE: 3/31/2025
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ESCOBAR, GRANT.T
MOTHY
HERBERT.1
263317315

Digitally signed
by ESCOBAR,GRANT.T
T.MOTHY
HERBERT.12633
17315
Date: 2025.01.1
09:22:57 -0400

GRANT ESCOBAR, P.E.
LICENSE NO: 91898

ACCURACY STATEMENT:

This document has been electronically signed and sealed by the Engineer above using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

PROJECT: NEW DETACHED GARAGE

CLIENT: DANIEL KENNEDY
2801 HOFFNER AVE.
BELLE ISLE, FL 32812

REVISION:

DATE:

TITLE:

SITE PLAN

SHEET:

S1



T: (813)-364-2036
E: ESCOBARENGINEERINGLLC@GMAIL.COM

PROJECT NO: 240420 DATE: 3/31/2025



ESCobar, P.E.
GRANT, T. H.
MOTHY, E.
HERBERT, J.
263317315
Date: 2025.03.31
090831 04:00
GRANT ESCOBAR, P.E.
LICENSE NO: 91898

ACCURACY STATEMENT:
This document has been electronically signed and sealed by the Engineer above using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

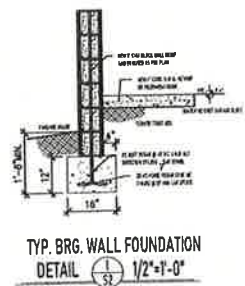
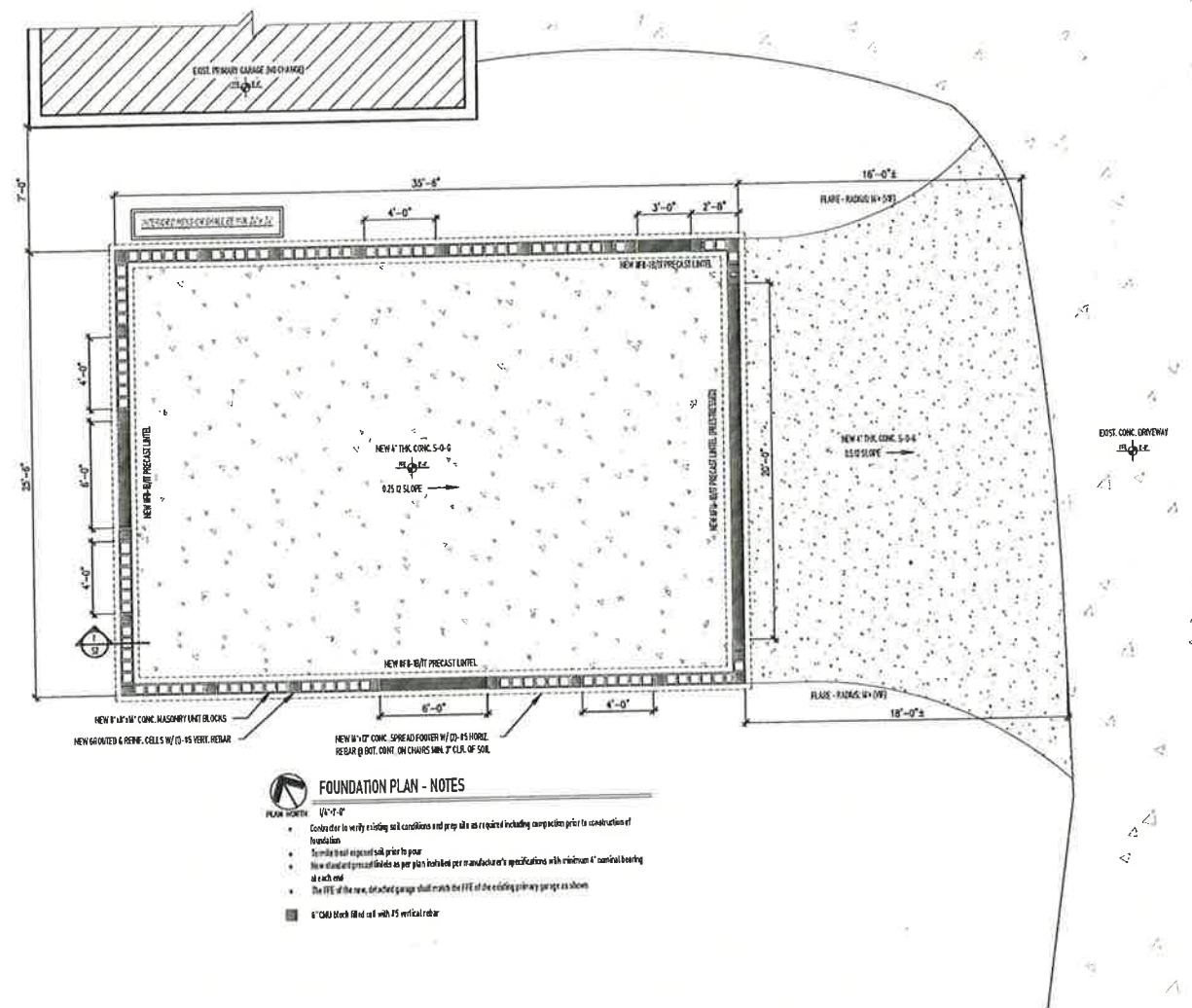
PROJECT: NEW DETACHED GARAGE

