



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Held in City Hall Chambers, 1600 Nela Ave, Belle Isle FL  
Held the 1st and 3rd Tuesday of Every Month  
Tuesday, March 04, 2025 \* 6:30 PM

### AGENDA

#### City Council

Nicholas Fouraker, Mayor

Vice-Mayor – Jason Carson, District 4

District 1 Commissioner – Frank Vertolli | District 2 Commissioner – Holly Bobrowski |  
District 3 Commissioner – Danny Otterbacher | District 5 Commissioner – Beth Lowell |  
District 6 Commissioner – Stan Smith | District 7 Commissioner – Jim Partin

Welcome to the City of Belle Isle City Council meeting. Please silence all technology during the session. Thank you for participating in your City Government.

1. **Call to Order and Confirmation of Quorum**
2. **Invocation and Pledge to Flag** - Commissioner Otterbacher, District 3
3. **Presentations**
4. **Public Comments & Announcements** - Persons desiring to address the Council must complete and provide the City Clerk a yellow "Request to Speak" form, limited to three (3) minutes, with no discussion. When the Mayor recognizes you, state your name and address and direct all remarks to the Council as a body.
5. **Consent Items** - *These items are considered routine, and one motion will adopt them unless a commissioner requests to have an item removed from the consent agenda and considered separately.*
  - a. Approval of the City Council Meeting Minutes - February 18, 2025
  - b. Approval of Surplus Items - PD Outdated Computer Equipment
6. **Unfinished Business**
  - a. **ORDINANCE 25-02 - Second Reading And Consideration: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 26 ENTITLED "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES" OF THE CITY OF BELLE ISLE CODE OF ORDINANCES TO ADD A NEW ARTICLE III ENTITLED "OFFENSES INVOLVING PUBLIC PEACE AND ORDER," TO PROHIBIT URINATING AND DEFECATING IN PUBLIC, TO PROHIBIT PUBLIC CAMPING, TO PROHIBIT SITTING OR LYING ON SIDEWALKS AND BICYCLE PATHS, AND TO PROVIDE FOR TRESPASS WARNINGS ON PUBLIC PROPERTY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**
7. **New Business**
  - a. **Review of Ordinance No. 25-03** - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 50, ARTICLE II, SECTIONS 50.32 AND 50.33 OF THE CITY CODE GOVERNING SUBDIVISION REGULATIONS TO PROHIBIT THE CREATION OF FLAG-SHAPED LOTS ON LAKEFRONT AND CANAL FRONT LOTS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.
8. **Attorney's Report**
9. **City Manager's Report**
  - a. City Manager Task List
  - b. Chief's Report
  - c. Public Works Report
10. **Mayor's Report**
11. **Commissioners Report**
12. **Adjournment**



# CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, February 18, 2025 \* 6:30 PM  
**MINUTES**

**Present was:**

- Mayor - Nicholas Fouraker**
- District 4 Vice Mayor – Jason Carson**
- District 1 Commissioner – Frank Vertolli**
- District 2 Commissioner – Holly Bobrowski**
- District 5 Commissioner – Beth Lowell**
- District 6 Commissioner – Stan Smith**
- District 7 Commissioner – Jim Partin**

**Absent was:**

**District 3 Commissioner – Danny Otterbacher**

**1. Call to Order and Confirmation of Quorum**

Mayor Fouraker called the meeting to order at 6:30 pm, and the Clerk confirmed quorum. City Manager Rick Rudometkin, Attorney Langley, Chief Grimm, DC Millis, Public Works Director Phil Price, and City Clerk Yolanda Quiceno were also present.

**2. Invocation and Pledge to Flag - Commissioner Holly Bobrowski, District 2**  
Comm Bobrowski gave the Invocation and led the Pledge to the Flag.

Mayor Fouraker asked for a motion to excuse Comm Otterbacher.  
**Comm Lowell moved to excuse Comm Otterbacher from tonight's meeting.**  
**Comm Carson seconded the motion, which passed unanimously 6:0.**

**3. Presentations – N/A**

**4. Public Comments & Announcements**

Mayor Fouraker opened for public comments.

- Lynne Voltaggio, residing at 5104 Dorian Avenue, a Special Events Board member, said the committee is short on members due to recent resignations. She asked the Council if they would allow Comm Bobrowski, an ex-officio on the committee, to assist with the events. She has been instrumental in organizing events in the City, and her guidance would be welcomed.
- Antony Carugno waived his request to speak.

There being no further comment, Mayor Fouraker closed public comments.

**5. Consent Items**

- a. Approval of the City Council Meeting Minutes – January 21, 2025
  - b. Approval of the City Council Meeting Minutes – February 4, 2025
  - c. Proclamation: Arbor Day Celebration 2025
- Comm Carson moved to approve the consent items as presented.**  
**Comm Lowell seconded the motion, which passed unanimously 6:0.**

**6. Unfinished Business**

- a. 3904 Arajo Court Condemnation and Demolition Quotes  
City Manager Rudometkin said the City had issued a condemnation order for 3904 Arajo Court. Due to safety concerns, the city is looking to condemn and demo the property. The home is occupied with personal items, which has increased the cost of demolishing and removing the property. The items must be removed appropriately through sale or donation. Mr. Rudometkin provided three quotes for consideration and recommended the "I'm your Demo Guy" quote totaling 19,800.00.

