



## CITY OF BELLE ISLE, FL

### PLANNING & ZONING BOARD MEETING

Held in City Hall Chambers, 1600 Nela Avenue, Belle Isle Fl

Held the 4th Tuesday of Every Month

Wednesday, March 10, 2021 \* 6:30 PM

### AGENDA

#### CANCELED

#### Planning and Zoning Board Members

District 1 member – David Woods, VChair | District 2 member – Christopher Shenefelt | District 3 member – OPEN SEAT

District 4 member – Randy Holihan, Chair | District 5 member – Rainey Lane | District 6 member – Andrew Thompson

District 7 member – Dr. Leonard Hobbs

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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](http://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.

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1. **Call to Order and Confirmation of Quorum**
2. **Invocation and Pledge to Flag – Board Member Christopher Shenefelt**
3. **Public Hearings**
  - a. **PUBLIC HEARING CASE #2021-02-035-** PURSUANT TO BELLE ISLE CODE SEC. 42-63 AND SEC. 54-75 (C) (2) AND SEC. 54-75 (C) (3) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED SPECIAL EXCEPTION TO ALLOW A CHURCH WITH THEIR ATTENDANT EDUCATIONAL BUILDINGS AND RECREATION FACILITIES, AND/ OR A PARK AND RECREATION AREA OWNED AND OPERATED BY A NONPROFIT ORGANIZATION ON A SINGLE-FAMILY RESIDENTIAL PROPERTY, SUBMITTED BY APPLICANT TIM KUCK, LOCATED AT 7500 DAETWYLER DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 29-23-30-8036-01-010.
4. **Adjournment**

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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

# Public Notice

## CITY OF BELLE ISLE, FLORIDA

1600 Nela Avenue, Belle Isle, FL 32809

### PUBLIC ACCESS NOTICE FOR MARCH 10<sup>TH</sup>, 2021 P&Z BOARD MEETING/HEARING:

In addition to physical attendance, the City offers the following alternative ways of observing and participating in the March 10, 2021 Planning & Zoning Board meeting starting at 6:30 p.m.

Members of the public may observe the P&Z Board meeting by live streaming video and audio on the City's [Facebook](#) page at [City of Belle Isle, Florida](#).

For those seeking to make comments during the public hearing electronically or telephonically through Zoom, participants can access the meeting through the following link or telephone number:

When: **March 10, 2021, 06:30 p.m. Eastern Time** (the US and Canada)  
Topic: Planning & Zoning Board Meeting - March 10, 2021

Please click the link below to join the webinar:  
<https://us02web.zoom.us/j/88509519735?pwd=Z28wdEtQZ3J6RkVfYkVsK2dhc3k4Zz09>  
**Passcode: 244510**

Or Telephone:  
US: +      1 301 715 8592                      1 312 626 6799  
                 1 929 205 6099                      1 253 215 8782  
                 1 346 248 7799                      1 669 900 6833

**Webinar ID: 885 0951 9735**  
**Passcode: 244510**

International numbers available: <https://us02web.zoom.us/j/88509519735?pwd=Z28wdEtQZ3J6RkVfYkVsK2dhc3k4Zz09>

Participants may use any device that supports the Zoom app or, when prompted after clicking the link, choose to join the meeting through a default browser, if applicable. For those who choose to access through the Zoom app, you may be prompted to download the app to participate. Members of the public using Zoom may be muted until the time for their public comment. Video of the P&Z meeting may not be available via Zoom. If you desire a video of the meeting, you are directed to the City's Facebook page.

Further, if you would like to make public comments, you may do so by submitting your comments in advance by email to City Clerk at [yquiceno@belleislefl.gov](mailto:yquiceno@belleislefl.gov), who will place your email into the record during the public hearing.

**Yolanda Quiceno**  
**City Clerk**  
**City of Belle Isle**  
**1600 Nela Avenue**  
**Belle Isle, FL 32809**  
**Date: March 9, 2021**

**ITEM 3  
MEMORANDUM**

**TO:** Planning and Zoning Board

**DATE:** February 25, 2021

**PUBLIC HEARING CASE #2021-02-035** - PURSUANT TO BELLE ISLE CODE SEC. 42-63 AND SEC. 54-75 (C) (2) AND SEC. 54-75 (C) (3) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED SPECIAL EXCEPTION TO ALLOW A CHURCH WITH THEIR ATTENDANT EDUCATIONAL BUILDINGS AND RECREATION FACILITIES, AND/ OR A PARK AND RECREATION AREA OWNED AND OPERATED BY A NONPROFIT ORGANIZATION ON A SINGLE-FAMILY RESIDENTIAL PROPERTY, SUBMITTED BY APPLICANT TIM KUCK , LOCATED AT 7500 DAETWYLER DRIVE, BELLE ISLE, FL 32812ALSO KNOWN AS PARCEL # 29-23-30-8036-01-010.