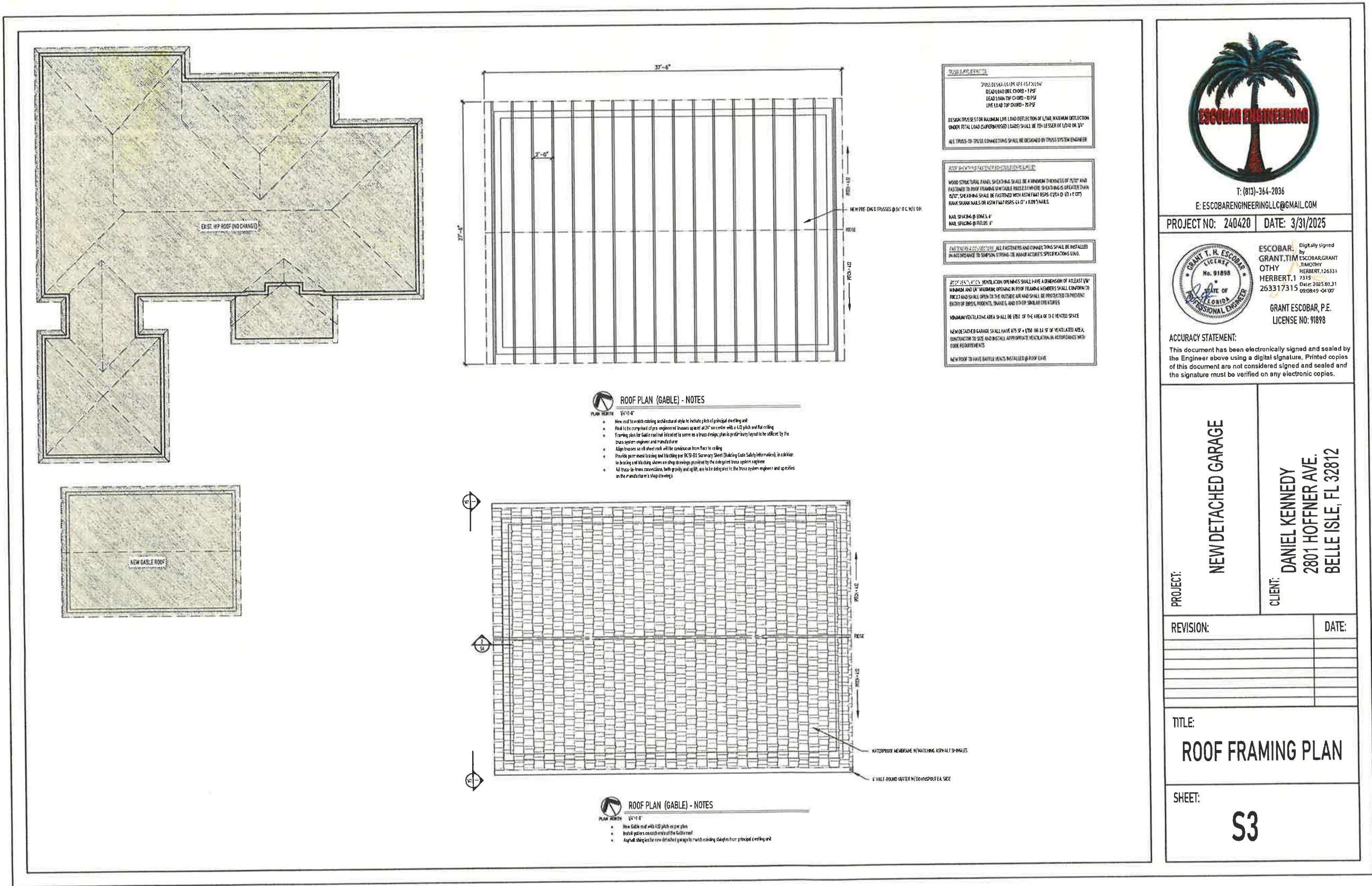
CLIENT: DANIEL KENNEDY
2801 HOFFNER AVE.
BELLE ISLE, FL 32812

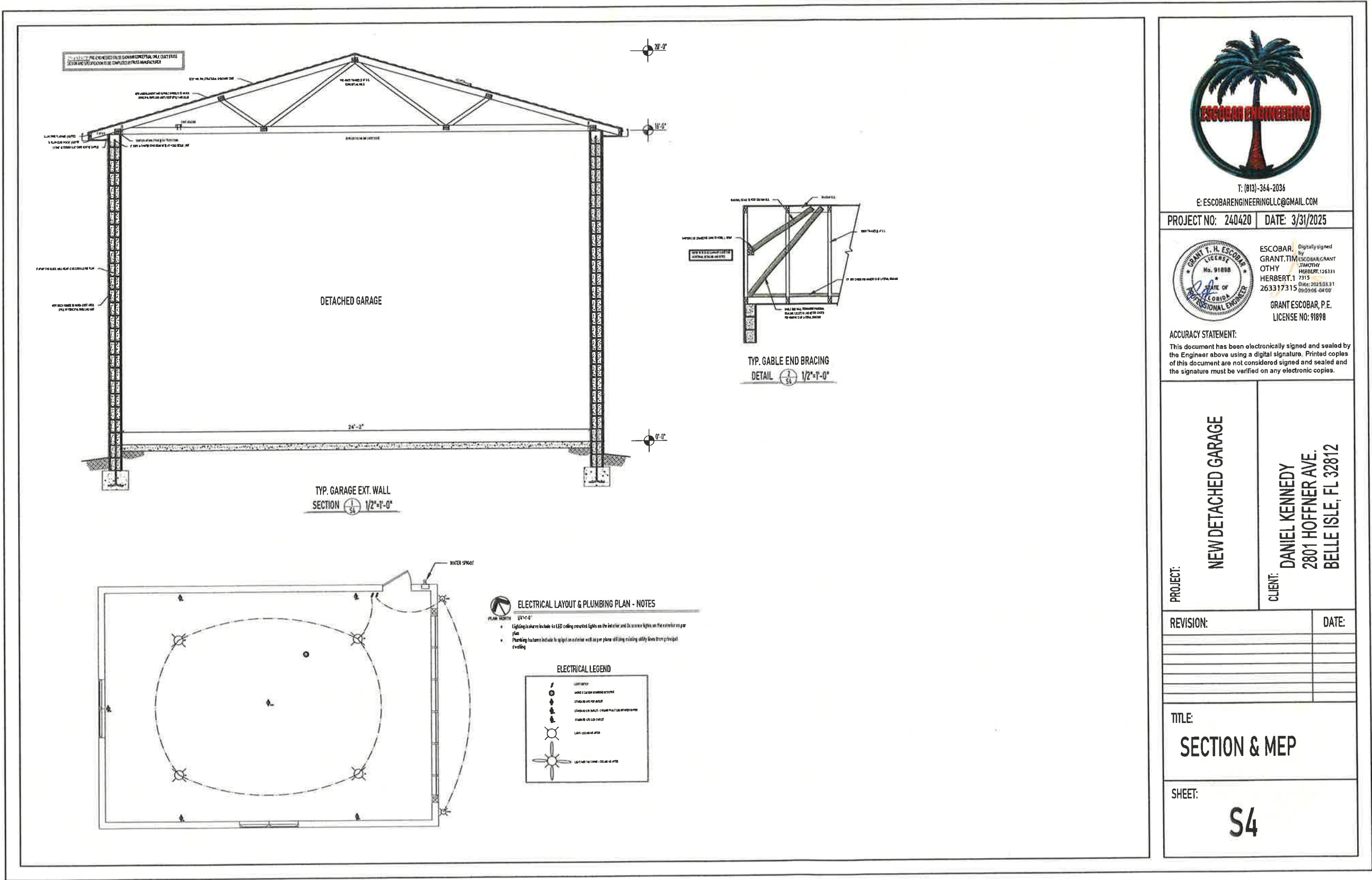
REVISION:	DATE:

