



CITY OF BELLE ISLE, FL

PLANNING & ZONING BOARD MEETING

Held in City Hall Chambers 1600 Nela Ave Belle Isle FL

Held the 4th Tuesday of Every Month

Tuesday, April 26, 2022 * 6:30 PM

AGENDA

Planning and Zoning Board Members

District 5 member – Rainey Lane, Chair

District 1 member – David Woods, Vice Chair

District 2 member – Christopher Shenefelt | District 3 member – Michael Statham | District 4 member – Vinton Squires

| District 6 member – Andrew Thompson | District 7 member – Dr. Leonard Hobbs

Welcome to the City of Belle Isle Planning & Zoning meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at cityofbelleislefl.org. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. CAUTION: Untimely filing by any appellant shall 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

3. Approval of Minutes

a. Approval of the March 22, 2022 minutes

4. Public Hearings

a. PUBLIC HEARING CASE #2022-03-051 - PURSUANT TO BELLE ISLE CODE SEC. 42-64, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CANAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

5. Other Business

6. Adjournment

APPEALS: "If a person decides to appeal (Belle Isle's City Code Section 42-71) any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105). 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. --Page 1 of 1



CITY OF BELLE ISLE, FL
PLANNING & ZONING BOARD MEETING
Held in City Hall Chambers 1600 Nela Ave Belle Isle FL

Tuesday, March 22, 2022, * 6:30 pm
MINUTES

The Belle Isle Planning & Zoning Board met in a special session on March 22, 2022, at 6:30 pm at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

- Board member Lane
- Board member Squires
- Board member Woods
- Board member Statham
- Board member Hobbs

Absent was:

- Board member Thompson
- Board member Shenefelt

Also present were City Manager Bob Francis, Attorney Dan Langley, City Planner Raquel Lozano, and City Clerk Yolanda Quiceno.

1. Call to Order and Confirmation of Quorum

Chairman Lane called the meeting to order at 6:30 pm. The City Clerk confirmed the quorum.

Chairman Lane stated that she would be leaving the meeting early due to other obligations and would turn over the meeting to Vice-Chair Woods.

2. Invocation and Pledge to Flag – Board member Hobbs, District 7

Chairman Lane asked for a motion to excuse Board member Thompson and Board member Shenefelt from tonight's meeting. **Board member Woods moved to excuse the absence of Board member Thompson and Board member Shenefelt. Board member Hobbs seconded the motion, which passed unanimously 5:0.**

3. Approval of Minutes

a. Approval of P&Z meeting minutes - February 22, 2022

Board member Woods moved to approve the minutes of February 22, 2022, as presented. Board member Statham seconded the motion, which passed unanimously 5:0.

4. Public Hearings

a. **Public Hearing Case #2022-03-011-PURSUANT TO BELLE ISLE CODE SEC. 42-64, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FROM THE REAR BUILDING SETBACK REQUIREMENTS OF A R-1-AA RESIDENTIAL PROPERTY TO ALLOW AN ENCROACHMENT OF 3 FEET INTO THE REQUIRED 35-FOOT REAR SETBACK, SUBMITTED BY APPLICANT DAVID SUTTON, LOCATED AT 4221 KEZAR COURT, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-1661-01-040.**

Board member Woods read Public Hearing Case #2022-03-011 by title.

David Sutton residing at 4221 Kezar Court, said he is applying for a variance because he wants to enjoy his property safely. He said the four-foot house extension and enclosed area fall within the 35' egress line. The screened-in area on the east side extends beyond the Code only by 2'-8", which is insignificant to the entire length of the property. He further added that the neighbor to the east has his home past his easement with a pool. Mr. Sutton provided a letter from the HOA approving the request.

APPEALS: "If a person decides to appeal (Belle Isle's City Code Section 42-71) any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105). 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. --Page 1 of 3

Joe Pellegrino, Architect for 4221 Kezar Court, said he was unaware of the City's setback and designed the plans with the 15" setback similar to the surrounding cities. He noted that the encroachment is minor and in harmony with the neighborhood.

Chairman Lane called for public comment. There being none, she closed public comment and opened for Board discussion.

Raquel Lozano, City Planner, submitted a staff report dated March 22, 2022, and referenced the four criteria. She noted that the variance is not self-created and meets the reasonable use of the land, maintaining a 32' setback, and is in harmony with the general purpose of the Code. Staff recommends approval of the variance with the condition that retention is provided to account for the exceeding by 2.2% impervious surface ratio of 35%.

Board member Woods said he disagrees with staff that criteria #2 is not being self-created. However, the other three criteria have been met. Discussion ensued on the proposed added drainage. Board member Woods said a retention solution might be to add a drainage swale or re-grade a portion of the backyard to not interfere with mowing or use of the yard.

Board member Statham moved, pursuant to Belle Isle Sec. 42-64 of the Belle Isle Land Development Code having been met, to approve a variance from the rear building setback requirements of an R-1-AA residential property to allow encroachment of 3-feet into the required 35-foot rear setback with the condition that the applicant provided for the overage of the 2.5% impervious surface, submitted by applicant David Sutton, located at 4221 Kezar Court, Belle Isle FL 32812 also known as Parcel # 20-23-30-1661-01-040.

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

City Manager Francis stated that the applicant should wait the 15-day waiting period for any appeals before starting construction.

Chairman Lane excused herself, and Vice-Chair Woods continued the meeting.