**Background:**

1. On February 24, 2021, Tim Kuck submitted a request, application, and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, February 27, 2021, Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on February 25, 2021.

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 set forth 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 Sec. 54-75 (C) (2) and Sec. 54-75 (C) (3) of the Belle Isle Land Development Code having been met **TO APPROVE THE REQUESTED SPECIAL EXCEPTION** TO ALLOW A CHURCH WITH THEIR ATTENDANT EDUCATIONAL BUILDINGS AND RECREATION FACILITIES, AND/ OR A PARK AND RECREATION AREA OWNED AND OPERATED BY A NONPROFIT ORGANIZATION ON A SINGLE-FAMILY RESIDENTIAL PROPERTY, SUBMITTED BY APPLICANT TIM KUCK , LOCATED AT 7500 DAETWYLER DRIVE, BELLE ISLE, FL 32812ALSO KNOWN AS PARCEL # 29-23-30-8036-01-010

**SAMPLE MOTION TO DENY:**

"I move, 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 54-75 (C) (2) and Sec. 54-75 (C) (3) 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 THE REQUESTED SPECIAL EXCEPTION** TO ALLOW A CHURCH WITH THEIR ATTENDANT EDUCATIONAL BUILDINGS AND RECREATION FACILITIES, AND/ OR A PARK AND RECREATION AREA OWNED AND OPERATED BY A NONPROFIT ORGANIZATION ON A SINGLE-FAMILY RESIDENTIAL PROPERTY, SUBMITTED BY APPLICANT TIM KUCK , LOCATED AT 7500 DAETWYLER DRIVE, BELLE ISLE, FL 32812ALSO KNOWN AS PARCEL # 29-23-30-8036-01-010

**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.

March 4, 2021

**Variance Application: 7500 Daetwyler Drive**

**Applicant Request:** PURSUANT TO BELLE ISLE CODE SEC. 42-63 AND SEC. 54-75 (C) (2) AND SEC. 54-75 (C) (3) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED SPECIAL EXCEPTION TO ALLOW A CHURCH WITH THEIR ATTENDANT EDUCATIONAL BUILDINGS AND RECREATION FACILITIES, AND/ OR A PARK AND RECREATION AREA OWNED AND OPERATED BY A NONPROFIT ORGANIZATION ON A SINGLE-FAMILY RESIDENTIAL PROPERTY, SUBMITTED BY APPLICANT TIM KUCK , LOCATED AT 7500 DAETWYLER DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL # 29-23-30-8036-01-010.

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

This special exception application seeks a use in the R-1-AA zoning district that may only be permitted by the Planning and Zoning Board, pursuant to Code Sec. 42-63.

**Staff Recommendation**

At the time of the writing of this staff report, the enclosed application form and email are the documents the applicant has submitted to the City. Based on this, there is not enough information to write a staff evaluation and recommendation on the applicant's request.

In consultation with the City Manager, if the Board approves the special exception following the applicant's presentation at the public hearing, the following conditions may be appropriate:

- 1.) That the applicant (property owner) enters a "Payment in Lieu of Taxes" (PILOT) agreement with the City within 60 days of the special exception approval to cover City services that will continue to be provided to the property even in a non-profit status.
- 2.) That the applicant provides a professionally prepared transportation analysis within 30 days of the special exception approval that analyzes transportation use and impacts on Daetwyler Drive, as well as evaluating whether turn lanes may be needed due to the use.
- 3.) If the transportation analysis finds that any roadway improvements are needed on Daetwyler Drive due to the special exception use, the applicant be required to enter into a proportionate-share payment agreement for the cost of these improvements within 60 days from the City's receipt of the professionally prepared transportation analysis.

**Additional Notes**

Please note that the Board may approve the proposed special exception application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.

