
NOTICE OF PUBLIC MEETING
September 26, 2017- 6:30 PM

CITY OF BELLE ISLE
PLANNING AND ZONING BOARD REGULAR SESSION

1. Call to Order, Confirmation of Quorum and Pledge to Flag
2. Approval of Planning & Zoning minutes for August 22, 2017
3. P&Z Case Number 2017-08-035: PURSUANT TO BELLE ISLE CODE SEC. 50-102 (D) (1) AND SEC. 42-64, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO PLACE A SWIMMING POOL CLOSER THAN 35 FEET FROM THE NORMAL HIGH-WATER ELEVATION OF LAKE CONWAY, SUBMITTED BY APPLICANT FREDERICK CHRISTENSEN, JR., LOCATED AT 2203 HOFFNER AVENUE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL NUMBER 18-23-30-5120-00-360. THE APPLICANT IS SEEKING TO USE 7.1 FEET OF THE REQUIRED 35-FOOT SETBACK TO BUILD THE POOL AND POOL DECK.
4. P&Z Case Number 2017-08-025: PURSUANT TO BELLE ISLE CODE SEC. 48-32 (3) AND SEC. 48-33, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO BUILD A 930 SQUARE FOOT ROOF STRUCTURE OVER AN EXISTING RESIDENTIAL DOCK, WITH A LARGER AREA THAN WHAT IS NORMALLY PERMITTED BASED ON THE LINEAR SHORE LINE FRONTAGE FOR THE LOT, SUBMITTED BY APPLICANT SUMMERTIME DECK AND DOCK, LOCATED AT 7210 SEMINOLE DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL NUMBER 29-23-30-4389-04-050.
5. ORDINANCE 17-08: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, CREATING A DEFINITION FOR "AUTOMATED EXTERNAL DEFIBRILLATORS"; CREATING CHAPTER ENTITLED "AUTOMATED EXTERNAL DEFIBRILLATORS" TO REQUIRE AUTOMATED EXTERNAL DEFIBRILLATORS AT CERTAIN BUILDINGS; PROVIDING FOR THE INSTALLATION AND OPERATION REQUIREMENTS TO MAINTAINING AN AUTOMATED EXTERNAL DEFIBRILLATOR; PROVIDING FOR FEES, PENALTIES AND APPLICABILITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.
6. ORDINANCE 17-12: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA APPROVING THE REZONING APPLICATION OF THE CITY OF BELLE ISLE, PROPERTY OWNER/APPLICANT OF "LOT 2 WALLACE STREET" AND REZONING THAT CERTAIN PROPERTY LOCATED ON WALLACE STREET, BELLE ISLE, FLORIDA, IDENTIFIED IN THE ORANGE COUNTY TAX ROLLS WITH PARCEL NUMBER 24-23-29-8977-00-021 MORE PARTICULARLY DESCRIBED IN ORANGE COUNTY RECORDS, ORANGE COUNTY, FLORIDA, FROM SINGLE-FAMILY DWELLING DISTRICT (R-1-AA) TO PUBLIC BUILDINGS DISTRICT(PUB); PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.
7. Other Business
8. Adjourn

Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which

City of Belle Isle - Planning and Zoning Board Regular Session
September 26, 2017

the appeal is to be based, Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.

NOTICE OF PUBLIC MEETING

SEPTEMBER 26, 2017 – 6:30PM

CITY OF BELLE ISLE PLANNING AND ZONING BOARD REGULAR SESSION

ITEM 3 MEMORANDUM

TO: Planning and Zoning Board
DATE: September 15, 2017

P&Z Case Number 2017-08-035:

PURSUANT TO BELLE ISLE CODE SEC. 50-102 (D) (1) AND SEC. 42-64, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO PLACE A SWIMMING POOL CLOSER THAN 35 FEET FROM THE NORMAL HIGH-WATER ELEVATION OF LAKE CONWAY, SUBMITTED BY APPLICANT FREDERICK CHRISTENSEN, JR., LOCATED AT 2203 HOFFNER AVENUE, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL NUMBER 18-23-30-5120-00-360. THE APPLICANT IS SEEKING TO USE 7.1 FEET OF THE REQUIRED 35-FOOT SETBACK TO BUILD THE POOL AND POOL DECK.

Background:

1. On August 31, 2017, Frederick Christensen Jr. submitted the application and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, September 16, 2017 Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on Wednesday, September 13, 2017.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing.

The Board will need to determine if the criteria set forth of the Land Development Code have been met, and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, the criteria of Chapter 42, Article III, 50-102 (D) (1) and Sec. 42-64 of the Belle Isle Land Development Code having been met to approve this request for a variance to place a swimming pool closer than 35-feet from the normal high water elevation of Lake Conway, submitted by applicant Frederick Christensen, Jr. located at 2203 Hoffner Avenue, Belle Isle, FL 32809 also known as Parcel #18-23-30-5120-00-360.

SAMPLE MOTION TO DENY:

"I move, the justifying criteria of the Belle Isle Land Development Code, Chapter 42, Article III, 50-102 (D) (1) and Sec. 42-64, having NOT been met; ***[use only if NONE of the justifying criteria have been met]*** the requirements of section 42-64(1) Subsections: ***[STATE ONLY THE SUBSECTIONS BELOW THAT ARE NOT SATISFIED]*** ***having NOT been met; [may be used in addition to above or alone]*** to deny this request for a variance to place a swimming pool closer than 35-feet from the normal high water elevation of Lake Conway, submitted by applicant Frederick Christensen, Jr. located at 2203 Hoffner Avenue, Belle Isle, FL 32809 also known as Parcel #18-23-30-5120-00-360.

SUBSECTION (D), literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved, including but not limited to dimensions, topography or soil conditions.

SUBSECTION (E), personal hardship is not being considered as grounds for a variance since the variance will continue to affect the character of the neighborhood after title to the property has passed and that the special conditions and circumstances were not created in order to circumvent the Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the Code, will not be injurious to the neighborhood, will not be detrimental to the public welfare, and will not be contrary to the public interest.

Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



April Fisher, AICP
fisherpds@outlook.com
407-494-8789

Variance Application: 2203 Hoffner Avenue

Applicant Request: Variance to place a swimming pool closer than 35 feet from the Normal High Water Line of Lake Conway. The applicant is seeking to use 7.1 feet of the required 35-foot setback to build the pool and pool deck.

Existing Zoning/Use: R-1-AA/ single-family home

Review Comments

This variance application seeks a variance from Sec. 50-102 (D) (1) pursuant to Sec. 42-64 to place a swimming pool closer than 35 feet from the Normal High Water Line (NHWL) of Lake Conway. The applicant is seeking to use 7.1 feet of the required 35-foot setback to build the pool and pool deck.

The property currently has a sea wall which is at the NHWL (please see the survey provided with the application) however the distance between where the pool is proposed and the NHWL is within the required 35-foot setback required.

The applicant has provided supporting documentation addressing the variance criteria.

Staff Recommendation

Staff recommends approval of the variance based on the fact that the current conditions have not been caused by the property owner, there are peculiar circumstances with the lot that the property has a seawall that is also at the NHWL, restricting the building area of the lot, it is the minimum variance possible to allow for the swimming pool, and it is in harmony with the purpose and intent of the code, and in harmony with the surrounding area.

City of Belle Isle

1600 Nela Avenue, Belle Isle, Florida 32809 * Tel 407-851-7730 * Fax 407-240-2222

APPLICATION FOR VARIANCE / SPECIAL EXCEPTION

DATE: 8/31/2017

P&Z CASE #: 2017-08-035

[X] VARIANCE [] SPECIAL EXCEPTION [] OTHER

DATE OF HEARING: 9/26/2017

APPLICANT: FREDERICK CHRISTENSEN JR.

OWNER: SAME

ADDRESS: 2203 HOFFNER AVE
Belle Isle, FL 32809-3533

PHONE: 321-229-6620

PARCEL TAX ID #: 18-23-30-5120-00-360

LAND USE CLASSIFICATION: 0130-SFR-^{LANE}FRONT ZONING DISTRICT: Belle Isle

DETAILED VARIANCE REQUEST:
USE 7.1' OF 35' SET BACK FROM HIGH WATER MARK
TO BUILD POOL AND POOL DECK

SECTION OF CODE VARIANCE REQUESTED ON: SECTION 42-64

The applicant hereby states that the property for which this hearing is requested has not been the subject of a hearing before the Planning and Zoning Board of the kind and type requested in the application within a period of nine (9) months prior to the filing of the application. Further that the requested use does not violate any deed restriction of the property.

By submitting the application, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property, during reasonable hours, to inspect the area of my property to which the application applies.

Applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) photograph of the front of the property and at least two photographs (from different angles) of the specific area of the property to which the application applies.

[Signature]

APPLICANT'S SIGNATURE

[Signature]

OWNER'S SIGNATURE

083117

FOR OFFICE USE ONLY:	FEE: \$150.00	8/31/2017	✓ Ctr	A. Percock
		Date Paid	Check/Cash	Rec'd By
Determination _____				
Appealed to City Council: [] Yes [] No		Council Action: _____		

Variance Request
For Construction of Pool in Back Yard of Home
2203 Hoffner Avenue
Belle Isle, FL 32809
Owner: Frederick Christensen Jr.

Section 42-64(1) d - Special Conditions and/or Circumstances

- The variance request is to use a portion of the 35' set back from the high water mark that is located just past the seawall. There is only 47.9' from the back of the house to the high water mark and with the 35' set back from high water mark to deck edge there is only 12.9' of available space to be able to build a pool and deck. Also with the state code that all pools must be 5' from glass there is only about 7 available feet left to place the pool. We are looking to build a deck that extends 25' out from the back of the house with a 12' wide pool. The proposed pool deck would be 22.9' from the high water mark. The pool and deck would still be over 10' away from the rear property line and the slope of the yard after 25' drops 3' down to the seawall so the pool would be 3-4 feet above the water line.

Section 42-64(2) e – Not Self-Created

- This condition is due to how the house was built prior to my purchase and is not created by any changes or additions I have done to the home.

Section 42-64(3) f – Minimum Possible Variance

- There is no other area of yard around the house that would be able to fit a pool and deck. We would need to build a minimum of 12' 1" into the 35' High Water Mark setback to be able to build the pool.

Section 42-64(4) g – Purpose and Intent

- We are planning building a beautiful swimming pool with silver travertine deck and no screen. The pool will add to the value of the home and the appearance of the home. The pool will be place in the highest area of the yard and the lake sits 3-4 feet below the water line of the pool. The pool should add value to the neighborhood and therefor help raise the value of the properties around the home. No other homes will be adversely affected by the construction of the pool.

Prepared by and Return To:

Heather Kelley
Fidelity National Title of Florida, Inc.
9685 Lake Nona Village Place, Suite 203
Orlando, FL 32827

Order No.: 30-17-0331

For Documentary Stamp Tax purposes the consideration is \$525,000.00

APN/Parcel ID(s): 18-23-30-5120-00360

WARRANTY DEED

THIS WARRANTY DEED dated June 28, 2017, by Jennifer C. Harmon and Anthony R. Harmon, wife and husband, hereinafter called the grantor, to Frederick Christensen, Jr. and Ashley Papagni, as joint tenants, whose post office address is 2203 Hoffner Avenue, Belle Isle, FL 32809, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in the County of Orange, State of Florida, to wit:

Begin at a point on the Westerly Right-of-Way line of Conway Drive, said point being located at the intersection of the prolongation of the South line of Lot 70, Block "E", of Venetian Gardens, according to Plat Book L, Page 25, Public Records of Orange County, Florida, and the Westerly Right-of-Way line of Conway Drive, run thence Northwesterly and at right angles to Conway Drive 144.4 feet to a point on the 86.4 contour line as established by the U. S. Coastal Geodetic Survey Datum, thence Southwesterly along said 86.4 contour line 110.3 feet to a point, thence Southeasterly 135 feet to the Westerly boundary of Conway Drive, thence Northeasterly along the Westerly Right-of-Way line of Conway Drive 110 feet to a point of beginning.

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2016.

WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Signed, Sealed and Delivered in the presence of:



Witness Signature

Patricia K. Handier

Print Name




Witness Signature

Heather Kelley

Print Name



Jennifer C. Harmon



Anthony R. Harmon

Address:

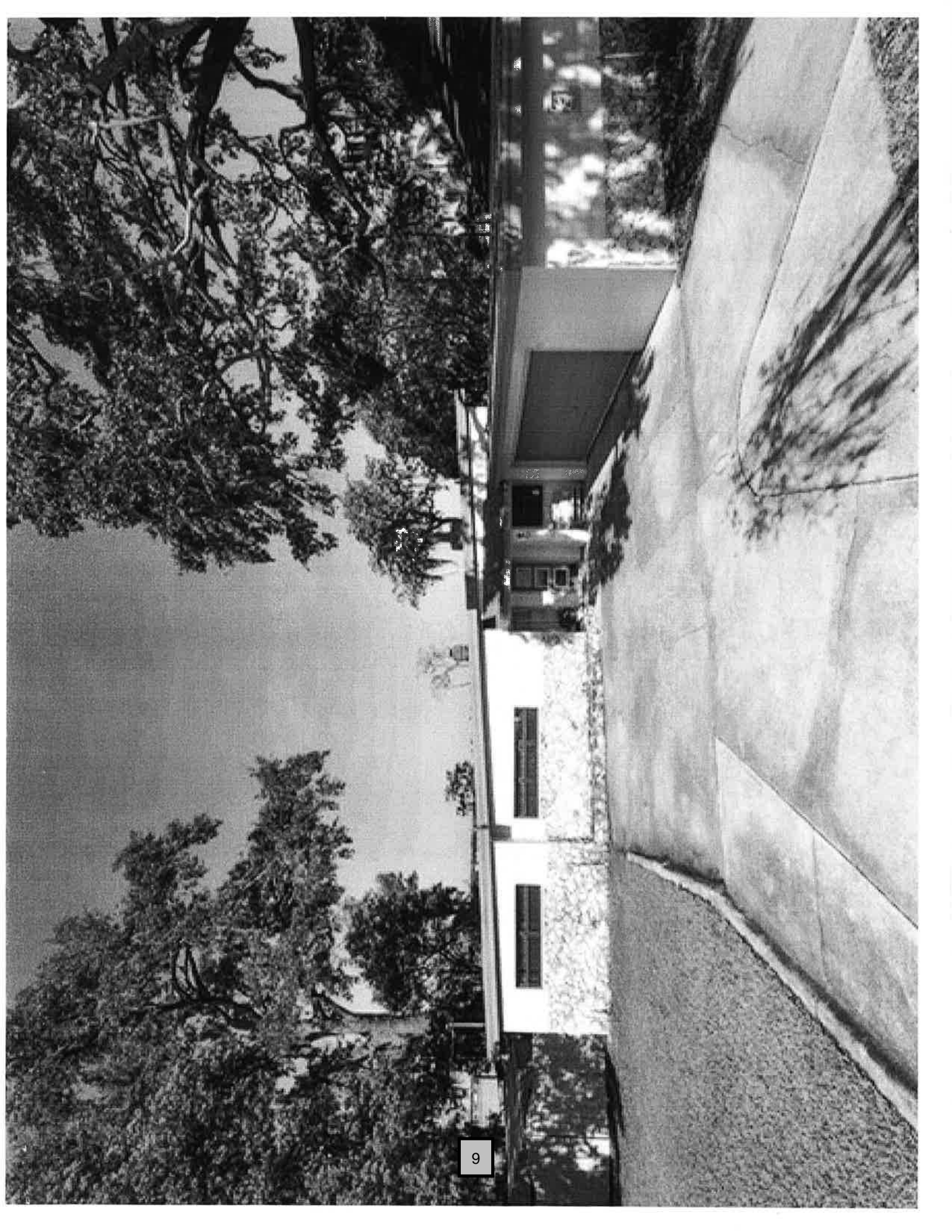
State of Florida
County of Orange

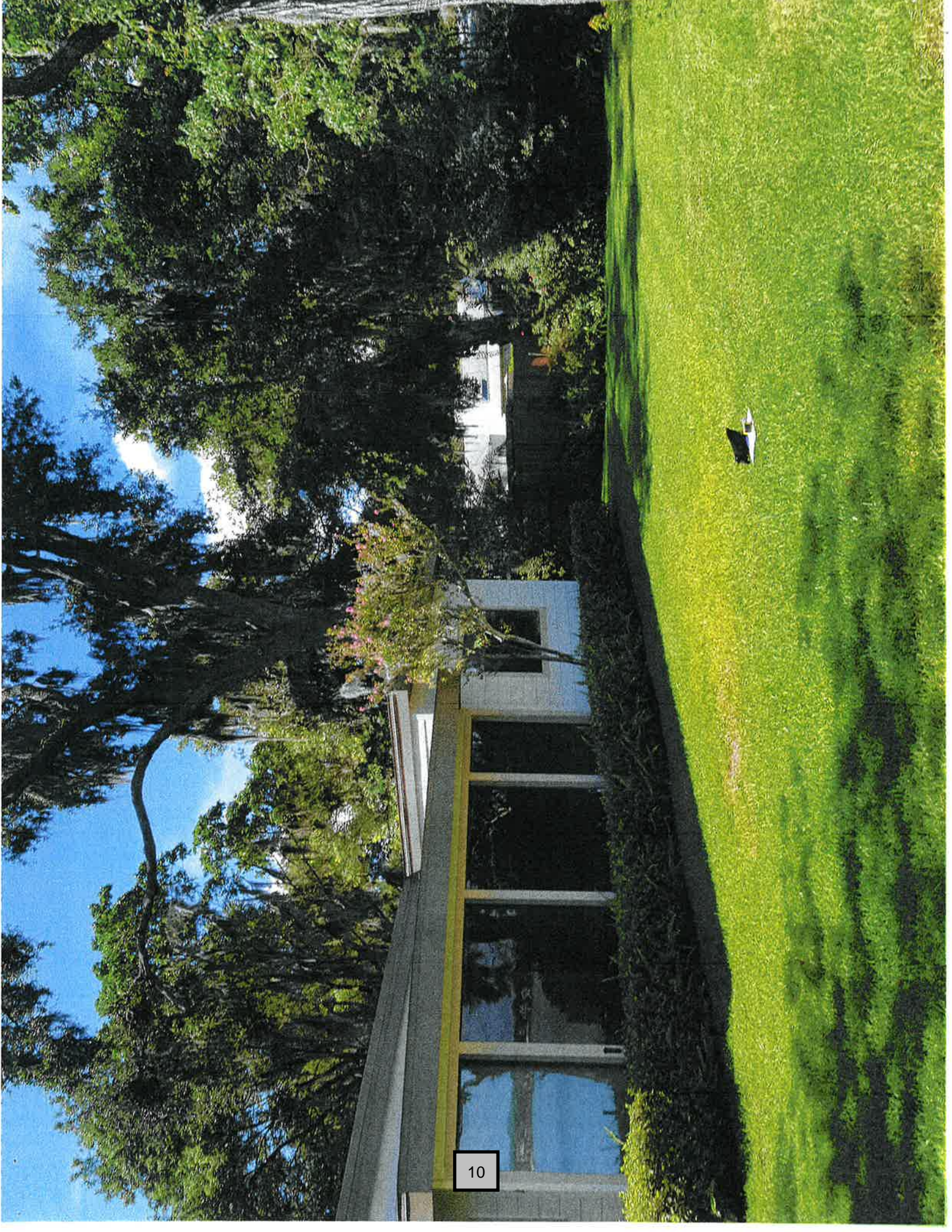
The foregoing instrument was acknowledged before me this 28 day of June, 2017, by Jennifer C. Harmon and Anthony R. Harmon, to me known to be the person(s) described in or who has/have produced FLDL as identification and who executed the foregoing instrument and he/she/they acknowledged that he/she/they executed the same.

Witness my hand and official seal in the County and State last aforesaid this 28 day of June, 2017



NOTARY PUBLIC
My Commission Expires:









2017-08-035

City of Belle Isle

1600 Nela Avenue, Belle Isle, Florida 32809 * Tel 407-851-7730 * Fax 407-240-2222

ABOUT YOUR PUBLIC HEARING

The following information is provided to assist applicants in applying for a variance, special exception or use determination.

The City of Belle Isle's Planning and Zoning Board, which is comprised of seven (7) non-paid volunteer residents, meets on the fourth Tuesday of the month to hear various planning and zoning issues, including variances, special exceptions and use determinations. In recommending approval or denial of a request, the Board looks at each application individually to determine if the request meets the following criteria:

1. A written application for variance must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the month. The application must include:
 - a. the \$150.00 filing fee,
 - b. a completed application form,
 - c. proof of ownership of the property, or, a notarized statement from the owner with the representative's information,
 - d. 10 copies of a plot plan or survey showing all improvements to the property, 10 copies of a scale drawing of the planned construction, illustrated on the survey, and
 - e. for boat dock variances, the survey must clearly illustrate the 86.9 contour line of Lake Conway.
2. The literal enforcement of the provisions of the zoning ordinance would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved including, but not limited to, dimensions, topography or soil conditions.
3. Personal hardship is not being considered as grounds for a variance, since the variance will continue to affect the character of the neighborhood after the title to the property has passed, and that the special conditions and circumstances were not created in order to circumvent the zoning ordinance for the purpose of obtaining a variance.
4. The variance is the minimum variance that will make possible reasonable use of the land, building or structure.
5. The granting of the variance will be in harmony with the general purpose and intent of the zoning ordinances, will not be detrimental to the public welfare and will not be contrary to the public interest.

Applications submitted must meet all of the above criteria before the Board can grant a variance. The burden of proof is on the applicant to show compliance with the criteria.

A special exception addresses compatibility of uses, differing slightly from a variance. The approval of a special exception is dependent upon how the request affects the surrounding area. All uses allowed as special exceptions are listed within the individual zoning districts. Before the Board can approve a special exception, the request must meet all of the following criteria:

General Information

1. A written application for special exception must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the month. (See Above)
2. The Board shall make a finding that it is empowered under the section of the zoning ordinance described in the application to grant the special exception, and that granting of the special exception will not adversely affect the public interest.
3. It is determined that the public health, safety, comfort, order, convenience, prosperity, morals or general welfare is promoted, protected or improved.
1. Certain conditions may be prescribed on the special exception or variance approved by the Board.
2. The applicant must be present at all hearings. Decisions rendered by the Board do not become final until fifteen (15) days after the hearing. The fifteen-day waiting period gives all aggrieved parties an opportunity to appeal the decision. Any person filing an appeal will submit, within fifteen (15) days of the decision, a notice stating where he or she feels the Planning and Zoning Board erred in their decision. An appeal hearing will then be held by Belle Isle's City Council.
4. Variances and special exceptions granted by the Board will become void if a permit necessary for utilization of the variance or special exception is not issued within six (6) months of the date approved by the Planning and Zoning Board

SEE HIGHLIGHTED FOR WHAT YOU NEED TO PROVIDE.
ALL OTHER NEEDED DOCUMENTS ARE INCLUDED IN THE PACKET.

10 COPIES OF FRONT OF HOUSE PIC NEEDED
SIGN AND DATE APPLICATION

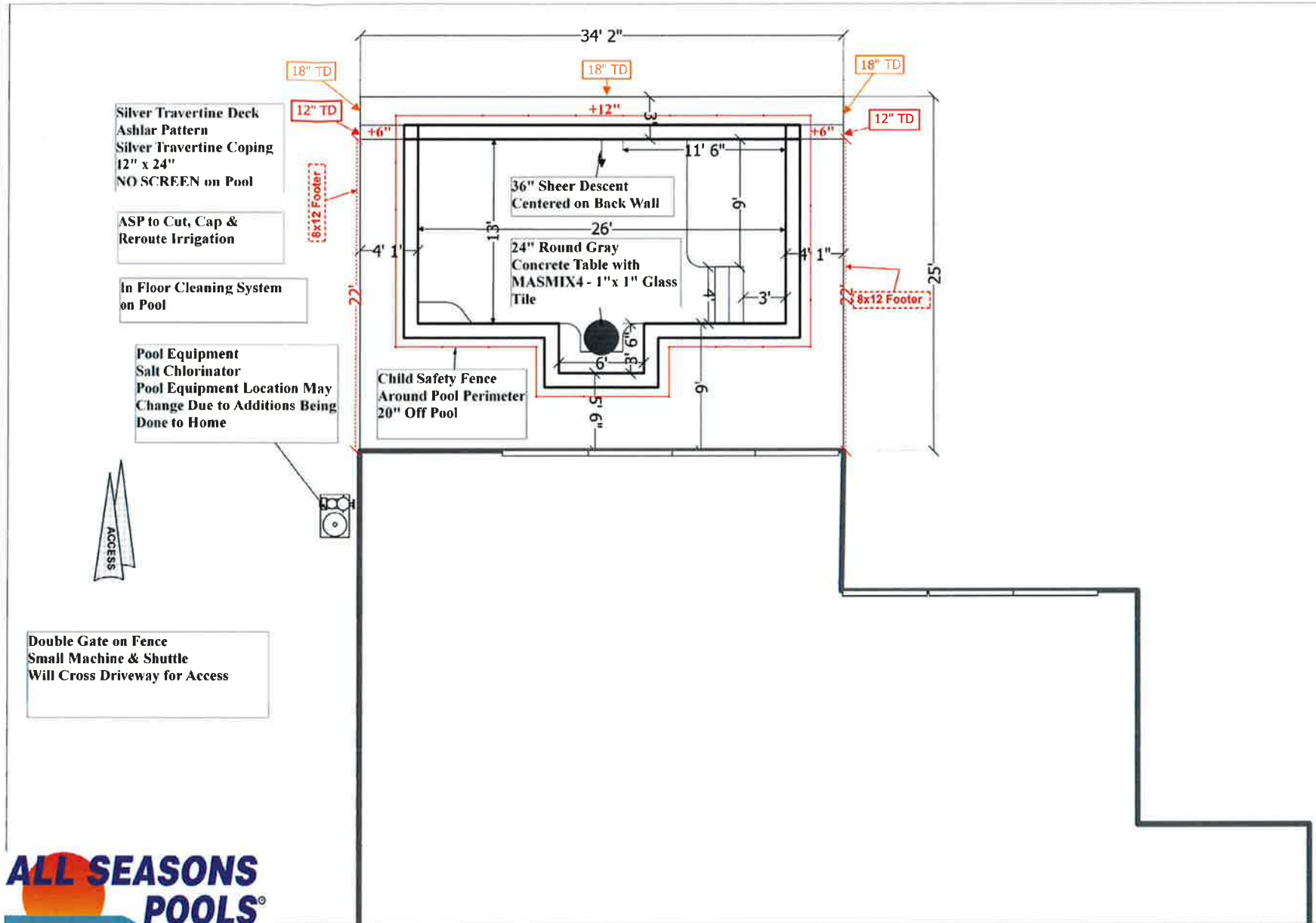
Variance Request – Application Supplement