TITLE:
FOUNDATION PLAN

SHEET:
S2







ASPHALT SHINGLES TO MATCH PRINCIPAL DWELLING

SOUTH ELEVATION

ASPHALT SHINGLES TO MATCH PRINCIPAL DWELLING

NORTH ELEVATION

WEST ELEVATION

EAST ELEVATION

DOOR & WINDOW SCHEDULE

W1

D1

D2

NEW WINDOWS TO BE PGT VINGUARD SINGLE HUNG SH600 SERIES (P.L. # 21418-R2)
NEW EXTERIOR DOOR TO BE THERMATRU HALF LITE 2 PANEL IMPACT RATED DOOR (P.L. # 20441-V)
NEW VEHICULAR DOOR TO BE CUSTOM MADE BY OTHERS

NOTE: VERIFY ALL NEW WINDOW OPENING SIZES PRIOR TO ORDERING. CONTRACTOR TO SUBMIT SEPARATE APPROVAL COPIES OF OTHER DOORS OR WINDOWS ARE UTILIZED

T: (813)-364-2036
E: ESCOBARENGINEERINGLLC@GMAIL.COM

PROJECT NO: 240420 DATE: 3/31/2025

ESCobar, Grant T. H. ESCobar, P.E.
MOTHY HERBERT, J. 7315
263317315 Date: 2025.03.31
07/09/23 04:07

GRANT ESCOBAR, P.E.
LICENSE NO: 91898

ACCURACY STATEMENT:
This document has been electronically signed and sealed by the Engineer above using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

PROJECT:

NEW DETACHED GARAGE

CLIENT:

**DANIEL KENNEDY
2801 HOFFNER AVE.
BELLE ISLE, FL 32812**

REVISION:

DATE:

TITLE:

ELEVATIONS

SHEET:

A1

September 16, 2025

Variance Application: 2801 Hoffner Avenue

Planning and Zoning Case Number 2025-08-014: 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 50-73 (A), SECTION 50-102 (A)(2), AND SECTION 50-102 (A)(5)(F) TO ALLOW A DETACHED GARAGE TO BE BUILT THAT WOULD PROJECT INTO THE REQUIRED SIDE YARD BUILDING SETBACK AREA, BE LOCATED IN THE FRONT YARD, AND EXCEED THE MAXIMUM SIZE ALLOWED, SUBMITTED BY APPLICANT DANIEL KENNEDY, THE PROPERTY OWNER FOR THE PROPERTY LOCATED AT 2801 HOFFNER AVENUE, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 18-23-30-4388-03-970.

Project Description and Background:

This application is to allow an detached garage to be built in the front yard, project into the required front yard building setback by approximately five feet and be larger than 600 square feet at 905 square feet. The property is an irregular shape as can be seen in the enclosed survey, and there is limited room in the rear yard of the property due to this irregular shape.

Staff Recommendation: Approve the requested variance to allow a detached garage to be built in the front yard and project into the required front yard building setback by approximately five feet, but, not approve the detached garage to be larger than 600 square feet at 905 square feet as there is no special circumstance as to why the additional square feet are needed. This recommendation is based on evaluation of the variance criteria below.

An evaluation based on the variance criteria for the application is below.

1. Special Conditions and/ or Circumstances (Section 42-64 (1) d):

This criterion for the location is met by the fact that the lot is irregular shape and there is not room to build the structure in the rear of the property. The configuration provides limited yard areas that are customary to other typical rectangular shaped lots.

2. Not Self- Created (Section 42-64 (1) e):

This criterion is met as the irregular shape of the lot. There is not information as to why the 905 square-foot size is needed due to special conditions or circumstances however and is therefore self-created.

3. Minimum Possible Variance (Section 42-64 (1) f):

The requested variance is the minimum possible variance needed to accommodate the detached garage location. There is not a special condition or circumstance that substantiates the need of the 905 square-foot size, however.

4. Purpose and Intent (Section 42-64 (1) g):

The requested variance can be defined as being in harmony with the general purpose and intent of the land development code and not injurious to the neighborhood. The applicant has provided photos that show the detached garage will largely be screened from view.

Next Steps

The Board may approve the variance application as it is, with specific conditions, continue the application if additional information is requested, or deny the application.

A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Sec. 42-71.

