

CITY OF BELLE ISLE, FL PLANNING & ZONING BOARD MEETING

Held in City Hall Chambers 1600 Nela Avenue, Belle Isle Held the 4th Tuesday of Every Month Tuesday, March 26, 2024 * 6:30 PM **AGENDA**

Planning and Zoning Board Members

District 5 – Rainey Conduff, Chairman District 1 – David Woods, VChair District 2 – Christopher Shenefelt | District 3 – Randy Holihan | District 4 – Vinton Squires District 6 member – Andrew Thompson | District 7 member – Dr. Leonard Hobbs

Welcome to the City of Belle Isle Planning & Zoning meeting. Agendas and all backup material supporting each agenda item are available at the City Clerk's office or the city's website at www.belleislefl.gov.

- 1. Call to Order and Confirmation of Quorum
- 2. Invocation and Pledge to Flag Board member Hobbs, District 7
- 3. Approval of Minutes
 - a. Approval of the January 3, 2024 meeting minutes
- 4. Public Hearings
 - a. PUBLIC HEARING #2024-02-017 PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FOR A MAXIMUM BUILDING HEIGHT OF 40 FEET, INSTEAD OF THE STANDARD MAXIMUM BUILDING HEIGHT IN A R-1-AA ZONING DISTRICT OF 35 FEET, SUBMITTED BY APPLICANT JASON LEE, REPRESENTING PROPERTY OWNER GREG MEERBAUM, LOCATED AT <u>1916 HOFFNER AVENUE, BELLE ISLE, FL 32809</u>, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #18-23-30-3648-00-220.
 - D. PUBLIC HEARING #2024-02-024 PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FROM THE BUILDING SETBACKS REQUIREMENTS OF A R-1-AA ZONING DISTRICT, SUBMITTED BY APPLICANTS TIMOTHY SHIPE AS TRUSTEE OF THE GARY SHIPE TRUST DATED JANUARY 27, 1999 AND FRANK WILSON, LOCATED AT <u>1832 WIND HARBOR ROAD, BELLE ISLE, FL 32809</u> ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-9330-00-260.
- 5. Other Business
- 6. Adjournment

APPEALS: "If a person decides to appeal (Belle Isle's City Code Section 42-71) any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105). A notice of appeal to the City Clerk should be submitted within fifteen (15) days after such recommendation or decision is made "Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-851-7730) at least 48 hours in advance of the meeting. –Page 1 of 1



CITY OF BELLE ISLE, FL PLANNING & ZONING BOARD MEETING

Wednesday, January 3, 2024 * 6:30 PM MINUTES

The Belle Isle Planning & Zoning Board met on January 3, 2024, at 6:30 p.m. at the City Hall Chambers at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was: Board member Thompson Board member Shenefelt Board member Squires Board member Conduff <u>Absent was</u>: Board member Woods Board Member Holihan Board member Hobbs

Also present were City Manager Rick Rudometkin, Attorney Hilary Griffith, City Planner Raquel Lozano, and City Clerk Yolanda Quiceno.

1. Call to Order and Confirmation of Quorum

Chairman Conduff opened the meeting at 6:30 p.m. and confirmed the quorum.

2. Invocation and Pledge to Flag

Chairman Conduff gave the invocation and led the pledge to the flag.

Mayor Fouraker expressed his gratitude to the Board for serving the residents of the City. He welcomed Rick Rudometkin to the City and gave a brief introduction to the years of experience of the Board and staff.

 Appointment of Chairman and Vice Chairman Board member Shenefelt nominated Rainey Conduff as Chairman.
 Board member Squires seconded the motion, which passed unanimously.

Board member Shenefelt moved to nominate David Woods as Vice Chair. Chairman Conduff seconded the motion, which passed unanimously.

4. Approval of Minutes

a. Approval of minutes – November 28, 2023
 Board member Thompson moved to approve the November 28, 2023, minutes.
 Board member Shenefelt seconded the motion, which passed unanimously 4:0.

5. Public Hearings

a. PUBLIC HEARING #2023-09-028 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-102 (A) (1), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A DETACHED METAL GARAGE TO BE BUILT ARCHITECTURALLY DIFFERENT FROM THE PRINCIPAL BUILDING WITH UNLIKE MATERIALS, SUBMITTED BY APPLICANT MARK ADAMS, LOCATED AT 3104 INDIAN DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #29-23-30-4389-03-040. (Continuation from Nov 28, 2023)

Chairman Conduff read Public Hearing 2023-09-028 by title.

Chairman Conduff opened for public comment.

- Mark Adams, a resident, spoke in favor of the proposed variance.
- Steven Lindas, who resides at 3106 Indian Drive, spoke in favor of the proposed variance.
- City Planner Lozano noted that the petition and Letter in favor of the variance were emailed to the Board.

There being no further comments, Chairman Conduff closed the public comment section.

City Planner Raquel Lozano presented the variance and said the applicant seeks to build a detached metal garage in the rear yard. Code Section states buildings detached from the principal building are architecturally similar to the principal building and of like materials. The house has an 8-10 ft setback behind the principal building and may not be visible from the road.

Based on the variance criteria, the Staff recommends that the Board not approve the requested variance to build a detached garage architecturally different from the principal building with unlike materials as there are no special conditions or circumstances of the land; the request is a self-created hardship. It does not meet the purpose and intent of the city code.

Board member Shenefelt stated that he appreciates neighbors not in opposition; however, the proposed variance does not comply with the code. The Board spoke on parking vehicles on an unpaved surface. City Planner noted that they cannot park vehicles outside the building. If they were conditioned to add a driveway, it would be on the opposite side of the building and may not meet the allowed impervious surface ratio. The applicant stated that the structure will be used for storage and not parked outside the building area.

Margaret Adams, residing at 3104 Indian Drive, stated they would be willing to add bushes to hide the back of the building.

After the Board discussed it, Board member Squires moved, pursuant to Belle Isle Code Sec. 42-64 and 50-102 (A) (1), to approve the application for a detached metal garage to be built architecturally different from the principal building with unlike materials submitted by applicant Mark Adams located at 3104 Indian Drive, Belle Isle, FL 32812, also known as Orange County Tax Parcel ID #29-23-30-4389-03-040.

Board member Thompson seconded the motion, which passed unanimously 3:1 with Board member Shenefelt, nay.

Chairman Conduff stated that there is a 15-day waiting period for appeals before starting construction.

b. PUBLIC HEARING #2023-11-026 – PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A FRONT BUILDING SETBACK OF 20 FEET FROM THE REQUIRED 30-FOOT FRONT BUILDING SETBACK, SUBMITTED BY APPLICANTS JON BERGMAN AND DANIELLE BROWNE BERGMAN, LOCATED AT 3606 QUANDO DRIVE, BELLE ISLE, FL 32812 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #20-23-30-1646-00-910.

Board member Thompson read Public Hearing 2023-11-026 by Title. City Planner Lozano stated that Public Hearing 2023-11-026 was pulled at the request of the applicant.

c. PUBLIC HEARING #2023-11-033 - PURSUANT TO BELLE ISLE CODE SEC. 42-64, 50-73 (A), 54-3(D), AND 54-3(E), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE TO ALLOW A REAR BUILDING SETBACK OF 45 FEET AND 11 INCHES FROM THE REQUIRED 50-FOOT BUILDING SETBACK FROM THE 86.9 CONTOUR LINE (OR NORMAL HIGH-WATER ELEVATION) OF LAKE CONWAY, TO ALLOW STRUCTURAL ALTERATIONS TO AN EXISTING NONCONFORMING STRUCTURE AND TO ALLOW AN EXTENSION OF A NONCONFORMING STRUCTURE, SUBMITTED BY APPLICANTS NATHIN AND KRISTINE DAVENPORT, LOCATED AT 3433 CULLEN LAKE SHORE DRIVE, BELLE ISLE, FL 32812, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #17-23-30-4380-04-140.

Board member Shenefelt read Public Hearing 2023-11-033 by Title.

Nathin Davenport, residing at 3473 Cullen Lake Shore Drive, stated that his request is seeking to replace the currently covered porch due to a failing roof and excessive leaking. The porch was constructed in 2001 and does not extend past the house. The only way to correct the issue is to reconstruct the roof covering approximately 62' from the NHWE, which will not exceed the back of the house.

City Planner Lozano presented the variance and said the applicants inherited the existing rear porch area upon purchasing the property in 2019. The property survey shows the rear setback from the waterline is approximately 46 feet from the existing covered porch, and the setback from the porch to the seawall is 50 feet and 11 inches. The current porch area partially encroaches four feet within the designated setback from the normal high-water elevation of Lake Conway. The covered porch area aligns with the setback of the principal building. Under section 54-3(d) and (e), a nonconforming building or structure may be maintained and repaired so long as there are no structural changes, extensions, or enlargements to the site. The covered porch area shows signs of visible damage, as provided in the variance application, and the extent of damage is only determined once construction work commences.

Based on the variance criteria, Staff recommends that the Board approve the requested variances to allow a building setback of 45 feet and 11 inches from the required 50-foot setback of the normal-high water elevation of Lake Conway.

After Board discussion, Board member Thompson moved, pursuant to Belle Isle Code Section 42-64 and 50-73 (A), to approve a front building setback of 20 feet from the required 30-foot front building setback, submitted by applicants Jon Bergman and Danielle Browne Bergman, located at 3606 Quando Drive, Belle Isle, FL 32812 also known as Orange County Tax Parcel ID #20-23-30-1646-00-910.

Board member Shenefelt seconded the motion, which passed unanimously 4:0.

Staff stated that there is a 15-day waiting period for appeals before starting construction. Due to the mold, Ms. Lozano said she would contact UES about an early start permit that may allow the applicant to start demolition during the 15-day waiting period.

6. Other Business

Live Local Update – City Planner

City Planner Lozano provided the Board with a Fact Sheet, provided by RVi, for review on the Live Local Act and how it affects the City for affordable housing. After some research, she found that the new law may affect larger cities with undeveloped land. She recommends staff outline administrative operating procedures to share with the Council for approval.

Chairman Rainey recommended that staff create administrative procedures regarding the Live Local Act for Council approval. Comm Shenefelt seconded the motion, which passed unanimously.

7. Adjournment

There being no further business, the meeting unanimously adjourned at 7:45 p.m.

MEMORANDUM

TO: Planning and Zoning Board

DATE: March 26, 2024

RE: Variance Application – 1916 Hoffner Avenue

PUBLIC HEARING #2024-02-017 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FOR A MAXIMUM BUILDING HEIGHT OF 40 FEET, INSTEAD OF THE STANDARD MAXIMUM BUILDING HEIGHT IN A R-1-AA ZONING DISTRICT OF 35 FEET, SUBMITTED BY APPLICANT JASON LEE, REPRESENTING PROPERTY OWNER GREG MEERBAUM, LOCATED AT 1916 HOFFNER AVENUE, BELLE ISLE, FL 32809, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #18-23-30-3648-00-220.

Background:

- 1. On February 14, 2024, the applicant submitted a variance application and the required paperwork.
- 2. Letters to the abutting property owners were mailed within 300 feet of the subject property on March 13, 2024.
- 3. A Notice of Public Hearing legal advertisement was placed in the Orlando Sentinel on Sat., March 16, 2024.

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 must determine if the criteria outlined in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I MOVE, PURSUANT TO BELLE ISLE CODE 42-64 AND 50-73 (A), <u>TO</u> <u>APPROVE</u> A MAXIMUM BUILDING HEIGHT OF 40 FEET, INSTEAD OF THE STANDARD MAXIMUM BUILDING HEIGHT IN A R-1-AA ZONING DISTRICT OF 35 FEET, SUBMITTED BY APPLICANT JASON LEE, REPRESENTING PROPERTY OWNER GREG MEERBAUM, LOCATED AT 1916 HOFFNER AVENUE, BELLE ISLE, FL 32809, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #18-23-30-3648-00-220.

SAMPLE MOTION TO DENY:

"I MOVE, PURSUANT TO BELLE ISLE CODE CODE SEC. 42-64 AND 50-73 (A), HAVING NOT BEEN MET, **TO DENY** [use only if NONE of the justifying criteria have been met] the requirements of, Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone] A MAXIMUM BUILDING HEIGHT OF 40 FEET, INSTEAD OF THE STANDARD MAXIMUM BUILDING HEIGHT IN A R-1-AA ZONING DISTRICT OF 35 FEET, SUBMITTED BY APPLICANT JASON LEE, REPRESENTING PROPERTY OWNER GREG MEERBAUM, LOCATED AT 1916 HOFFNER AVENUE, BELLE ISLE, FL 32809, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #18-23-30-3648-00-220.