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: 2/22 P&Z CASE #: \_\_\_\_\_  
 VARIANCE  SPECIAL EXCEPTION  OTHER DATE OF HEARING: \_\_\_\_\_  
APPLICANT: Tim Kuck OWNER: Jorge Garcia  
ADDRESS: 7500 Daetwyler 7500 Daetwyler, LLC  
Belle Isle, Fla. 32812 121 S Orange Avenue, 940  
PHONE: 321-231-9737 Orlando, FL 32801  
PARCEL TAX ID #: 29-23-30-8036-01-010

LAND USE CLASSIFICATION: LDR ZONING DISTRICT: R-1-AA  
DETAILED VARIANCE REQUEST: Please see attached.

SECTION OF CODE VARIANCE REQUESTED ON: Sec. 54-75(c) Special Exceptions

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.

APPLICANT'S SIGNATURE: [Signature] OWNER'S SIGNATURE: Jorge L. Garcia, authorized signatory  
DocuSigned by:

<b>FOR OFFICE USE ONLY:</b>	<b>FEE: \$150.00</b>	Date Paid	Check/Cash	Rec'd By
Determination _____				
Appealed to City Council: <input type="checkbox"/> Yes <input type="checkbox"/> No		Council Action: _____		

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**Fwd: Regal Family Life Center**

1 message

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**Tim Kuck** [REDACTED]  
To: April Fisher <aprilfisher73@gmail.com>

Tue, Feb 23, 2021 at 8:06 PM

April,

Does this do it? 😊

We are seeking a Special Exemption as a "church" which is listed in section "C" in the Sec 54-74 Single-Family Dwelling Districts. The property is zoned R-1-AA.

The Regal Family Center ( 7500 Daetwyler ) is intended to serve Regal Team members and the city of Belle Isle by creating opportunities to cultivate community. Membership would be available for those that are interested in participating in it's use. The fitness center, game rooms, swimming pool, tennis, basketball and pickle ball courts and a few other amenities would be available for use through membership. Membership would also provide discounted use of the facilities for events or conference space. In addition there would be selected "Belle Isle" days which would be open to Belle Isle residents without being a member.

Also education and development opportunities would be available in the areas of financial, physical, emotional, spiritual health and wellness without being a member. This facility's purpose is to serve the Regal and Belle Isle community.

Ideally this facility is a place of family enrichment, fun and community. This would be a unique place that would add value to Belle Isle, a community of lakes and Regal, a boat company which builds memories by creating family fun.

**Electronic Articles of Organization  
For  
Florida Limited Liability Company**

L16000217210  
FILED 8:00 AM  
November 30, 2016  
Sec. Of State  
jafason

**Article I**

The name of the Limited Liability Company is:

7500 DAETWYLER, LLC

**Article II**

The street address of the principal office of the Limited Liability Company is:

121 S ORANGE AVENUE  
940  
ORLANDO, FL. 32801

The mailing address of the Limited Liability Company is:

121 S ORANGE AVENUE  
940  
ORLANDO, FL. 32801

**Article III**

The name and Florida street address of the registered agent is:

JOSEPH A PORRELLO  
7875 SW 104TH ST. SUITE 103  
MIAMI, FL. 33156

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: JOSEPH A. PORRELLO

**Article IV**

The name and address of person(s) authorized to manage LLC:

Title: MGR  
JORGE L GARCIA  
121 S ORANGE AVENUE, STE 940  
ORLANDO, FL. 32801

L16000217210  
FILED 8:00 AM  
November 30, 2016  
Sec. Of State  
jafason

Signature of member or an authorized representative

Electronic Signature: JORGE L. GARCIA

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Limited Liability Company  
7500 DAETWYLER, LLC

### Filing Information

**Document Number** L16000217210  
**FEI/EIN Number** 81-4571890  
**Date Filed** 11/30/2016  
**State** FL  
**Status** ACTIVE

### Principal Address

4779 Collins Ave  
Apt 4203  
Miami Beach, FL 33140

Changed: 01/31/2020

### Mailing Address

4779 Collins Ave  
Apt 4203  
Miami Beach, FL 33140

Changed: 01/31/2020

### Registered Agent Name & Address

PORRELLO, JOSEPH A  
7700 N. Kendall Drive  
Suite 602  
Miami, FL 33156

Address Changed: 01/31/2020

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

GARCIA, JORGE L  
4779 Collins Ave  
Apt 4203  
Miami Beach, FL 33140

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2019	01/30/2019
2020	01/31/2020
2021	02/02/2021

a.

**Document Images**

<a href="#">02/02/2021 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/31/2020 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">01/30/2019 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/22/2018 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">02/02/2017 – ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
<a href="#">11/30/2016 – Florida Limited Liability</a>	<a href="#">View image in PDF format</a>