Motion Examples:

1. Approve the requested variance to allow a detached garage to be built in the front yard and project into the required front yard building setback by approximately five feet, and the detached garage to be larger than 600 square feet at 905 square feet, consistent with the plan submitted with this application, or
2. Approve the requested variance to allow a detached garage to be built in the front yard, project into the required front yard building setback by approximately five feet, but not approve the detached garage to be larger than 600 square feet at 905 square feet, or
3. Deny the requested variance to allow a detached garage to be built in the front yard, project into the required front yard building setback by approximately five feet, and the detached garage to be larger than 600 square feet at 905 square feet. [specify which standards are not met] or,
4. Continue the requested variance pending additional information [specify information needed] from the applicant.

From: Yolanda Quintero
To: Danny Kennedy
Subject: Planning Meeting - 2025 Public Hearing - 2025
Date: Friday, September 12, 2025 10:08 AM

Hi,
Good morning.
We received the following email from Mr. Kennedy as additional information to support his request for a variance to be heard on Sept 23, 2025.
This will be added to the packet online for the record - <https://www.kalixsteel.gov/doc-public/parking-planning-board-meeting-63>

Yolanda Quintero, CMC, City Clerk
yquintero@kalixsteel.gov
www.kalixsteel.gov

Please note: Kalixsteel has a very strict public records law. Most written communications to or from local officials regarding organizational business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

On Thu, Sep 11, 2025 at 7:59 PM Danny Kennedy <dkennedy064@gmail.com> wrote:

Evening April and Yolanda,

I wanted to share a few photos from the front of my driveway and the corner areas. They help illustrate how the existing landscaping near the street will provide natural screening for the additional garage, helping maintain a clean and cohesive look overall. Also, across the street is the park.

Please let me know if you have any questions about these.

Thanks

Danny











Sent from DJ's phone

MEMORANDUM

TO: Planning and Zoning Board
DATE: September 23, 2025
RE: Variance Application 5208 Driscoll Court

Planning and Zoning Case Number 2025-08-027:

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 SECTION 50-102 (B) (5) (A) TO ALLOW A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.

Background:

1. On August 22, 2025, the applicant submitted a Variance application and the paperwork.
2. On September 11, 2025, letters to the abutting property owners were mailed within 300 feet of the subject property, and a legal advertisement was placed in the Orlando Sentinel on September 13, 2025.
3. The Board may adopt all, some, or none of these determinations as part of its findings of fact and add any additional findings of fact presented at the public hearing. The Board must determine if the criteria outlined in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE: "I MOVE, PURSUANT TO BELLE ISLE CODE 42—64, 50-102(B)(5)(A) TO APPROVE A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.

SAMPLE MOTION TO DENY: "I MOVE, PURSUANT TO BELLE ISLE CODE 42-64, 50-102(B),(5)(A), **HAVING NOT BEEN MET, TO DENY** *[use only if NONE of the justifying criteria have been met] the requirements of, Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone]* A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.

Or the Board can request that it be tabled to a date certain to allow for revisions as discussed.

SUBSECTION (D), a 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.

SUBSECTION (E), 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 Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the 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.

MEMORANDUM

TO: Planning and Zoning Board
DATE: September 23, 2025
RE: Variance Application 5208 Driscoll Court

Planning and Zoning Case Number 2025-08-027:

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 50-102 (B) (5) (A) TO ALLOW A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.

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SAMPLE MOTION TO APPROVE: "I MOVE, PURSUANT TO BELLE ISLE CODE 42—64, 50-102(B)(5)(A) **TO APPROVE A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.**

SAMPLE MOTION TO DENY: "I MOVE, PURSUANT TO BELLE ISLE CODE 42-64, 50-102(B),(5)(A), **HAVING NOT BEEN MET, TO DENY** *[use only if NONE of the justifying criteria have been met] the requirements of, Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone]* **A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.**

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SUBSECTION (E), 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 Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the 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.



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 OF BELLE ISLE
BUILDING DEPARTMENT
RCD: 8/22/25
3:00 pm

b.

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	Herbert Betancourt	OWNER	Claudia Mustafa
ADDRESS	4112 Firewater Ct, Orlando, FL 32829	PROJECT ADDRESS	5208 Driscoll Ct Belle Isle
CONTACT NUMBER	407 617 8271	OWNER'S CONTACT NUMBER	4075307116
EMAIL	nuevarhema@gmail.com	OWNER'S EMAIL	cmustafa30@icloud
PARCEL ID#	20-23-30-1222-00-020		
LAND USE CLASSIFICATION	Residencial	ZONING DISTRICT	BI-R-1-AA
SECTION OF THE CODE VARIANCE REQUESTED ON	<input checked="" type="checkbox"/> Variance Fee \$300 <input type="checkbox"/> Special Exception \$750		
DETAILED VARIANCE REQUEST To raise the west and south fence of the property from 6' to 8'. Due to the elevated height of my back pool deck, there is a direct and unobstructed view into my neighbors' backyard and rear windows, which compromises their privacy as well as ours. Raising the fence from 6 feet to 8 feet on the west and south sides will significantly reduce this visibility, helping to restore a reasonable level of privacy for both properties. The neighbor on the south side has previously reviewed and agreed to this proposed increase in height.			
<ul style="list-style-type: none"> 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 property deed restriction. By applying, I authorize the 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	
<i>Herbert Betancourt</i>		<i>Claudia Mustafa</i>	
<input checked="" type="checkbox"/> VARIANCE	<input type="checkbox"/> SPECIAL EXCEPTION	<input type="checkbox"/> OTHER	P&Z CASE NUMBER <u>2025-08-027</u>
			DATE OF HEARING <u>9-23-2025</u>

VARIANCE

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 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.
- 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.
- 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.

Variance Request Letter

Applicant: Claudia Mustafa

Property Address: 5208 Driscoll Ct, Belle Isle, FL

b.

To the City of Belle Isle Planning & Zoning Board:

I respectfully request a variance to allow the rear fence on my property, located at 5208 Driscoll Ct, to be raised to a height of eight (8) feet.