5. Other Business
a. Discussion of Artificial Turf

Charlene Mertz residing at 2225 Hoffner Avenue provided pictures of the backyard and the areas where she installed artificial turf and would like to see the City consider using artificial turf in Belle Isle. She said many types, from low, mid, and high-grade materials, allow for good drainage. Mr. Francis said more residents are requesting it in their yard. He would like to open a broader discussion and possibly include it in the Land Development Code, prohibit it and only approve through a variance, or restrict it entirely except for those grandfathered-in. In addition, Mr. Francis noted that the Land Development Code is silent on residential landscaping and should be addressed at a later time.

Board member Statham said Orange County has a code for residential landscaping with mitigation. He said he sent the former Planner documents on artificial turf for review.

Vice-Chair Woods said he would like to know how artificial turf holds up in Florida weather and the type of material used. Mr. Francis said the City staff requested recyclable materials be used in the installation on Cove Drive.

Attorney Langley said the City of Winter Park has gone through recent discussions and has included artificial turf as an imperious surface (i.e., pavers) or pervious surface with a condition to replace within 5-10 years to allow continuous drainage.

Board member Squires said the turf does look good and is ideal for areas around air conditioning units where natural grass is hard to maintain.

Vice-Chair Woods said artificial turf seems to be the move of the future and will need more information before moving forward. Mr. Francis said staff can bring forward more information for a future meeting.

APPEALS: "If a person decides to appeal (Belle Isle's City Code Section 42-71) any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105). 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. --Page 2 of 3

Board member Statham moved to recommend an Artificial Turf Moratorium to Council to allow staff to research further. Vice Chair Woods seconded the motion which passed 3:1 with Board member Squires, nay.

6. Adjournment

There being no further business, Vice Chair Woods called for a motion to adjourn the meeting, unanimously approved at 7:25 pm

MEMORANDUM

TO: Planning and Zoning Board

DATE: April 26, 2022

PUBLIC HEARING CASE #2022-03-051-PURSUANT TO BELLE ISLE CODE SEC. 42-64, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CANAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND TO ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

Background:

1. On March 23, 2022, the applicants, Craig and Rachelle Huff, submitted a request, application, and required paperwork. On April 13th the applicants submitted a revised application and supplement.
2. A Notice of Public Hearing legal advertisement was placed on Saturday, April 16, 2022, in Orlando Sentinel.
3. Letters to the abutting property owners were mailed within 300 feet of the subject property on April 15, 2022.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings of fact that are presented at the public hearing. The Board will need to 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 SEC. 42-64 of the Belle Isle Land Development Code, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), having been met **TO APPROVE THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CANAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND TO ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.**

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.

SAMPLE MOTION TO DENY:

"I move, pursuant to Belle Isle Code SEC. 42-64, the justifying criteria of the Belle Isle Land Development Code, having NOT been met; [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] TO DENY SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8),

- THE CURRENT FENCE INSTALLATION IN THE FRONT YARD,
- MAINTAIN THE BACKYARD FENCE BY THE CANAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT,
- THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER,

SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

City of Belle Isle

1600 Nela Avenue, Belle Isle, Florida 32809 * Tel 407-851-7730 * Fax 407-240-2222

APPLICATION FOR VARIANCE / SPECIAL EXCEPTION

DATE: January 26, 2022 P&Z CASE #: _____

✓ VARIANCE □ SPECIAL EXCEPTION □ OTHER DATE OF HEARING: _____

Applicant	Craig & Rachelle Huff	Owner	Craig & Rachelle Huff
ADDRESS	6805 Barby Lane Belle Isle FL 32812		
PHONE:	407.952.2481		
PARCEL TAX ID #:	20 - 23 - 30 - 8860 - 00 - 010		

LAND USE CLASSIFICATION: **0131 - SFR - CANAL FRONT** ZONING DISTRICT: **R - 1 - AA**

DETAILED VARIANCE REQUEST: **Requesting to keep; -Front fence at the height of 4ft, length of 35ft
-Fence gate at 6ft height.
-Backyard fence at height of 6ft, length 70ft.**

Requesting to complete:

- Replace the "Rough Side" of the fence that currently faces the next door neighbors to a "Finished Side".
- Install front yard fence that connects to the current fence, length 38ft, height 4ft.

SECTION OF CODE VARIANCE REQUESTED ON: **CHAPTER 50 ARTICLE IV - 50 - 102 (B)**

- 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 a period of nine (9) months prior to the filing of the application. Further that the requested use does not violate any deed restriction of the property.
- By submitting the application, 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 of my property to which the application applies.
- Applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) photograph of the front of the property and at least two photographs (from different angles) of the specific area of the property to which the application applies.
- Sec. 42-64. - Variances.** The board shall have the power to approve, conditionally approve or deny applications for 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 Development Code or for the purpose of obtaining a variance.
 - It is determined that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
 - 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.

Revised: 4/13/2022

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

a.

(2) Violations of conditions.

- a. In granting any variance, the board may prescribe appropriate conditions and safeguards to ensure compliance 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 discretion of the board, such variance may be revoked for violation of the condition and/or 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 or both. Under no circumstances, except as permitted above, shall the board grant a variance to permit a use not generally or by special exception permitted 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.

