

1 RESOLUTION NO. 16-14

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE,  
4 FLORIDA RELATING TO BOAT DOCK REGULATIONS; EXTENDING THE CURRENT  
5 PERIOD OF ZONING IN PROGRESS INITIATED BY RESOLUTION 16-06 FOR AN  
6 ADDITIONAL PERIOD OF 90 DAYS; PROVIDING FOR SEVERABILITY;  
7 PROVIDING FOR AN EFFECTIVE DATE.  
8

9 WHEREAS, Citizens of the City of Belle Isle have expressed concern to the  
10 City Council about the scope and extent of regulation of boat docks within  
11 the City; and

12 WHEREAS, it is the desire of the City Council that the City of Belle Isle  
13 examine and revise its land development regulations relating to boat docks;  
14 and

15 WHEREAS, Part II of Chapter 163 of the Florida Statutes requires the City's  
16 local planning agency to review proposed land development regulations and  
17 make recommendations to the City's governing body as to their consistency  
18 with the City's Comprehensive Plan; and

19 WHEREAS, the City of Belle Isle Planning and Zoning Board serves as local  
20 planning agency for the City; and

21 WHEREAS, City Staff requests time to prepare draft regulatory revisions  
22 regarding boat docks and bring proposed revisions before the Planning and  
23 Zoning Board for recommendation and the City Council for action and adoption  
24 in the form of one or more proposed ordinances; and  
25

1 WHEREAS, it is the intent of the City Council to invoke the legal doctrine in  
2 Florida known as "Zoning in Progress" for an additional period of ninety (90)  
3 days from the effective date of this resolution;

4 NOW, THEREFORE, BE IT RESOLVED BY THE PEOPLE OF THE CITY OF BELLE ISLE:

5 SECTION 1. Incorporation of Recitals. The foregoing recitals are  
6 incorporated herein and found by the City Council to be true and correct  
7 statements of fact.

8 SECTION 2. Zoning in Progress. The City of Belle Isle invokes, declares  
9 and extends a "Zoning in Progress" for an additional period of ninety (90)  
10 days from the date of expiration of the original "Zoning in Progress" time  
11 articulated in said Resolution, on the same terms and same conditions and for  
12 the same purposes.

13 SECTION 3. Local Planning Agency Assigned to Examine Regulations.  
14 Pursuant to Chapter 22, Article II, Sec. 22-31 of the Land Development Code  
15 of the City of Belle Isle, the Planning and Zoning Board, in its capacity as  
16 Local Planning Agency of the City of Belle Isle, is hereby directed to  
17 examine, study, make recommendation for revision and submittal of proposed  
18 boat dock regulations to the City Council for action and adoption, in the  
19 form of one or more recommended ordinances, before the expiration of the  
20 Zoning in Progress period.

21 SECTION 4. Public Notice of Zoning in Progress and Required Compliance.  
22 This Zoning in Progress Resolution shall serve as public notice that the City  
23 intends to adopt new land development regulations governing boat docks. No  
24 application for a boat dock permit that would require a variance will be  
25 received by the City during the Zoning in Progress period. All parcels of

1 land within the municipal limits of the City of Belle Isle shall be required  
2 to comply with all new boat dock regulations adopted during the Zoning in  
3 Progress period, unless otherwise previously exempted by City Council, or in  
4 permit review prior to adoption of the new regulations. The City Clerk is  
5 directed to post a copy of this Resolution at City Hall during the Zoning in  
6 Progress period, and to cause this Resolution to be published, in full, at  
7 least once in a newspaper of general circulation within the City.

8 SECTION 5. Severability. If any section, subsection, sentence, clause  
9 or phrase of this Resolution is, for any reason held to be unconstitutional,  
10 such decision shall not affect the validity of the remaining portions of this  
11 Resolution. The City of Belle Isle, Florida hereby declares that it would  
12 have passed this Resolution, and each section, subsection, clause or phrase  
13 thereof, irrespective of the fact that any one or more sections, subsections,  
14 sentences, clauses and phrases be declared unconstitutional.

15 SECTION 6. Effective Date. This Resolution shall take effect  
16 immediately upon its adoption.

17  
18 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE THIS 18th  
19 DAY OF OCTOBER, 2016.

20 \_\_\_\_\_  
21 Lydia Pisano, Mayor

22 ATTEST:

23 \_\_\_\_\_  
24 Yolanda Quiceno, City Clerk

Approved as to correctness and form:

25 \_\_\_\_\_  
Frank Kruppenbacher, City Attorney

(CITY SEAL)

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do  
4 hereby certify that the above and foregoing Resolution No. 16-14 was duly and  
5 legally passed and adopted by the Belle Isle City Council in session  
6 assembled, at which session a quorum of its members were present on the  
7 \_\_\_\_\_ day of October, 2016.

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10 Yolanda Quiceno, City Clerk  
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