

**CITY OF BELLE ISLE  
REGULAR SESSION  
AUGUST 7, 2007  
5:30 P.M.**

The Belle Isle City Council met in regular session on Tuesday, August 7, 2007 at 5:30 p.m. in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida.

Mayor Brooks gave the invocation and led the Pledge to the Flag.

Mayor Brooks called the roll:

Commissioner Readey	Present
Commissioner Scott	Present
Commissioner Spaulding	Absent
Commissioner Petruzzi	Absent
Commissioner Prince	Present
Commissioner Ady	Absent
Commissioner Pisano	Arrived at 6:10 p.m.

**MAYOR'S REPORT:**

Mayor Brooks reported that an area youth was in critical condition after being infected by an ameba which causes meningoencephalitis, which can be fatal. The ten year old is a Belle Isle resident and the family needs our thoughts and prayers.

Regarding the Budget, he advised one of his primary concerns was being able to fund an increase in law enforcement coverage to two deputies per shift and to continue to improve our aging infrastructure.

Mayor Brooks commented that he was happy to see the commuter rail will be done in one phase and will include the Sandlake Road stop.

He encouraged Council to consider the regional impact of that stop and encouraged the city to work with Orange County to have some input into the how the area develops.

Mayor Brooks stated that should resident's inquire, Belle Isle has no funding in the sport and arts venues. Orange County is putting up tourist development dollars.

He commended Corrine Brown for her reading challenge to school children. Children who read 25 books and do 25 book reports receive a new computer.

Mayor Brooks commented on the number of homes for sale in the area and stated we should be concerned that some families are moving out of our community to avoid having their children attend Oak Ridge High School. He stated his hope that someone in the community would open a charter school for our area.

### **CITIZENS' COMMENTS:**

Mr. Carl Shuck, Wind Harbor Resident, along with other HOA Board members, were in attendance to call attention to the drain outlet on lot 66 which is blocked with weeds. They also asked that the city look at the issue to determine if the blockage is causing a public health issue from stagnant, standing water.

City Attorney Bennett stated that he had spent quite a bit of time researching the issue in the past when some owners adjacent to the Lagoon were pushing to open the channel to Lake Conway.

Mr. Shuck advised they were not looking to open the channel, just trying to alleviate the problem.

Mayor Brooks asked the City Manager to pull the file for the HOA's review.

They asked about the traffic study for a signal at McCoy and Gondola.

Mayor Brooks stated the traffic study states a signal is warranted and FDOT encouraged Orange County to move forward with the light.

The representatives also commented on the number of vehicles with boat trailers parking on the streets.

Mayor Brooks asked if they would want to consider additional parking signs prohibiting vehicles with boat trailers from parking in the area around the lot.

The response was positive and Mayor Brooks also asked that the Belle Isle Deputies be made aware of the problem and issue citations when appropriate.

Zack Jones, 2924 Trentwood Bvd., presented photos to the Council demonstrating the flooding that now occurs in the cul-de-sac as a result of the berms installed by Belle Isle Maintenance Staff in the DOT ditch.

Kathy Raye, 5512 Trentwood Blvd., expressed her concerns with how deep the water gets and stated it is coming close to flooding one of the homes.

Mayor Brooks assured the concerned residents that the problem was created by the City and will engineer a solution.

#### **APPROVAL OF CONSENT AGENDA:**

Commissioner Prince moved to approve the consent agenda which included minutes from the June 27 , 2007 Workshop Session, July 10, 2007 Regular Session, authorized the City Manager to prepare RFQ's for legal and audit services, \$1,000 donation to Pioneer Days, and Change Order # 14 by Miller Legg. Commissioner Scott seconded the motion which passed unanimously.

#### **AWARDED BID FOR HOFFNER DRAINAGE IMPROVEMENTS**

Excel Engineering Consultants, LLC presented a recommendation that the bid for the Hoffner Drainage Improvements be awarded to Barracuda Building Corporation in the amount of \$378,048.10. They were the low bidder and met the qualifications.

Commissioner Prince moved to award the bid to Barracuda Building Corp. in the amount of \$378,048.10. Commissioner Pisano seconded the motion which passed with three ayes and one nay vote being cast by Commissioner Readey.

#### **TREE REMOVAL REQUEST GRANTED**

Mr. Herman Welch, 6561 Franconia Drive, requested an appeal to the City Manager's denial of removal of three Washingtonian palms from their property. Mr. Welch advised the palms are very close to the house and neighboring palms were snapped in a storm. He stated they are more than willing to re-plant with acceptable trees.

Commissioner Scott moved to empower the City Manager to use some latitude to negotiate with the property owner for the replacement of the trees. Commissioner Readey seconded the motion which passed unanimously.