Comm Smith said this has been a blight in the neighborhood. He has been approached by a resident, Jeff Giles, who wants to purchase the home from the current homeowner. Comm Smith asked the Council to consider tabling the discussion until mid-March so that he could speak with the homeowner. Attorney Langley said the Council can table or delay the discussion until March and does not see any legal consequences.

Mayor Fouraker recommended that the Council approve the quote and set a start date so the resident, Jeff Giles, can speak with the homeowner before the city proceeds with the demo. Mr. Rudometkin said if the Council approves the vendor quote, staff can call the demo company to formalize the approval and stipulate a start date for demolition, allowing Mr. Giles to bring forward his proposal and contact the homeowner.

**Comm Smith moved to accept I'm Your Demo Guy's quote of \$19,800 for 3904 Arajo, including the demo slab, inside and out. Comm Partin seconded the motion, which passed unanimously 6:0.**

b. Girl Scouts Bat Shelter Project

City Manager Rudometkin spoke on the Bat House Project presented by the Girl Scouts at a previous meeting. In talking with staff, we are excited about the project. However, the location and maintenance of the bat house need to be discussed. Staff discussed Wallace Field or Trimble Park as options. The staff did not expect the proposed size and maintenance of the bat house. The staff are not equipped to maintain or upkeep the project.

Comm Lowell said there is no guarantee that bats will populate a bat house. Regarding maintenance, the staff should research the required process and speak with a bat expert, such as Fly by Night Company, for more information. Comm Bobrowski said she favors the project and that the Bat Conservancy is also a good resource for information.

Brian, residing at St Denis Court, said Eli would like to start and finish the project in March before graduating from High School. They would like to work with the City on the height and location.

Mr. Rudometkin said he would contact the Fly by Night and Bat Conservancy to request more information for consideration.

c. Review and Approval of JJ's Solid Waste & Recycling Services Agreement First Amendment

City Manager Rudometkin presented JJ's Contract Amendment, which includes language regarding Annexation and FEMA Hurricane storm pickup. He stated that the Council has already approved a new 5-year agreement. The reason for the deal is approval for a guarantee of 3 years with a 3-5% CPI annual increase through Sept 30, 2030.

Comm Lowell asked if the city would be reimbursed or if a contract change would be made if it decided not to continue recycling. Mr. Rudometkin said it could be renegotiated into another Amendment. Attorney Langley said if the city wants the right to terminate recycling, it should be added as new language as a mutual agreement. Comm Lowell said she would also like a review date and an extension agreed upon in the contract before the deadline.

Mayor Fouraker said he would like language in the contract to require any updates submitted during the city's budget discussion and approval process, which runs from June to July. The council discussed that JJs previously noted that they did not receive increased rates from Orange County before the end of July.

Comm Vertolli shared his concern with the contract language and his perception of the contracted dates; ten years is a long time to stay with any contractor. Mr. Rudometkin reminded the Council that the 5-year contract with 3-1-year amendments had already been approved, and we are in year six.

Comm Partin said he would like staff to ask if JJs had any inclination to increase and report back to the Council in April in a timely manner to allow the city to plan in the budget. He asked if the city must add JJs as an approved vendor with FEMA. City Manager Rudometkin said the new contract language would allow the city to use them during a potential storm. He said he would bring it to the Council before contracting JJs for eligible disaster debris during a storm. Mayor Fouraker noted that he would like to add the language "eligible disaster reimbursement" or "FEMA eligible."

The Council consensus was to have the City Attorney and City Manager change the amendment as discussed for council review at the next meeting.

7. **New Business**

a. Review and Approval of Fisher Planning and Development Services, Inc. Contract

Comm Vertolli shared his concern and asked if the City needs a certified City Planner. Mr. Rudometkin said he will bring forward some options for Council consideration. Comm Lowell asked for a job description or a synopsis of a day-by-day look at the position.

**Comm Smith moved to approve the \$5,950 contract with Fisher Planning and Development Services, Inc. for the interim City Planner position, as outlined in the new contract and amendment.**

**Comm Partin seconded the motion, which passed unanimously 6:0.**

- b. Approval of Conway Groves MOU Private Streets Enforcement Agreement  
Chief Grimm presented Conway Groves MOU for consideration and approval. He provided a brief history of the request and an open invitation for all other HOAs interested in traffic enforcement.

**Comm Lowell moved to approve the MOU between the City of Belle Isle and Conway Groves for traffic enforcement on private streets and authorizes the City Manager to execute the agreement.**

**Comm Carson seconded the motion, which passed 6:0.**

- c. Approval of 2025-2026 SRO Agreement CCA/COBI  
Chief Grimm presented the proposed 2025-2026 SRO Agreement with Cornerstone Charter Academy. He noted that the new contract requires an additional SRO and an updated cost structure. He noted that CCA has not committed to a second SRO; however, the proposed contract may have them agree to allow us to plan for the new budget.