Special Conditions and Circumstances

My backyard, where my swimming pool is located, is in an elevated position relative to the neighboring property at 5225 St. Regis Place. From our yard and pool deck, we can see directly into the living areas of their house, and likewise, they can see into ours. This creates a unique condition of lack of privacy that does not exist in the same way for other homes in the area.

Not Self-Created Hardship

The hardship is not self-created. The elevated grading of my property in relation to the western neighbor is a natural topographical condition. This situation was not caused by any action on my part.

Minimum Variance

The requested height of 8 feet is the minimum variance necessary to achieve the reasonable use of the backyard and pool area with adequate privacy. Lower fence heights, such as six feet, do not provide effective screening given the elevation difference. Alternatives such as landscaping or screens would not address the line of sight from the elevated pool area into the neighbor's home.

Purpose and Intent

Approval of this variance is in harmony with the general purpose and intent of the Code. The variance will not be injurious to the neighborhood or detrimental to public welfare. In fact, it will:

- Provide mutual privacy for both households, reducing the ability to see directly into each other's living spaces.
- Preserve the aesthetic consistency of the area, as 8-foot fencing already exists on adjacent lots.
- Protect the enjoyment and use of our swimming pool and backyard without imposing on the rights or light, air, or access of surrounding properties.

Neighbor Input and Precedent

- **Support:** Written authorization has been received from the southern neighbor at 5216 Driscoll Ct.
- **Existing Context – North Side:** Our northern neighbor at 5200 Driscoll Ct already has an 8-foot fence adjoining our property.
- **Precedent – 5225 St. Regis Pl:** While the western neighbor at 5225 St. Regis Place has expressed opposition, it should be noted that they previously allowed their northern neighbor at 5208 St. Regis Place to build an 8-foot fence. There is therefore precedent for 8-foot fencing in their immediate boundary lines.

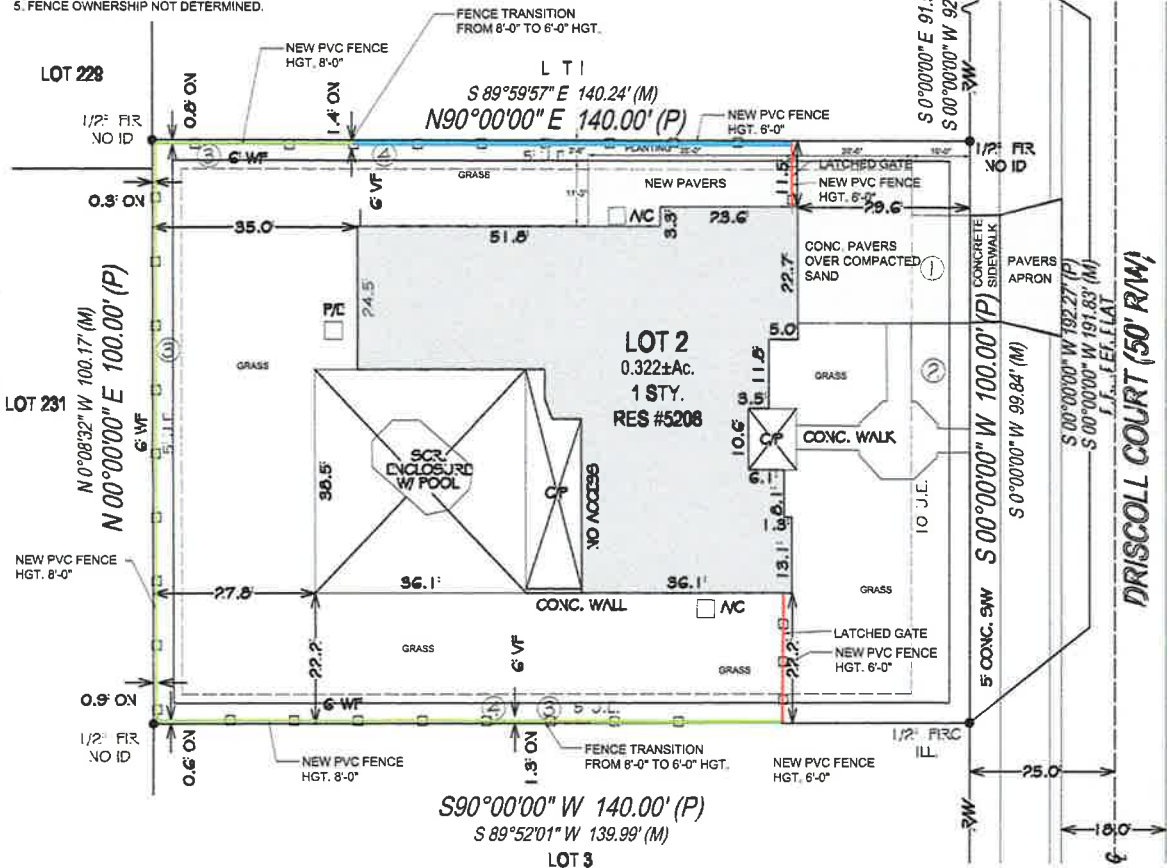
For these reasons, I kindly request the Board's approval of this variance to allow an 8-foot fence at 5208 Driscoll Ct.

Respectfully submitted,

Claudi Mustafa

2407.6248 BOUNDARY SURVEY ORANGE COUNTY

SURVEY NOTES:
1. CONCRETE DRIVEWAY OVER 10' UTILITY EASEMENT.
2. CONCRETE WALK OVER 10' UTILITY EASEMENT.
3. 6" VINYL FENCE OVER 5' UTILITY EASEMENT.
4. 6" WOOD FENCE OVER 5' UTILITY EASEMENT.
5. FENCE OWNERSHIP NOT DETERMINED.