Or the Board can request that it be tabled to a date certain to allow for revisions as discussed.

SUBSECTION (D), a 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.



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City of Belle Isle

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Variance and Special Exception Application

City Code Chapter 42, Art. II, Sec. 41-61 thru 41-72 AND Sec 42-64 Land Development Code

Jason Lee		OWNER Greg Meert	aum	
ADDRESS 815 Orienta Ave Ste	1040 Altamonte Spring	PROJECT ADDRESS	16 Hoffner Ave	
CONTACT NUMBER 407.629.6711	rund rate roome opring	OWNER'S CONTACT NU	MBER 561.703.	8865
EMAIL jlee@mjsdesignersgrou	p.com	OWNER'S EMAIL Gr	g@coastalinvco	.com
PARCEL ID# 18-23-30-3648-00-220				
LAND USE CLASSIFICATION 0030- Vaca	ant Water	ZONING DISTRICT R-	1-AA	
SECTION OF THE CODE VARIANCE REQUE		Variances.		
DETAILED VARIANCE REQUEST We are	e requesting a variance	e for 5' overall buildir	a height. This wi	Il make the building
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The applicant hereby states that the before the Planning and Zoning Bo requested user does not violate ar By applying, I authorize City of Be	ard of the kind and type re ny deed restriction of the p elle Isle employees and m	quested in the applicati property. embers of the P&Z Boa	on within nine (9) m	onths. Further, the
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Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

Criteria. The Board shall not approve an application for a variance from terms of the Land Development Code unless and until:

- a. A written application for a variance is submitted to the city manager or the city manager's designee on a form provided by the city clerk setting forth all of the special conditions and circumstances that exist in favor of the granting of the variance and addressing the requirements of subsections (1)d—g of this section of the criteria set forth in this section. Upon submission of the properly completed application and the appropriate fee, the city manager or the city manager's designee shall refer the application to the board.
- b. Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
- c. The public hearing on the application for the variance shall be held. The applicant, the applicant's agent as evidenced by a signed writing or the applicant's attorney shall appear before the board.
- d. It is determined 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.
- e. It has been determined that 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 Land



City of Belle Isle

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Development Code or for the purpose of obtaining a variance.

- f. It is determined that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
- g. It is determined that the granting of the variance will be in harmony with the general purpose and intent of the Land Development 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.
- h. The board shall find that the preceding requirements have been met by the applicant for a variance.

The Board shall find that the preceding requirements have been met by the applicant for a variance. (2) Violations of conditions.

a. In granting any variance, the Board may prescribe appropriate conditions and safeguards to comply with the Land Development Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Land Development Code and punishable in accordance with this article. At the Board's discretion, such variance may be revoked for violation of the condition and safeguards.

b. The Board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed. Under no circumstances, except as permitted above, shall the Board grant a variance to allow a use not generally or by special exception allowed in the zoning district involved, or any use expressly or by implication prohibited by the terms of the Land Development Code in the zoning district. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.

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 comply with the criteria.

A special exception addresses the compatibility of uses, differing slightly from a variance. The approval of a special exception depends on 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:

- 1. <u>A written application for a special exception must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month.</u> (See Above)
- 2. The Board shall find that it is empowered under the section of the zoning ordinance described in the application to grant the special exception and that granting the special exception will not adversely affect the public interest.
- 3. It is determined that public health, safety, comfort, order, convenience, prosperity, morals, or general welfare is promoted, protected, or improved.

General Information

- 1. Certain conditions may be prescribed on the special exception or variance approved by the Board.
- The applicant must be present at all hearings.
- 3. Decisions rendered by the Board do not become final until fifteen (15) days after the hearing. The fifteen-day waiting period allows all aggrieved parties to appeal the decision. Any person filing an appeal will submit, within fifteen (15) days of the decision, a notice stating where they feel the Planning and Zoning Board erred in their decision. Belle Isle's City Council will then hold an appeal hearing.
- Sec 42-61 thru 41-72 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.

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FOR OFFICE USE ONLY: FEE: \$300	Feb. 14.24	1064	1A	00011-00 017
	Date Paid	Check/Cash	Rec'd By	RUE 02011



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ABOUT YOUR PUBLIC HEARING

The following information is provided to assist applicants in applying for a variance, special exception, or use determination. Please familiarize yourself with the process by visiting

The City of Belle Isle's Planning and Zoning Board, which comprises 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:

A written application for a variance must be submitted to City Hall no later than 4:00 p.m. on the first Thursday of the previous month. The application MUST include:

- a. the \$300 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. Ten (10) copies of a plot plan or survey showing all improvements to the property, ten copies of a scale drawing of the planned construction, illustrated on the survey, and digital format for large-scale documents is required.
- e. For boat dock variances, the survey must clearly illustrate the Normal High Water Line elevation (NHWL) of Lake Conway.
- f. A narrative addressing how the variance complies with the following:

*Standards of Variance Justification	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 a written document and submit it to the City as part of your variance request.
Special Conditions and/or Circumstances Section 42-64 (1) d	The applicant must prove that literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship. That 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?
Not-Self- Created Section 42-64 (1) e	The applicant must prove that the special conditions and circumstances do not result from the applicant's actions. A personal (self-created) hardship shall not justify a variance; i.e., when the applicant creates the alleged hardship, they are not entitled to relief by their conduct. HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?
Minimum Possible Variance Section 42-64 (1) f	The applicant must prove that the zoning variance is the minimum variance that will make the reasonable use of the land, building, or structure possible. CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY? LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.
Purpose and Intent Section 42-64 (1) g	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).

*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, and you do not have to comply with Sec. 42-64 (1) d and (1) f.

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Good morning, City of Belle Isle,

We are seeking a Variance for 1916 Hoffner Ave, Orlando, FL 32809, for the overall building height. We would like to go from 35' to 40', so we are asking for a variance to cover the height at the front peaks of the building.

WHAT ARE THE SPECIAL CONDITIONS AND CIRCUMSTANCES UNIQUE TO YOUR PROPERTY?

Due to the slope of the site, the FFE for the house had to be raised to allow for grading & drainage around the proposed house.

WHAT WOULD BE THE UNNECESSARY HARDSHIP?

Sloping contour of the site.

HOW WERE THE SPECIAL CONDITIONS NOTED ABOVE CREATED?

Due to the slope of the site, the FFE for the house had to be raised to allow for grading & drainage around the proposed house. This caused the overall height of the house from grade to peak to be over the maximum height allowed.

CAN YOU ACCOMPLISH YOUR OBJECTIVE IN ANOTHER WAY?

Only by pushing the house down, which would cause drainage & ponding issues on the site. Due to the slope of the property, the house is currently at 5.4' above natural grade.

LIST ALTERNATIVES YOU HAVE CONSIDERED AND EVIDENCE AS TO WHY THEY ARE NOT FEASIBLE.

We have lowered the roof pitch to help reduce the overall peak roof height.

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).

This will not harm or interfere in any way with adequate light, air, access, use of adjacent property, density, compatibility with surrounding land uses, traffic control, or pedestrian safety.

Property Record - 18-23-30-3648-00-220

Orange County Property Appraiser • http://www.ocpafl.org

Property Summary as of 02/06/2024

Property Name 1916 Hoffner Ave

Names

Meerbaum Greg

Municipality BI - Belle Isle

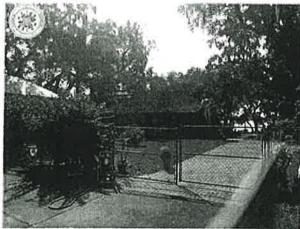
Property Use 0030 - Vacant Water

Mailing Address 3129 Indian Dr Belle Isle, FL 32812-3702

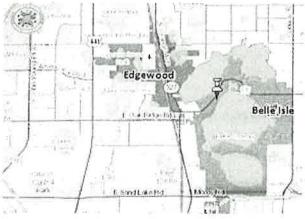
Physical Address 1916 Hoffner Ave Orlando, FL 32809



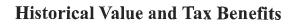
QR Code For Mobile Phone



1916 HOFFNER AVE, ORLANDO, FL 32809 5/14/2019 9:53 AM

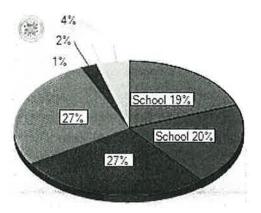


Value and Taxes





302318364800220 08/28/2006



a.

Tax Y	ear Values	Land	I	Building(s)	1	Feature(s)	Market Value	Assessed V	Val
2023	V MKT	\$726,000	+	\$65,078	+	\$2,500 =	\$793,578 (11%)	\$793,578 (6	59% a.
2022	V MKT	\$660,000	+	\$54,230	+	\$2,500 =	\$716,730 (19%)	\$468,812 (3	.0%)
2021	🗸 МКТ	\$550,000	+	\$52,037	+	\$2,500 =	\$604,537 (13%)	\$455,157 (1	.4%)
2020	V MKT	\$480,000	+	\$52,037	÷	\$2,500 =	\$534,537	\$448,873	

Tax Y	ear Benefits	Original Homestead	Additional Hx	Other Exemptions	SOH Cap	Tax Savings
2023	1	n/a	n/a	n/a	n/a	\$0
2022	V \$ HX CAP	\$25,000	\$25,000	\$0	\$247,918	\$4,689
2021	V \$ HX CAP	\$25,000	\$25,000	\$0	\$149,380	\$3,137
2020	S HX DAP	\$25,000	\$25,000	\$0	\$85,664	\$2,095

2023 Taxable Value and Certified Taxes

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	Taxes	%
Public Schools: By State Law (Rle)	\$793,578	\$0	\$793,578	3.1730 (-1.28%)	\$2,518.02	19%
Public Schools: By Local Board	\$793,578	\$0	\$793,578	3.2480 (0.00%)	\$2,577.54	20%
Orange County (General)	\$793,578	\$0	\$793,578	4.4347 (0.00%)	\$3,519.28	27%
City Of Belle Isle	\$793,578	\$0	\$793,578	4.4018 (0.00%)	\$3,493.17	27%
Library - Operating Budget	\$793,578	\$0	\$793,578	0.3748 (0.00%)	\$297.43	2%
St Johns Water Management District	\$793,578	\$0	\$793,578	0.1793 (-9.17%)	\$142.29	1%
Lake Conway Mstu	\$793,578	\$0	\$793,578	0.5750 (40.00%)	\$456.31	4%
				16.3866	\$13,004.04	

2023 Non-Ad Valorem Assessments

Levying Authority	Assessment Description	Units	Rate	Assessment
CITY OF BELLE ISLE	BELLE ISLE RES - GARBAGE - (407)851-7730	1.00	\$305.40	\$305.40
CITY OF BELLE ISLE	BELLE ISLE STRM - DRAINAGE - (407)851-7730	1.00	\$135.00	\$135.00
				\$440.40

Property Features

Property Description

C H HOFFNERS SUB F/37 LOTS 22 & 23 & LAND ON LAKE SIDE MEASURING 20 FT ON N & 71 FT ON S

Total Land Area

61,330 sqft (+/-)	1	1.41 acres (+/-)	GIS Calculated

Land

 *

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
0030 - Vacant Water	R-1-AA	1 LOT(S)	working	working	working	working

Buildings

Extra Features

Description	Date Built	Units	Unit Price	XFOB Value
BC3 - Boat Cover 3	12/29/2023	1 Unit(s)	working	working
BD3 - Boat Dock 3	12/29/2023	1 Unit(s)	working	working

Sales

Sales History

Sale Date Sale Amount	Instrument # Book/Page	Deed Code	Seller(s)	Buyer(s)	Vac/Imp
04/06/2023\$1,160,000	0 20230204015/	Trustee's Deed	Georgia Holley Odonnell Revocable Trust	Meerbaum Greg	Improved
04/01/1980\$82,000 06/01/1975\$100	1980152071803114/0233 1975086525502600/0823				Improved Improved

Similar Sales

Address	Sale Date	Sale Amount	\$/SQFT	Deed Code	Beds/Baths	Instrument # Book/Page
17540 Lake Star Rd	01/18/2024	\$1,053,371	\$257	Special Warranty	5/4	20240044465 /
731 Dennis Ave	01/10/2024	\$490,900	\$239	Warranty Deed	4/2	20240028879 /
725 Dennis Ave	01/10/2024	\$488,900	\$238	Warranty Deed	4/2	20240028907 /
6667 Heather Rd	01/04/2024	\$502,900	\$245	Warranty Deed	4/2	20240015168 /
6655 Heather Rd	01/04/2024	\$506,900	\$256	Warranty Deed	4/3	20240015182 /
719 Dennis Ave	01/04/2024	\$508,900	\$257	Warranty Deed	4/3	20240015792 /
Kirby Smith Rd	01/02/2024	\$1,400,000		Warranty Deed	0/0	20240010071 /
Mileham Dr	12/28/2023	\$25,000		Warranty Deed	0/0	20240009649 /
713 Dennis Ave	12/22/2023	\$524,900	\$225	Warranty Deed	4/2	20240000162 /
13617 Mcmillan Dr	12/21/2023	\$1,132,800	\$328	Warranty Deed	4/4	20240007417 /

Services for Location

TPP Accounts At Location

Account Market Value
There are no TPP Accounts associated with this parcel.

