



## CITY OF BELLE ISLE, FLORIDA

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[www.cityofbelleislefl.org](http://www.cityofbelleislefl.org)

February 4, 2021

Jeffrey Giles  
5842 Cove Dr.  
Belle Isle, FL 32809

RE: Boat Dock

Dear Mr. Giles:

At the Council meeting held on November 4, 2020, the City Council passed a motion denying your variance request for your boat dock and that you must bring the dock into compliance with the BIMC, Section 48. To do so, you had 90 days to apply for a permit and the construction of the dock had to be done within 6 months of the issue date of the permit. The 90-day period has expired and you have not applied for, or received, the permit. Attached is an excerpt from the minutes of the City Council Meeting.

Due to delays brought about by COVID-19, I am extending this 90-day period until February 24, 2021. If you do not have an approved permit by that time, I will request that the City Council issue a directive to have the Code Enforcement Officer issue daily fines according to the code and pursue any other legal remedy until the dock is brought into compliance with the Code. If you have any questions regarding this letter, please do not hesitate to contact me. If you have questions regarding the permit process, please contact the City Planner, April Fisher, at [aprilfisher73@gmail.com](mailto:aprilfisher73@gmail.com). Thank you.

Sincerely,

Bob Francis, ICMA-CM  
City Manager

Comm Gold asked how the applicant can rectify the wrong without costing the applicant a high cost; what harm has it caused. City Manager Francis said the harm caused was that the rules were not followed. The applicant has violated the Code on numerous occasions, and in this instance, the abutting docks have caused a navigational safety hazard.

Comm Carugno shared his concern with the extended walkway and the pictures that show a pump on the beach and lights on the dock. The amount of work on the dock is way over the amount that was written in the permit. Comm Carugno said there is a lot more unpermitted work done in the City, and if the Council lets this go, it is opening a Pandora's Box.

**Comm Nielsen moved to deny the appeal of Public Hearing 2020-08-006 application for a variance by Jeffrey Giles, 5842 Cove Drive, Belle Isle, FL 32812. She also moved that the dock located at 5842 Cove Drive be brought into conformance with Section 48 of the BIMC by applying for and receiving an approved permit within 90-days of the date of this hearing and constructing the dock within 6-months of the date of the permit.**

**Comm Sims seconded the motion, which passed unanimously by roll call 7:0.**

#### CONSENT ITEMS

- a. Approval of the October 6, 2020, City Council minutes.
- b. Approval of the October 20, 2020, City Council minutes.

**Comm Shuck moved to approve Consent Items a and b as presented.**

**Comm Gold seconded the motion, which passed unanimously upon roll call 7:0.**

#### CITIZEN COMMENTS

Mayor Fouraker opened for citizen comments.

There being no comments presented, Mayor Fouraker closed citizen comments.

#### UNFINISHED BUSINESS

##### Proposed Ordinance to change "After-the-Fact" permits and fines

Mr. Francis said, as a result of the October 20, 2020 meeting, the Council directs that the staff research what other municipalities provide in the way of penalties associates with after-the-fact fees. He offered a list of approx 10-cities that currently apply after-the-fact fees. He spoke of an existing violation of Seminole. To reiterate, he said permits are essential because they provide a permanent record of work and inspections on a project. He asked Council three questions.

1. Does the Council want to have a date of March 1, 2010, as discussed or the date of the Ordinance adoption?
2. Does the Council want to have both the After-The-Fact permit and Work-Without-Permit permit or just an ATF permit?
3. What is considered a fair penalty but strong enough to dissuade residents from applying for a permit?

**Comm Carugno moved to accept the staff recommendation to increase the after-the-fact penalty and direct that the appropriate Ordinance be drafted for a first reading.**

**Comm Sims seconded the motion for discussion.**

**Comm Gold said he would like to see the penalty breakdown as simple and sufficiently painful and be based on double the permit fee and triple the after-the-fact fee.**

**After discussion, the motion passed unanimously upon roll call 7:0.**

#### NEW BUSINESS

##### Donation Request for Pioneer Days

**Comm Nielsen motioned to sponsor \$600.00 to the Pine Castle Pioneer Days for the acoustic stage.**

**Comm Gold seconded the motion, which passed unanimously upon roll call 7:0.**