PROPOSED FENCE - SITE PLAN

SCALE: 1" = 10'-0"

LEGEND:

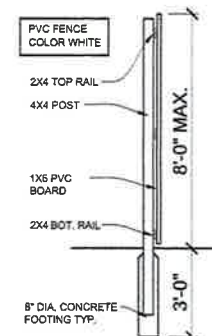
- 6'-0" FENCE HEIGHT
- 8'-0" FENCE HEIGHT PROPOSED
- 8'-0" FENCE HEIGHT EXISTING

FENCE NOTES:

- ALL GATES SHALL BE WITH LATCHED WITHOUT LOCK
- ALL FOUNDATIONS SHALL BE WITHIN THE BOUNDARIES OF THE PROPERTY. CONTRACTOR AND/OR TRADE SHALL COORDINATE AND VERIFY ALL DIMENSIONS AND CLEARANCES FROM THE PROPERTY LINES.
- FENCE SHALL BE INSTALLED / ERECTED IN ACCORDANCE TO THE LATEST EDITION OF THE FBC 2023 AND ALL STATE AND LOCAL CODE, REGULATIONS, AND ORDINANCES.
- IT IS ASSUMED FROM SITE OBSERVATIONS THAT THE SITE IS FLAT AND GRADE IS AT THE SAME LEVEL FOR THE LENGTH OF THE PROPOSED FENCE UNLESS A TOPOGRAPHY SURVEY IS FURNISHED SHOWING INFORMATION TO THE CONTRARY.

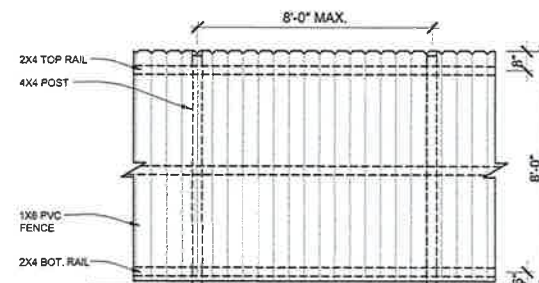
GENERAL NOTES:

- STRUCTURE IS SUBJECT TO FIELD VERIFICATION AND CHANGES. ANY CHANGES THAT ARE DEEMED NECESSARY ARE TO BE REPORTED TO E.O.R. BEFORE MAKING SAID CHANGES.
- DO NOT SCALE DRAWINGS. THE CONTRACTOR AND SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO WORK PERFORMED AND SHALL NOTIFY THE DESIGNER OR ENGINEER IF ANY DISCREPANCIES ARE FOUND.
- THESE DRAWINGS ARE NOT INTENDED TO COVER ALL CONDITIONS. FIELD DECISIONS MAY NEED TO BE MADE BY E.O.R. OR D.O.R. IF THIS SITUATION ARISES, PLEASE CONTACT E.O.R. OR D.O.R. AT PHONE NUMBER IN TITLE BLOCK. CONTRACTOR SHALL ALLOW FOR MINOR ADJUSTMENTS.
- ANY CHANGES TO FLOOR PLAN OR ELEVATIONS MUST BE REPORTED TO E.O.R. OR D.O.R. FOR APPROVAL.
- EA DESIGN CONCEPTS AND/OR M&E ASSOCIATES SHALL NOT BE HELD LIABLE FOR ANY FIELD CHANGES MADE THAT ARE NOT REPORTED TO THEM PRIOR TO MAKING SAID CHANGES.
- ALL WORK DONE UNDER THIS CONTRACT SHALL BE IN COMPLIANCE WITH THE 8TH EDITION (2023) FLORIDA BUILDING CODE (FBC), FOR THE AREA IN WHICH THE RESIDENCE IS TO BE BUILT, AND IN CONJUNCTION WITH ASCE 7-16 AND ALL LOCAL CODE OF ORDINANCES.
- THE CONTRACTOR SHALL BRING ERRORS AND OMISSIONS WHICH MAY OCCUR IN CONTRACT DOCUMENTS TO THE ATTENTION OF THE DESIGNER IN WRITING AND WRITTEN INSTRUCTIONS SHALL BE OBTAINED BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR THE RESULTS OF ANY ERRORS, DISCREPANCIES OR OMISSIONS IN THE CONTRACT DOCUMENTS, OF WHICH THE CONTRACTOR FAILED TO NOTIFY THE DESIGNER BEFORE CONSTRUCTION AND/OR FABRICATION OF THE WORK.
- THE DESIGNER/ENGINEER SHALL NOT BE RESPONSIBLE FOR THE SAFETY AND CONSTRUCTION PROCEDURES, TECHNIQUES, OR THE FAILURE OF THE BUILDER TO CARRY OUT THE WORK IN ACCORDANCE WITH THE DRAWINGS OR THE REQUIRED CODES.
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FENCE SECTION

SCALE: 1/2" = 1'-0"



PVC FENCE ELEVATION

SCALE: 1/2" = 1'-0"