<p>*Standards of Variance Justification</p>	<p>Section 42-64 of the Land Development Code (LDC) states that no application for a Zoning Variance shall be approved unless the Planning and Zoning Board finds that all of the following standards are met. Please answer each bold-text question in a separate typed or written document and submit it to the City as part of your variance request.</p>
<p>Special Conditions and/or Circumstances Section 42-64 (1) d</p>	<p>The applicant must prove that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved, including but not limited to dimensions, topography or soil conditions. WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP?</p>
<p>Not Self-Created Section 42-64 (1) e</p>	<p>The applicant must prove that the special conditions and circumstances do not result from the actions of the applicant. A personal (self-created) hardship shall not justify a variance; i.e. when the applicant by their own conduct creates the hardship alleged to exist, they are not entitled to relief. HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?</p>
<p>Minimum Possible Variance Section 42-64 (1) f</p>	<p>The applicant must prove that the zoning variance is the minimum variance that will make possible the reasonable use of the land, building or structure. CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.</p>
<p>Purpose and Intent Section 42-64 (1) g</p>	<p>The applicant must prove that approval of the zoning variance will be in harmony with the general purpose and intent of the Code and such zoning variance will not be injurious to the neighborhood, not detrimental to public welfare, and not contrary to the public interest. WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE: ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC)</p>

*For a variance application from Sec. 50-102 (b) fences and walls, please also identify how you comply with the variance criteria identified in Sec. 50-102 (b) (16). Please note for a fence variance, you do not have to comply with Sec. 42-64 (1) d and (1) f.

*EXPLANATION ONLY
 ALL QUESTIONS ANSWERED ON SEPARATE DOC IN PACKET*

Sign Off



Silver Travertine Deck
Ashlar Pattern
Silver Travertine Coping
12" x 24"
NO SCREEN on Pool

ASP to Cut, Cap &
Reroute Irrigation

In Floor Cleaning System
on Pool

Pool Equipment
Salt Chlorinator
Pool Equipment Location May
Change Due to Additions Being
Done to Home

Child Safety Fence
Around Pool Perimeter
20" Off Pool

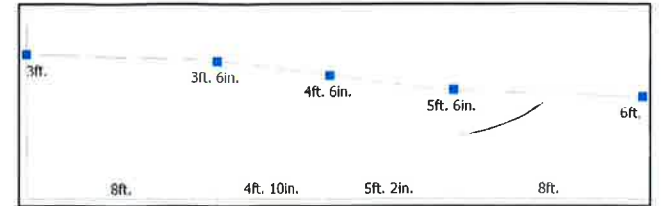
36" Sheer Descent
Centered on Back Wall

24" Round Gray
Concrete Table with
MASMIX4 - 1"x 1" Glass
Tile

Double Gate on Fence
Small Machine & Shuttle
Will Cross Driveway for Access



Finish Pool Depth Profile



Customer Int. _____

Color Selections

Interior Color: Tahoe Blue Petite Pearl

Tile Selection: NPT CATANIA CATBLUE OCEAN

Tile Grout Color: Silver 27

Colored Grout Will fade & Is Note Covered under warranty

Step Tile: None

Step Tile Pattern: None

Deck Type / Pattern: Silver Travertine French Ashlar Pattern

Deck Color: Silver Travertine

Coping Type: 12" x 24" Bullnose Silver Travertine

Coping Color: Silver Travertine

Coping Grout Color: Silver 27

Colorband Color: NA

Screen Type: NA

Screen Height: NA Screen Color: _____

Fence Type: Child Safety Fenc Around Pool

Fence Color: _____

Notes: _____

Floor Head Colors:

White: _____ Dark Grey: x Light Grey: _____ Light Blue: _____ Black: _____ Tan: _____

Deck Drain Color:

White: _____ Tan: _____ Grey: x _____

Sheer Descent Color:

Colors are for Sheer Descents Only Not used for Arc Waterfalls. Clear will be used to Substitute any color not available.

White: _____ Grey: _____ Tan: _____ Clear: x _____

Water Bowl Type: _____ Water Bowl Color: _____

Stone / Cultured Stone: _____

Granite Spillway Color: _____

Deco Tiles: Table in Pool gets MasterTile MASMIX 4 - 1"x1"

Notes: _____

Umbrella Color:

Burgandy: _____ Dark Chocolate _____ Navy Blue: _____

Taupe: _____ Royal Blue: _____ Green: _____ Hula: _____

Handrail Colors:

White: _____ Black: _____

Sales Designer

X: B. Mastrianna

Customer Approval

I have reviewed and I give my approval to proceed with the construction of this

X: _____

Customer Information

15

Name: Frederick Christensen Jr

Address: 2203 Hoffner Ave

Boundary Survey

CERTIFIED TO: (AS FURNISHED)
 Anthony R. Harmon and Jennifer C. Harmon
 Railey, Harding & Allen, P.A.
 Fidelity National Title Insurance Company
 Alkan Mortgage Corporation
 d/b/a Certified Mortgage Planners, ISAOA/ATIMA

FLOOD ZONE
 SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "AE & X500 & X", AREAS DETERMINED TO BE INSIDE & OUTSIDE THE 100-YEAR FLOODPLAIN, PER F.I.R.M. PANEL NUMBER 12095C0430F, LAST REVISION DATE 9/26/09. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

LIST OF POSSIBLE ENCROACHMENTS:
 DOCK, BOAT SLIP & SEAWALL LIE COMPLETELY OFF OF SUBJECT PROPERTY. FENCES CROSS PROPERTY LINE. OWNERSHIP OF FENCES AND SEAWALL HAS NOT BEEN DETERMINED.

BASIS OF BEARING
 BEARINGS ARE BASED ON THE NORTHWEST RIGHT-OF-WAY OF HOFFNER AVENUE WHICH HAS AN ASSUMED BEARING OF N 20°00'00" E.

- NOTES**
- Underground utility installations, underground improvements, foundations and/or other underground structures were not located by this survey.
 - The purpose of this survey is for use in obtaining title insurance and financing and should not be used for construction purposes.
 - Additions or deletions to this survey by anyone other than the signing party or parties is prohibited without the written consent of the signing party or parties.
 - The property shown hereon is subject to all easements, restrictions and reservations which may be shown or noted on the record plat and within the public records of the county the subject property is located. This survey only depicts survey related information such as easements and setbacks that are shown on a record plat or have been furnished to the Surveyor.
 - Building ties and dimensions for improvements should not be used to reconstruct boundary lines.

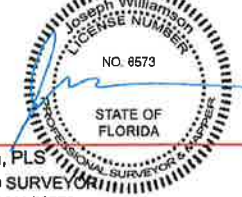
THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

LB 7788



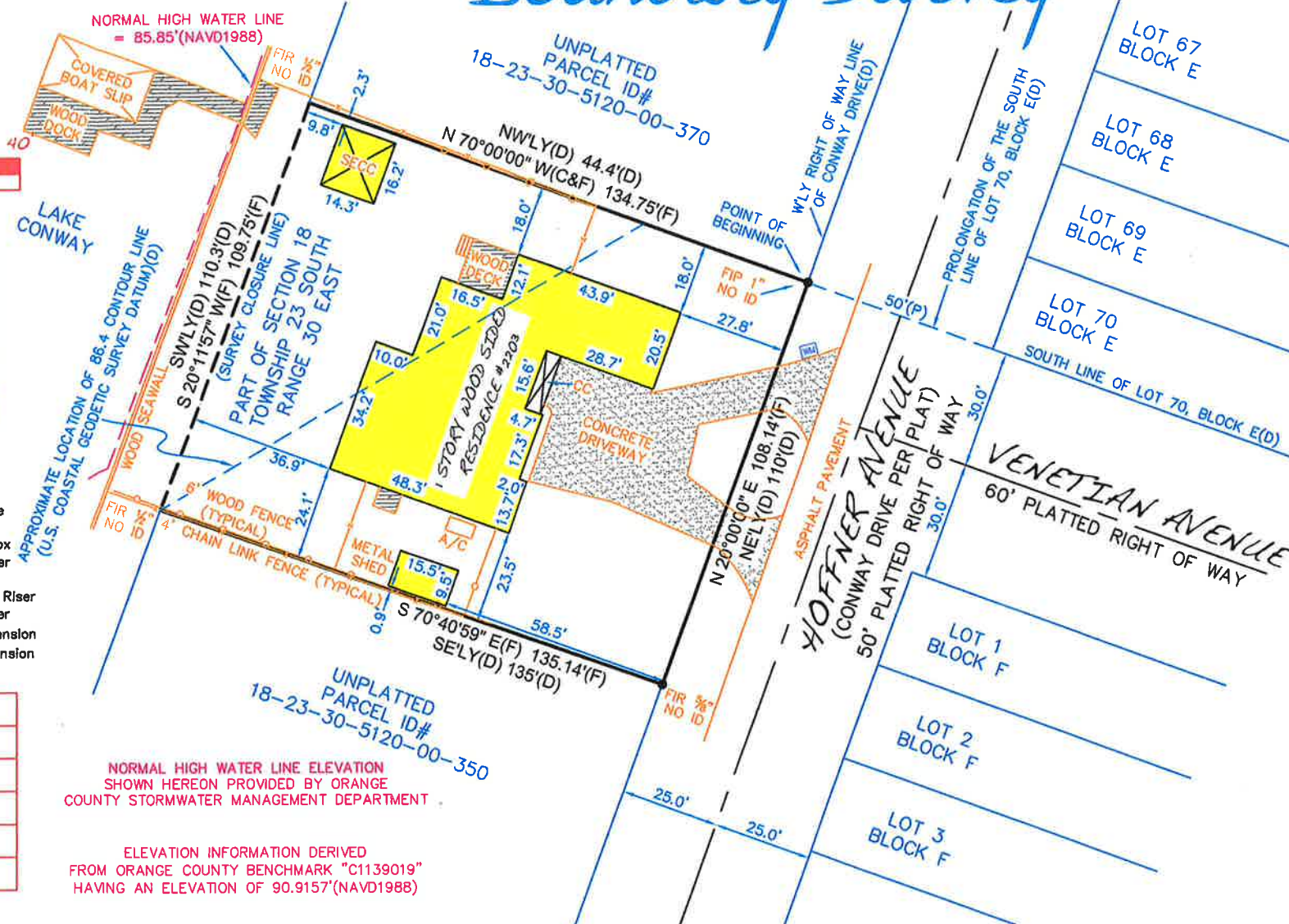
941 S Pennsylvania Ave, Winter Park, FL 32789 | (888) 399-8474

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.



Joseph E. Williamson, PLS DATED: 9/1/15
 PROFESSIONAL LAND SURVEYOR
 FLORIDA REGISTRATION #8573
 NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND/OR ORIGINAL RAISED SEAL OF THE LISTED FLORIDA LICENSED SURVEYOR AND MAPPER

DATE	REVISION	DATE	REVISION
8/18/17	Add NHWL		



ADDRESS
 2203 Hoffner Avenue
 Orlando, FL 32809

- LEGEND**
- OR Book = Official Record Book Pg = Page
 - CC = Covered Concrete
 - ID = Identification
 - LB = Licensed Business
 - FIP = Found Iron Pipe
 - FIR = Found Iron Rod
 - C/S = Concrete Slab
 - (P) = Plat Dimension
 - (C) = Calculated Dimension
 - SECC = Screen Enclosed Covered Concrete
 - Electric Box
 - Water Meter
 - Light Pole
 - Telephone Riser
 - Transformer

JOB #:	VLSR17-22543
CLIENT #:	
FIELD DATE:	8/28/15
CREW:	CS
DRAFTER:	DF
APPROVED:	JEW
SCALE:	1" = 40'

NORMAL HIGH WATER LINE ELEVATION SHOWN HEREON PROVIDED BY ORANGE COUNTY STORMWATER MANAGEMENT DEPARTMENT

ELEVATION INFORMATION DERIVED FROM ORANGE COUNTY BENCHMARK "C1139019" HAVING AN ELEVATION OF 90.9157'(NAVD1988)

Legal Description (per OR Book 3286, Page 1511)

Begin at a point on the Westerly R/W line of Conway Drive, said point being located at the intersection of the prolongation of the South line of Lot 70, Block "E", of VENETIAN GARDENS, according to Plat Book "L", Page 25, Public Records of Orange County, Florida, and the Westerly R/W line of Conway Drive, run thence Northwesterly and at right angles to Conway Drive 44.4 feet to a point on the 86.4 contour line as established by the U. S. Coastal Geodetic Survey Datum, thence Northwesterly along said 86.4 contour line 110.3 feet to a point, thence Southeasterly 135 feet to the Westerly boundary of Conway Drive, thence Northeasterly along the Westerly R/W line of Conway Drive 110 feet to a point of beginning.