Cuy
 APPLICANT'S SIGNATURE

Cuy
 OWNER'S SIGNATURE

FOR OFFICE USE ONLY:

FEE: \$300.00

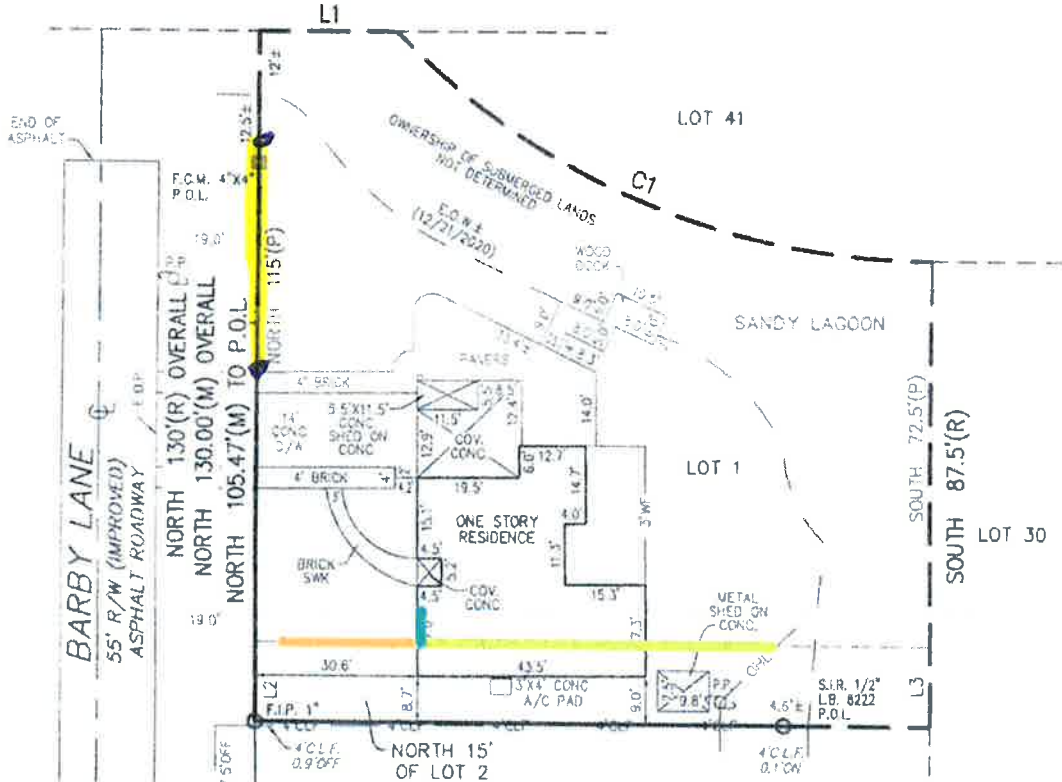
LL
 3/23/22 111232477
 Date Paid Check/Cash Rec'd By
 HRP

Determination _____

Appealed to City Council: Yes No

Council Action: _____

DETAILED VARIANCE REQUEST



MAP KEY

FRONT YARD FENCE DIMENSIONS
 HEIGHT 4 FT
 LENGTH 35 FT

FENCE GATE DIMENSIONS
 HEIGHT 6 FT

BACK YARD FENCE DIMENSIONS
 HEIGHT 6 FT
 LENGTH 70 FT



6805 BARBY LANE



6911 BARBY LANE



Mail body:

TO WHOM IT MAY CONCERN,

MY WIFE AND I HAVE RENTED THIS HOUSE LOCATED AT 6805 BARBY LANE IN BELLE ISLE FOR 2 YEARS AND WE WERE VERY EXCITED TO BE ABLE TO PURCHASE, MAKING IT OUR FOREVER HOME IN JANUARY 2021.

BEING NEW HOMEOWNERS OF THIS HOUSE AND FIRST TIME HOMEOWNERS BOTH MY WIFE AND I, WE WERE EAGER TO START OUR LIST OF HOME IMPROVEMENTS. AS EXCITED AND EAGER AS WE WERE, WE DID NOT GO THROUGH THE CORRECT PROCESS OR PROCEDURES. MY WIFE AND I, WOULD LIKE TO PUBLICLY APOLOGIZE FOR THAT AND SINCE WE ARE THE CURRENT HOMEOWNERS, WE ARE FULLY AWARE THE RESPONSIBILITY LIES WITH US.

THE FENCE VENDOR WE CHOSE TO COMPLETE THE NEW FENCE, DID NOT INFORM US THAT A PERMIT WAS NEEDED. I HAVE SPOKE WITH THE COMPANY REGARDING THE MISINFORMATION, AND AS YOU CAN SEE FOR YOURSELF TODAY, THEY ARE NOT HERE TO EXPLAIN THEIR ACTIONS.

BEFORE OUR FENCE WAS INSTALLED, MY WIFE AND I HAD A PROMINENT VIEW OF OUR NEIGHBORS DISHEVELED APPEARANCE. WE COMPLETELY UNDERSTAND IT'S OUR NEIGHBORS PREROGATIVE TO KEEP THEIR PROPERTY APPEARANCE IN SUCH A WAY. HOWEVER, OUR FAMILY WOULD PERFER NOT TO VIEW SUCH APPEARANCES WHILE ENJOYING OUR HOME. THIS IS THE SOLE REASON FOR BUILDING THE FENCE.

I APPRECIATE YOUR VOLUNTEER WORK ON THIS BOARD AND IT IS SO GREAT TO KNOW THAT NEIGHBORS MAKE UP THIS BOARD. ON BEHALF OF RACHELLE AND I, WE APPRECIATE YOUR CONSIDERATION OF OUR VARIANCE REQUEST.

CRAIG AND RACHELLE HUFF
6805 BARBY LANE, BELLE ISLE, FL 32812
407.952.2481
CRGHFF@YAHOO.COM

Variance Request – Application Supplement

*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 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 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. 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 actions of the applicant. A personal (self-created) hardship shall not justify a variance; i.e. when the applicant by their own conduct creates the hardship alleged to exist, they are not entitled to relief. 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 possible the reasonable use of the land, building or structure. 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, you do not have to comply with Sec. 42-64 (1) d and (1) f.