EA DESIGN CONCEPTS
5306 SHEA ST UNIT 101
ORLANDO, FL 32814
PHONE: 407.457.8855

NEW FENCE & PAVERS
5208 Driscoll Ct., Belle Isle, FL, 32812

REVISIONS
DATE DESCRIPTION
01/16/24 FOR PERMIT

SHEET NAME

SITE PLAN

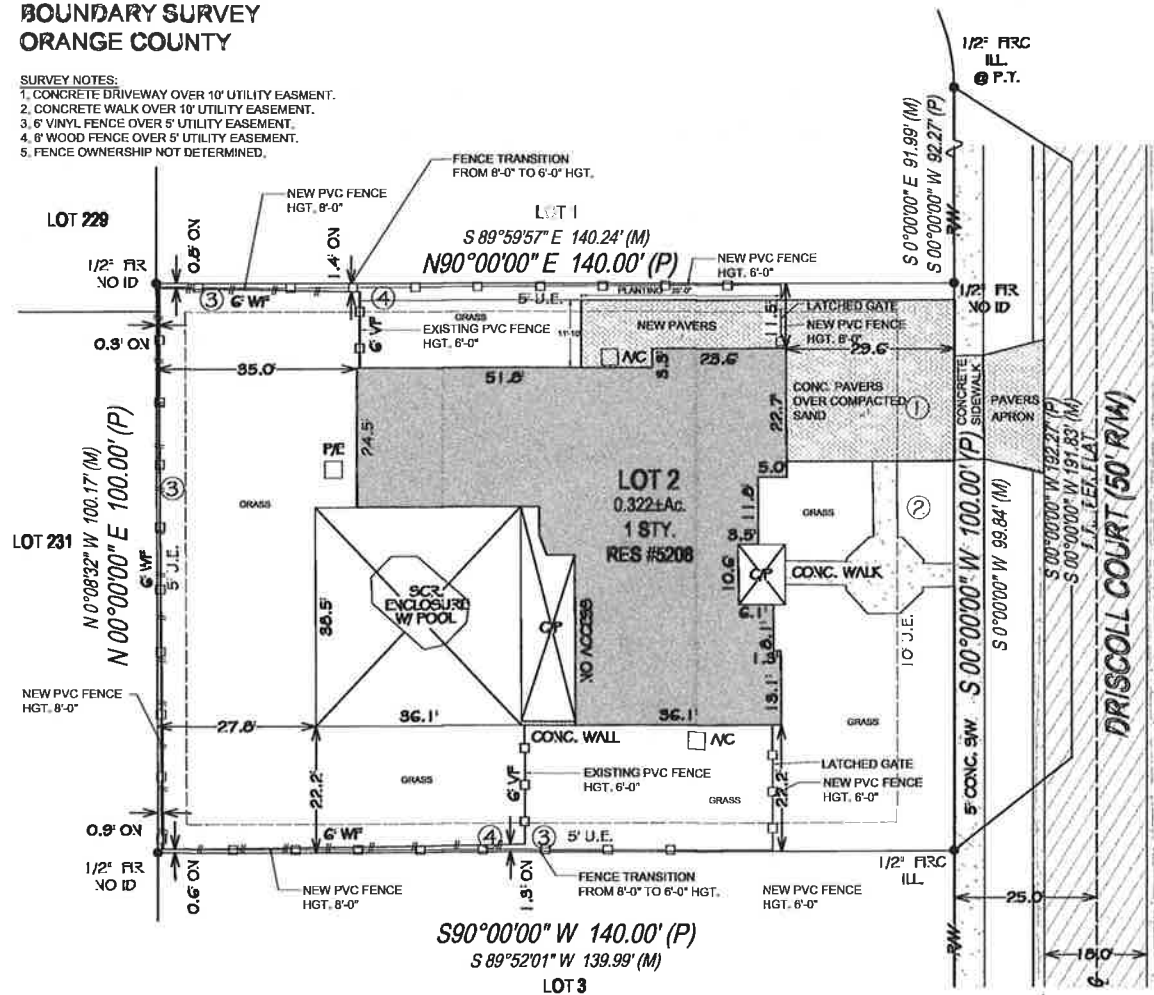
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2407.6248
BOUNDARY SURVEY
ORANGE COUNTY

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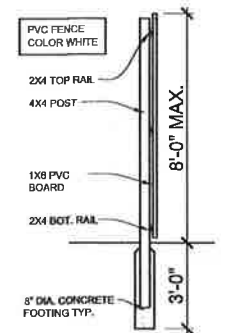
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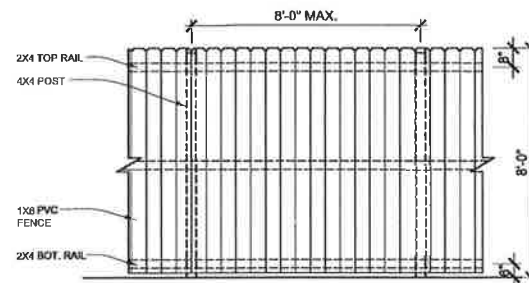
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FENCE SECTION

SCALE: 1/2" = 1'-0"



PVC FENCE ELEVATION

SCALE: 1/2" = 1'-0"

EA DESIGN CONCEPTS
5208 Driscoll Ct., Belle Isle, FL 32812
PHONE: 407.457.8868

NEW FENCE & PAVERS
5208 Driscoll Ct., Belle Isle, FL 32812

REVISIONS
DATE DESCRIPTION
1 8/16/24 FOR PERMIT

SHEET NAME

SITE PLAN

SHEET NUMBER

A1.0

Prepared by and Return To:

Brenda Chesher
Fidelity National Title of Florida, Inc.
7208 W. Sand Lake Rd, Suite 102
Orlando, FL 32819

Order No.: 29-24-0313

For Documentary Stamp Tax purposes the
consideration is \$675,000.00

Doc Stamp: \$4,725.00

APN/Parcel ID(s): 20-23-30-1222-00020

WARRANTY DEED

THIS WARRANTY DEED dated August 9, 2024, by Beverly Jane Smithwick, a single woman, Individually and as Trustee under the provisions of an unrecorded trust agreement known as the Beverly Jane Smithwick Revocable Trust, dated the 21st day of May, 1991, as the same may from time to time be amended, hereinafter called the grantor, to Yarcel Romero Llanes and Claudia Mustafa, husband and wife, whose post office address is 5208 Driscoll Ct, Belle Isle, FL 32812, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in the County of Orange, State of Florida, to wit:

Lot 2, Castles at the Lake, according to the map or plat thereof, as recorded in Plat Book 22, Page(s) 27, of the Public Records of Orange County, Florida.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

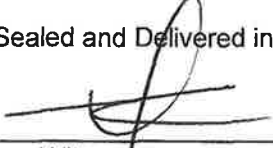
TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2023.