Comm Bobrowski asked for clarification on the cost of an SRO and if CCA pays the city for the entire cost. Chief Grimm stated the SRO works for the school 180 days a year and pays approximately 75% of the total cost incurred. It is not a profit for the City. The Agency spends much time at the school as a practical public safety matter. The recommendation is 1 SRO per \$1,000 students. If the school wants to increase the number of students by \$2400, it will benefit the community.

**Comm Bobrowski moved to have the proposed 2025-2026 SRO Agreement to CCA for approval.**

**Comm Lowell seconded the motion, which passed 6:0.**

- d. Approval of OCSO Dispatching Services Continued Services 2024-20226  
Chief Grimm presented the extended contract with OCSO through 2026. The current agreement for dispatching services expired on September 30, 2024. The proposed extension ensures service for the next two years without increasing cost.

**Comm Smith moved to approve the second addendum extending the dispatching services agreement with the OCSO through September 30, 2026.**

**Comm Partin seconded the motion, which passed 6:0.**

**8. Attorney's Report – No report.**

**9. City Manager's Report**

- a. City Manager's Report  
The City Manager presented,
  - City Manager's Task List
    - The staff continues to research the findings regarding Hurricane Ian with the tree vendor.
    - The staff is on track with submittals for Milton reimbursement.
    - Staff will send an e-blast to committee and board members.
    - City Manager evaluation has been distributed for Council and Mayor submittal for discussion at the March 18 meeting.
- b. Chief's Report
  - Chief Grimm announced that Congressman Soto had recognized Officer Shaba for the Congressional Records for Black History Month.
- c. Public Works Report  
Phil Price reported that the PD boat dock is coming along and should be completed within a month. The Jade Pump station is scheduled to complete the electrical work.

**10. Mayor's Report**

Mayor Fouraker thanked Phil Price and his staff for their efforts in maintaining the City's beautification.

**11. Commissioners Report**

- Comm Lowell asked if the city could accept volunteers for specific events only if the staff does not receive applications for committee members.
- Comm Vertolli spoke briefly on House Bill 301 regarding increases in liability insurance.
- Comm Bobrowski announced and welcomed the new NAV Board member Mathew Craig.
- Vice Mayor Carson spoke briefly on the PACE Program and shared his disbelief in the damage it has caused citizens.

**12. Adjournment**

There being no further business, Vice Mayor Carson called for a motion to adjourn the meeting, which passed unanimously at 8:00 pm.

**CITY OF BELLE SLE, FLORIDA  
CITY COUNCIL AGENDA ITEM COVER SHEET**

**Meeting Date:** March 4, 2025  
**To:** Honorable Mayor and City Council Members  
**From:** Travis Grimm - Chief of Police  
**Subject:** Subject: Surplus Request – Outdated Computer Equipment

**Background:**

The Belle Isle Police Department requests approval to surplus the following outdated computer equipment:

- Three (3) Dell Latitude 5424 Laptop Computers
  - Serial #FYXZSG2
  - Serial #BYXZSG2
  - Serial #33YZSG2
- One (1) Dell Opti 5040 Desktop Computer
  - Serial #H2FGXD2

The listed computers have not been in service for more than two years and are outdated, making them no longer suitable for departmental use. If approved for surplus, the hard drives will be removed and destroyed in accordance with department policy to ensure data security.

**Staff Recommendation and Council Discussion Points:**

Staff recommends approval to surplus the outdated computer equipment

**Discussion Points:** N/A

**Suggested Motion:** "I move to approve the surplus of outdated computer equipment."

**Alternatives:** N/A

**Fiscal Impact:** There will be no immediate fiscal impact. Any future financial considerations related to enforcement efforts will be addressed as needed.

**Attachments:** N/A





# Belle Isle Police Department

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b.

## Interoffice Memorandum:

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**TO:** Chief Travis Grimm  
**FROM:** Deputy Chief Jeremy Millis  
**DATE:** February 20, 2025  
**RE:** Surplus Items

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I request a surplus of three (3) Dell Latitude 5424 laptop computers and one (1) Dell Opti 5040 Desktop computer. The serial numbers are as follows:

Dell Opti – Serial #H2FGXD2  
Dell Latitude – Serial #FYXZSG2  
Dell Latitude – Serial #BYXZSG2  
Dell Latitude – Serial #33YZSG2

The listed computers are outdated and have not been in service for more than two years. If approved, the hard drives will be removed and destroyed as per policy.

*\* Community First \**

**ORDINANCE 25-02**

1  
2 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER  
3 26 ENTITLED "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" OF THE CITY OF BELLE ISLE  
4 CODE OF ORDINANCES TO ADD A NEW ARTICLE III ENTITLED "OFFENSES INVOLVING PUBLIC PEACE  
5 AND ORDER", TO PROHIBIT URINATING AND DEFECATING IN PUBLIC, TO PROHIBIT PUBLIC CAMPING,  
6 TO PROHIBIT SITTING OR LYING ON SIDEWALKS AND BICYCLE PATHS, AND TO PROVIDE FOR  
7 TRESPASS WARNINGS ON PUBLIC PROPERTY; PROVIDING FOR CODIFICATION, SEVERABILITY,  
8 CONFLICTS AND AN EFFECTIVE DATE.