Dear Members of the Zoning Board of Appeals:

The reasoning for the fence variance request is as follows:

- Our variance request is to be able to keep the fence and gate that is located on the right side of the property. This is the same side of where our direct neighbors are located at address 6811 Barby Lane. The fence and gate we would like to keep, will only help with providing our family and pet with security, safety, and privacy.
- Our property is substantially different and unique from our direct neighbor located at address 6811 Barby Lane and other properties in the same zoning district or vicinity. Our property is located at the end of the street, with one direct neighbor located on the right side and 65% of the property (backyard and the left side of the property) is surrounded by water (canal).
- Without the variance, we would be denied the same rights and privileges enjoyed by others in the same zoning district or vicinity, including our direct neighbors located on the right side of our property at address 6811 Barby Lane.
- The variance does not afford our family any special privileges, as we are only requesting to have a fence located on the right side of our property, the only location where a fence can be built due to the uniqueness of where our property is located. This is only to provide our family and pet with security, safety, and privacy.
- Our direct neighbors located to the right side of our property at address 6811 Barby Lane currently has a chain-link fence that is between our two properties. Chain-link fencing provides the least amount of security, safety and privacy and our known for safety hazards.
- Our direct neighbors located to the right side of our property at address 6811 Barby Lane, also has a gate installed on their chain-link fence located in their backyard, providing them with direct access to our property. Our direct neighbors have used this gate to access our property before in the past without permission.

Thank you for your time and consideration for approving our families request for a fence variance.

Revised 4/13/2022

VARIANCE REQUEST - APPLICATION SUPPLEMENT

#1 The circumstance on why we chose to build a fence between our next door neighbor located at 6911 Barby Lane, is because unfortunately their front and back yard is not pleasant to look at. They are collectors of junk and live like Sanford and Son but to each their own. They are more than welcome to live like that, but we should not have to view such disarray, as we are trying to create a beautiful, clean and upgraded property as brand new homeowners.

#2 These special conditions were created by the homeowners Roy & Doris Hannah at property 6911 Barby Lane. The owners are storing junk and other items against their chain link fence, as well as keeping their front and back yard very cluttered with odds and ends. See attached photos.

#3 Unfortunately there are no other way to accomplish our objective. We have tried to speak with them regarding. They are very uncooperative to say the least.

#4 If this variance to keep our beautiful fence is approved are as follows; Our fence improves the value of our home and the surrounding properties, the fence is a very beautiful and modern style fence making it very pleasant to look at, and it's creating privacy for our family to enjoy our front and back yard, not having to look at our neighbors unpleasant kept property. We have attached several letters from our direct surrounding neighbors regarding the fence improvement we have made and as you will read, they are all positive responses.

WE WOULD LIKE TO ADD;

We would like to proceed with a similar variance request that property 6904 Seminole Drive was approved for. They have a fence on the left side of the property. The fence is 6 ft in height in the front yard, 8 ft in height along the home and then in the back yard drops back to 6 ft all the way to the waters edge where the sea wall is located. Our fence is a much smaller version of this.

Mail body:

a.

To whom it concerns,

I think the huff family has done a great job with their property and it looks great!

Greg Meerbaum
3129 Indian Drive
Belle Isle FL 32812

Greg Meerbaum
Founder & CEO
126 S. Park Avenue, Suite C
Winter Park, FL 32789
Office: 1.888.411.2280
Cell: 561.703.8865
Greg@coastalinvc.com
www.coastalinvestmentco.com

To whom it may concern,

I am Jeff Rhoades who will be building a Single Family Residence at 3135 Indian Drive, Belle Isle Florida. Craig has reached out to me expressing a desire to have tree and fence within the right away of their property and have the intention of requesting a variance to accommodate this request. I have not permanently moved my residence to Belle Isle at this time but I believe that the requested variance requests for the fence and trees should be approved pending the city's lack of immediate need to use the offset on their property and understanding that the land be relinquished back to the city upon request.

Jeff Rhoades
3135 Indian Drive
Belle Isle, FL 32812

Sent from Yahoo Mail on Android

----- Forwarded Message -----

From: "Craig Heringhaus" <chaus21@aol.com>

To: "crgdff@yahoo.com" <crgdff@yahoo.com>

Sent: Wed, Mar 23, 2022 at 10:18 AM

Subject: Huff Residence

To whom it may concern -

I would like to commend Craig Huff and his family on the continuous improvement they have done to their residence at 6805 Barby Lane.

I have lived at our current home on the Willoughby Canal for nearly 13 years and have seen many tenants come and go from 6805 Barby Lane prior to Craig Huff purchasing it in January 2021. Over the years the home and landscaping appeared to be in constant disarray.

The Huff family has made significant exterior upgrades to their property over during their time living there. From our perspective, the quality of their fence and landscaping are very professionally done has only helped to enhance values of other homes along the Willoughby Canal.

I support Craig Huff and his family for the variance they are requesting to continue enhancing their home's value as well as the rest of the homes along the Willoughby Canal.

Regards,

Craig Heringhaus

3532 Country Lakes Dr

Belle Isle, FL 32812

Dear Craig Huff,

Thank you so much for improving your backyard, as it helps with the overall look while driving down the canal. While so many other neighbors use their backyard as a “trailer park”, you are truly helping create more of a “tropical vibe”.