#### **GRANTED A VARIANCE TO FRONT SETBACK FOR A HOME ADDITION AT 7009 WILLOUGHBY LANE**

Mr. John Mader, 7009 Willoughby Lane, asked the Council to consider his front setback variance request. He advised that at the Planning and Zoning Meeting he had agreed to a lesser variance (from 30' to 24') than originally requested (from 30' to 19'), only to determine the lesser variance will not work. He stated

he is seeking an appeal to the City Council to be granted his original requested variance to front set back from the required 30' to 19' from the front property line.

Mayor Brooks opened the public hearing.

Donna McClain, 6925 Willoughby Lane, spoke in support of the variance.

Alice Weston, 6910 Willoughby Lane, spoke in support of the variance.

Mildred O'Conner, 6933 Willoughby Lane, spoke in support of the variance.

Mayor Brooks closed the public hearing.

After some discussion between the applicant and Council, Commissioner Readey moved to approve the variance to front setback to 19' from the front property line for the garage addition. Commissioner Pisano seconded the motion.

Upon roll call the vote was as follows:

Commissioner Prince	Aye
Commissioner Pisano	Aye
Commissioner Scott	Aye
Comissioner Readey	Aye

With four ayes and no nays the variance was therefore granted.

### **GRANTED VARIANCE TO SIDE SETBACK FROM 7.5' TO 1' FOR AN EXISTING CARPORT**

Mr. Alexander Cardarelli, property owner of 3612 St. Moritz, requested an appeal to the Planning and Zoning Board's denial of a variance to side set back for an existing carport.

Mr. Cardarelli advised the carport covers the existing driveway to the rear entrance garage on his property. He described the circumstances under which the carport was constructed and stated he unintentionally failed to obtain a permit for the construction. He advised the carport has been in existence since the 2004 and the neighbors have not objected. In fact, he had letters of support from both adjacent neighbors and other neighbors were here in support of the request, as well.

Mr. Cardarelli stated the structure was built in compliance with all local building codes.

Mayor Brooks asked if anyone in the audience wished to speak. There were no public comments and the public hearing was closed.

Commissioner Prince moved to grant the variance to side setback for a carport from 7.5' to 1'. Commissioner Readey seconded the motion which passed unanimously.

**ADOPTED ORDINANCE 07-10 AMENDING THE 2008 ELECTION DATE:**

Mayor Brooks asked that the ordinance be read by title only. The Ordinance was read by title as follows:

**AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA APPROVING JANUARY 29, 2008 AS THE DATE FOR THE 2008 REGULAR CITY ELECTION; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Attorney Bennett stated the ordinance applies just to 2008 and does not impact the term of office.

Commissioner Scott moved to adopt the ordinance. Commissioner Readey seconded the motion.

Upon roll call the vote was as follows:

Commissioner Prince	Aye
Commissioner Pisano	Aye
Commissioner Scott	Aye
Comissioner Readey	Aye

With four ayes and no nays the ordinance was therefore adopted.

**ADOPTED ORDINANCE 07-12: PROHIBITING LIVESTOCK AND POULTRY IN RESIDENTIAL DISTRICTS**

Mayor Brooks asked that the ordinance be read by title only. The ordinance was read by title only as follows:

**AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 4 OF THE CITY OF BELLE ISLE CODE OF ORDINANCES ADDING A SECTION TO PROHIBIT THE KEEPING OF**

**LIVESTOCK AND POULTRY IN RESIDENTIAL DISTRICTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Prince moved to adopt the ordinance. Commissioner Pisano seconded the motion.

Commissioner Prince	Aye
Commissioner Pisano	Aye
Commissioner Scott	Aye
Commissioner Readey	Aye

With four ayes and no nays the ordinance was therefore adopted.

**APPROVAL OF PRELIMINARY PLAT PRESENTED BY J. D. ELEGETI, OWNER.**

Mr. Elegeti presented the preliminary plat.

Mr. Bennett advised the final plat will have all the information included that is not present on the preliminary plat.

Commissioner Prince moved to approve the preliminary plat. Commissioner Pisano seconded the motion which passed with four ayes and no nay votes.

**GRANTED APPROVAL TO REMOVE TREE AT 6621 CITRUS VALLEY DRIVE**

Mr. Jim Nelson, property owner of 6621 Citrus Valley Drive presented his appeal to the City's denial of a permit to remove the second of two trees adjacent to his driveway. He presented a report from an independent certified arborist recommending both trees be removed and stating the findings of the inspection.

Commissioner Prince asked what type tree would he wish to replace it with.

Mr. Nelson stated they have planted four new palms and there are six large trees in their back yard around the pool. He stated they would be willing to consider an acceptable tree.

Commissioner Scott moved to empower the City Manager to use some latitude to negotiate with the property owner for the replacement of the tree. Commissioner Pisano seconded the motion which passed unanimously.

There being no further business to discuss, the meeting was adjourned.

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Belinda L. Bateman, MMC  
City Clerk