

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

**Meeting Date:** September 5, 2023  
**To:** Honorable Mayor and City Council Members  
**From:** Interim City Manager, Chief Grimm  
**Subject:** Nonconforming Structures and Use – 1711 Hoffner Avenue

**Background:** On August 17, 2023, property owner Marvel Quevedo requested a lot split to create a new single-family residence on the proposed new lot while maintaining the nonconforming structures and uses on the existing site. The property currently features a single-family home, an office building, and a greenhouse. The nonconforming structures and land use predate the city’s land development code, Section 54-1 (f), allowing for one principal building and use per lot.

In 2019, before purchasing the property, Mrs. Quevedo inquired about the development of the land to the City Manager. She obtained a Zoning Certification Letter from the former City Manager dated February 4, 2019, and April 21, 2022.

On May 21, 2020, the City Planner sent an email to the homeowner stating that due to the zoning on the property of R1AA, it does not allow more than one dwelling per the zoning code.

Additionally, the request to build more than one principal building on 1711 Hoffner Avenue was not presented to the City’s Planning and Zoning Board or the City Council for review or approval. Under Section 42-62, the City Manager has the authority to enforce and interpret the land development code but cannot grant variances to the code.

In August of 2023, Mrs. Quevedo was informed via email of section 54-1 (f) *Required lot and occupancy. Every building and structure hereafter erected shall be located on a lot or tract as defined herein, and in no case shall there be more than one principal building or use on one lot except as provided in Section 54-3 regarding nonconforming uses.*

Due to the Zoning Certification Letter presented to the homeowner, the Staff requests direction from the City Council.

**Staff Recommendation:** Approve the denial letter signed by Interim City Manager Grimm, correcting any ambiguities or errors in the previous City Manager’s interpretation letter. Then, the property owner will have the right to appeal that new interpretation to the P&Z Board according to Section 42-62. After that, the P&Z Board’s decision on the appeal can be further appealed to the City Council under Section 42-71, City Code

**Suggested Motion:** I move that we approve the 2023 Zoning Certification Letter signed by Interim City Manager Grimm.

**Alternatives:** Do not approve the updated Zoning Certification Letter for 1711 Hoffner Avenue.

**Fiscal Impact:** Unknown

**Attachments:** Zoning Certification Letter (February 4, 2019) by Bob Francis  
Zoning Certification Letter (April 21, 2022) by Bob Francis  
Zoning Email (May 2020) by City Planner April Fisher  
Zoning Certification Letter (August 17, 2023) by Travis Grimm