- The palms = A+
- Rebuilding your dock with cool lighting = A+
- Fence = A + as well, helps block out other neighbor’s houses that don’t seem to care!

Only if you could help the other neighbors improve their backyard to continue with the tropical look!

Keep up the great work!

Best regards,

Joel Richwagen
3520 Country Lakes Dr.
Belle Isle, FL 32812
407-451-1103

a.



Prepared by
Carolyn O'Brien, an employee of
First American Title Insurance Company
601 N Magnolia Avenue, Suite 300
Orlando, Florida 32801
(407)345-0774

Return to: Grantee

File No.: 12655-2663963

TRUSTEE'S DEED

THIS INDENTURE, executed on **January 04, 2021**, between

Doris E. Hannah, a married woman, individually and as trustee under the Hannah Family Land Trust dated September 7, 2018

whose mailing address is: , ,
party of the first part, and

Craig Huff and Rachelle Huff, husband and wife and Barbara J. Huff, an unmarried woman as joint tenants with right of survivorship

whose mailing address is: 6805 Barby Ln, Belle Isle, FL 32812-3716,
party of the second part,

WITNESSETH: The party of the first part, for and in consideration of the sum of \$10.00 and other good and valuable consideration, receipt whereof is hereby acknowledged, by these presents does grant, bargain, release, convey and confirm to the party of the second part, their heirs and assigns, all that certain land situate in **Orange County, Florida**, to-wit:

Lot 1 and the North 15 feet of Lot 2, VENETIAN VILLAS, according to the Plat thereof recorded in Plat Book S, Page 69, Public Records of Orange County, Florida.

Parcel Identification Number: **20-23-30-8860-00010**

The land is not the homestead of the Grantor under the laws and constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

SUBJECT to covenants, restrictions, easements of record and taxes for the current year.

TRUSTEE, Doris Hannah, has full power to sell, transfer, mortgage said real estate.


TOGETHER WITH all singular the tenements, hereditaments and appurtenances belonging to or in anywise appertaining to that real property.

a.


AND the party of the first part does covenant to and with the party of the second part, their heirs and assigns, that in all things preliminary to and in and about the sale and this conveyance the Laws of Florida have been followed and complied with in all respects.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hand(s) and seal(s) the day and year first above written.


Hannah Family Land Trust dated September 7, 2018


Doris Hannah, Individually and as Trustee

Signed, sealed and delivered in our presence:


Witness Signature


Witness Signature

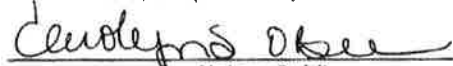

Print Name

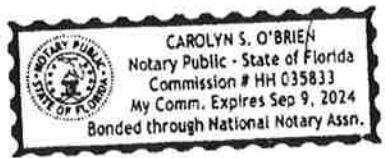

Print Name

State of FL

County of Orange

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED before me by means of physical presence or online notarization, on Jan 4, 2021, by **Doris E. Hannah, a married woman, individually and as trustee under the Hannah Family Land Trust dated September 7, 2018** who is/are personally known to me or has/have produced driver's license as identification.


Notary Public



(Printed Name)

My Commission expires: _____

{Notarial Seal}

20

APR 25 '22 11:13

Copy

April 13, 2022

To Mr. Robert Francis,

I am writing, in conjunction with my neighbors, to you regarding harassment and verbal abuse from my neighbor, Craig Huff. He lives at 6805 Barby Lane.

By signing this letter of appeal, we have agreed to document unneighborly behavior by Craig Huff including harassment and verbal abuse of neighbors. We seek to have these actions to come to a halt—cease and desist.

For many years, various people have walked to the end of Barby Lane to see the beautiful scenery of the canal and its wildlife. Sometimes people take pictures of the landscape.

The owner of the house at 6805 Barby Lane, Craig Huff, believes he owns the entire property at the end of Barby Lane. Whenever anyone walks in front of his house (even on the other side of the public street) there is an announcement that they are being recorded.

Craig Huff is verbally abusive; he is rude and has shouted obscenities at me and the other neighbors. He has shouted at people to stay away from his property (which he believes is the entire end of the road). He has actually called the police without cause. He followed one neighbor home to see where she lives! He is out of control.

He installed a jungle of trees and a six foot-high fence at the back of his property next to the canal which creates a blind spot and a potential hazard for anyone navigating the canal. It must be removed.

Thank You for Your Help and Advice on this matter,

Respectfully Yours:

Doris Hannah
Dimitra Rabbitt
Francis Kelly
Thomas R. Hancock
Rebecca Ellington
Bill Elliott
John White
Laura White

Doris
RA Kenney
Deborah Kenney
Alex Gonzalez
Jane Hansen
Jane Smith
Jane M. Smith
Mark Collier

over

over

April 13, 2022

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By signing this letter of appeal, we have agreed to document unneighborly behavior by Craig Huff including harassment and verbal abuse of neighbors. We seek to have these actions to come to a halt—**cease and desist**.

For many years, various people have walked to the end of Barby Lane to see the beautiful scenery of the canal and its wildlife. Sometimes people take pictures of the landscape.

The owner of the house at 6805 Barby Lane, Craig Huff, believes he owns the entire property at the end of Barby Lane. Whenever anyone walks in front of his house (even on the other side of the public street) there is an announcement that they are being recorded. Also, he waters his lawn every night, just not abiding by rules for everyone. Sprinkler is about 2" from pavement in front yard. When walking would not be allowed to step out of way of vehicle if coming.