9  
10 **WHEREAS**, Section 166.021(3), Florida Statutes, provides, in pertinent part, that "[t]he Legislature  
11 recognizes that pursuant to the grant of powers set forth in Section 2(b), Art. VIII of the State Constitution, the  
12 legislative body of each municipality has the power to enact legislation concerning any subject matter upon  
13 which the state legislature may act" except for certain very limited matters; and

14 **WHEREAS**, the City of Belle Isle may lawfully designate the use of City facilities and public space for  
15 activities consistent with their purpose, and the City Council seeks to maintain a safe and orderly environment  
16 on City property;

17 **WHEREAS**, the City Council seeks to discourage unlawful, unsafe, destructive, harassing, or otherwise  
18 prohibited activity on City property that interferes with the designated use of such property;

19 **WHEREAS**, the City Council finds that the presence of individuals who have violated City ordinances,  
20 rules, regulations, or State law on public property or on private property for which the City has a public access  
21 easement creates a threat to the safety and welfare of the citizens and visitors of the City, as well as City  
22 property and facilities, and therefore deems this ordinance to promote such public safety, public welfare, and  
23 protection of property; and

24  
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1           **WHEREAS**, the City Council desires to provide for a method to allow for the issuance of trespass  
2 warnings for individuals committing violations of City ordinances, rules, regulations, or State law, followed by the  
3 opportunity for a hearing to address the alleged deprivation of any constitutionally protected liberty interest of  
4 such individuals.

5           **WHEREAS**, the Florida Legislature has passed Section 125.0231, Florida Statutes, prohibiting a  
6 municipality from authorizing or allowing any person to camp in public areas except as permitted by statute;

7           **WHEREAS**, the City desires to incorporate into its code provisions consistent with Section 125.0231,  
8 Florida Statutes; and

9           **WHEREAS**, the City Council of the City of Belle Isle, Florida (“City”), has determined that this  
10 Ordinance continues to protect the health, safety, and welfare of the City’s citizens;

11  
12 **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Belle Isle, Florida, that:

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14           **SECTION 1. Recitals.** The foregoing recitals are hereby ratified and confirmed as being true and  
15 correct and are hereby made a part of this Ordinance.

16           **SECTION 2. Amendment of City Code.** Chapter 26 of City of Belle Isle Code of Ordinances is hereby  
17 amended to add a new Article III stating as follows (words that are underlined are additions):

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19 **ARTICLE III. OFFENSES INVOLVING PUBLIC PEACE AND ORDER**

20 **Sec. 26-32. - Urinating or Defecating in Public**

- 21       a. It shall be unlawful for any person to urinate or defecate in a public place other than one set aside and  
22 designated for that particular purpose.  
23       b. Violations of this section shall be punishable as provided in Belle Isle Code section Sec. 1-12.

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1 **Sec. 26-33. - Camping Prohibited**

- 2 a. For the purpose of this section, "camp" is defined as sleeping, lodging, or residing overnight or
- 3 otherwise being in a temporary shelter outdoors; or sleeping outdoors.
- 4 b. It shall be unlawful for any person to camp or sleep on public property, including, but not limited to,
- 5 public buildings or their grounds, public sidewalks, streets, alleyways, city property, parks or green
- 6 spaces, on or under public rights-of-way, not designated as a campground by a governmental entity.
- 7 c. (c) Violations of this section shall be punishable as provided in Belle Isle Code section Sec. 1-12.

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9 **Sec. 26-34. – Sitting or Lying on Sidewalks or Bicycle Paths Prohibited**

10 (a) It is unlawful for any person, after having been notified by a law enforcement officer of the prohibition in this

11 section, to sit or lie down upon a public sidewalk or bicycle path, or upon any blanket, chair, stool, or any other

12 object placed upon a public sidewalk or bicycle path.

13 (b) Violations of this section shall be punishable as provided in Belle Isle Code section Sec. 1-12.

14 (c) It is an affirmative defense to the prohibition in this section if it is shown that:

- 15 (1) Sitting or lying down in violation of subsection (a) is due to a medical emergency;
- 16 (2) The person is sitting while operating or patronizing an event conducted on or within a public
- 17 sidewalk or bicycle path pursuant to a City-issued permit; or a person participating in or attending a
- 18 parade, festival, performance, rally, demonstration, meeting, or similar event conducted on a public
- 19 sidewalk pursuant to a street use or other applicable City-issued permit;

20 (3) The person sitting on a sidewalk is there only temporarily while awaiting transportation on a

21 particular bus at a bus stop and the person is not obstructing the ability of others to use the sidewalk.

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1 **Sec. 26-35. – Trespass warnings on public property.**

2 (a) City employees or officials, or their designees, having control over a City facility, building, or outdoor area,  
3 including municipal parks, are authorized to issue a trespass warning to any individual who violates any City  
4 ordinance, rule, regulation, State law, or lawful directive of a City employee or official, which violation was  
5 committed while on or within a City facility, building, or outdoor area, including municipal parks, for the specific  
6 property where the violation occurred.

7 (b) When no other City employee or official having control over a City facility, building, or outdoor area, including  
8 municipal parks, is present, a Police Officer is authorized to issue a trespass warning to any individual who  
9 violates any City ordinance or State law which was committed while on or within a City facility, building, or  
10 outdoor area, including municipal parks, for the specific property where the violation occurred. For the first  
11 violation, the individual may be issued a trespass warning for a period not to exceed one (1) year.