Taxable Value

Pershing School (Elementary)PrincipalSanjaOffice Phone407.8Grades2023

Sanjay Brown 407.858.3160 2023: | 2022: B | 2019: C a.

Oak Ridge (High School)	
Principal	Dennis Gonzalez
Office Phone	407.852.3200
Grades	2023: 2022: C 2019: B

Utilities/Services

Electric	Duke Energy
Water	Orlando Utilities Commission
Recycling (Friday, Tuesday)	Belle Isle
Trash (Tuesday, Friday)	Belle Isle
Yard Waste (Monday)	Belle Isle

Elected Officials

State Senate	Linda Stewart
County Commissioner	Mayra Uribe
School Board Representative	Alicia Farrant
State Representative	Anna Eskamani
US Representative	Darren Soto
Orange County Property Appraiser	Amy Mercado

Nearby Amenities (1 mile radius)

ATMS	1
Banks & Financial Institutions	3
Barber Shops	1
Beauty Salons	4
Child Daycare	1
Dentists Offices	1
Dry Cleaners	1
Gas Stations	1
Grocery Store	1
Nail Salons	1
Optometrists Offices	1
Restaurants	10

Market Stats

Sales Within Last 1 Year

Hoffner C H Sub

Sales Within Last 6 Months				Sales Between 6 Months To One Year				
	Count	Median	Average	Volume	Count	Median	Average	Volume
Single Family Residential	1	\$1,400,000 (\$496/SqFt)	\$1,400,000 (\$496/SqFt)	\$1,400,000				
Vacant Land					1	\$1,160,000	\$1,160,000	\$1,160,000

а.

1916 Hoffner Ave. Orlando, FL 32809 Northeast Corner (Front)



а.

1916 Hoffner Ave. Orlando, FL 32809 North Center (Front)



1916 Hoffner Ave. Orlando, FL 32809 Northwest Corner (Front)



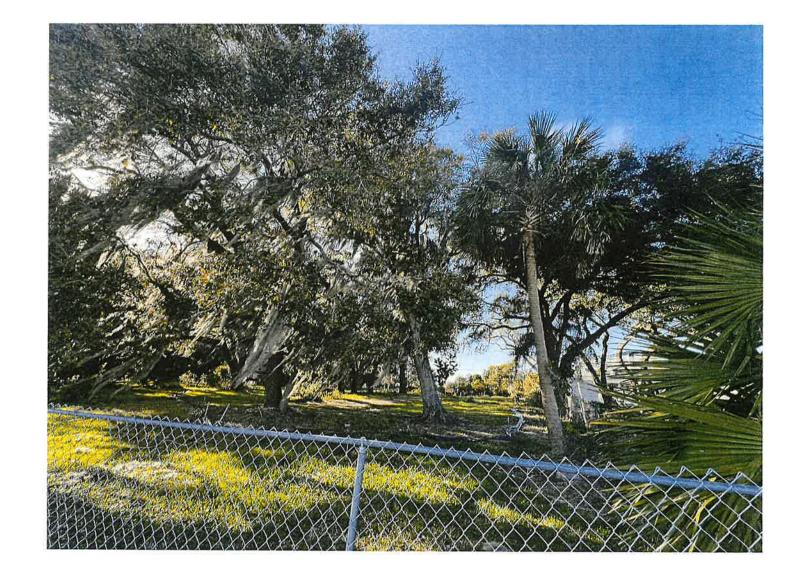
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1916 Hoffner Ave. Orlando, FL 32809 South Center (Rear)



a.

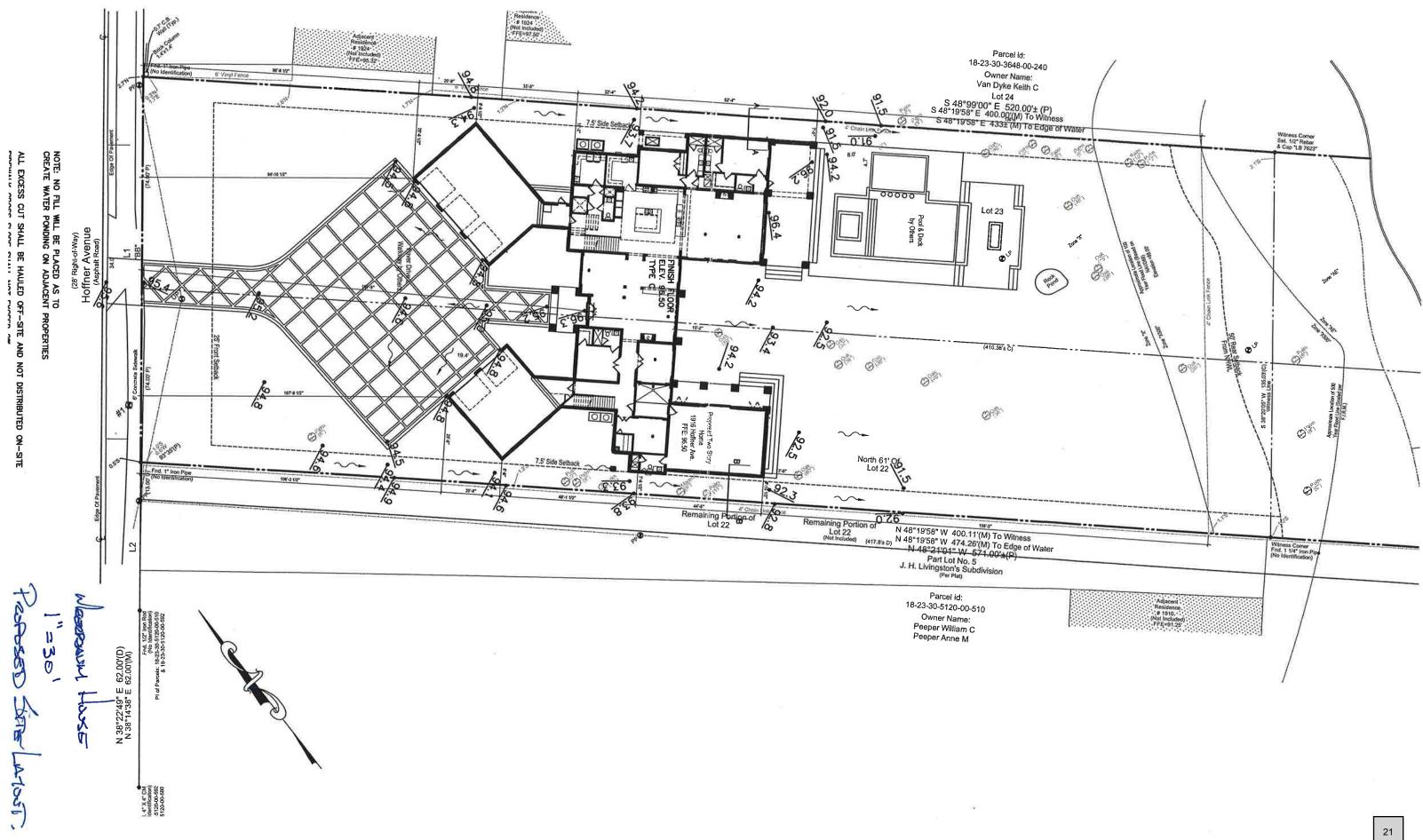
1916 Hoffner Ave. Orlando, FL 32809 Southeast Center (Rear)



1916 Hoffner Ave. Orlando, FL 32809 Southwest Center (Rear)



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a.



CITY OF BELLE ISLE, Florida

Planning and Zoning: Staff Report

March 18, 2024

Variance Request: 1916 Hoffner Avenue

Application Request: Public Hearing #2024-02-017 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING AND ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FOR A MAXIMUM BUILDING HEIGHT OF 40 FEET, INSTEAD OF THE STANDARD MAXIMUM BUILDING HEIGHT IN A R-1-AA ZONING DISTRICT OF 35 FEET, SUBMITTED BY APPLICANT JASON LEE, REPRESENTING PROPERTY OWNER GREG MEERBAUM, LOCATED AT 1916 HOFFNER AVENUE, BELLE ISLE, FL 32809, ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #18-23-30-3648-00-220.

Existing Zoning/Use: R-1-AA / Single-Family Home

Background

The applicant seeks to build a new two-story single-family residence that exceeds the standard maximum building height of 35 to 40 feet. Under section 41-4, for Definitions and Rules of Construction, the code defines building height as "the vertical distance from the grade to the highest point of the roof, including all appurtenances."

Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below.

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

The literal enforcement of the code does not result in an unnecessary hardship for the applicant to build a new single-family residence in compliance with the City's height requirement. An unnecessary hardship exists when compliance would unreasonably prevent or burden the homeowner from using the property for a permitted purpose.

2. Not Self-Created (Section 42-64 (1) e):

The owner/applicant's preference for the architectural design of a new single-family residence is a selfcreated hardship. A personal hardship is not an allowable basis for granting a variance approval; a hardship results from the conditions of the property or the structure. 3. Minimum Possible Variance (Section 42-64 (1) f):

The variance request makes reasonable use of the land, as the proposed structure meets all other zoning requirements for a new single-family residence. The applicant had revised the applicable building height sheets to their active building permit to detail the building height measurement from the finished floor to the roof's peak, including appurtenances, as 35 feet in height. The five-foot difference in height for the requested variance accounts for the natural elevations and sloping of the land from the finished floor of the proposed structure.

4. Purpose and Intent (Section 42-64 (1) g):

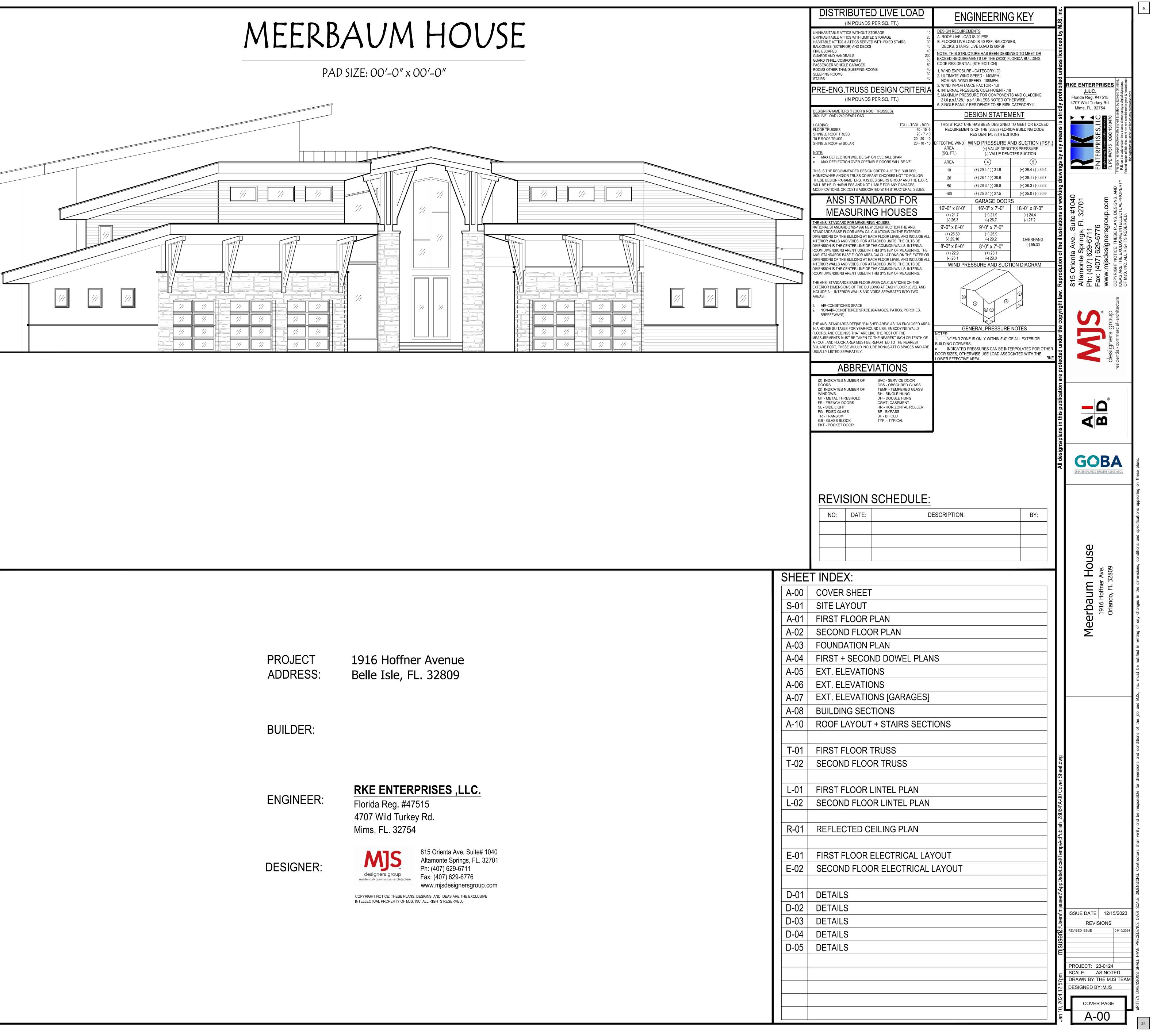
The proposed variance request is not in harmony with the purpose and intent of the land development code.