Craig Huff is verbally abusive; he is rude and has shouted obscenities at other neighbors. He has shouted at people to stay away from his property (which he believes is the entire end of the road). He has actually called the police without cause. He followed one neighbor home to see where she lives! He is out of control.

He installed a jungle of trees and a six-foot-high fence at the back of his property next to the canal which creates a blind spot and a potential hazard for anyone navigating the canal. It must be removed.

Thank You for Your Help and Advice on this matter,

Respectfully Yours:



City of Belle Isle
1600 Nela Avenue, Belle Isle, FL 32809
Tel 407-851-7730 * Fax 407-240-2222 * www.cityofbelleislefl.org
Fence Permit Application
\$30.00 fee

Per LDC, Chapt. 50, Art. IV, Sec. 50-102(b) Fences and Walls:

(3) *General requirements for fences, walls, and privacy screens.* No fence, wall or privacy screen shall be installed, erected or maintained except in strict compliance with the following requirements:

- a. Metal fences shall consist of new materials manufactured and/or treated in a manner to prevent rust and corrosion.
- b. Wood fences shall be constructed of new materials and painted, stained or preserved in a manner to maintain the fence in good structural condition.
- c. Plastic or other synthetic material fences shall be constructed of material specifically manufactured as fencing, only new such materials shall be used and they shall be treated and maintained in a manner to maintain the fence in good structural condition and with an appearance that is aesthetically compatible with the type of fence it represents.
- d. Masonry walls shall be constructed of finished materials including, but not limited to, concrete masonry units, precast concrete panels, bricks, concrete, stucco, or stone.
- e. Privacy screens shall be an integral part of the design of and have an architectural texture, color, and material compatible with the residence on the property.

(4) *Conformity, permit required.* No person shall erect, build, construct, or reconstruct any fence, wall, or privacy screen or any section or portion thereof unless the same shall conform to these requirements and specifications. No person shall erect or construct any fence, wall, or privacy screen, or dig, auger or otherwise prepare post holes without first obtaining a permit for zoning approval.

(5) *Maximum height and permitted locations of fences, walls and privacy screens.*

- a. Except as provided in subsection (b)(5)b of this section, fences and walls shall be limited to a maximum height of six feet above natural grade in the rear and side yards. No fences or walls shall be permitted in front yards.
- b. A maximum fence height of eight feet shall be permitted in the following situations:



- 1. The property line along which the fence will be installed abuts a boat ramp facility, public park or commercially zoned property.
- 2. The property owner constructing the fence has obtained the written consent of all owners of property that either share a property line and property corner along which the fence or wall will be installed, and of any owner of property with a property line within 50 feet of the fence or wall to be installed.

c. Residential property owners shall not construct an additional fence or wall that abuts any subdivision or commercial screening wall and can be viewed from the abutting public right-of-way, street, sidewalk or abutting other public access area.

(6) *Construction of fences or walls near intersections and in rights-of-way.* In residential districts, no fence or wall shall be erected or maintained within 20 feet of a corner intersection of street rights-of-way. No fence or wall shall be constructed in the right-of-way.

(7) *Construction of fences or walls near Lake Conway.* No fence or wall located within 35 feet of the 86.9 contour line of Lake Conway shall exceed four feet in height.

(8) *Location along lot lines.* A structural fence or wall shall be erected so that the entire fence and all supporting structures are entirely on the owner's property.

Fence posts and all other supporting structures as well as rough side of the fence, if any, shall face the owner's property, except when said fence separates a residential lot from a business or industrial lot. No inspection or any permit issued by the city shall be any evidence or guarantee that the fence as been so correctly located on the subject property.

(9) *Construction requirements.* All fences and privacy screens shall be of an ornamental type, constructed of ornamental wire, wrought iron, PVC, wood, metal, plastic, or other synthetic material. All walls shall be constructed of finished materials including, but not limited to, concrete masonry units, bricks, concrete, stucco, or stone. All supporting post, cross members and protruding bolts, screens and/or hardware of site-obscuring fences and privacy screens shall be inside the property and faced toward the interior of the property of the person who erects, constructs or causes to have constructed the site-obscuring fence or privacy screen.

More information on this and other codes can be found on our website www.cityofbelleislefl.org under City Government.



*Cynthia
Sevin Center
Mich - Crowley*

**CITY OF BELLE ISLE,
FLORIDA**

1600 Nela Avenue
Belle Isle, Florida 32809
(407) 851-7730 • FAX (407) 240-2222
www.belleislefl.gov

a.

Mayor
Nicholas Fouraker

City Manager
Bob Francis

Planning & Zoning
Board

Rainey Lane
Chairman
District 5

David Woods
Vice-Chairman
District 1

Chris Shenefelt
District 2

Michael Statham
District 3

Vinton Squires
District 4

Andrew Thompson
District 6

Dr. Leonard Hobbs
District 7

April 14, 2022

Parcel #302329407700010

BELLE ISLE, FL 32809

APPLICANTS: CRAIG AND RACHELLE HUFF
ADDRESS: 6805 Barby Lane, Belle Isle, FL 32812

Dear Property Owner:

You are hereby given notice that the Planning & Zoning Board of the City of Belle Isle will hold an in-person Public Hearing on Tuesday, April 26, 2022, at 6:30 p.m., or as soon thereafter as possible, at the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809, to consider and take action on the following:

PUBLIC HEARING CASE #2022-03-051-PURSUANT TO BELLE ISLE CODE SEC. 42-64, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CANAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND TO ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

You are invited to attend and express your opinion on the matter. Any person(s) with disabilities needing assistance to participate in these proceedings should contact the Planning and Zoning office at (407) 851-7730 at least 24 hours before the meeting.