12 (c) For a second or subsequent violation, the individual may be issued a trespass warning for a period not to  
13 exceed two (2) years.

14 (d) A copy of the trespass warning shall be provided by mail or hand delivery to the individual and to the City  
15 employee or official having control over the City park, facility, building, or outdoor area. The written trespass  
16 warning shall advise of the right to appeal and the location for filing the appeal.

17 (e) This section shall not be construed to limit the authority of any City employee or official to issue a trespass  
18 warning to any person for any lawful reason for any City property, including rights-of-way when closed to  
19 general vehicular or pedestrian use, when necessary or appropriate in the sole discretion of the City employee  
20 or official.

21 (f) Appeal of trespass warning. A person to whom a trespass warning is issued under this section shall have the  
22 right to appeal as follows:

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1           (1) An appeal of the trespass warning must be filed, in writing, within ten (10) days of the issuance of  
2 the warning, and shall include the appellant's name, address, and phone number, if any. No fee shall be  
3 charged for filing the appeal.

4           (2) The appeal shall be filed at the location specified in the trespass warning.

5           (3) The city shall contract with a special magistrate and/or the contracted Local Hearing Officer to hear  
6 all trespass appeals.

7           (4) Within thirty (30) days following the filing of the appeal, the special magistrate or Local Hearing  
8 Officer shall schedule a hearing. Notice of the hearing will be provided to the appellant by:

- 9                   a. Posting the notice at City Hall located at 1600 Nela Avenue, Belle Isle, Florida; and
- 10                   b. Mailing a copy of the notice if an address is provided. In the event of non-delivery, the notice  
11 posted at City Hall shall suffice.

12           (5) The special magistrate or Local Hearing Officer shall hold the hearing as soon as possible. In no  
13 event shall the hearing be held sooner than seven (7) days following the filing of the appeal and no later than  
14 sixty (60) days from the filing of the appeal.

15           (6) Copies of documents in the city's control which are intended to be used at the hearing, and which  
16 directly relate to the issuance of the trespass warning to the appellant, shall be made available upon request to  
17 the appellant at no cost.

18           (7) The appellant and the city shall have the right to attend with an attorney, the right to testify, to call  
19 witnesses, to cross-examine witnesses, and to present evidence. Any attorney appearing on behalf of the  
20 appellant shall file a notice of appearance with the office of the city attorney at least three (3) days prior to the  
21 hearing. The appellant shall have the right to bring a court reporter, at his or her own expense.

22           (8) The special magistrate or Local Hearing Officer shall consider the testimony, reports, or other  
23 documentary evidence, and any other evidence presented at the hearing. Formal rules of evidence shall not  
24 apply, but fundamental due process shall govern the proceedings.

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1           (9) The city shall bear the burden of proof by clear and convincing evidence that the trespass warning  
2 was issued pursuant to the criteria of this section.

3           (10) If the appellant fails to attend a scheduled hearing, the special magistrate or Local Hearing Officer  
4 shall review the evidence presented and determine if the trespass warning was properly issued pursuant to the  
5 criteria of this section.

6           (11) Within five (5) days of the hearing, the special magistrate or Local Hearing Officer shall issue a  
7 written decision on the appeal which shall be mailed to the appellant at the address provided. If no address is  
8 provided, a copy of the decision shall be posted at City Hall.

9           (12) The decision of the special magistrate or Local Hearing Officer shall be final and the appellant shall  
10 be deemed to have exhausted all administrative remedies. Such decision may be subject to judicial review in  
11 the manner provided by law by the appellant. The city may not appeal the decision of the special magistrate.

12           (13) The trespass warning shall remain in effect during the appeal and review process, including any  
13 judicial review.

14  
15 **SECTION 3. Severability.** If any section, subsection, sentence, clause, phrase, word, or provision of this  
16 Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether  
17 for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and  
18 independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

19 **SECTION 4. Conflicts.** In the event of a conflict or conflicts between this Ordinance and any other ordinance  
20 or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

21 **SECTION 5. Codification.** Section 2 of this Ordinance shall be incorporated into the Belle Isle City Code. Any  
22 section, paragraph number, subsection number, letter and/or any heading may be changed or modified as  
23 necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected,

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1 and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or City  
2 Code may be freely made.

3 **SECTION 6. Effective date.** This Ordinance shall become effective immediately upon adoption by the City  
4 Council of the City of Belle Isle, Florida.

5 **FIRST READING:** February 4, 2025

6 **SECOND READING:** March 4, 2025

7  
8 **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025, by the City Council of the City of Belle Isle, Florida.

	YES	NO	ABSENT
9			
10 Frank Vertolli	_____	_____	_____
11 Holly Bobrowski	_____	_____	_____
12 Danny Otterbacher	_____	_____	_____
13 Jason Caron	_____	_____	_____
14 Beth Lowell	_____	_____	_____
15 Stanley Smith	_____	_____	_____
16 Jim Partin	_____	_____	_____

17

18 **ATTEST:** **CITY OF BELLE ISLE**

19 \_\_\_\_\_ \_\_\_\_\_

20 Yolanda Quiceno, City Clerk Nicholas Fouraker, Mayor

21  
22 \_\_\_\_\_

23 Approved as to form and legality

24 Dan Langley, City Attorney

25

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document

4 ORDINANCE 25-02 was duly and legally passed by the Belle Isle City Council, in session assembled on the

5 \_\_\_\_\_ day of \_\_\_\_\_, 2025, at which session a quorum of its members were present.