X Borrower's Acknowledgment and Acceptance
 X Borrower's Acknowledgment and Acceptance

NOTE:
 THIS SURVEY DOES NOT DETERMINE OWNERSHIP, LITTORAL AND/OR RIPARIAN RIGHTS BEYOND THE ORIGINAL 86.4' CONTOUR LINE



Railey Harding & Allen, PA
 Attorneys at Law

Boundary Survey

CERTIFIED TO: (AS FURNISHED)
 Anthony R. Harmon and Jennifer C. Harmon
 Railey, Harding & Allen, P.A.
 Fidelity National Title Insurance Company
 Alkan Mortgage Corporation
 d/b/a Certified Mortgage Planners, ISAOA/ATIMA

FLOOD ZONE
 SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "AE & X500 & X", AREAS DETERMINED TO BE INSIDE & OUTSIDE THE 100-YEAR FLOODPLAIN, PER F.I.R.M. PANEL NUMBER 12095C0430F, LAST REVISION DATE 9/25/09. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

LIST OF POSSIBLE ENCROACHMENTS:
 DOCK, BOAT SLIP & SEAWALL LIE COMPLETELY OFF OF SUBJECT PROPERTY. FENCES CROSS PROPERTY LINE. OWNERSHIP OF FENCES AND SEAWALL HAS NOT BEEN DETERMINED.

BASIS OF BEARING
 BEARINGS ARE BASED ON THE NORTHWEST RIGHT-OF-WAY OF HOFFNER AVENUE WHICH HAS AN ASSUMED BEARING OF N 20°00'00" E.

- NOTES**
- Underground utility installations, underground improvements, foundations and/or other underground structures were not located by this survey.
 - The purpose of this survey is for use in obtaining title insurance and financing and should not be used for construction purposes.
 - Additions or deletions to this survey by anyone other than the signing party or parties is prohibited without the written consent of the signing party or parties.
 - The property shown hereon is subject to all easements, restrictions and reservations which may be shown or noted on the record plat and within the public records of the county the subject property is located. This survey only depicts survey related information such as easements and setbacks that are shown on a record plat or have been furnished to the Surveyor.
 - Building ties and dimensions for improvements should not be used to reconstruct boundary lines.

THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

LB 7788



941 S Pennsylvania Ave, Winter Park, FL 32789 | (888) 399-8474

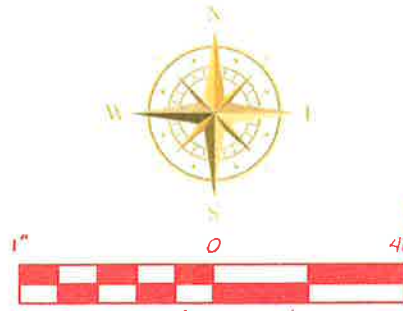
SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.



Joseph E. Williamson, PLS
 PROFESSIONAL LAND SURVEYOR
 FLORIDA REGISTRATION #6573
 NOT VALID WITHOUT THE ELECTRONIC SIGNATURE AND/OR ORIGINAL RAISED SEAL OF THE LISTED FLORIDA LICENSED SURVEYOR AND MAPPER

DATED: 9/1/15

DATE	REVISION	DATE	REVISION
8/18/17	Add NHWL		



ADDRESS
 2203 Hoffner Avenue
 Orlando, FL 32809

- LEGEND**
- OR Book = Official Record Book Pg = Page
 - CC = Covered Concrete
 - ID = Identification
 - LB = Licensed Business
 - FIP = Found Iron Pipe
 - FIR = Found Iron Rod
 - C/S = Concrete Slab
 - (P) = Plat Dimension
 - (C) = Calculated Dimension
 - SECC = Screen Enclosed Covered Concrete
 - E = Electric Box
 - WM = Water Meter
 - L = Light Pole
 - T = Telephone Riser
 - TR = Transformer
 - (D) = Deed Dimension
 - (F) = Field Dimension

JOB #: VLSR17-22543
 CLIENT #:
 FIELD DATE: 8/28/15 CREW: CS
 DRAFTER: DF
 APPROVED: JEW
 SCALE: 1" = 40'

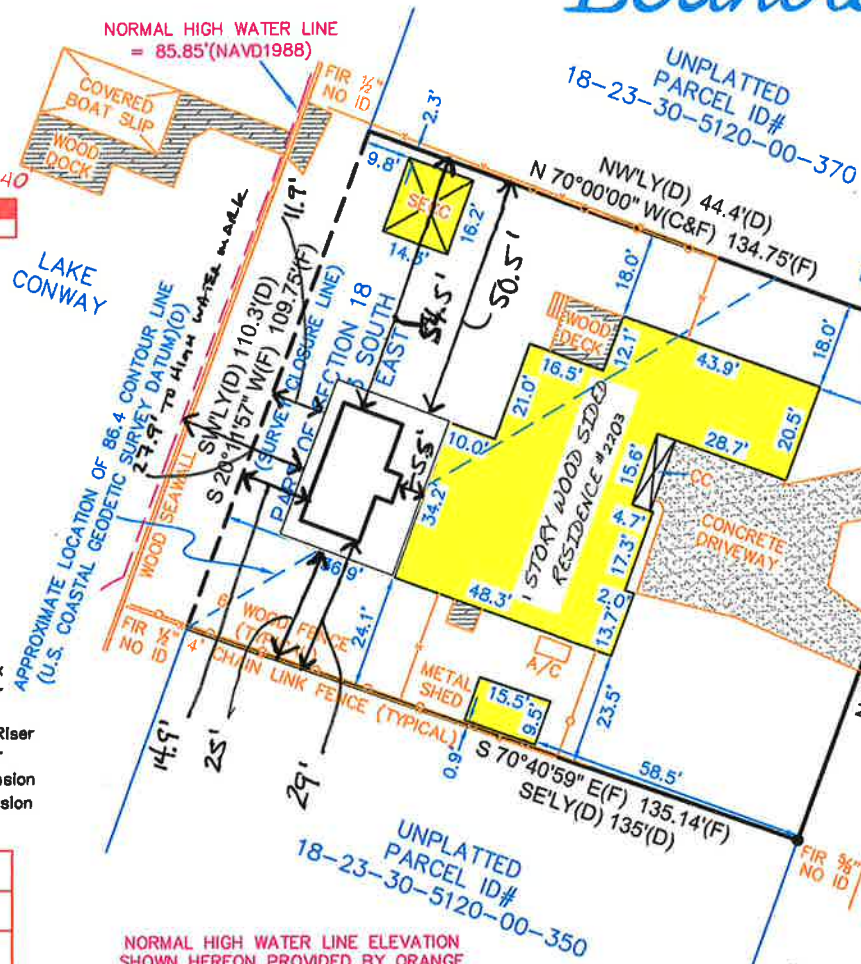
COPYRIGHT 2011

X Borrower's Acknowledgment and Acceptance
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Railey Harding & Allen, PA
 Attorneys at Law



NORMAL HIGH WATER LINE ELEVATION SHOWN HEREON PROVIDED BY ORANGE COUNTY STORMWATER MANAGEMENT DEPARTMENT

ELEVATION INFORMATION DERIVED FROM ORANGE COUNTY BENCHMARK "C1139019" HAVING AN ELEVATION OF 90.9157'(NAVD1988)

Legal Description (per OR Book 3286, Page 1511)

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NOTICE OF PUBLIC MEETING

SEPTEMBER 26, 2017 – 6:30PM

CITY OF BELLE ISLE PLANNING AND ZONING BOARD REGULAR SESSION

ITEM 4 MEMORANDUM

TO: Planning and Zoning Board
DATE: September 15, 2017

P&Z Case Number 2017-08-025:

PURSUANT TO BELLE ISLE CODE SEC. 48-32 (3) AND SEC. 48-33, THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO BUILD A 930 SQUARE FOOT ROOF STRUCTURE OVER AN EXISTING RESIDENTIAL DOCK, WITH A LARGER AREA THAN WHAT IS NORMALLY PERMITTED BASED ON THE LINEAR SHORE LINE FRONTAGE FOR THE LOT, SUBMITTED BY APPLICANT SUMMERTIME DECK AND DOCK, LOCATED AT 7210 SEMINOLE DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS PARCEL NUMBER 29-23-30-4389-04-050.

Background:

1. On August 24, 2017, Summertime Deck and Dock, on behalf of the homeowner, submitted the application and required paperwork.
2. A Notice of Public Hearing legal advertisement was placed in the Saturday, September 16, 2017 Orlando Sentinel.
3. Letters to the abutting property owners within 300 feet of the subject property were mailed on Wednesday, September 13, 2017.

The Board may adopt all, some, or none of these determinations as part of their findings-of-fact. The Board may also add any additional findings-of-fact that are presented at the public hearing.

The Board will need to determine if the criteria set forth of the Land Development Code have been met, and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I move, the criteria of Code Section 48-32(3) and Sec. 48-33 of the Belle Isle Land Development Code having been met to approve this request for a variance to build a 930 square foot roof structure over an existing residential dock, with a larger area than what is normally permitted based on the linear shore line frontage for the lot, submitted by applicant Summertime Deck and Dock, located at 7210 Seminole Drive, Belle Isle, FL 32812 also known as Parcel Number 29-23-30-4389-04-050.

SAMPLE MOTION TO DENY:

"I move, the justifying criteria of the Belle Isle Land Development Code, Chapter 42, Article III, 50-102 (D) (1) and Sec. 42-64, having NOT been met; *[use only if NONE of the justifying criteria have been met]* the requirements of section 42-64(1) Subsections: *[STATE ONLY THE SUBSECTIONS BELOW THAT ARE NOT SATISFIED]* having NOT been met; *[may be used in addition to above or alone]* to deny this request for a variance to build a 930 square foot roof structure over an existing residential dock, with a larger area than what is normally permitted based on the linear shore line frontage for the lot, submitted by applicant Summertime Deck and Dock, located at 7210 Seminole Drive, Belle Isle, FL 32812 also known as Parcel Number 29-23-30-4389-04-050.

SUBSECTION (D), literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship and that said hardship is created by special conditions and circumstances peculiar to the land, structure or building involved, including but not limited to dimensions, topography or soil conditions.

SUBSECTION (E), personal hardship is not being considered as grounds for a variance since the variance will continue to affect the character of the neighborhood after title to the property has passed and that the special conditions and circumstances were not created in order to circumvent the Code or for the purpose of obtaining a variance.

SUBSECTION (F), the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

SUBSECTION (G), the granting of the variance will be in harmony with the general purpose and intent of the Code, will not be injurious to the neighborhood, will not be detrimental to the public welfare, and will not be contrary to the public interest.

ITEM 5 MEMORANDUM

Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



April Fisher, AICP
fisherpds@outlook.com
407-494-8789

Variance Application: 7210 Seminole Drive

Applicant Request: VARIANCE TO BUILD A 930 SQUARE FOOT ROOF STRUCTURE OVER AN EXISTING RESIDENTIAL DOCK, WITH A LARGER AREA THAN WHAT IS NORMALLY PERMITTED BASED ON THE LINEAR SHORE LINE FRONTAGE FOR THE LOT

Existing Zoning/Use: R-1-AA/ single-family home

Review Comments

This variance application seeks a variance from Sec. 48-32 (3) to allow a larger roof structure than would be permitted by code based on the linear shore line frontage of the property. A dock permit was issued for 7210 Seminole Drive (permit# 2016-02-006) previously, however it was approved, in error, at approximately 927.5 square feet, which is larger than what the code allows. The reviewer of the application is no longer employed by the City, so it is only speculation as to why the dock was permitted in error. It may have simply been a mistake in not counting the area of the boat slips.

Based on the requirements of the code, the dock should have been no larger than approximately 700 square feet based on the calculation of total area (ten times the linear shoreline frontage for the first 75 feet of shoreline). The linear shoreline frontage for the property is approximately 70 feet.

There is no record of a variance being considered or issued by the Planning and Zoning Board for the dock with respect to an increase in total area over that allowed by code. A variance pursuant to Sec. 48-33 should have been required for the dock. The approval automatically makes the dock a nonconforming structure.

Because of this, staff can not issue a permit for the roof structure without it going through the variance process.

The applicant has provided supporting documentation addressing the variance criteria.

Staff Recommendation

Staff recommends approval of the variance based on the fact that the nonconformity was not caused by the current property owner, it is sized to meet the area of the current dock (with some overhang), and conforms with the style of docks with roof structures in the vicinity.