If you decide to appeal the decision made by the Board, you will need a record of the proceeding. For that purpose, you may need to ensure that a verbatim record of the hearing is made to include evidence and testimony upon which the appeal is based. The burden of making such a verbatim record is on the appellant. F.S. 286.0105; 1986 Op. Atty.

Sincerely,

Yolanda Quiceno
CMC-City Clerk

Patentia Marygrove Haas

Masks are recommended. Social distancing may be observed.

*PLEASE attend - no air flow up
Canal Fence way to huge - Need a 4 foot
and Moved back to Code!!*

Thanks



**CITY OF BELLE ISLE,
FLORIDA**

1600 Nela Avenue
Belle Isle, Florida 32809
(407) 851-7730 • FAX (407) 240-2222
www.belleislefl.gov

a.

Mayor
Nicholas Fouraker

April 14, 2022

City Manager
Bob Francis

Parcel #302329407700010
~~MCGRAW HILL~~
~~MCGRAW HILL~~
~~MCGRAW HILL~~
BELLE ISLE, FL 32809

Abide by Code!
No Variance allowed.
I vote NO!!
Drew F. INDIAN

Planning & Zoning
Board

APPLICANTS: CRAIG AND RACHELLE HUFF
ADDRESS: 6805 Barbby Lane, Belle Isle, FL 32812

Rainey Lane
Chairman
District 5

Dear Property Owner:

David Woods
Vice-Chairman
District 1

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Chris Shenefelt
District 2

PUBLIC HEARING CASE #2022-03-051-PURSUANT TO BELLE ISLE CODE SEC. 42-64, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CAÑAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND TO ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

Michael Statham
District 3

Vinton Squires
District 4

Andrew Thompson
District 6

Dr. Leonard Hobbs
District 7

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Sincerely,

Yolanda Quiceno
CMC-City Clerk

Potential Navigation Problem for water craft!

Masks are recommended. Social distancing may be observed.

PLEASE attend - No an flow up Canal fence way to huge. Need a 4 foot and Moved back to Code!!
Thanks



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www.belleislefl.gov

Mayor
Nicholas Fouraker

City Manager
Bob Francis

Planning & Zoning
Board

Rainey Lane
Chairman
District 5

David Woods
Vice-Chairman
District 1

Chris Shenefelt
District 2

Michael Statham
District 3

Vinton Squires
District 4

Andrew Thompson
District 6

Dr. Leonard Hobbs
District 7

April 14, 2022

Parcel #302329407700010

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
~~XXXXXXXXXX~~
BELLE ISLE, FL 32809

APPLICANTS: CRAIG AND RACHELLE HUFF
ADDRESS: 6805 Barby Lane, Belle Isle, FL 32812

Dear Property Owner:

Abide by Code
Variance
over 1 year coming

Rebecca Ellington

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Sincerely,

Yolanda Quiceno
CMC-City Clerk

Potential Navigation Problem for water craft!

Masks are recommended. Social distancing may be observed.

PLEASE attend no air flow up Canal Fence way to huge. Need a 4 foot and moved back to code!!
Thanks



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Mayor
Nicholas Fouraker

City Manager
Bob Francis

Planning & Zoning
Board

Rainey Lane
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David Woods
Vice-Chairman
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Chris Shenefelt
District 2

Michael Statham
District 3

Vinton Squires
District 4

Andrew Thompson
District 6

Dr. Leonard Hobbs
District 7

April 14, 2022

Parcel #302329407700010

~~MCCORMACK TABIA~~
~~MCCORMACK KEANETH~~
~~2021 HOMERIDGE DR~~
BELLE ISLE, FL 32809

APPLICANTS: CRAIG AND RACHELLE HUFF
ADDRESS: 6805 Barby Lane, Belle Isle, FL 32812

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Sincerely,

Yolanda Quiceno
CMC-City Clerk

a Potential Navigation Hassle!

Masks are recommended. Social distancing may be observed.

PLEASE attend - no air flow up Canal Fence way to huge - need a 4 foot and moved back to code!! - Thanks



**CITY OF BELLE ISLE,
FLORIDA**

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Belle Isle, Florida 32809
(407) 851-7730 • FAX (407) 240-2222
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a.

Mayor
Nicholas Fouraker

April 14, 2022

City Manager
Bob Francis

Parcel #302329407700010

~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~
BELLE ISLE, FL 32809

*Abide by Code
in No
Variance*

Planning & Zoning
Board

Rainey Lane
Chairman
District 5

APPLICANTS: CRAIG AND RACHELLE HUFF
ADDRESS: 6805 Barby Lane, Belle Isle, FL 32812

Dear Property Owner:

X [Signature]

David Woods
Vice-Chairman
District 1

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Chris Shenefeld
District 2

PUBLIC HEARING CASE #2022-03-051-PURSUANT TO BELLE ISLE CODE SEC. 42-64, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CAÑAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND TO ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

Michael Statham
District 3

Vinton Squires
District 4

Andrew Thompson
District 6

Dr. Leonard Hobbs
District 7

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Sincerely,
[Signature]
Yolanda Quiceno
CMC-City Clerk

Potential Navigators Assessed

Masks are recommended. Social distancing may be observed.