Based on the variance criteria of sections 42-64 (d), (e), and (g), City staff recommends that the Board not approve the requested variance to build a new single-family residence at a height of 40 feet from the natural grade. City staff have determined there are no special conditions or circumstances of the land, the request is a self-created hardship, and it does not meet the purpose and intent of the city code.

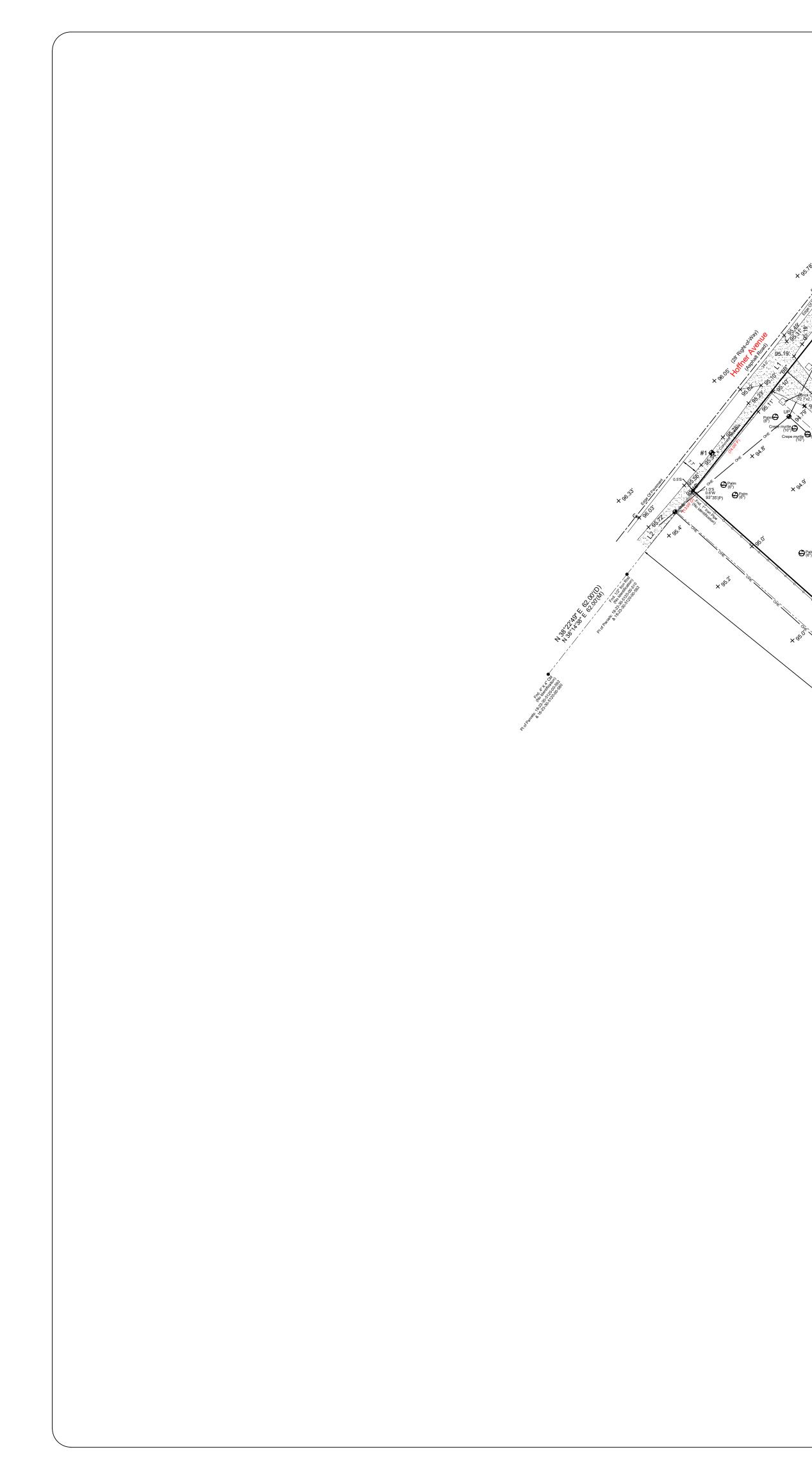
Additional Notes

The Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.

