

Desmond A. Lewis
2504 Trentwood Blvd,
Belle Isle, FL 32812

Date: July 17th, 2025

City Manager / Hearing Officer
City of Belle Isle
1600 Nela Avenue
Belle Isle, FL 32809

RE: Appeal of Fines and Fees under Sec. 48-63(d)(4) – Tree Removal at 2504 Trentwood Boulevard, Belle Isle, Florida 32812

Dear City Manager or Designated Hearing Officer,

I am writing to respectfully appeal the fines and/or fees assessed pursuant to **Sec. 48-63(d)(4)** of the **City of Belle Isle Tree Protection Ordinance**, regarding the removal of a hazardous tree located at 2504 Trentwood Boulevard, Belle Isle, Florida 32812.

The removal was performed by a licensed and reputable tree removal service, which, while not formally registered with the city at the time of the action, determined that the tree in question met the criteria for **immediate removal** due to the following:

- The tree was **dead or beyond recovery**, meeting the ordinance's definition of such condition in that more than 50% of the tree was determined to be dead and/or in **irrecoverable decline**.
- It was a **hazardous tree**, posing an **imminent threat** to life and property. According to the ordinance, a hazardous tree is one that presents a danger of falling that cannot be remedied through ordinary means or preservation procedures.
- Its condition presented a significant risk to **power lines, my home, adjacent properties**, and most importantly, **public safety**.

Due to my absence at the time of the incident, I relied on the professional assessment of the tree removal service and my agent, who communicated the urgency of the situation. The decision was made with the good faith intention of preventing **serious damage or injury**, especially given the timing during Florida's **active hurricane season**. In this context, where swift preventative action is often necessary to safeguard community welfare, I believe the removal qualifies under the ordinance's allowance for exceptions in cases where a tree constitutes a **hazard to public safety** and thus justifies **immediate mitigation**.

It is my understanding that the ordinance permits the City Manager or their designee to **waive the requirements** of Sec. 48-63(d)(4) where warranted. In this case, the actions taken were to prevent potentially **catastrophic consequences** to persons and property, rather than to circumvent city procedures.

Therefore, I respectfully request that the **fine be waived or significantly reduced**, and that an **exemption or exception** be granted on the basis of:

1. The tree's hazardous and irrecoverable condition, as defined under the ordinance.
2. The **emergency nature** of the threat it posed to safety and property.
3. The intent of the property owner and agent to act **responsibly and diligently** in the face of potential harm.
4. The removal aligning with the **spirit and intent** of the ordinance — which is to protect community safety and ensure reasonable regulation of tree management.

Please accept this appeal as a good faith effort to work collaboratively with the City of Belle Isle while balancing both environmental and public safety priorities.

Thank you for your attention and understanding. I am happy to provide any supporting documentation, including a statement or report from the tree removal company attesting to the condition of the tree, photos, or a sworn affidavit.

Sincerely,

Desmond Lewis

Desmond A. Lewis
2504 Trentwood Boulevard
Belle Isle, FL 32812

qrdeso@gmail.com.

SEPTEMBER 16 2025

NOTICE OF VIOLATION

City of Belle Isle, Code Enforcement Division, 1600 Nela Avenue. Belle Isle, FL 32809

LEWIS DESMOND ARTHUR
HENRY DESIRÉE
2504 TRENTWOOD BLVD
BELLE ISLE, FL 32812

Case No: CE-25-0341
RE: 2504 TRENTWOOD BL
APN: 30-23-30-1692-02-070

RE: CODE VIOLATIONS at 2504 TRENTWOOD BL, APN#: 30-23-30-1692-02-070

Dear OWNER,

July 14, 2025

An inspection on July 14, 2025 resulted in apparent violations of code. In an effort to improve and restore the community, we are actively enforcing the Belle Isle Municipal Codes and Ordinances. According to available records, you are listed as an owner or other interested party regarding this property / vehicle. This Notice of Violation is submitted to you, requiring your cooperation in correcting the violations below.

Code Violation:	Code Section:	Violation:
Tree protection	Sec 48-63(d) (4)	Use of unregistered tree removal service and/or landscape architect prohibited. No commercial tree removal service shall be used by the owner or occupant of the property unless the service has first registered with the city. The removal of a tree without an arborist report or a tree removal permit is a violation of this code also.
Tree protection	Sec 48-63(d) (4)	Use of unregistered tree removal service and/or landscape architect prohibited. No commercial tree removal service shall be used by the owner or occupant of the property unless the service has first registered with the city. The removal of a tree without an arborist report or a tree removal permit is a violation of this code also.

Code Section:	Corrective Action:	Compliance Due Date:
Sec 48-63(d) (4)	A \$500 fine has been placed on this citation.	July 21, 2025
Sec 48-63(d) (4)	A \$500 fine has been placed on this citation for unregistered Tree Contractor	July 21, 2025

Date	Fee/Payment Name	Fee Details/Notes	Fee/Payment Amount
07/14/2025	Fee	No permit for taking down tree	\$500.00
07/14/2025	Fee	Unregistered Tree Contractor	\$500.00
Total Fees Due:			\$1,000.00

Failure to comply with this notice may result in prosecution before the Code Enforcement Special Magistrate.

If you have any questions regarding this matter, please do not hesitate to call me at 407-849-8450.

If there are fines attached to this citation you may pay at City Hall, 1600 Nela Avenue. Again, thank you for doing your part to maintain the preservation, welfare, and safety of the community as a whole.

30-76(b) Hearing request by person cited. Any person summoned by a parking violation citation,

upon the payment of a fee of \$50.00 in cash, money order or cashier's check, may within five working days after issuance of the citation file with the city manager a written request for a hearing with the city manager.

14-50(c) Appeal of fines and fees. Any person determined by the city to be in violation of any provision of the city's Code of Ordinances that is cited or assessed penalties under this article may appeal the imposition of any fee or penalty imposed by filing a written request for appeal to the special magistrate within 15 business days of service or hand delivery of the city's written citation or notification that imposes any fines or fees relating to a violation of the city's Code of Ordinances. The written request for appeal shall also be filed with the city's code enforcement department or its designees. The written request for appeal must contain a short statement of the grounds for the appeal. The special magistrate, exercising appellate jurisdiction over the matter, shall hear the appeal within 60 days after the filing of the written request for appeal and shall give notice of the hearing to the appellant and the city's code enforcement department or its designees. The appellant shall pay to the city a fee prescribed by the city commission to cover the administrative costs of such an appeal.

Payment must be made within 30 days of the date on this citation. Failure to do so will result in a late fee of \$25

Sincerely,

Patrick Albery

A handwritten signature in black ink, appearing to read 'Patrick Albery', with a large, stylized loop at the end.

Photographs



IMG_1922.jpg