Licensed General Contractor: CGC1511647

Summertime Deck and Dock, LLC
5968B Lakehurst Dr, Orlando FL 32819
Phone: 407.583.6251
www.SummertimeDocks.com
info@summertimedocks.com

To Whom It May Concern:

My name is Matt Langbehn from Summertime Deck and Dock. We are currently contracted to construct a roof structure over an existing dock for the homeowner, Troy Buswell, located at 7210 Seminole Drive, Belle Isle, FL. 32812. On behalf of Mr. Buswell, we, Summertime Deck and Dock, are requesting a variance to the zoning codes set forth by the City of Belle Isle. The paragraphs below address each of the questions presented as part of the variance request application supplement.

WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY? WHAT WOULD BE THE UNNECESSARY HARDSHIP?

The existing dock was built without a roof structure, leaving each of the boat slip areas and the entire dock platform exposed to the elements. The lack of a roof structure prevents the homeowner, Mr. Buswell, the right to properly, efficiently, and safely store his boat(s) and/or jet skis in a way that will limit exposure and potential damage from the sun, wind, rain, and waves created by other boats on the lake.

HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?

The existing dock was designed and constructed without the inclusion of a roof structure. The original design was based on the needs and budget of the previous homeowner, of which differ from the current homeowner, Mr. Buswell.

CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.

We have considered building a smaller roof structure that could be built without a need for a variance, but we have concluded that the limited shade and coverage from a smaller roof would be inadequate to properly protect any boat underneath. Furthermore, because of this limited protection, the costs were not justifiable by Mr. Buswell.

WHAT EFFECTS WILL APPROVAL OF THE VARIANCE HAVE ON ADJACENT PROPERTIES OR THE SURROUNDING NEIGHBORHOOD? (FOR EXAMPLE: ADEQUATE LIGHT, AIR, ACCESS, USE OF ADJACENT PROPERTY, DENSITY, COMPATIBILITY WITH SURROUNDING LAND USES, TRAFFIC CONTROL, PEDESTRIAN SAFETY, ETC.)

The construction of a roof over the existing dock would appear to be consistent with the style and inclusion of roof structure with the many docks that surround the entire lake.

In addition to the responses given above, further information needed to meet the variance criteria of Sec. 48-33 is as follows:

1) The boat dock shall not create conditions hazardous to navigation nor any safety hazards

The existing dimensions (length x width) will remain unchanged. Any potential navigational hazards or safety of the docks overall "footprint" have been considered upon the initial boat dock permitting process, and have since been approved.

2) The location and placement of the boat dock shall be compatible with other docks in the area, and the shoreline contour of the lake

The location and placement of the boat dock will remain the same as originally permitted. The addition of the roof structure will not impact the compatibility with the other docks in the area, as most of the neighboring docks also have roofs.

3) The current level of the lake shall not be a factor in deciding whether to approve or deny a variance

This variance request pertains to the addition of a roof structure on an existing dock. The current level of the lake is not a factor.

4) The requirements of subsection 42-64(1) except for subsection 42-64(1)d

All required documents have been submitted and are ready for board review.

Please contact Matt Langbehn at 407.583.6251 or matt@summertimedocks.com if any outstanding items or questions need to be addressed.

Regards,
Matt Langbehn



City of Belle Isle

1600 Nela Avenue, Belle Isle, Florida 32809 * Tel 407-851-7730 * Fax 407-240-2222

APPLICATION FOR VARIANCE / SPECIAL EXCEPTION

DATE: 8/6/17 8/24/2017

P&Z CASE #: 2017-08-025

VARIANCE SPECIAL EXCEPTION OTHER

DATE OF HEARING: 9/26/2017

APPLICANT: Summertime Deck and Dock

OWNER: Troy Buswell

ADDRESS: 5968 Lakehurst Dr.

7210 Seminole Dr.

Orlando, FL 32819

Belle Isle, FL 32812

PHONE: 407.583.6251

407.408.1266

PARCEL TAX ID #: 29-23-30-4389-04-050

LAND USE CLASSIFICATION: 0130 - Sfr - Lake Front ZONING DISTRICT: R - 1 - AA

DETAILED VARIANCE REQUEST: _____

Requesting to build a roof structure over an existing residential dock. The proposed roof structure will need to have a larger area than what is normally permitted in order to properly and effectively protect the existing dock and boats underneath.

SECTION OF CODE VARIANCE REQUESTED ON: 48-32(3)

The applicant hereby states that the property for which this hearing is requested has not been the subject of a hearing before the Planning and Zoning Board of the kind and type requested in the application within a period of nine (9) months prior to the filing of the application. Further that the requested use does not violate any deed restriction of the property.

By submitting the application, I authorize City of Belle Isle employees and members of the P&Z Board to enter my property, during reasonable hours, to inspect the area of my property to which the application applies.

Applicant shall provide a minimum of ten (10) sets of three (3) photographs in support of this application as follows: at least one (1) photograph of the front of the property and at least two photographs (from different angles) of the specific area of the property to which the application applies.

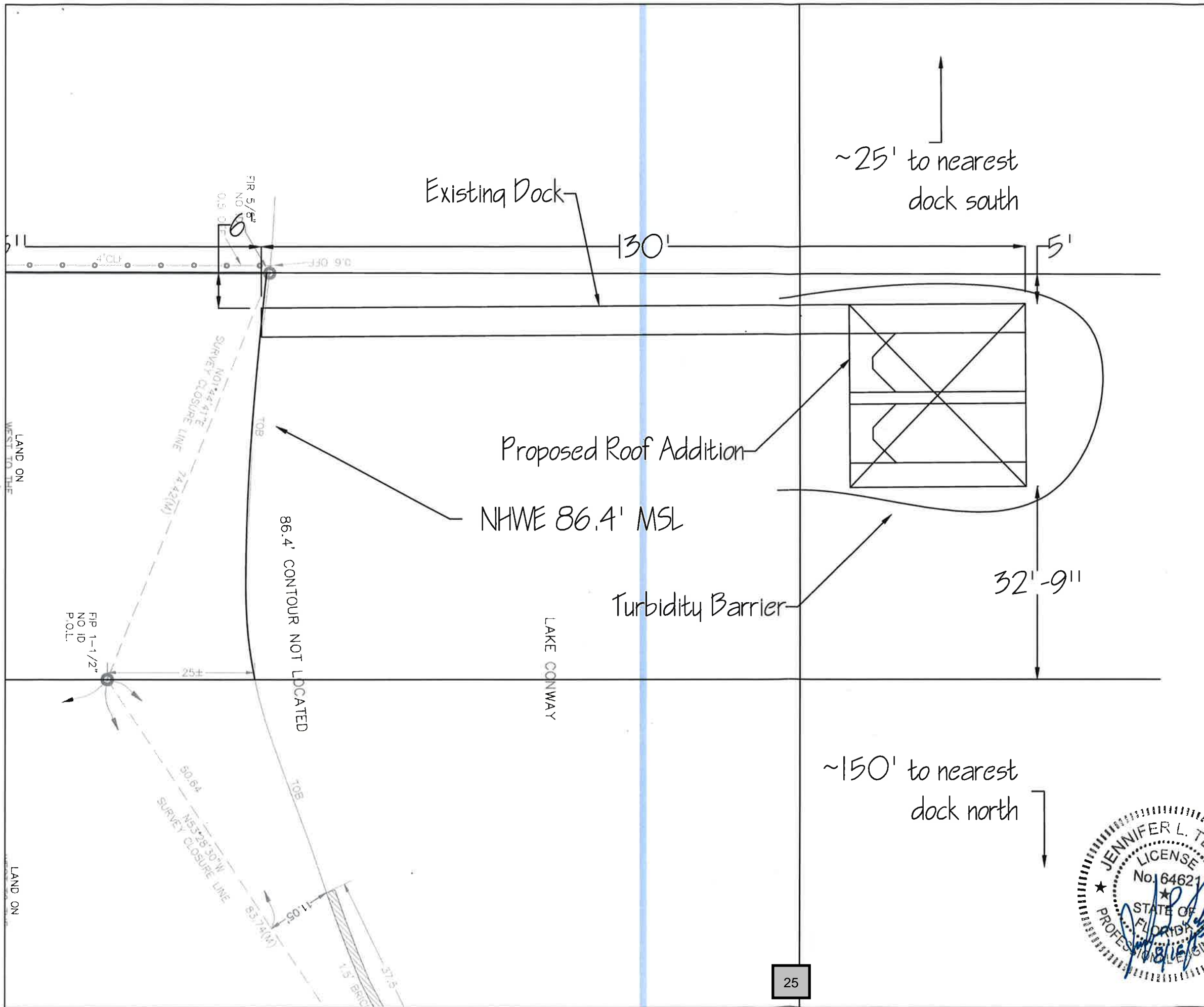
Troy Buswell
APPLICANT'S SIGNATURE

Troy Buswell
OWNER'S SIGNATURE

FOR OFFICE USE ONLY:	FEE: \$150.00	<u>8/24/17</u> Date Paid	<u>1937</u> Check/Cash	<u>Hrp</u> Rec'd By
Determination _____				
Appealed to City Council: <input type="checkbox"/> Yes <input type="checkbox"/> No		Council Action: _____		







101. GENERAL NOTES

- 101.1 DETAILS SHOWN ON PLANS MAY BE FOR TYPICAL CONDITIONS. FOR CONDITIONS NOT SHOWN, PROVIDE DETAILS OF A SIMILAR NATURE, OR IF NOT CERTAIN HOW TO PROCEED, CONTACT JENNIFER TELIGA AT (321)662-7503.
- 101.2 DIMENSIONS SHOWN ON THESE PLANS SHALL BE VERIFIED BY THE CONTRACTOR OR BUILDER PRIOR TO CONSTRUCTION. THESE PLANS MAY NOT BE DRAWN TO SCALE. SCALING OF DRAWINGS IS STRONGLY DISCOURAGED.
- 101.3 THE CONTRACTOR SHALL COORDINATE ALL NEW WORK WITH EXISTING CONDITIONS AND SHALL REPORT ANY DISCREPANCIES TO JENNIFER TELIGA IMMEDIATELY AND BEFORE PROCEEDING WITH WORK.
- 101.4 OBTAIN APPROVAL OF JENNIFER TELIGA FOR ALL STRUCTURAL MODIFICATIONS OR SUBSTITUTIONS.
- 101.5 CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION PRACTICES, INCLUDING TECHNIQUES, PROCEDURES, SHORING, AND THE SEQUENCE OF CONSTRUCTION. CONTRACTOR SHOULD NOTIFY JENNIFER TELIGA IF A CONFLICT ARISES DUE TO VARIATIONS OR OTHER PROBLEMS WITH THE CONSTRUCTION DOCUMENTS.

102. APPLICABLE CODES AND STANDARDS

- CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THESE STRUCTURAL SPECIFICATIONS AND THE REQUIREMENTS CONTAINED IN THE FOLLOWING CODES AND STANDARDS. WHEN A DIFFERENCE EXISTS BETWEEN THESE SPECIFICATIONS AND ANY OTHER GOVERNING CODE, THE MORE STRINGENT SHALL CONTROL. ANY OTHER ITEMS NOT COVERED THEREIN SHALL BE COMMENSURATE WITH SOUND ENGINEERING AND STANDARD CONSTRUCTION PRACTICE.
- 102.1 2014 FLORIDA BUILDING CODE - RESIDENTIAL
- 102.2 AISC MANUAL OF STEEL CONSTRUCTION - 13TH EDITION
- 102.3 ACI BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE - ACI 318-08
- 102.4 AMERICAN WOOD COUNCIL - NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION - 2009 EDITION
- 102.5 ASCE 7-10 MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES

103. DESIGN LOADS

- THIS STRUCTURE HAS BEEN DESIGNED FOR THE FOLLOWING LOADS. DESIGN LOADS INDICATED ARE IN POUNDS PER SQUARE INCH UNLESS NOTED OTHERWISE. IF ANY PERMANENT MATERIALS EXCEED THESE LOADS, JENNIFER TELIGA SHALL BE CONTACTED TO REVISE THE STRUCTURAL DESIGN AND CONSTRUCTION DOCUMENTS.
- 103.1 DEAD LOADS: WEIGHT OF STRUCTURE AND ALL THINGS PERMANENTLY ATTACHED.
DECK - 10 PSF ROOF - 10 PSF - BOTTOM CHORD
- 103.2 LIVE LOADS:
DECK - 40 PSF WIND SPEED - 140 MPH
EXPOSURE - D
INTERNAL PRESSURE COEFFICIENT - 0.0 (COMPLETELY OPEN)
BUILDING TYPE: I - RISK FACTOR 1.0

301. STRUCTURAL LUMBER FRAMING (DIMENSIONAL LUMBER)

- 301.1 UNLESS NOTED OTHERWISE, ALL STRUCTURAL LUMBER SHALL BE SOUTHERN YELLOW PINE (SYP) #2 OR BETTER
- 301.2 STRUCTURAL LUMBER EXPOSED TO WEATHER SHALL BE PRESSURE TREATED OR MANUALLY SEALED AT TIME OF CONSTRUCTION.
- 301.3 ALL FASTENERS TO BE HOT DIPPED GALVANIZED (HDG) OR STAINLESS STEEL.
- 301.4 ALL DECKING SHALL BE SOUTHERN YELLOW PINE (SYP) #2 OR BETTER OR WOOD/PLASTIC COMPOSITE CONFORMING WITH ASTM D7032.
- 301.5 LIVE LOADS:
GUARDRAILS AND HANDRAILS - 200 PSF
GUARDRAILS IN-FILL COMPONENTS - 50 PSF
STAIRS - 40 PSF
- 301.7.7 HANDRAILS
HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE ON EACH CONTINUOUS RUN OF TREADS OR FLIGHT WITH FOUR OR MORE RISERS
- 301.7.8 ILLUMINATION
ALL STAIRS SHALL BE PROVIDED WITH ILLUMINATION IN ACCORDANCE WITH SECTION R303.8