	ARC AND • CON BE D	NOTES: ITRUCTURAL CHANGES FROM THE APPROVED PLANS SHALL BE MADE IN THE FIELD UNLESS, PRIOR TO MAKING CHANGES, A WRITTEN APPROVAL IS OBTAINED FROM THE ENGINEER / HITECT OF RECORD. IF CHANGES ARE MADE WITHOUT WRITTEN APPROVAL, SUCH CHANGES SHALL BE THE LEGAL AND FINANCIAL RESPONSIBILITY OF THE CONTRACTORS INVOLVED, SHALL BE THE RESPONSIBILITY OF SAID PARTIES TO REPLACE OR REPAIR THE CONDITION AS DIRECTED BY THE ENGINEER. NECT A/C UNIT TO CONCRETE SLAB W/ AT FOUR CORNERS USING (1) 3/16" TAPCON, MIN. OF 2" LENGTH INTO CONCRETE AND (2) #8 METAL SCREWS INTO A/C UNIT FRAME (LOCATION TO ETERMINED BY A/C CONTRACTOR) PER CLIP ITRIC SERVICE GROUND TO BE BONDED TO FOOTING STEEL	
<text></text>	 CON CON REC CON BOT 	TRACTOR TO ROUGH IN A/H CHASE A/O DRAIN LINES, & CONDUITS AS NEEDED TRACTOR TO VERIFY A/O PROVIDE FOR SLAB RECESSES, SILLS & CURB REQUIREMENTS @ ALL DOORS ESS SHOWERS TO HAVE THICKENED EDGES AND REINFORCEMENT TO BE DETER BY GENERAL CONTRACTOR TRACTOR TO DETERMINE ANY SLOPE OF SLAB REQUIREMENTS TOM OF FOOTING MIN 12" BELOW FINISH GRADE	
<text></text>	A.1. A.1.1.	WINDOW, DOOR AND PANEL CRITERIA: GARAGE DOOR TO BE CERTIFIED BY MANUFACTURER FOR WIND EXPOSURE / COMPONENT CLADDING DEPENDANT ON PERMIT MUNICIPALITY DEPENDANT ON WIND-BORNE DEBRIS REGION. GARAGE DOOR GLAZED OPENING PROTECTION FOR WIND-BORNE DEBRIS SHALL MEET THE REQUIREMENTS OF AN APPROVED IMPACT-RESISTING STANDARD OR ANSI / DASMA 115.	
<text></text>	A.1.4. A.2.	REQUIRED TO PROVIDE DOCUMENTATION FOR DOORS DEMONSTRATING COMPLIANCE WITH THESE SPECIFICATIONS. THE MANUFACTURER'S SPECIFICATIONS AND TEST RESULTS FOR THE REFERENCED WINDOWS, SGD, DOORS AND PANELS (IN REGARDS TO COMPLIANCE WITH FLORIDA BUILDING CODE- BUILDING 1609.1.2.3) HAS BEEN REVIEWED AND ACCEPTED BY THE ENGINEER OF RECORD FOR USE ON THIS PROJECT. WHEN INSTALLED IN ACCORDANCE WITH THESE PLANS AND THE MANUFACTURER'S SPECIFICATIONS. SAG RESISTANT DRYWALL ON ALL CEILINGS.	
<text></text>		DOORS. DUCTS IN THE GARAGE AND DUCTS PENETRATING THE WALLS OR CEILINGS SEPARATING THE DWELLING FROM THE GARAGE SHALL BE CONSTRUCTED OF A MIN. NO. 26 GAGE SHEET STEEL OR OTHER APPROVED MATERIAL AND SHALL HAVE NO OPENINGS INTO GARAGE. THE GARAGE SHALL BE SEPARATED FROM THE RESIDENCE AND ITS ATTIC BY NOT LESS THAN 1/2 INCH GYPSUM BOARD APPLIED TO THE GARAGE SIDE. GARAGES BENEATH HABITABLE ROOMS SHALL BE SEPARATED FROM ALL HABITABLE ROOMS ABOVE BY NOT LESS THAN 5/8 INCH TYPE "X" GYPSUM BOARD OR EQUIVALENT. WHERE THE SEPARATION IS A	
<text></text>	A.7. A.8. A.9. A.9.1.	FRAME WALL SEGMENTS WHICH HAVE AN UNINTERRUPTED LENGTH OF 12-0" OR MORE SHALL BE CONSIDERED SHEAR WALL SWS = SHEAR WALL SEGMENTS COLUMNS SHALL BE CONSTRUCTED OF STANDARD MASONRY UNITS OR PILASTER BLOCK OR MAY BE CAST IN PLACE CONCRETE. MAXIMUM COLUMN HEIGHT SHALL BE 12 FEET TO TOP OF BOND BEAM. COLUMNS SHALL CONTAIN A MINIMUM OF FOUR VERTICAL BARS, ONE IN EACH CORNER. <u>BATHROOMS:</u> ALL TUB & SHOWER UNITS WILL HAVE ANTI-SCALDING DEVICES INSTALLED.	
<text></text>	B.1. B.2. B.3.	FLOOR SLAB OF PLANT MIX CONCRETE MIN. 2500 P.S.I. 4" THICK WITH FIBER-MESH REINFORCEMENT WITH 6 MIL. POLY. VAPOR BARRIER OVER COMPACTED CLEAN FILL OR, FLOOR SLAB OF PLANT MIX CONCRETE MIN. 2500 P.S.I. 4" THICK WITH 6X6 10/10 GAUGE REINFORCING MAT. WITH MIN. 1" COVER WITH 6 MIL. POLY. VAPOR BARRIER OVER COMPACTED CLEAN FILL. AS AN ALTERNATE, A 6X6 NO. 10 WELDED WIRE FABRIC EXTENDING A MIN. OF 10" INTO SLAB AND 6" INTO CHAIR BLOCK OR TOP COURSE. SOIL TESTING IS RECOMMENDED. FOOTINGS SHALL BEAR ON UNDISTUBBED SOIL A/O PROPERLY COMPACTED FILL AT A REQUIRED 2000 PSF SOIL BEARING CAPACITY. FILL MATERIAL SHALL BE COMPACTED IN 12" LIFTS TO 95% DENSITY OF A MODIFIED PROCTOR TO BE VERIFIED BY GENERAL CONTRACTOR / OWNER. PRIOR TO PLACEMENT OF FILL ALL VEGETATION / ORGANIC MATERIAL SHALL BE STRIPPED AWAY TO MIN. 5'-0" DISTANCE FROM THE PERIMETER OF THE STRUCTURE. IF THE BUILDER AND/OR HOMEOWNER CHOOSE NOT TO COMPLETE SOIL TESTING, MJS DESIGNERS GROUP AND THE E.O.R. WILL BE HELD HARMLESS AND NOT LIABLE FOR ANY DAMAGES, MODIFICATIONS, OR COSTS ASSOCIATED WITH FOUNDATION ISSUES.	
<text></text>	B.5. B.6. B.7. B.8.	TERMITE TREATMENT TO BE APPLIED BY EITHER TREATED SOIL, BORA-CARE APPLICATION OR SENTRICON PER. MANUFACTURER SPEC'S. CERTIFICATE OF APPLICATION MUST BE MADE AVAILABLE AT TIME OF INSPECTION TO PROVIDE APPLICATION USED. FOR ALL STEMWALLS GREATER THAN 35" IN HEIGHT PLEASE REFER TO SCHEDULE BELOW FOR FOOTER AND STEEL REINFORCEMENT SPECIFICS. ADDITIONALLY IT IS REQUIRED TO PLACE (1) #3 REBAR 4' O.C. HOOKED INTO BOND BEAM AND TIED OFF TO REINFORCEMENT LOCATED IN TOP COURSE / BOND BEAM WHILE ALSO EXTENDING A MIN. OF 12" INTO SLAB. A SOIL OR WASTE PIPE OR A BUILDING DRAIN PASSING UNDER A FOOTING OR THROUGH A FOUNDATION WALL SHALL BE PROVIDED WITH A RELIEVING ARCH, OR THERE SHALL BE BUILT INTO THE MASONRY WALL WITH AN IRON PIPE SLEEVE (TWO PIPE SIZES) GREATER THAN THE PIPE PASSING THROUGH. THE OUTER BAR OF FOUNDATION STEEL SHALL BE CONTINUOUS AROUND CORNERS USING CORNER BARS OR BY BENDING THE BAR IN ACCORDANCE WITH 100.3.4. IN BOTH CASES, THE MINIMUM BAR LAP SHALL BE 25 INCHES. STEMWALLS SHALL BE AS THICK OR THICKER THAN THE WALL SUPPORTED ABOVE, BUT IN NO CASE LESS THAN 8 INCHES THICK, AND SHALL HAVE SAME VERTICAL REINFORCING AS	
<text><text><text><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></text></text></text>	B.11. B.11.1. B.11.2.	ALL FOOTING DOWEL BARS SHALL HAVE A STANDARD 90 DEGREE HOOK AND SHALL BE EMBEDDED A MINIMUM OF 6 INCHES INTO ALL FOOTINGS; DOWEL BARS SHALL LAP VERTICAL WALL REINFORCEMENT A MINIMUM OF 25 INCHES. MINIMUM CONCRETE COVER OVER REINFORCING BARS SHALL BE: 3 INCHES IN FOUNDATIONS WHERE CONCRETE IS CAST AGAINST AND PERMANENTLY IN CONTACT WITH THE EARTH. 1-1/2 INCHES FOR NO. 5 AND SMALLER BARS, AND 2 INCHES FOR NO. 6 AND LARGER BARS WHERE CONCRETE IS FORMED AND WILL BE EXPOSED TO THE WEATHER. IN NARROW FOOTINGS WHERE INSUFFICIENT WIDTH IS AVAILABLE TO ACCOMMODATE A STANDARD 90 DEGREE HOOK, PROVIDE THE REQUIRED CONCRETE COVER. THE HOOK	
<text></text>	B.12.1. B.12.2	CONNECTION OF COLUMNS TO THE FOUNDATION BELOW AND TO THE BOND BEAM AT THE TOP SHALL BE AS FOLLOWS: 8X8 INCH COLUMN; TWO NO. 5 STANDARD 90 HOOK INTO THE SUPPORT AT THE BOTTOM AND INTO THE BOND BEAM AT THE TOP. 8X16 INCH COLUMN; TWO NO. 5 STANDARD 90 HOOKS (ONE IN EACH CELL) BOTH AT THE BOTTOM AND INTO THE BOND BEAM AT THE TOP. 12X12 INCH COLUMN AND 16X16 INCH COLUMN; FOUR NO. 5 STANDARD 90 HOOKS (ONE AT EACH VERTICAL BAR) EXTENDING FROM THE FOUNDATION AND SPLICED WITH THE VERTICAL COLUMN REINFORCEMENT FOR THE BOTTOM; THREE NO. 5 STANDARD 90 HOOKS INTO THE BOND BEAM AT THE TOP, MINIMUM, AND EACH SPLICED INTO A VERTICAL COLUMN BAR FOR CORNER COLUMNS; & TWO NO. 5 STANDARD 90 HOOKS INTO THE BOND BEAM AT THE TOP EACH SPLICED TO SEPARATE VERTICAL COLUMN BARS FOR	
<text></text>	C.1. C.2. C.3.	PREPARATION FOR SITES W/ IMPORTED FILL: THE PROPOSED BUILDING AREA, PLUS A MINIMUM MARGIN OF FIVE FEET BEYOND THE PROPOSED BUILDING LIMITS, SHALL BE STRIPPED AND GRUBBED OF SURFACE DEBRIS, INCLUDING VEGETATION, ROOTS & ORGANIC MATTER ALONG WITH ANY REMNANTS OF PREVIOUS CONSTRUCTION SUCH AS OLD FOOTINGS AND/OR SLABS. THE BUILDING PAVEMENT AREAS SHALL BE FILLED TO THE DESIRED GRADES. THE HORIZONTAL PORTION OF THE BUILDING PAD SHALL EXTEND A MINIMUM FIVE FEET BEYOND THE BUILDING & PAVEMENT AREAS. THE CLEAN FILL MATERIAL SHALL BE PLACED IN LOOSE LAYERS OF 12 INCH LIFTS IN THICKNESS. COMPACT EACH LIFT TO A MINIMUM OF 95 PERCENT OF ITS MODIFIED DRY PROCTOR VALUE. FIELD DENSITY TESTS AND ON-SITE INSPECTION ARE REQUIRED TO BE PERFORMED, BY A STATE OF FLORIDA LICENSED GEOTECHNICAL ENGINEER, AT APPROPRIATE TIMES DURING THE EARTH WORK OPERATIONS IN ORDER TO VERIFY THAT THE SITE PREPARATIONS HAVE BEEN PROPERLY CONSTRUCTED.	
<text></text>	D.1. D.2. E. <u>MOR</u>	THE PROPOSED BUILDING AREA, PLUS A MINIMUM MARGIN OF FIVE FEET BEYOND THE PROPOSED BUILDING LIMITS, SHALL BE STRIPPED AND GRUBBED OF SURFACE DEBRIS, INCLUDING VEGETATION, ROOTS & ORGANIC MATTER ALONG WITH ANY REMNANTS OF PREVIOUS CONSTRUCTION SUCH AS OLD FOOTINGS AND/OR SLABS. A MINIMUM SOIL BEARING CAPACITY OF 2000 PSF IS REQUIRED. TAR:	
<text><text><text><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></text></text></text>	E.2. E.3. E.4. F. <u>CLE/</u>	ALL MORTAR JOINTS FOR HOLLOW UNIT MASONRY SHALL EXTEND THE FULL WIDTH OF FACE SHELLS. MORTAR JOINTS FOR SOLID MASONRY SHALL BE FULL HEAD AND BED JOINTS. BED JOINTS SHALL BE 3/8 INCH (+ 1/8 INCH) THICK. HEAD JOINTS SHALL BE 3/8 INCH (+ 3/8 INCH OR -1/4 INCH) THICK. THE BED JOINT OF THE STARTING COURSE PLACED OVER FOOTINGS SHALL BE PERMITTED TO VARY IN THICKNESS FROM A MINIMUM OF 1/4 INCH TO A MAXIMUM OF 3/4 INCH. ANOUTS: PER FBC R606.3.5.2, PROVISIONS SHALL BE MADE FOR CLEANING THE SPACE TO BE GROUTED. MORTAR THAT PROJECTS MORE THAN 1/2 INCH (12.7 MM) INTO THE GROUT SPACE AND	
<text><text><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></text></text>	G.1.	BE PROVIDED IN THE BOTTOM COURSE OF MASONRY FOR EACH GROUT POUR WHERE THE GROUT POUR HEIGHT EXCEEDS 64 INCHES (1626 MM). IN SOLID GROUTED MASONRY, CLEANOUTS SHALL BE SPACED HORIZONTALLY NOT MORE THAN 32 INCHES (813 MM) ON CENTER. THE CLEANOUTS SHALL BE SEALED BEFORE GROUTING AND AFTER INSPECTION. UT: SHALL HAVE A MAXIMUM COARSE AGGREGATE SIZE OF 3/8 INCH PLACED AT AN 8 TO 11 INCH SLUMP AND HAVE A MINIMUM SPECIFIED COMPRESSIVE STRENGTH OF 2500 PSI AT 28 DAYS WHEN TESTED IN ACCORDANCE WITH ASTM C 1019, OR SHALL BE IN ACCORDANCE WITH ASTM C 476.	
<text></text>	н. <u>сол</u>	8-FOOT (2438 MM) MAXIMUM HEIGHT. WHERE A TOTAL GROUT POUR EXCEEDS 8 FEET (2438 MM) IN HEIGHT, THE GROUT SHALL BE PLACED IN LIFTS NOT EXCEEDING 64 INCHES (1626 MM) AND SPECIAL INSPECTION DURING GROUTING SHALL BE REQUIRED. IF THE WORK IS STOPPED FOR 1 HOUR OR LONGER, THE HORIZONTAL CONSTRUCTION JOINTS SHALL BE FORMED BY STOPPING ALL TIERS AT THE SAME ELEVATION AND WITH THE GROUT 1 INCH (25 MM) BELOW THE TOP. CRETE:	
	Н.3.	FOR CAST-IN-PLACE BOND BEAMS WHERE CONCRETE IS NOT EXPOSED TO WEATHER, THE MINIMUM CONCRETE COVER FOR REINFORCING SHALL BE 1 1/2 INCHES REGARDLESS OF BAR SIZE. FOR CAST-IN-PLACE BOND BEAMS WHERE CONCRETE IS EX- POSED TO WEATHER, THE MINIMUM CONCRETE COVER FOR REINFORCING SHALL BE: 1 1/2 INCHES FOR NO. 5 BARS AND SMALLER, 2 INCHES FOR NO. 6 BARS AND LARGER.	
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<text></text>	I.6.3. I.7. I.8. I.8.1.	REINFORCEMENT PARTIALLY EMBEDDED IN CONCRETE SHALL NOT BE FIELD BENT. EXCEPTION: WHERE BENDING IS NECESSARY TO ALIGN DOWEL BARS WITH A VERTICAL CELL, BARS PARTIALLY EMBEDDED IN CONCRETE SHALL BE PERMITTED TO BE BENT AT A SLOPE OF NOT MORE THAN 1 INCH OF HORIZONTAL DISPLACEMENT TO 6 INCHES OF VERTICAL BAR LENGTH. WHEN TWO BARS ARE REQUIRED IN THE SAME CELL OR BOND BEAM, THEY MAY BE BUNDLED. SPLICES SHALL BE LAP SPLICES. AND DICTATED AS SUCH: NON-CONTACT LAP SPLICES MAY BE USED PROVIDED REINFORCING BARS ARE NOT SPACED FARTHER APART THAN 5 INCHES FOR NO. 5 BARS AND 7 INCHES FOR NO. 7 BARS.	
	J. <u>GAL'</u> J.1.	A MINIMUM OF 25 INCHES, AND TWO NO. 5 BARS WITH ONE NO. 7 BAR SHALL BE A MINIMUM OF 35 INCHES. <u>VANIZATION:</u> METAL ACCESSORIES FOR USE IN EXTERIOR WALL CONSTRUCTION AND NOT DIRECTLY EXPOSED TO THE WEATHER SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A 153, CLASS B-2. METAL ACCESSORIES FOR USE IN INTERIOR WALL CONSTRUCTION SHALL BE MILL GALVANIZED IN ACCORDANCE WITH ASTM A 641, CLASS 1.	
<list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item>	K.2. L. <u>MAS</u>	TIES. 2. ASTM A 36 FOR PLATE, HEADED AND BENT BAR ANCHORS. 3. ASTM A 366 FOR SHEET METAL ANCHORS AND TIES. UNLESS OTHERWISE STATED, SIZES GIVEN FOR NAILS ARE COMMON WIRE NAILS. FOR EXAMPLE, 8D = 2 1/2 INCHES LONG X 0.131-INCH DIAMETER. SEE TABLE 8.8A IN THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION. ONRY:	
 NUMBER ADDRESS NUMBER ADDRESS ADDRESS	L.1.2. L.1.3. L.1.4. L.1.5. M. <u>LUM</u>	LATERAL TIES MAY BE PLACED IN THE MORTAR JOINTS (PROVIDED THEY ARE NO LARGER THAN 1/4 INCH DIAMETER) OR IN THE GROUT. THE BOTTOM LATERAL TIES SHALL BE LOCATED VERTICALLY NOT MORE THAN ONE-HALF THE LATERAL TIE SPACING ABOVE THE TOP OF THE FOOTING, SLAB, OR BEAM IN ANY STORY. THE TOP LATERAL TIE SHALL NOT BE MORE THAN ONE-HALF THE LATERAL TIE SPACING BELOW THE LOWEST HORIZONTAL REINFORCEMENT IN THE BEAM ABOVE. CONCRETE MASONRY UNITS SHALL BE HOLLOW OR SOLID UNIT MASONRY IN ACCORDANCE WITH ASTM C 90 AND SHALL HAVE A MINIMUM NET AREA COMPRESSIVE STRENGTH OF 1900 PSI. CMU MATERIALS AND CONSTRUCTION SHALL COMPLY WITH "SPECIFICATION FOR MASONRY STRUCTURES" ACI 530.1/ASCE 6-05/TMS 602-05: PART 2 & 3 MASONRY WALLS SHALL BE RUNNING BOND OR STACK BOND CONSTRUCTION. WHEN MASONRY UNITS ARE LAID IN STACK BOND, 9-GAGE (MINIMUM) HORIZONTAL JOINT REINFORCEMENT, IN ADDITION TO REQUIRED VERTICAL REINFORCEMENT, SHALL BE PLACED IN BED JOINTS AT NOT MORE THAN 16 INCHES ON CENTER. BER:	
