

City of Belle Isle
1600 Nela Avenue
Belle Isle, Florida 32809
407-851-7730

ABOUT YOUR PUBLIC HEARING

The following information is provided to assist applicants in applying for a variance, special exception or use determination.

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

1. A written application for variance must be submitted to City Hall no later than 4:00 p.m. on the first Tuesday of the month. The application must include:
 - a. the \$150.00 filing fee,
 - b. a completed application form,
 - c. proof of ownership of the property, or, a notarized statement from the owner with the representative's information,
 - d. 10 copies of a plot plan or survey showing all improvements to the property, 10 copies of a scale drawing of the planned construction, illustrated on the survey, and
 - e. for boat dock variances, 10 copies of the survey must clearly illustrate the 86.9 contour line of Lake Conway.
2. The literal enforcement of the provisions of the zoning ordinance 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.
3. Personal hardship is not being considered as grounds for a variance, since the variance will continue to affect the character of the neighborhood after the title to the property has passed, and that the special conditions and circumstances were not created in order to circumvent the zoning ordinance for the purpose of obtaining a variance.
4. The variance is the minimum variance that will make possible reasonable use of the land, building or structure.

5. The granting of the variance will be in harmony with the general purpose and intent of the zoning ordinances, will not be detrimental to the public welfare and will not be contrary to the public interest.

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

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

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

General Information

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

CITY OF BELLE ISLE
APPLICATION TO PLANNING AND ZONING BOARD
1600 NELA AVENUE
BELLE ISLE, FLORIDA 32809
407-851-7730 ♦ FAX 407-240-2222

DATE: _____

VARIANCE SPECIAL EXCEPTION USE DETERMINATION

APPLICANT: _____ OWNER: _____

ADDRESS: _____

PHONE: _____

LEGAL DESCRIPTION: _____

LAND USE CLASSIFICATION: _____ ZONING DISTRICT: _____

REQUEST: _____

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 sets of three photographs in support of this application as follows: at least one 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

Office Use

The section of the Land Development Code from which adjustment is required: _____

Date of Public Hearing: _____

Determination: _____

Appealed to City Council: Yes No

Date of Hearing: _____

Council Action: _____