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8 Yolanda Quiceno, CMC-City Clerk

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# CITY OF BELLE SLE, FLORIDA CITY COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: February 4<sup>th</sup>, 2025

To: Honorable Mayor and City Council Members

From: Rick J. Rudometkin, City Manager

Subject: Discussion and possible approval of Flag Lot Ordinance Update and Changes

Background:

Flag lots are typically configured to feature a narrow accessway from the right-of-way and drastically expands in lot width to accommodate the building envelope for a primary structure. In 2019, the city’s land development code was updated to enable lot split approvals exclusively under the city council’s discretion (sec. 50-33), revise the definition of lot width (sec. 50-32), and prohibit variances for newly created lots that do not conform to all aspects of the city’s code (sec. 50-33 and (sec. 50-37).

Due to a lot split case in December of 2024, the council wanted to look into the code to discuss possible updates to the lot split language and allow the P&Z board to review and discuss the allowance of flag lots on city property. Multiple jurisdictions either expressly prohibit or limit the occurrence of flag lots, creating strict parameters for their allowance subject to unique circumstances.

The P&Z board recently heard and read the proposed city ordinance updates concerning lot splits and has voted to approve this and send this change of language to the council for discussion and possible approval.

Staff Recommendation:

To possibly deny all flag lots within the city, as flag lots are inconsistent with the city’s current land use pattern (except a cluster of properties along Hoffner Ave., and a number of lakefront lots), or approve the updated ordinance as presented or with additional changes.

Suggested Motion: **I move to approve...**

Alternatives: No change to the current code.

Fiscal Impact: N/A

Attachments:

Exhibit A, B, C  
Ordinance with language updates





1 SECTION 2. City Code Amendment. Sections 50.32 and 50.33 of the City Code of Ordinances are hereby  
2 amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions;  
3 provisions not included are not being amended):

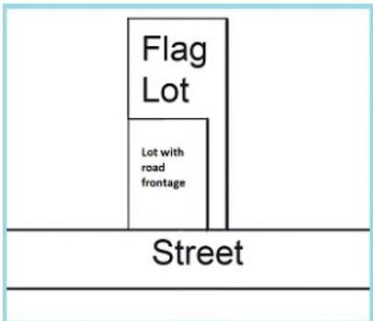
4  
5 Sec. 50.32. Definitions

6 The following terms, phrases, words, and their derivations shall have the meaning given in this section. Words  
7 used in the present tense include the future tense; words in the plural tense include the singular tense and  
8 vice versa. The word "shall" is considered mandatory, and the word "may" is considered permissive.

9 *Director* means a city employee designated by the city manager to process the preliminary application and plat  
10 reviews pursuant to the provision of this article.

11 Flag-shaped lot describes the shape of a certain type of lot, where the ingress and egress to and from the  
12 public right-of-way is provided along the long, narrow “flag pole” portion of the lot with a width less than the  
13 minimum lot width required in a zoning district and the remaining shape of the lot is generally rectangular in  
14 shape. A diagram showing an example of a flag-shaped lot is below:

15  
16 *Gross residential acre* means an acre of land zoned and/or used for residential purposes, including, but  
17 not limited to, land which provides access or contributes to the amenities of residents of the subdivision such  
18 as streets, parks, and usable open spaces. Land devoted to nonresidential uses other than those listed above,  
19 including, but not limited to, environmentally sensitive lands, shall not be included as part of gross residential  
20 acreage.



1           *Lot depth* means the distance measured along a straight line drawn from the midpoint of the front  
 2 property line of the lot to the midpoint of the rear property line, or to the most distant point on the lot  
 3 located on any other lot line if there is no rear lot line. In the event that the rear property line, or if there is no  
 4 rear lot line then the most distant point on the lot located on any other line, is located fully or partially below  
 5 the normal high water line of an abutting body of water, then lot depth shall be measured along a straight line  
 6 drawn from the front property line and parallel to the side lot line(s) to the point on the normal high water  
 7 line located closest to the front property line.

8           *Lot split* means the division of a lot or parcel that is not located within the boundaries of a planned  
 9 unit development into no more than two parcels or lots and shall include any change in boundary lines  
 10 between two parcels or lots.

11           *Lot width* means the distance between the side lot lines, along a line drawn parallel to the front lot  
 12 line abutting the public right-of-way measured at a distance from the front lot line abutting the public right-of-  
 13 way equal to the greater of: (i) the minimum front yard setback required for the applicable zoning district, and  
 14 (ii) a front yard setback for a non-lakefront single-family residential lot established with city council approval  
 15 at a greater distance than required by the applicable zoning district and that ensures a proper building setback  
 16 from development on adjacent lots pursuant to a deed restriction granted by the property owner in favor of  
 17 the city.

18           *Net residential acre* means an acre of land zoned and/or used for residential purposes and which does  
 19 not include areas such as streets, parks, environmentally sensitive lands, and usable open spaces. Land  
 20 devoted to nonresidential uses shall not be included as part of net residential acreage.