Prepared for:

 Summertime Deck and Dock, LLC
 6966 B Lakehurst Drive
 Orlando, FL 32819
 (407) 585-6261
 www.summertimedeck.com

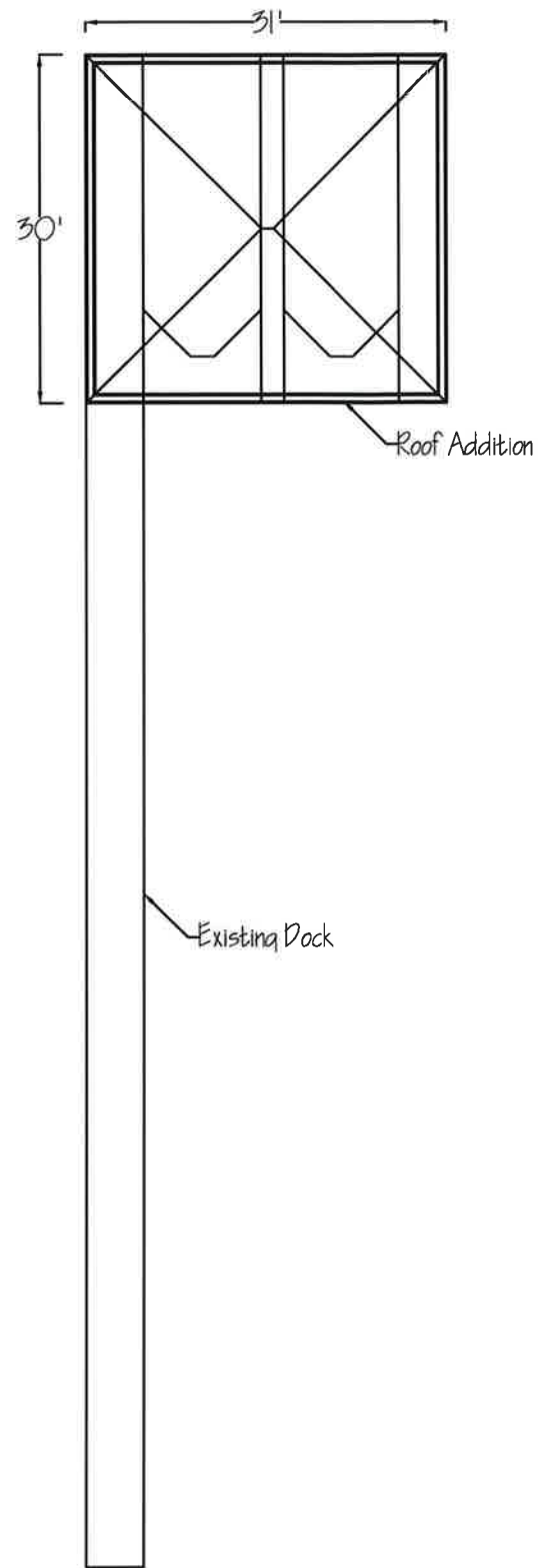
Jennifer L. Teliga, P.E.
 11634 Briar Hollow Lane
 Clermont, FL 34711
 P.E. #64621
 (321) 662-7508

Buswell Roof Addition
 1208 Semirde Drive
 Belle Isle, FL 32812

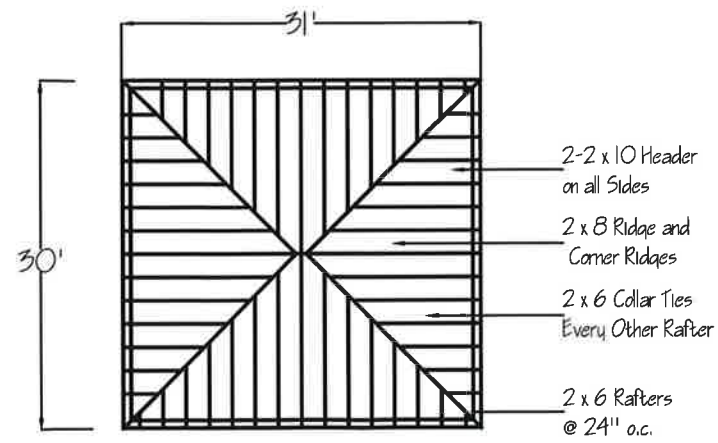
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Project:
SDD-2017-01

SO



Plan View



Roof Layout



ROOF SIZE AT HEADERS: 930 Sq. Ft.

Roof Construction To Existing Dock Platform

Roof Will Have No Overhang



Project:
SDD-2017-01

S1

Buswell Roof Addition

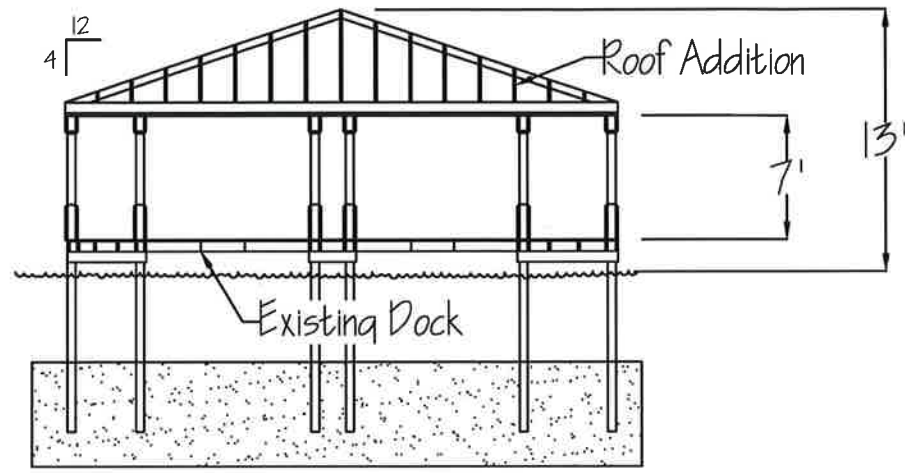
7208 Semihole Drive
Belle Isle, FL 32812

Prepared for:
Jennifer L. Teliga, P.E.

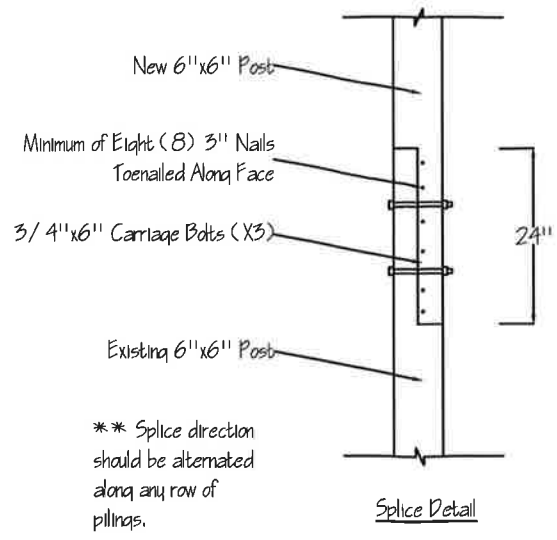
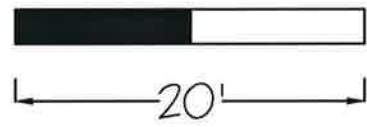
11534 Briar Hollow Lane
Clermont, FL 34711
P.E. #64621
(321) 662-7503

Prepared by:
SUMMERTIME
E-DECK & DOCK
Summertime Deck and Dock, LLC
5968 B Lakehurst Drive
Orlando, FL 32819
(407) 583-6251
www.summertimedeck.com

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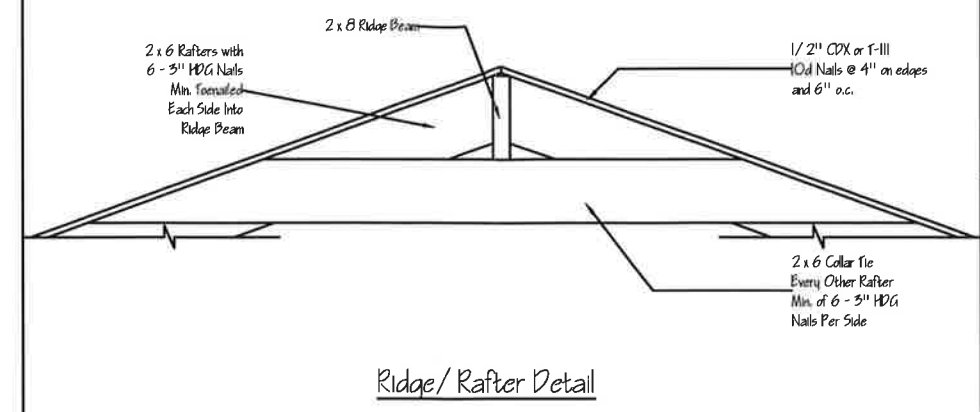


Lakeside Elevation

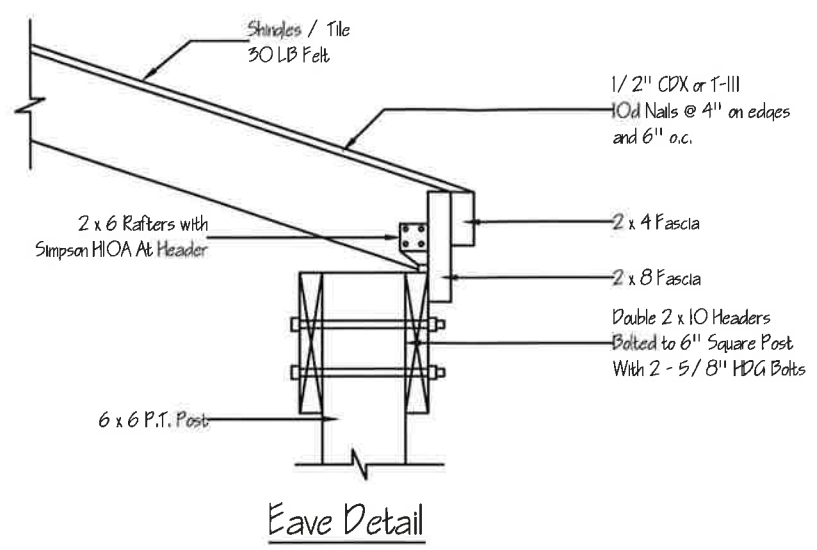


Splice Detail

** Splice direction should be alternated along any row of pilings.

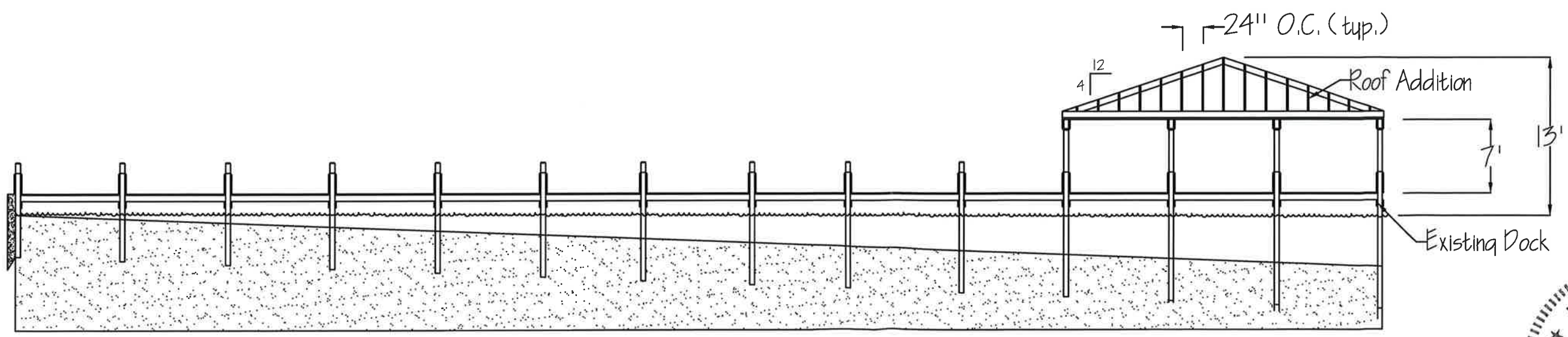


Ridge/Rafter Detail

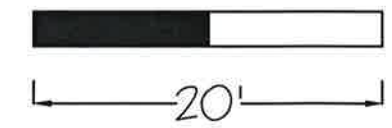


Eave Detail

INTENTIONALLY LEFT BLANK



Side Elevation



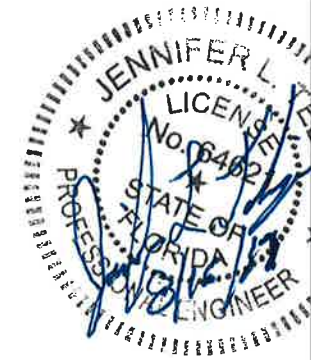
Prepared for:
SUMMERTIME DOCK & POOL
 Summertime Dock and Pool, LLC
 5988 B Lakehurst Drive
 Orlando, FL 32819
 (407) 583-6851
 www.summertime docks.com

Jennifer L. Teliga, P.E.
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Buswell Roof Addition

7208 Seminole Drive
 Belle Isle, FL 32812

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Project:
 SED-2017-01
S2

NOTICE OF PUBLIC MEETING

SEPTEMBER 26, 2017 – 6:30PM

**CITY OF BELLE ISLE
PLANNING AND ZONING BOARD REGULAR SESSION**

TO: Planning and Zoning Board

DATE: September 15, 2017

ORDINANCE 17-08:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, CREATING A DEFINITION FOR "AUTOMATED EXTERNAL DEFIBRILLATORS"; CREATING CHAPTER ENTITLED "AUTOMATED EXTERNAL DEFIBRILLATORS" TO REQUIRE AUTOMATED EXTERNAL DEFIBRILLATORS AT CERTAIN BUILDINGS; PROVIDING FOR THE INSTALLATION AND OPERATION REQUIREMENTS TO MAINTAINING AN AUTOMATED EXTERNAL DEFIBRILLATOR; PROVIDING FOR FEES, PENALTIES AND APPLICABILITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

SAMPLE MOTION TO APPROVE or DENY:

"I move to recommend (Approval or Denial) to City Council Ordinance 17-08 concerning the installation of AED Defibrillators.

Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



April Fisher, AICP
fisherpds@outlook.com
407-494-8789

Application: Automatic External Defibrillator (AED) Ordinance 17-08

Applicant Request: The City is proposing this ordinance requiring AEDs in public places and commercial buildings under certain criteria.

Existing Zoning/Use: Not Applicable

Review Comments

The City Manager presented the proposed ordinance to City Council for their consideration to send to the Planning and Zoning Board. Council decided to do so and the ordinance is now presented to the Board for review and comment.

The purpose of an AED is to allow any individual to convert a life-threatening arrhythmia to a stable rhythm that allows for the arrival of pre-hospital EMS and subsequent transport to an emergency room at the nearest hospital. The AEDs are designed for safe and single use by the first person at the scene of a sudden cardiac arrest. An internal computer analyzes the heart rhythm and guides the user step by step with voice prompts. The BIPD currently teaches AED Classes. Throughout the State and the Country, there are many programs in place for AED placement that are public, public/private, or private sector driven.

This proposed Ordinance 17-08 requires AEDs for public places and places of business that meet the criteria established by the ordinance. Depending on the model, the cost is \$1,200-\$1,900 per unit, however, grant funding is usually available for AEDs or special pricing.

Staff Recommendation

Staff recommends approval of Ordinance 17-08.



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

Meeting Date: August 15, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Automatic External Defibrillator (AED) Ordinance 17-08

Background: The City Manager is requesting the Council review the draft of Ordinance 17-08. Although Council did not direct this ordinance be written, it should be strongly considered, especially for public places and places of business that meet the criteria established by the ordinance. The purpose of an AED is to allow any individual to convert a life threatening arrhythmia to a stable rhythm that allows for the arrival of pre-hospital EMS and subsequent transport to an emergency room at the nearest hospital. The AEDs are designed for safe and single use by the first person at the scene of a sudden cardiac arrest. An internal computer analyzes the heart rhythm and guides the user step by step with voice prompts. The BIPD currently teaches AED Classes. Throughout the State and the Country, there are many programs in place for AED placement that are public, public/private, or private sector driven.

Staff Recommendation: Review the draft ordinance; make any necessary changes, then send it to the P&Z Board for review and comment. .

Suggested Motion: I move that we refer ordinance 17-08 (as amended, if necessary) to the P&Z Board for their review and comment at their September meeting

Alternatives: Do not move the ordinance forward

Fiscal Impact: Depending on the model, \$1,200-\$1,900 per unit, however, grant funding is usually available for AEDs or special pricing.

Attachments: Draft Ordinance 17-08

ORDINANCE 17-08

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, CREATING A DEFINITION FOR "AUTOMATED EXTERNAL DEFIBRILLATORS"; CREATING CHAPTER ENTITLED "AUTOMATED EXTERNAL DEFIBRILLATORS" TO REQUIRE AUTOMATED EXTERNAL DEFIBRILLATORS AT CERTAIN BUILDINGS; PROVIDING FOR THE INSTALLATION AND OPERATION REQUIREMENTS TO MAINTAINING AN AUTOMATED EXTERNAL DEFIBRILLATOR; PROVIDING FOR FEES, PENALTIES AND APPLICABILITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle's existing Code for regulating the health, safety, and general welfare of its citizens does not recognize that there are devices that may be desirable to provide emergency medical treatment to City residents at certain buildings;

WHEREAS, the Commission of the City of Belle Isle finds that it is in the best interest of the citizens of Belle Isle to require the use of Automated External Defibrillators in certain buildings within the city;

WHEREAS, the Commission of the City of Belle Isle wishes to provide procedures and requirements for the installation and operation of Automated External Defibrillators in order to promote public health, safety, and general welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1: The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section _____. DEFINITION.

A defibrillator device that 1) is commercially distributed in accordance with the Federal Food, Drug, and Cosmetic Act, 2) is capable of recognizing the presence or absence of ventricular fibrillation, and is capable of determining without intervention by the user of the device whether defibrillation should be performed, and 3) upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

Section _____. AUTOMATIC EXTERNAL DEFIBRILLATOR DEVICES REQUIRED.

Automated external defibrillator devices shall be installed in the following buildings located within the geographical boundaries of the City:

- (A) Places of public assembly as defined in the Florida Building Code;
- (B) Office Buildings in excess of 20,000 square feet;
- (C) Gymnasium, fitness centers and indoor recreational centers in excess of 1,500 square feet;
- (D) Restaurants with 100 or more seats including indoor, outdoor and bar;
- (E) Commercial and retail spaces in excess of 36,000 square feet; and
- (F) All hotels and motels.

Section _____. INSTALLATION AND OPERATION.

- (A) The City, or the City's designated representative (for example, Orange County Fire Department) shall inspect all automated external defibrillator devices for operation prior to being placed in service or available for use, and on an annual basis.
- (B) Automated external defibrillator devices shall be:

- a. Conspicuously located in plain view of the primary public entrance, with unobstructed access;
 - b. Housed in a cabinet with a clear window in the door, an audible alarm signaling the opening of the door, permanently affixed to a wall, and whose top is no more than 48 inches above the floor;
 - c. Located below a sign having a minimum area of 70 square inches and containing the letters "AED" and the universally recognizable "AED" symbol, which shall be placed no more than 60 inches, on center, above the floor;
 - d. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons; and
 - e. Placed near the elevator(s) in the first floor lobby, if the building contains an elevator.
- (C) Automated external defibrillator devices shall contain adult and pediatric pads and bandage scissors.
- (D) All automated external defibrillator devices shall be used in accordance with manufacturer's guidelines.
- (E) It shall be the responsibility of the owner of the building to:
- a. Install automated external defibrillator devices;
 - b. Provide all necessary training for appropriate use; and
 - c. Maintain automated external defibrillator devices in accordance with manufacturer's recommended maintenance requirements and as required herein.
- (F) If an automated external defibrillator device is removed for repair, a replacement shall be provided by the building owner.

Section _____, FEES

Fees for automated external defibrillator device permits and inspections shall be set by resolution.

Section _____, APPLICABILITY.

The owner of an existing building required to have an automated external defibrillator device shall comply with this chapter within 180 days of the effective date of this chapter. After the effective date of this chapter, the owner of any new building constructed that is required to have an automated external defibrillator device shall comply with this chapter.

Section _____, INSTALLATION AND OPERATION.

- (A) The City shall inspect all Automated External Defibrillator devices for operation prior to being placed in service or available for use, and on an annual basis.
- (B) Automated External Defibrillator devices shall be:
- a. Conspicuously located in plain view of the primary public entrance, with unobstructed access;
 - b. Housed in a cabinet with a clear window in the door, an audible alarm signaling the opening of the door, permanently affixed to a wall, and whose top is no more than forty-eight (48) inches above the floor;
 - c. Located below a sign having a minimum area of 70 square inches and containing the letters "AED" and the universally recognizable "AED" symbol, which shall be placed no more than sixty (60) inches, on center, above the floor;
 - d. Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons; and
 - e. Placed near the elevator(s) in the first (1st) floor lobby, if the building contains an elevator.
- (C) Automated external defibrillator devices shall contain adult and pediatric pads and bandage scissors.
- (D) All automated external defibrillator devices shall be used in accordance with manufacturer's guidelines.

- (E) It shall be the responsibility of the owner of the building to:
 - a. Install automated external defibrillator devices;
 - b. Provide all necessary training for appropriate use; and
 - c. Maintaining automated external defibrillator devices in accordance with manufacturer's recommended maintenance requirements and as required herein.
- (F) If an automated external defibrillator device is removed for repair, a replacement shall be provided.

Section _____. FEES.

Fees for automated external defibrillator device permits and inspections shall be set by resolution.

Section _____. Penalties.

It shall constitute a violation of the City Code, punishable by a fine no greater than Five Hundred Dollars and 00/100 (\$500.00) and/or other Court action including criminal charges, to intentionally or willfully:

- (A) Render an Automated External Defibrillator device inoperable except during such time as the Automated External Defibrillator device is being serviced, tested, repaired, or recharged, except pursuant to court order;
- (B) Obliterate the serial number on an Automated External Defibrillator device for purposes of falsifying service records;
- (C) Improperly service, recharge, repair, test, or inspect an Automated External Defibrillator device;
- (D) Use the inspection certificate of another person;
- (E) Hold an inspection certificate and allow another person to use said inspection certificate number.

SECTION 2. SEVERABILITY.

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 3. REPEALER.

All ordinance or parts or ordinances in conflict herewith, be and the same, are hereby repealed.

SECTION 4. CODIFICATION.

It is the intention of the Commission of the City of Belle Isle, Florida, that the provisions of this ordinance shall become and be made a part of the City of Belle Isle Code of Ordinances; and that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. EFFECTIVE DATE.

This ordinance shall become effective thirty days from the date of its adoption by the City Commission.

NOTICE OF PUBLIC MEETING

SEPTEMBER 26, 2017 – 6:30PM

**CITY OF BELLE ISLE
PLANNING AND ZONING BOARD REGULAR SESSION**

**ITEM 6
MEMORANDUM**

TO: Planning and Zoning Board
DATE: September 15, 2017

ORDINANCE 17-12:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA APPROVING THE REZONING APPLICATION OF THE CITY OF BELLE ISLE, PROPERTY OWNER/APPLICANT OF "LOT 2 WALLACE STREET" AND REZONING THAT CERTAIN PROPERTY LOCATED ON WALLACE STREET, BELLE ISLE, FLORIDA, IDENTIFIED IN THE ORANGE COUNTY TAX ROLLS WITH PARCEL NUMBER 24-23-29-8977-00-021 MORE PARTICULARLY DESCRIBED IN ORANGE COUNTY RECORDS, ORANGE COUNTY, FLORIDA, FROM SINGLE-FAMILY DWELLING DISTRICT (R-1-AA) TO PUBLIC BUILDINGS DISTRICT(PUB); PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

SAMPLE MOTION TO APPROVE or DENY:

"I move to recommend (Approval or Denial) to City Council Ordinance 17-12 concerning the rezoning of the Wallace Street property.

Should any person decide to appeal any decision made regarding any matter considered at this meeting such person may need to ensure that a verbatim record of the proceedings is made to include testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in these proceedings should contact the City Clerk at 407-851-7730 at least 24 hours in advance of the meeting.



April Fisher, AICP
fisherpds@outlook.com
407-494-8789

Rezoning Application: E. Wallace Street and Matchett Road (Please see the attached ordinance for a specific description.)

Applicant Request: This is a City owned property purchased in 2016. The City is initiating this application to rezone the property from single-family to a public designation.

Existing Zoning/Use: R-1-AA/ vacant

Review Comments

The City of Belle Isle purchased this property in 2016. It is vacant and has a single-family zoning district (R-1-AA) designation. The City will be using the property for public events with open space. A Public Buildings district (PUB) designation is a more appropriate zoning designation for the property.

Staff Recommendation

Staff recommends approval of the rezoning request.

1 **SECTION 1.** The property located on E. Wallace Street, Belle Isle, Florida, being more particularly described as
2 PARCEL NUMBER 24-23-29-8977-00-021 more particularly described in Exhibit "A", Legal Description, is
3 hereby rezoned from SINGLE-FAMILY DWELLING DISTRICT (R-1-AA) to PUBLIC BUILDINGS DISTRICT (PUB).

4
5 **SECTION 2.** Severability. If any word, phrase, sentence, clause or other portion of this Ordinance is
6 determined to be invalid, void or unconstitutional, the remainder of this Ordinance shall remain in effect.

7
8 **SECTION 4.** Effective date. This Ordinance shall take effect immediately.