*PLEASE attend - no air flow up
Canal Fence way to huge - Need a 4 foot
and Moved back to Code!! - Thanks*



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www.belleislefl.gov

Mayor
Nicholas Fouraker

April 14, 2022

City Manager
Bob Francis

Parcel #302329407700010
~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~ EIH
~~XXXXXXXXXXXX~~ DR
BELLE ISLE, FL 32809

Planning & Zoning
Board

Rainey Lane
Chairman
District 5

APPLICANTS: CRAIG AND RACHELLE HUFF
ADDRESS: 6805 Barby Lane, Belle Isle, FL 32812

*Abide to Code No Variance!!
Wanted long enough
X Thomas Hannah*

Dear Property Owner:

David Woods
Vice-Chairman
District 1

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Chris Shenefelt
District 2

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Andrew Thompson
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Sincerely,

Yolanda Quiceno
CMC-City Clerk

Potential Navigation Problem for water craft!

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- Thanks*



**CITY OF BELLE ISLE,
FLORIDA**
1600 Nela Avenue
Belle Isle, Florida 32809
(407) 851-7730 • FAX (407) 240-2222
www.belleislefl.gov

★ NO VARIANCE ★
Jenya Hanson
6910 Barbey Lane

Mayor
Nicholas Fouraker

April 14, 2022

City Manager
Bob Francis

Parcel #302329407700010

~~NEEDER MARIA~~
~~MARIE M. HUFF~~
2240 HOMEWOOD DR
BELLE ISLE, FL 32809
32812

Planning & Zoning
Board

Rainey Lane
Chairman
District 5

APPLICANTS: CRAIG AND RACHELLE HUFF
ADDRESS: 6805 Barbey Lane, Belle Isle, FL 32812

Dear Property Owner:

David Woods
Vice-Chairman
District 1

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Chris Shenefelt
District 2

PUBLIC HEARING CASE #2022-03-051-PURSUANT TO BELLE ISLE CODE SEC. 42-64, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CANAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND TO ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

NO
Go By
Code

Michael Statham
District 3

Vinton Squires
District 4

Andrew Thompson
District 6

Dr. Leonard Hobbs
District 7

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Sincerely,

Yolanda Quiceno
CMC-City Clerk

NOT ACCEPTABLE

Navigation Potential Hazard

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April 14, 2022

City Manager
Bob Francis

Parcel #302329407700010

~~ADDRESS: 2225 HOPKINS DR
BELLE ISLE, FL 32809~~

★ NO VARIANCE ★
✓ [Signature]
6817 BARBY LN

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no Variance
PA Kennedy
Deborah Kennedy



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April 14, 2022

Parcel #302320886000021
HANNAH FAMILY LAND TRUST
C/O DORIS E HANNAH TRUSTEE | 6811 BARBY LN
BELLE ISLE, FL 32812

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CITY OF BELLE ISLE, FL

Planning and Zoning: Staff Report

April 26, 2022

Variance Application: 6805 Barby Lane

Applicant Request: PURSUANT TO BELLE ISLE CODE SEC. 42-64, SEC. 50-102 (B) (5), SEC. 50-102 (B) (7), AND SEC. 50-102 (B) (8), THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW THE CURRENT FENCE INSTALLATION IN THE FRONT YARD, MAINTAIN THE BACKYARD FENCE BY THE CANAL AT 6 FEET HIGH CONTRARY TO THE CODE STATING NO FENCE LOCATED WITHIN 35 FEET OF THE NORMAL HIGH WATER ELEVATION SHALL EXCEED FOUR FEET IN HEIGHT, AND TO ALLOW THE STRUCTURAL SMOOTH SIDE OF THE FENCE TO FACE THE PROPERTY OWNER AS THE ROUGH SIDE FACES THE NEIGHBOR IN OPPOSITION TO THE CODE STATING ALL SUPPORTING STRUCTURES OF THE FENCE AND POSTS FACE THE PROPERTY OWNER, SUBMITTED BY APPLICANTS CRAIG AND RACHELLE HUFF, LOCATED AT 6805 BARBY LANE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 20-23-30-8860-00-010.

Existing Zoning/Use: R-1-AA single family home

This variance application seeks a variance from Sec. 50-102 (b) (5) to allow a fence in the front yard, Sec. 50-102 (b) (7) to allow a six-foot high fence within 35 feet of the Normal High Water Elevation of Lake Conway, and to allow the rough side of the fence to face the neighboring lot contrary to Sec. 50-102 (b) (8).

The applicant has provided information supporting the variance request with commentary from surrounding neighbors citing the character of the property’s new fence. Please see this information enclosed with this agenda item packet.

Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below:

Staff finds the applicant’s supplement report does not address the variance application criteria (d-g). The variance request is self-created as the property owners did not apply for a permit or abide by the City’s code for fences. Additionally, the applicants did not list alternative methods in pursuit of attaining the minimum possible variance for their special circumstance. The unpermitted installation of the side fence has disrupted the character, harmony and public welfare of the whole neighborhood. While the applicant identifies concern for safety, security,

and privacy, a barrier can still be maintained by a four-foot high fence near the canal. As the fence stands, the six foot height can create a navigational issue for incoming/outgoing residents with access to the canal. Please see attached photos as evidence.

As a result, staff recommends denial of this requested variance application.

However, should the Board decide to approve this variance, a condition should be placed for the applicants to provide a survey of the house from a certified surveyor that clearly identifies that all portion of the fence is located on the owner’s property line when installing a smooth side to the fence facing their neighbor. While the applicant would like to make both sides of the fence smooth, the project proposal may be impossible to pursue as the property owner and neighbor fence abut one another. Please see attached photos.

Additional Notes

Please note that the Board may approve the proposed variance application as it is presented to them, approve with specific conditions, and continue the application if additional information is being requested for consideration, or deny the application, citing which criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-64.