 1. THUSS COMPACTORS ARE TO IS SIMPLON TRANSPORTED UND. 1. SUPPORT TRANSPORTED AT THE AT PRACE COMPACTOR TO BE TATALED COMPACTOR SOURCE DELOY FOR NALING REQUIRED. 2. SUPPORT TRANSPORTED AT PRACE COMPACTOR TO BE IN THE WAY AND THE EXAMPLE TO REQUIRED. 2. SUPPORT TRANSPORTED AT PRACE COMPACTOR TO BE IN THE WAY AND THE EXAMPLE TO REQUIRED. 2. SUPPORT TRANSPORTED AT PRACE COMPACTOR TO AND THE INSTANCE THE USE DELOY AND THE STATE OF THE COMPACTORS (# 0 C. U.O.) 3. TALL STATET TRANSPORTED AT THE ADDRESS TO BE TO REPORT TRANSPORTED AT THE STATE OF THE COMPACTOR SOURCE TO THE STATE OF THE COMPACTOR AND THE STATE OF THE COMPACTOR SOURCE TO THE STATE OF THE COMPACTOR AND THE STATE OF THE STATE AND THE STATE OF THE STATE AND THE STATE OF THE COMPACTOR AND THE STATE OF THE STATE AND THE STATE OF THE STATE	N. <u>FRAI</u> N.1. N.2. N.3. N.4. N.5.	WING: INTERIOR BEARING WALLS: BOTTOM CONNECTORS SHALL HAVE THE SAME OR GREATER UPLIFT VALUE AS THE TOP CONNECTOR. ALL INTERIOR FRAME BEARING WALLS AND ALL EXTERIOR FRAME WALLS SHALL BE ANCHORED TO THE ABUTTING CMU WALL WITH (3) 1/2"X6" STANDARD HOOK ANCHOR BOLTS EMBEDDED IN GROUTED CELLS. THE FLOOR P.T. PLATE SHALL BE ANCHORED WITH 1/2" X 10" A.B. OR WEDGE ANCHOR (RED HEAD) @ 24" O.C. AND A MIN. 7" EMBEDMENT. WHENEVER A GIRDER TRUSS BEARS ON A FRAME BEARING WALL, IT SHALL BE SUPPORTED BY A MINIMUM OF AN EQUAL NUMBER OF STUDS AS PLIES IN THE GIRDER. REBARS MAY BE DRILLED AND EPOXIED W/ MIN. 5" EMBEDMENT. FOR MISSING OR MIS-LOCATED STRAPS TO CMU (1) MSTM-16 WITH (4) 1/4"X2-1/4" TAPCONS CAN BE SUBSTITUTED PROVIDED UPLIFT FOR TRUSS IS LESS THAN 860LBS. LIMIT TWO TRUSSES ADJACENT WITHOUT ENGINEERING MODIFICATIONS.	
 Number of the state of possible and setup of the Trades Advices Trades and a state of the state of possible and setup of the trades and setup of the state of possible and setup of the state of the state of possible and setup of the state of	N.7. N.8. N.9. N.10. N.11. N.12.	ALL TRUSS CONNECTORS ARE TO BE SIMPSON STRONG-TIE, U.N.O. EACH FLOOR TRUSS ATTACHED TO CMU. WITH (1) HETA-16 OR (1) MTS-12 AT FRAME CONNECTION (U.N.O.) EACH ROOF TRUSS / RAFTER AT CMU. TO BE ATTACHED WITH (1) HETA-16 (U.N.O.) SEE CONNECTOR SCHEDULE BELOW FOR NAILING REQUIRED. EACH ROOF TRUSS / RAFTER AT FRAME CONNECTION TO BE (1) HTS-16 (U.N.O.) END JACKS AND CORNER SETS MAY BE (1) H-2.5 (U.N.O.) AT ALL 2 STORY BEARING WALL LOCATIONS 2ND STORY FRAME WALL STUDS TO BE ATTACHED TO FLOOR TRUSSES BELOW WITH MSTA-30 OR HTS-20 CONNECTORS @ 48" O.C. (U.N.O.)	
 THUSS MAUHACTURENT TO REVIDE ALL GALE LEN THUSSES WITH INTERVEDENT SITU MAINERER (§ 10° CC, LULC). WOOD MARINE THORSE THORMENT MATCHES TO THOSE SITU MAINER USED AS ACTION OF THE VIET TO COSTS SUFFICIENT TO DIANA ANIE, OF SAP PENETRANTOA NITH OF THE VIET TA COSTS SUFFICIENT TO DIANA ANIE, OF SAP PENETRANTOA NITH OF THE SAP. WOOD MARINES THORE THORMENT AND THOSE SITUATION MATURE VIET AS ALL ONE RETERVITIA A NIMULA PEO F SAD PELAL LUMBER USED FOR SEAKS SHALL BE HENRIF, S. PINE, OR S.P.F. CARLES AND THE VIET A	N 14 N 15 N 16 N 17	TRUSSES SHALL BE DESIGNED AND SEALED BY THE TRUSS MANUFACTURER'S PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF FLORIDA, AND SHALL CONFORM WITH THE TPI DESIGN SPECIFICATIONS FOR METAL PLATE CONNECTED TRUSSES. TRUSS MANUFACTURER TO VERIFY ALL TRUSS SPANS, SLOPES, BEARING POINTS, & DIMENSIONS BEFORE FABRICATION. ALSO, TRUSS MANUFACTURER TO PROVIDE SHOP DRAWINGS TO MJS, INC. CUSTOM HOME DESIGNS FOR REVIEW BEFORE FABRICATION. ALL ROOF PITCHES ARE TO BE SET AS INDICATED ON PLANS AND ELEVATIONS (OR BY EXISTING CONDITION). TOP PLATE HEIGHTS VARY. SEE TRUSS LAYOUT, BUILDING SECTIONS, WALL SECTIONS, & ELEVATIONS FOR BEARING HEIGHTS.	
 PRAME WALLS UP TO UNDERSIDE OF ROOT FRUSSES AT ALL NON BEAMING WALLS AND AT YOULDRE AREAS (U.N.D.). ALIGAT TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS: N.S. TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS: N.S. TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS: N.S. TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS: N.S. TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS: N.S. TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL DESIGN FOR TRUST AND CONSIDERATION TO BE SEN NOMINAL OR GREATER COST R COX TYPE PLYWOOD FOR SHINKLE OR TILE APPLICATION NALED WITH JOBICY ENGS ON TECOX THE WHICH SHALL BE 50 CO, FIELD 4° CO, EDGE TOOL VALL SHEATING' ALL ROOF SHEATING TO BE SIN NOMINAL OR GREATER COST R COX TYPE PLYWOOD FOR SHINKLE OR TILE APPLICATION NALED WITH JOBICY ENGS ON TECOX THE WHICH SHALL BE 50 CO, FIELD 4° CO, EDGE TOOL VERS OF FELT CORTINGS ON TECOX THE WHICH SHALL BE 50 CO, FIELD 4° CO, EDGE ALL ROOF SHEATING SHALL DES SIN ADDITION HERE AND THE STUDIOS OF RESTRICT AND THE FOLLOWING. ALL ROOF SHEATING SHALL DES SIN ADDITION OF EACH FULL THE TURING ADDITIONALY META-30 GH 10 COX META-30 GH 10 COX META ADDITION TO CONTENT FRAME WALL SIN TO COX META-40 CORT DEPART ADDITION OF EACH FULL THE TURING SHALL ROOK AND THE FOLLOWER ADDITION OF DEX (SEEL TOOR SINCE SECOND STORY FRAME WALL SO TO COX THE SINCE DEAL THE DOTTION OF THE FLOOR SYSTEM AND EXTEND A MIN, OF 24 ADDITION SUBJECO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED INFLACE OF THE SICCON FLOOR STUDY WALL AND WE DE XOSE FUELD ADDITIONS OR ADJUSTICATIONS. THE TURING SHALL COMPLEX AND ADDITION OF THE FLOOR SYSTEM AND DEXTEND A MIN, OF 24 ADDITION SUB ADDITIONS	N.19. N.20. N.21.	TRUSS MANUFACTURER TO PROVIDE ALL GABLE END TRUSSES WITH INTERMEDIATE STUD MEMBERS @ 16" O.C., U.N.O. WOOD MEMBERS THICKER THAN THOSE SPECIFIED MAY BE USED AS LONG AS THE LENGTH OF THE 3/16" TAPCONS IS SUFFICIENT TO OBTAIN A MIN. OF 1-3/8" PENETRATION INTO THE CMU OR TIE BEAM. ALL FRAMING LUMBER SHALL BE HEM-FIR, S. PINE, OR S-P-F, GRADE 2 OR BETTER WITH A MINIMUM FB OF 1800 PSI. ALL LUMBER USED FOR BEAMS SHALL BE HEM-FIR, S. PINE, OR S-P-F, GRADE 2 OR BETTER WITH A MINIMUM FB OF 1700 PSI.	
 1. ROOF SHEATHING TO BE SAY NOMMAL, OR GREATER OSB R COX TYPE PLYNOOD FOR SHINGLE OR TILE APPLICATION NAMED WITH J. 89X/2 RING SHAKK OR SCREW SHANK NALS @ 6' O.C. EXCEPT RRST 4-0' DETINE PERMETER HWHICH SHALL BE 0' C. FELD & 1' O.C. EDGE 2. TWO LAYERS OF FELT (R) ONE. LAYER OF HOUSE WARP AND ONE LAYER OF FELT IS REGUIRED BEHIND STUCCO (PER SECTION FBC RT03.2) 3. ALL ROOY SHATHING SHALL BE STAGGERED WITH THE LOOK DIMENSION REPORTBOLICULAR TO THE FRAMING. 0.4. WALL SHEATHING TO BE T/ME'OBB OR 12' COX NALED WITH BE CORROSION RESISTANT MALLS @ 1'O.C. IN SHEA, 4, G OR TOP AND BOTTOM OF EACH FULL LENGTH STUD. ADDITIONALLY, MSTA30 @ 4F'O.C. ARE REQUIRED OR FASTENIUS SECOND STORY FRAME WALLS TO FLOOR TRUSSES IN 2 STORY APPLICATIONS. 0.4. WITH STRUCTURAL SHEATHING, EXERTING BEARING WALLS TO BE 2X (SEE FLOOR PLAN) # 25F, OR 83 SYP. @ 1F O.C. WSP-2, 4, G OR 81 O'P. AND BOTTOM OF EACH FULL EXERTING SHEATHING BECINNING AT THE BOTTOM OF THE FLOOR SYSTEM AND BECONS TOTAY FRAME WALLS TO FLOOR TRUSSES IN 2 STORY APPLICATIONS. 0.4. WITH STRUCTURAL SHEATHING SECTION OF THE FLOOR SYSTEM AND BECK TOOR PLAN # 25F, OR 81 SYP. @ 1F O.C. ARE REQUIRED F2' NOMMAL EXTERIOR SHEATHING BECINNING AT THE BOTTOM OF THE FLOOR SYSTEM AND BUCK THE BOTTOM FLATE OF THE SECOND FLOOR STUD WALL AND WIS D'STERNOR SHEATHING BECINNING AT THE BOTTOM OF THE FLOOR SYSTEM AND BUCK THE ADDITION AND PARA ADD RUE. ADDITIONAL TO YEAR ADDITION OF ANALY AND WIS D'STEM AND BUCK TO AND AND WEE AND ADDITION OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED W FLACE OF FLIT OR HOUSE WARP APPLICATIONS. 0.5. TH UANTE OR TO WARP Y ADDITIONAL YEAR OF FLIT IS REQUIRED BEHIND STUCCO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED W FLACE OF FLIT OR HOUSE WARP APPLICATION & RECOVER THE ATTORN AND ADD ADD AND ADD THE CONTON OF AN AUSO DE AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED W FLACE OF FLIT OR HOUSE WARP APPLICATION & RECOVER THE ATTORN AND ADD ADD ADD ADD ADD ADD ADD ADD AD	N.24. N.25. N.25.1 N.25.2	ALIGN TRUSSES AND HAND FRAMING SO AS ALL GYPSUM WALL BOARD TO BE CONTINUOUS FROM FLOOR TO CEILING. TRUSS MANUFACTURER TO ENSURE DESIGN CONSIDERATION TO THE FOLLOWING ADDITIONAL LOADS: ALL CEILING HUNG SOFFITS AND SOFFITS W/ CABINETS AS SHOWN ON PLANS. ATTIC LOCATED HVAC, UNITS AS SHOWN ON PLANS.	
 0.4.1. <u>WITH STRUCTURAL SHEATING</u> EXTERIÓR BEARING WALLS TO BE 2X (SEE FLOOR PLAN) #2 SPF, 0; 68 70.2, WISP-2, 4, 6, 08 @ 16° O.C. PROVIDE 1/2' NOMINAL EXTERIÓR SHEATING SECIMINO OF THE FLOOR PLAN #2 STRUE AND EXTENDA AMIN. OR 64' A 500° THE 60 TOM PLATE OF THE SECTION PLALE OF THE SECTION PLACE OF FELT OR HOUSE WARP AND ONE LAYER OF FELT IS REQUIRED BEHIND STUCCO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED IN PLACE OF FELT OR HOUSE WARP AND ONE LAYER OF FELT IS REQUIRED BEHIND STUCCO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED IN PLACE OF FELT OR HOUSE WARP AND ONE LAYER OF FELT IS REQUIRED BEHIND STUCCO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED IN PLACE OF FELT OR HOUSE WARP AND ONE LAYER OF FELT IS REQUIRED BEHIND STUCCO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE USED IN PLACE OF FELT OR HOUSE WARP AND ONE LAYER OF FELT OR HOUSE WARP AND ONE LAYER OF FELT OR HOUSE WARP AND ONE LAYER OF FELT OR NOTES CONTROL TO STATUS THE STORE OUTHER STATE TO DE TAY THE FILD. P. ELECTRICAL P. ELECTRICAL P. ALL UNDERT OVER EXACT LOCATION OF ANY FLOOR OUTLETS IN FIELD. P. ALL SMOKE DETECTORS ARE TO BE HARD WIRED AND INTERCONNECTED. P. ALL WITH LIGHTS IN MALE OTHER BATHROOMS. P. ALL UNDET STORE COUNTERTORS TO BE TAY ELECTRICAL P. ALL WITH LIGHTS IN ALL OTHER BATHROOMS. P. ALL RECEPTICAL EXCLA CONTRACTORS RESPONSIBILITY TO VERIFY THE REQUIREMENT AND LOCATIONS OF ALL ELECTRICAL EQUIPMENT, (INCLUDING KITCHEN EQUIPMENT) AND PROVIDE AND INSTALL COMPLET FE LECTRICAL SERVICE AS REQUIRED. OTHER ET ON THE STORE THE NICHLOWER CONSOLICE AS REQUIRED. CONTRACT THE STORE AND CONCENTEE OF OF WHICH 12 CAM BE ANARM WHERE THE INTERCONNECTING MEANS IN OT SUPERVISED. ONCE THERE DE MORE THAN 12 BANKE ALARMS ON CAG	0.1. 0.2. 0.3. 0.4.	ROOF SHEATHING TO BE 5/8" NOMINAL OR GREATER OSB R CDX TYPE PLYWOOD FOR SHINGLE OR TILE APPLICATION NAILED WITH .099X2" RING SHANK OR SCREW SHANK NAILS @ 6" O.C. EXCEPT FIRST 4'-0" OF ENTIRE PERIMETER WHICH SHALL BE 6" O.C. FIELD 4" O.C. EDGE TWO LAYERS OF FELT (OR) ONE LAYER OF HOUSE WRAP AND ONE LAYER OF FELT IS REQUIRED BEHIND STUCCO (PER SECTION FBC R703.2) ALL ROOF SHEATHING SHALL BE STAGGERED WITH THE LONG DIMENSION PERPENDICULAR TO THE FRAMING. WALL SHEATHING TO BE 7/16" OSB OR 1/2" CDX NAILED WITH 8D CORROSION RESISTANT NAILS @ 6" O.C. IN FIELD & 4" O.C. @ EDGE (U.N.O.).	
 P. ELECTRICAL: P.1. OWNER/ BUILDER TO VERIFY EXACT LOCATION OF ANY FLOOR OUTLETS IN FIELD. P.2. LOCATION OF FXTURES AND/ OR OUTLETS ARE SUGGESTED LOCATIONS AND MEET MOST LOCAL CODE REQUIREMENTS. ADDITIONS OR ADJUSTMENTS MAY BE MADE BETWEEN THE OWNER AND BUILDER IN THE FIELD. P.3. ALL OUTLETS OVER COUNTERTOPS TO BE 42° A.F. (.U.N.O.). P.4. ALL SOVE DETECTORS ARE TO BE HARD WIRED AND INTERCONNECTED. P.5. 8' H. VANITY LIGHTS IN MASTER BATHROOM. P.6. 7' H. VANITY LIGHTS IN MASTER BATHROOM. P.6. 7' H. VANITY LIGHTS IN MASTER BATHROOMS. P.7. ALL OUTLETS TO BE AGD. PROTECTED PER NEC 210.12. P.8. ELECTRICAL PLAN IS INTENDED TO SHOW LIGHTING AND CONVENIENCE OUTLETS ONLY. P.10. TI ST HE ELECTRICAL CONTRACTORS RESPONSIBILITY TO VERIFY THE REQUIREMENT AND LOCATIONS OF ALL ELECTRICAL EQUIPMENT, (INCLUDING KITCHEN EQUIPMENT) AND PROVDE AND INSTALL COMPLETE ELECTRICAL SERVICE AS REGUIRED. P.11. PER NIPA 72 REQUIREMENTS ALL HOUSES WITH A LARGE NUMBER OF BEDROOMS IN NO CASE SHALL THERE BE MORE THAN 18 INITIATING DEVICES BE INTERCONNECTED OF WHICH 12 CAN BE SMOKE A LARMS WHERE THE INTERCONNECTING MEANS IS NOT SUPERVISED. ONCE THESE LIMITS (MORE THAN 18 INITIATING DEVICES BE INTERCONNECTED OF WHICH 12 CAN BE SMOKE A LARMS WHERE THE INTERCONNECTING SYSTEM SHOULD BE INSTALLED. DEMERAL CORRECTION NOTES! 1. ONE SIMPSON REPBAYX10 MAY BE SUBSTITUTED FOR 1/2° ANCHOR BOLTS WHEN NECESSARY. IF MORE THAN (2) ADJACENT SUBSTITUTIONS ARE REQUIRED, CONTACT ENGINEER OF RECORD FOR ANDRONAL ALARMS ON CARE DAMS AND (4) 147X1-347 TITEN FASTENERS IN CONCRETE FOR UPLIFTS UP TO 860 LBS.; USE SIMPSON HTSM-200 WITH (10) 10D NALLS AND (4) 147X1-347 TITEN FASTENERS IN CONCRETE FOR UPLIFTS UP TO 1560 LBS.; USE SIMPSON HTSM-200 WITH (10) 10D NALLS AND (4) 147X1-347 TITEN FASTENERS IN CONCRETE FOR UPLIFTS UP. TIBERMESH FIBER REINFORCED CONCRETE MAY BE USED IN LIEU OF THE 6X6X10/10 WELDED WIRE MESH REINFORCEMENT IN CONCRETE F	0.4.4.	LENGTH STUD. ADDITIONALLY, MSTA-30 @ 48" O.C. ARE REQUIRED FOR FASTENING SECOND STORY FRAME WALLS TO FLOOR TRUSSES IN 2 STORY APPLICATIONS. WITH STRUCTURAL SHEATHING: EXTERIOR BEARING WALLS TO BE 2X (SEE FLOOR PLAN) #2 SPF, OR #3 SYP. @ 16" O.C. W/ SP-2, 4, 6, OR 8 @ 16" O.C. PROVIDE 1/2" NOMINAL EXTERIOR SHEATHING BEGINNING AT THE BOTTOM OF THE FLOOR SYSTEM AND EXTEND A MIN. OF 24" ABOVE THE BOTTOM PLATE OF THE SECOND FLOOR STUD WALL. NAIL W/ 8D X 2 1/2" @ 4" O.C. AT THE PERIMETERS & 6" O.C. IN THE FIELD AND A MIN. OR 6 NAILS IN THE STUD ABOVE. ADDITIONALLY, MSTA-30 @ 48" O.C. ARE REQUIRED FASTENING SECOND STORY FRAME WALL TO FLOOR TRUSSES IN 2 STORY APPLICATIONS. TWO LAYERS OF FELT (OR) ONE LAYER OF HOUSE WRAP AND ONE LAYER OF FELT IS REQUIRED BEHIND STUCCO. THE USE OF AN APPROVED ZIP WALL SYSTEM CAN ALSO BE	
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		FIND US ON FACEBOOK, HOUZZ & ZILLOW AT MJS DESIGNERS GROUP	