9
10 First Reading held this 3rd day of October, 2017

11 Second Reading held this 17th day of October, 2017

12 Advertised for Second Reading on the 7th day of October 2017.

	YES	NO	ABSENT
15 Ed Gold	_____	_____	_____
16 Anthony Carugno	_____	_____	_____
17 Jeremy Weinsier	_____	_____	_____
18 Bobby Lance	_____	_____	_____
19 Harvey Readey	_____	_____	_____
20 Lenny Mosse	_____	_____	_____
21 Sue Nielsen	_____	_____	_____

22
23 _____
24 **LYDIA PISANO, MAYOR**

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ATTEST: _____

Yolanda Quiceno, CMC-City Clerk

Approved as to form and legality

City Attorney

STATE OF FLORIDA

COUNTY OF ORANGE

I, **Yolanda Quiceno, CITY CLERK** of the City of Belle Isle do hereby certify that the above and foregoing document ORDINANCE 17-12 was duly and legally passed by the Belle Isle City Council, in session assembled on the _____ day of _____ 2017, at which session a quorum of its members were present.

Exhibit "A"

ADDENDUM

Borrower: The City of Belle Isle	File No.: 16-1139
Property Address: Lot 2 Wallace Street	Case No.
City: Belle Isle	State: FL Zip: 32809
Lender: The City of Belle Isle	

Legal Description
WALLER SUB 28/105 PART OF LOT 2 DESC AS BEG SW COR OF SAID LOT 2 TH RUN N00-07-50E 300 FT
S89-55-55E 359.82 FT S04-13-30W 300.39 FT S90-00-00W 338.47 FT TO POB

Addendum Page 1 of 1

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CITY OF BELE ISLE, FL

1600 NELA AVENUE, BELLE ISLE, FL 32809 * TEL 407-851-7730

MEMORANDUM

From the Desk of Bob Francis, City Manager

To: Planning and Zoning Board

Date: August 21, 2017

Re: Application for Rezoning

The City of Belle Isle is applying to change the zoning of the property located at E. Wallace Street at the intersection of Wallace Street and Matchett Road. The property is currently zoned Residential (R-1-AA) and the City is applying to change the zone to PUB. The reason for the zone change is to have this area as open space. The City intends to use the area for recreational activities and city-sponsored events. The City will revise its Comprehensive Plan to show that this area is zoned public space.



**CITY OF BELLE ISLE,
FLORIDA**

1600 Nela Avenue
Belle Isle, Florida 32809
(407) 851-7730 • FAX (407) 240-2222
www.cityofbelleislefl.org

APPLICATION FOR CHANGE IN ZONING CLASSIFICATION

** Per I.D.C, Chap. 42, Art. III, Sec. 42-61, a \$165.00 filing fee must be attached with EACH application **

Parcel ID#: 24-23-29-8977-00-021

Date of Request: 8/8/17

Applicant's Name: ROBERT FRANCIS

Owner's Name: CITY OF BELLE ISLE

Applicant's Address: 1600 NELA AVE

Owner's Address: 1600 NELA AVE

City, State, Zip: BELLE ISLE, FL 32809

City, State, Zip: BELLE ISLE, FL 32809

Applicant's Phone #: 407-851-7730

Owner's Phone #: 407-851-7730

Applicant's Email: BFRANCIS@BELLEISLEFL.GOV

Owner's Email: BFRANCIS@BELLEISLEFL.GOV

Request is hereby made for a change in Zoning Classification from R-1-AA to PUB (OPEN SPACE).

Current Use is: PUBLIC OPEN SPACE Previous Use was: VACANT LOT

Reason for request and proposed use (required): THE CITY WOULD LIKE THIS PARCEL TO BE OPEN SPACE FOR PUBLIC EVENTS.

If Owner owns any adjacent parcels, please list Parcel ID #s: N/A

Applicant Signature: [Signature]

Owner Signature: [Signature]

****A COMPLETE SURVEY MUST ACCOMPANY ALL REZONING APPLICATIONS****

FOR OFFICE USE ONLY:		
Application Recd On _____	Application Recd By _____	\$165.00 Check #/Cash _____
P&Z Case # _____	P&Z Hearing Date _____	P&Z Board Approved or Denied Application? (circle one)

ADDENDUM

Borrower: The City of Belle Isle	File No.: 16-1139	
Property Address: Lot 2 Wallace Street	Case No.:	
City: Belle Isle	State: FL	Zip: 32809
Lender: The City of Belle Isle		

Legal Description

WALLER SUB 28/105 PART OF LOT 2 DESC AS BEG SW COR OF SAID LOT 2 TH RUN N00-07-50E 300 FT
S89-55-55E 359.92 FT S04-13-30W 300.39 FT S90-00-00W 338.47 FT TO POB

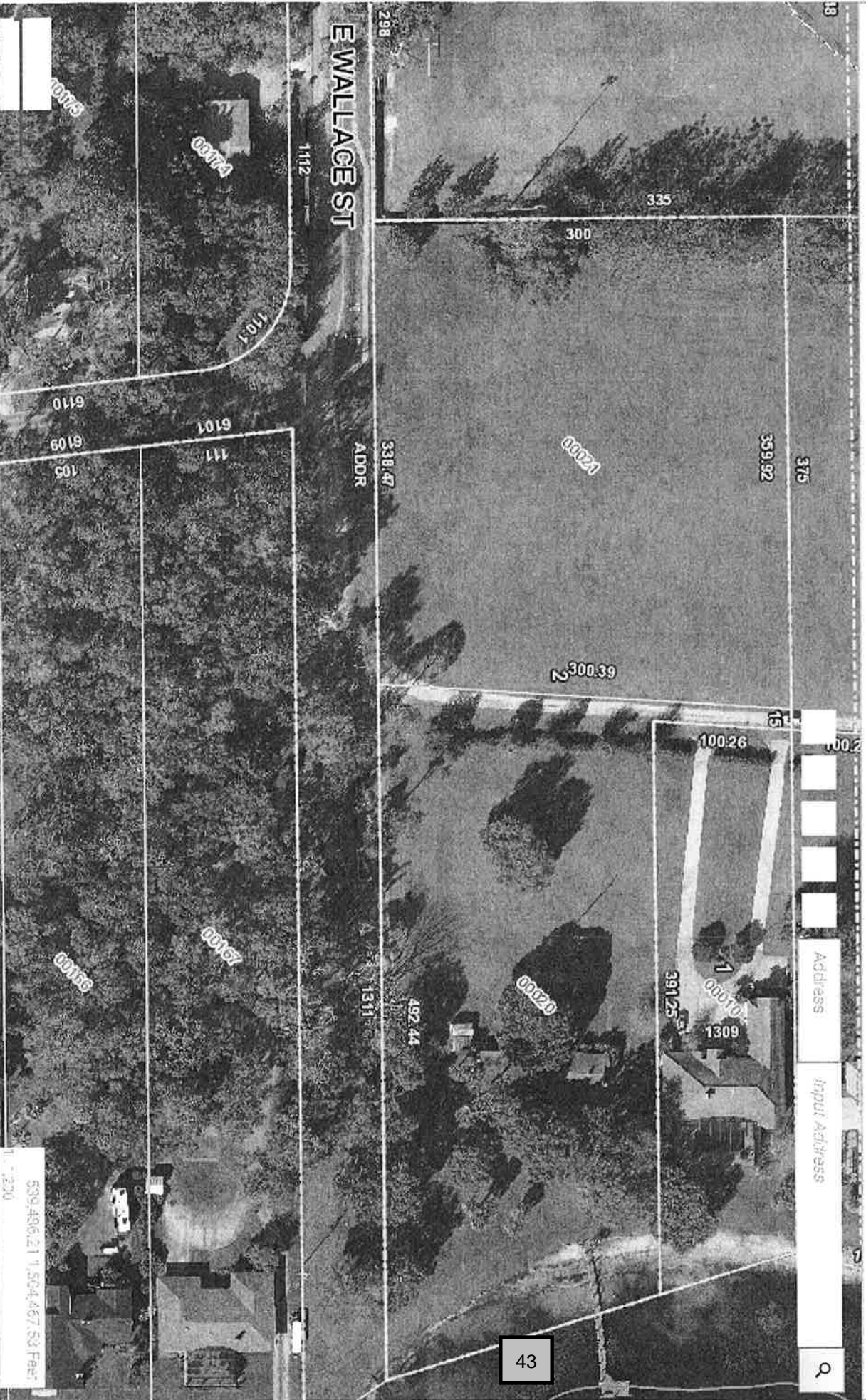


Rick Singh CFA Orange County Property Appraiser Florida (Beta version)



- Base map
- Layers
- Foreclosure
- Sales
- Parcel Search
- Legend
- Identity
- CCPA Tools
- Custom Print

- Trending
- Feedback



The Florida Senate

2017 Florida Statutes

<u>Title XII</u> MUNICIPALITIES	<u>Chapter 171</u> LOCAL GOVERNMENT BOUNDARIES <u>Entire Chapter</u>	SECTION 043 Character of the area to be annexed.
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171.043 Character of the area to be annexed.— A municipal governing body may propose to annex an area only if it meets the general standards of subsection (1) and the requirements of either subsection (2) or subsection (3).

(1) The total area to be annexed must be contiguous to the municipality’s boundaries at the time the annexation proceeding is begun and reasonably compact, and no part of the area shall be included within the boundary of another incorporated municipality.

(2) Part or all of the area to be annexed must be developed for urban purposes. An area developed for urban purposes is defined as any area which meets any one of the following standards:

(a) It has a total resident population equal to at least two persons for each acre of land included within its boundaries;

(b) It has a total resident population equal to at least one person for each acre of land included within its boundaries and is subdivided into lots and tracts so that at least 60 percent of the total number of lots and tracts are 1 acre or less in size; or

(c) It is so developed that at least 60 percent of the total number of lots and tracts in the area at the time of annexation are used for urban purposes, and it is subdivided into lots and tracts so that at least 60 percent of the total acreage, not counting the acreage used at the time of annexation for nonresidential urban purposes, consists of lots and tracts 5 acres or less in size.

(3) In addition to the area developed for urban purposes, a municipal governing body may include in the area to be annexed any area which does not meet the requirements of subsection (2) if such area either:

(a) Lies between the municipal boundary and an area developed for urban purposes, so that the area developed for urban purposes is either not adjacent to the municipal boundary or cannot be served by the municipality without extending services or water or sewer lines through such sparsely developed area; or

(b) Is adjacent, on at least 60 percent of its external boundary, to any combination of the municipal boundary and the boundary of an area or areas developed for urban purposes as defined in subsection (2).

The purpose of this subsection is to permit municipal governing bodies to extend corporate limits to include all nearby areas developed for urban purposes and, where necessary, to include areas which at the time of annexation are not yet developed for urban purposes whose future probable use is urban and which constitute necessary land connections between the municipality and areas developed for urban purposes or between two or more areas developed for urban purposes.

History.— s. 1, ch. 74-190; s. 2, ch. 76-176.

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The Florida Senate

2017 Florida Statutes

<u>Title XII</u> MUNICIPALITIES	<u>Chapter 171</u> LOCAL GOVERNMENT BOUNDARIES <u>Entire Chapter</u>	SECTION 042 Prerequisites to annexation.
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171.042 Prerequisites to annexation.—

(1) Prior to commencing the annexation procedures under s. [171.0413](#), the governing body of the municipality shall prepare a report setting forth the plans to provide urban services to any area to be annexed, and the report shall include the following:

(a) A map or maps of the municipality and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, as required in paragraph (c), and the general land use pattern in the area to be annexed.

(b) A statement certifying that the area to be annexed meets the criteria in s. [171.043](#).

(c) A statement setting forth the plans of the municipality for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation. Specifically, such plans shall:

1. Provide for extending urban services except as otherwise provided herein to the area to be annexed on the date of annexation on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to annexation.

2. Provide for the extension of existing municipal water and sewer services into the area to be annexed so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service according to the policies in effect in such municipality for extending water and sewer lines to individual lots or subdivisions.

3. If extension of major trunk water mains and sewer mains into the area to be annexed is necessary, set forth a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.

4. Set forth the method under which the municipality plans to finance extension of services into the area to be annexed.

(2) Not fewer than 15 days prior to commencing the annexation procedures under s. [171.0413](#), the governing body of the municipality shall file a copy of the report required by this section with the board of county commissioners of the county wherein the municipality is located. Failure to timely file the report as required in this subsection may be the basis for a cause of action invalidating the annexation.

(3) The governing body of the municipality shall, not less than 10 days prior to the date set for the first public hearing required by s. [171.0413\(1\)](#), mail a written notice to each person who resides or owns property within the area proposed to be annexed. The notice must describe the annexation proposal, the time and place for each public hearing to be held regarding the annexation, and the place or places within the municipality where the proposed ordinance may be inspected by the public. A copy of the notice must be kept available for public inspection during the regular business hours of the office of the clerk of the governing body.

History.—s. 1, ch. 74-190; s. 3, ch. 75-297; s. 1, ch. 78-19; s. 13, ch. 81-167; s. 13, ch. 83-55; s. 5, ch. 84-241; s. 2, ch. 2006-218.

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