WARRANTY DEED (continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:




Witness Signature
Yenisey Garcia
Print Name
Address: 2343 Juno Ave
Orlando FL 32817

Beverly Jane Smithwick Revocable Trust, dated the 21st day of May, 1991 as the same may from time to time be amended

BY: Beverly Jane Smithwick
Beverly Jane Smithwick
Individually and as Trustee

Address: 1733 Lake Grove Ln
Orlando, FL 32806




Witness Signature
DAVID WOOLKOFF
Print Name
Address: 6915 ORLANDO AVE #200
WINTER PARK, FL 32789

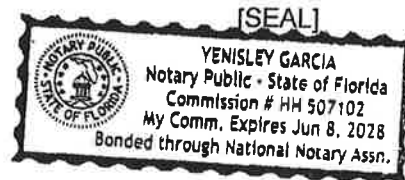
State of Florida

County of Orange

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [☐] online notarization, this 7 day of August, 2024, by Beverly Jane Smithwick, a single woman, Individually and as Trustee under the provisions of an unrecorded trust agreement known as the Beverly Jane Smithwick Revocable Trust, dated the 21st day of May, 1991, as the same may from time to time be amended, to me known to be the person(s) described in or who has/have produced FL Driver License as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same.



NOTARY PUBLIC
My Commission Expires: 6/8/28



Claudia Mustafa

5208 Driscoll Ct Belle Isle, FL 32812

Eric Dominguez

5206 St Regis Belle Isle, FL 32812

Dear Mr. Dominguez,

I am writing to inform you of a proposed enhancement to my property located at 5208 Driscoll Ct, Belle Isle. As part of this project, I am planning to erect an eight-foot-tall fence along the boundary of our properties.

This fence is designed to provide increased privacy and security for both our properties. The specific details of the fence are as follows:

☑ Height: 8 feet

☑ Material: Vinyl

☑ Color: White

☑ Style: Privacy

☑ Length and Position: 5 feet along the property line

In accordance with the City of Belle Isle's regulations, I am required to obtain written consent from neighboring property owners within 50 feet of the project site. Your property at 5206 St Regis, Belle Isle, is within this range, and as such, your consent is kindly requested to proceed with this project.

Thank you for considering this request. I look forward to your favorable response and to making enhancements that will benefit both our properties.

Sincerely,

Claudia Mustafa

Consent Form

As the property owner of 5206 St Regis, I hereby give my consent for the construction of an eight-foot-tall fence in accordance with the work scope detailed in the letter above.

Signature: 

Date: 18-08-25

Claudia Mustafa
5208 Driscoll Ct Belle Isle, FL 32812
John Rowe
5216 Driscoll Ct Belle Isle, FL 32812

Dear Mr. Rowe,

I am writing to inform you of a proposed enhancement to my property located at 5208 Driscoll Ct, Belle Isle. As part of this project, I am planning to erect an eight-foot-tall fence along the boundary of our properties.

This fence is designed to provide increased privacy and security for both our properties. The specific details of the fence are as follows:

- ☑ Height: 8 feet
- ☑ Material: Vinyl
- ☑ Color: White
- ☑ Style: Privacy
- ☑ Length and Position: 74.8 feet along the property line

In accordance with the City of Belle Isle’s regulations, I am required to obtain written consent from neighboring property owners within 50 feet of the project site. Your property at 5216 Driscoll Ct, Belle Isle, is within this range, and as such, your consent is kindly requested to proceed with this project.

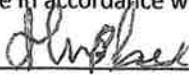
Thank you for considering this request. I look forward to your favorable response and to making enhancements that will benefit both our properties.

Sincerely,

Claudia Mustafa

Consent Form

As the property owner of 5216 Driscoll Ct, I hereby give my consent for the construction of an eight-foot-tall fence in accordance with the work scope detailed in the letter above.

Signature: 
Date: 20 Aug 2025



September 16, 2025

Variance Application: 5208 Driscoll Court

Planning and Zoning Case Number 2025-08-027: 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 SECTION 50-102 (B) (5) (A) TO ALLOW A FENCE HEIGHT TALLER THAN SIX FEET, SUBMITTED BY APPLICANT HERBERT BETANCOURT, ON BEHALF OF THE PROPERTY OWNER, CLAUDIA MUSTAFA FOR THE PROPERTY LOCATED AT 5208 DRISCOLL COURT, BELLE ISLE, FLORIDA 32812, ALSO KNOWN AS PARCEL ID # 20-23-30-1222-00-020.

Project Description and Background:

This application seeks a variance from Sec. 50-102 (b) (5) (a) to allow an eight-foot tall fence in the rear and side rear yards. The applicant has provided that there is a grade change between the abutting properties that negatively affects privacy. There is currently a six-foot fence on the property.

The board in granting an application for the variance may consider as justifying criteria, the following from Sec. 50-102 (b) (16):

1. A difference in grade between the property upon which the fence will be installed and the immediately adjacent property;
2. The height or construction materials of already existing abutting walls or fences; and/or
3. Conditions existing upon or occupational use of adjacent property creating an exceptional privacy or security need of applicant.

The requirements of Sec. 42-64 (1) except for subsections 42-64 (1) (d) and (1) (f) shall otherwise be met.

The applicant has provided information supporting the variance request. Please see this information enclosed with this agenda item packet.

Staff Recommendation

Based on the applicant's identification that privacy is a concern due to the grade change between properties, making her backyard visible even with the six-foot fence, staff recommends approval of the requested variance. These items identified are consistent with meeting the criteria established in Sec. 50-102 (b) (16) (1) and the required criteria in Sec. 42-64 (1).

Next Steps

The Board may approve the variance application as it is, with specific conditions, continue the application if additional information is requested, or deny the application.

A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Sec. 42-71.

Motion Examples:

1. Approve the requested variance to allow a fence height taller than six feet consistent with the plan submitted with this application, or
2. Deny the requested variance to allow a fence height taller than six feet, or
3. Continue the requested variance pending additional information [specify information needed] from the applicant.