Palm (6")

C Palr

Boundary Survey

Legal Description: LOTS 22 AND 23, C.H. HOFFNER'S SUBDIVISION, AS RECORDED IN PLAT BOOK "F", PAGE 37, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. BEGINNING AT THE INTERSECTION OF THE NORTH-EASTERLY BOUNDARY OF SAID LOT 23 AND EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOFFNER AVENUE AS NOW PRESENTLY LAID OUT AND EXISTS, THENCE RUN SOUTH 48 DEGREES 99 MINUTES 00 SECONDS EAST 425 FEET, MORE OR LESS, TO A POINT ON THE WATERS EDGE OF LAKE CONWAY; RETURN TO THE POINT OF BEGINNING AND RUN SOUTH 38 DEGREES 22 MINUTES 49 SECONDS WEST 135.21 FEET ALONG THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE; RUN THENCE SOUTH 48 DEGREES 21 MINUTES 01 SECONDS EAST ALONG A LINE PARALLEL WITH AND 1.1 FEET NORTHEASTERLY OF AN EXISTING CHAIN LINK FENCE; A DISTANCE OF 500 FEET, MORE OR LESS, TO THE WATERS EDGE OF LAKE CONWAY; RUN THENCE NORTHEASTERLY ALONG SAID WATERS EDGE OF LAKE CONWAY TO THE PREVIOUSLY DESCRIBED POINT ON THE WATERS EDGE OF LAKE CONWAY. Flood Disclaimer: BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE, X500, X. THIS PROPERTY WAS FOUND IN CITY OF BELLE ISLE, COMMUNITY NUMBER 120181, DATED 09/25/2009.