21           *Tract* mean any land in a subdivision which is designated as, but not limited to, recreation areas, water  
 22 detention facilities, landscape buffers or conservation areas, and not meant for use as a residential or  
 23 commercial lot.

24 \*\*\*

25

1 Sec. 50.33. Procedures

2 (6) *Lot split.*

3 a. *Submission requirements.* The applicant shall submit a survey and legal description both certified by a  
4 registered state surveyor of the property as it is to be divided, payment as set forth in this Land Development  
5 Code or as otherwise prescribed by the city council or city manager, and proof of ownership acceptable to the  
6 city.

7 b. *Requirements.* With the prior approval of the city council, any lot or parcel not located within a  
8 planned unit development may be divided by lot split so long as the two resulting lots or parcels meet in every  
9 respect the Land Development Code's requirements for newly created lots or parcels. No lot or parcel nor any  
10 portion of any lot or parcel which has been created by a lot split shall be further divided by lot split. The  
11 creation of new flag-shaped lots is prohibited as a result of a lot split or subdivision of (i) any parcel adjacent  
12 to a lake or canal connected to a lake, or (ii) any parcel designated with a zoning category other than a single-  
13 family residential zoning category. The creation of new flag-shaped lot for non-lake front single-family  
14 residential lots and non-canal single-family residential front lots is discouraged but may be allowed in  
15 extraordinary circumstances with city council approval subject to (i) the creation of a deed restriction  
16 establishing a front yard setback along the public right-of-way at a greater distance than required by the  
17 applicable zoning district, and (ii) a determination that no traffic safety or vehicle access issues are being  
18 created. A lot split is not permitted if the parcel proposed to be subdivided has a non-conforming use or non-  
19 conforming structure(s) that will not be brought into compliance with the Land Development Code. No  
20 variance will be given for any lot split that results in a lot or parcel or development that does not conform in  
21 every respect to the Land Development Code's requirement for newly created lots or parcels. For example, no  
22 variance will be given for any lot split that results in a substandard lot or in the creation of a lakefront or canal  
23 front flag lot.

24  
25

1 c. *Notice.* A notice of no further lot split shall be fully executed by the owner of the property submitted  
 2 for lot split which notice must be approved by the city and such notice shall be recorded in the public records  
 3 of the county prior to the issuance of any building permit for lots or parcels created by lot split. The form of  
 4 the notice shall be in recordable form and in substance substantially in accordance be with the following: "The  
 5 property described on the attached Exhibit 1 was the subject of a lot split within the City of Belle Isle, Florida,  
 6 and no further division of all or any portion of the property described on the attached Exhibit 1 by the lot split  
 7 procedure in the City of Belle Isle shall be allowed. Further subdivision by other methods may or may not be  
 8 allowed."

9  
 10 SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this  
 11 Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction,  
 12 whether for substantive, procedural, or any other reason, such portion shall be deemed a separate,  
 13 distinct and independent provision, and such holding shall not affect the validity of the remaining portions of  
 14 this Ordinance.

15  
 16 SECTION 4. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance  
 17 or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

18  
 19 SECTION 5. Codification. Section 2 of this Ordinance shall be incorporated into the Belle Isle City Code. Any  
 20 section, paragraph number, subsection number, letter and/or any heading may be changed or modified as  
 21 necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected,  
 22 and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or City  
 23 Code may be freely made.

24  
 25

1 SECTION 6. Effective date. This Ordinance shall become effective immediately upon adoption by the  
2 City Council of the City of Belle Isle, Florida.

3 FIRST READING: \_\_\_\_\_.

4 SECOND READING: \_\_\_\_\_.

5 ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2025, by the City Council of the City of Belle Isle, Florida.

	YES	NO	ABSENT
6 Frank Vertolli	_____	_____	_____
7 Holly Bobrowski	_____	_____	_____
8 Danny Otterbacher	_____	_____	_____
9 Jason Caron	_____	_____	_____
10 Beth Lowell	_____	_____	_____
11 Stanley Smith	_____	_____	_____
12 Jim Partin	_____	_____	_____

14

15 CITY OF BELLE ISLE

16 ATTEST:

17 \_\_\_\_\_

18 Yolanda Quiceno, City Clerk

\_\_\_\_\_

Nicholas Fouraker, Mayor

19 Approved as to form and legality

20 For use and reliance by

21

22 \_\_\_\_\_

23 Daniel W. Langley, City Attorney

24

25

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, Yolanda Quiceno, City Clerk of the City of Belle Isle, do hereby certify that the above and foregoing  
4 document ORDINANCE 25-03 was duly and legally passed by the Belle Isle City Council, in session assembled  
5 on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, at which session a quorum of its members were present.

6

7 \_\_\_\_\_

8 Yolanda Quiceno, CMC-City Clerk

9

10

11

12

13 S:\DL\Clients\Belle Isle, City of\General B900-29001\Ordinance - Flag-Shaped Lots\Belle Isle Flag-Shaped Lot Ordinance 1-23-2025.docx

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## City Manager Work List:

- City Planner Position:

We have contracted with April Fisher to be the interim city planner. We have some ideas on that position that will be brought to the council in a future meeting.

- Committees

We have had another resignation on our special events committee. We have seats open on our P&Z board. We need volunteers for these and are looking for help from the council to spread the word so we can have seats filled, and other committee seats filled.

- Golf Cart Ordinance update:

The Golf Cart Ordinance will be brought to the council on March 18<sup>th</sup> for discussion with changes and attachments.

- Hurricane Milton:

We are almost done having meetings with FEMA. Our Vendor has been paid for the debris clean-up with documentation reconciled/validated by the city and vendor. Destruction of the debris pile is completed, and the vendor has been paid as well. We will be seeking reimbursement for the costs associated with Milton for Category A&B. There will be meetings with the state as we start the process of seeking reimbursement.

- Hurricane Ian:

We have met with KPMG and Florida DEP on what is required to apply for our possible reimbursement that has been ongoing now for almost 2 1/2 years. Due to some issues on the state's end, we have re-established communication and are trying to procure documentation to justify the invoices paid. We might not receive all of the reimbursement due to a lack of documentation and load ticket discrepancies. The council has approved the CM to conduct a preliminary investigation to inquire about the events that took place. We are almost complete with interviews and documentation collection. There has been cooperation between all parties. Social media has been active.

- Revenue stream needs:

We are working with the Budget Committee to come up with revenue stream options for the increased expenditures from the OCFD millage increase and our 5-year CIP project list. We will do a road show to explain to the residents the "why". We also are completing a rate study to look at increasing stormwater fees for the next FY. We have needs to continue with maintenance and are looking to fund these needs.



- 3904 Arajo condemnation:

City Council approved on October 15<sup>th</sup>, the Order of Condemnation and Removal of Hazardous Condition. Council has approved a contractor to demo the area. We are waiting to find out if a resident wants to purchase the property before demo.

- Annexation:

We are working with Orange County to put in place a planning agreement to help with future annexation possibilities. This agreement needs to be in place for us to have the ability to annex in the future. We have a new annexation map showing our wish list and areas we would like to annex. This will be part of our planning agreement.

- RFP's:

RFPs will go out for items. They include Lobbying Services, IT Services, Audit Services, etc., to name a few. We are looking at other contracts and services. This will clean up our contract list and streamline the processes.

- City Hall renovation:

The renovation is almost complete. We still need painting, (inside) and updates to finish the renovations for our current city hall.

- Property Acquisition/Municipal Complex

We will have a workshop to discuss this property and the future of our municipal complex. The environmental study for the 20.5-acre property on Conway and Judge is completed by Bio-Tech. We have met with Bio-tech for the initial discussion of the report. The concept for our current location needs to be funded and a final location needs to be determined to save on cost. Also, deciding on whether to move forward on the Conway property or not, is essential to move forward.

- Comp Plan/Water Plan Update:

The council in January approved the Comp Plan and water plan! By approving this, we will now have a living document to refer to as we move into the future. It has been submitted to the state and other agencies. Once the final comments are in, the water plan will come back to the council.

- Stormwater Grant:

We have been confirmed for money for this grant application from Congressman Soto's office. The amount currently confirmed is \$850k. This amount could go up as this moves forward through the process in the state's budget process. We will have more information once the state contacts us for more information.

- Purchasing Policy

The Purchasing Policy has been updated with our purchasing thresholds modified and some other language being looked at. It is being reviewed by staff and then follow-up comments will be made, then it will be presented to the council for adoption.

- Resilient Florida Grant - 23PLN26, Belle Isle Vulnerability Assessment.

This grant is funded at \$115k for the City of Belle Isle including a \$35k match. The final agreement has been signed. We will contact a consultant to administer this grant process and fulfill the grant requirements.

- Judge/Daetwyler Dr. Transportation Grant:

Congressman Soto’s office presented us with a check for \$745k for street improvements to improve multi-use path(s), for pedestrians and bicyclists, road improvements, etc. We hope to start the project this year. This grant was programmed in the state’s last year’s budget, and we are waiting on the state to contact us to solidify the grant agreement.

- Updating and closing previous grants and reimbursements from FEMA, Florida PA, and Florida DEP:

SOL Ave grant will be reimbursed hopefully by April of this year. The final agreement has been signed. We are working to provide information and update quarterly reports that have not been updated previously. We have only a few items left to fill out and are waiting on a response from Florida DEP for the information we have provided.

- Lancaster House Update:

CCA has approval by their board for the carveout document. They have 51% of the bondholder’s approval. They are sending the final agreement to the city. We will look at the agreement to make sure it is the one we sent them from our attorney.

- Hoffner Ave Traffic Improvements Grant:

The city has the fully executed State Funded Grant Agreement, (SFGA agreement) between the city and the Florida Department of Transportation (FDOT) for **453225-1-54-01 (FY24) SFGA, Hoffner Ave Traffic Improvements, \$1.5M**. We are working on setting up a meeting with the county to talk about a financial partnership to make these improvements on Hoffner. The city has no match money for this project. To move forward, a revenue stream will have to be recognized and approved. We are hopeful that having the grant funding, OC partnering and a revenue stream installed will be enough to start this project and get it underway. We are also looking at other state grant funding for this.