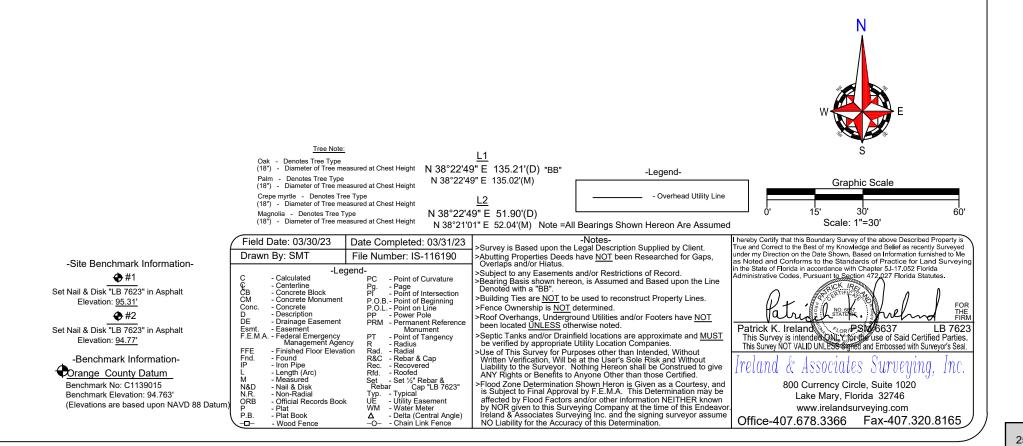
CERTIFIED TO: T.D. BARR CONSTRUCTION, LLC

Zone "AE

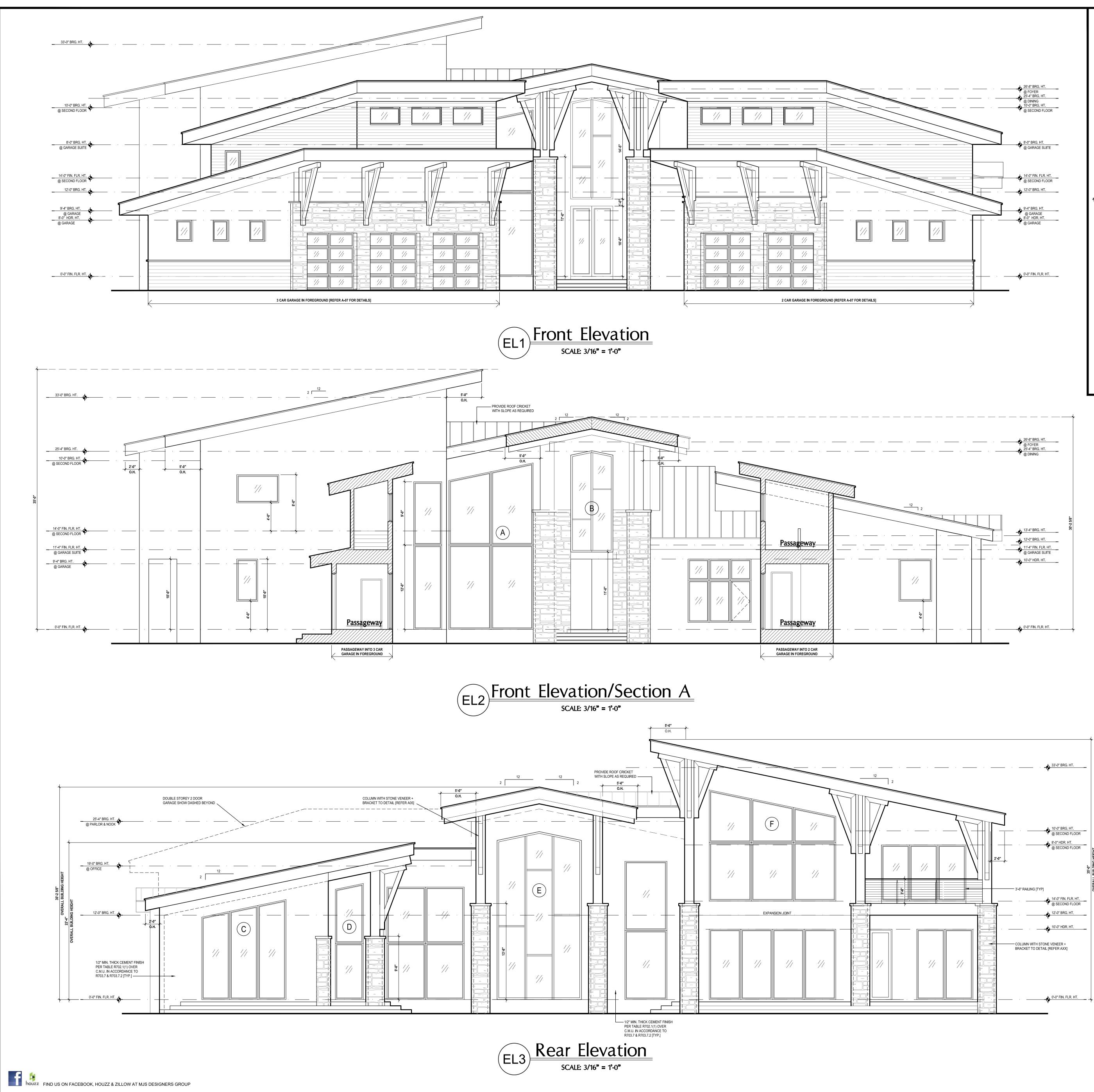
al High Water ⊨ieva Elevation = 85.85'

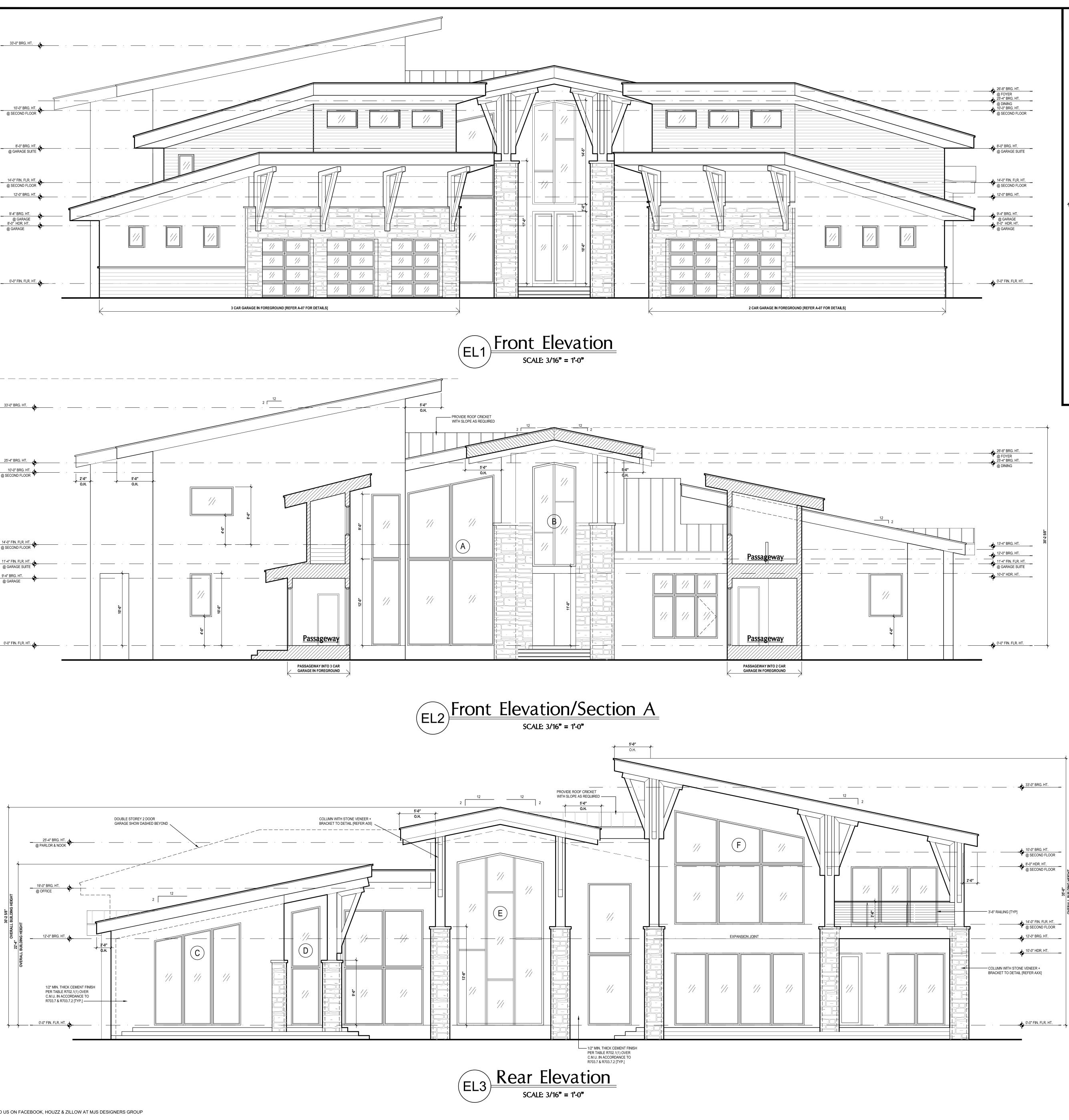
Lake Elevation=85.85

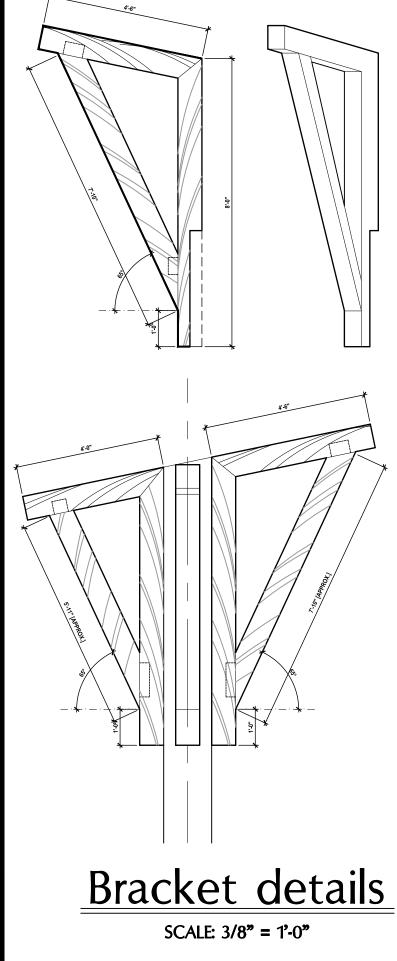
 $\Theta^{\text{Palm}}_{(7")}$ $\Theta^{\text{Palm}}_{(8")}$ $\Theta^{\text{Oak}}_{(36")}$

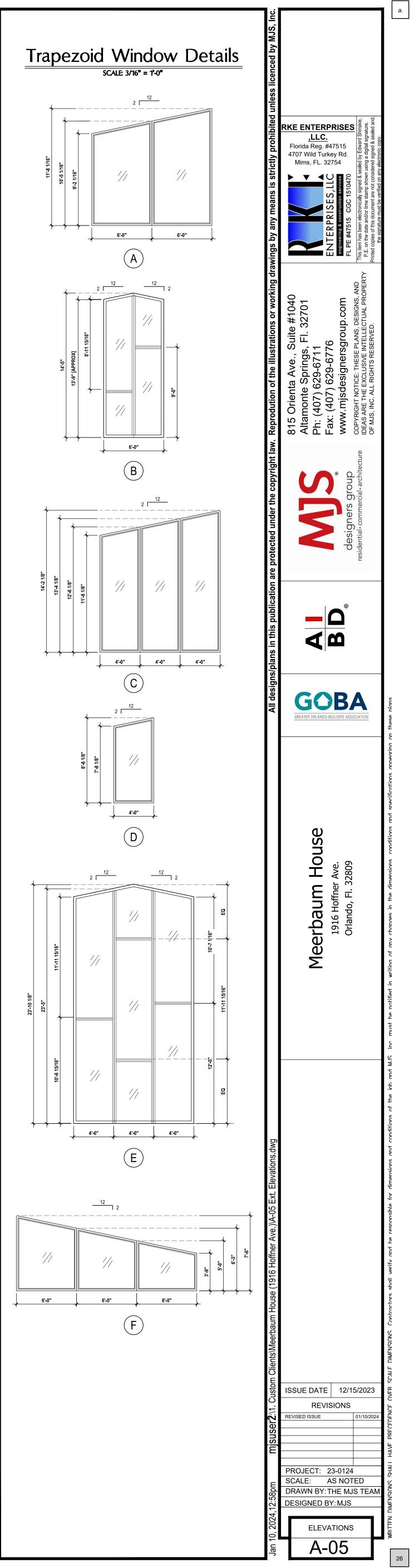


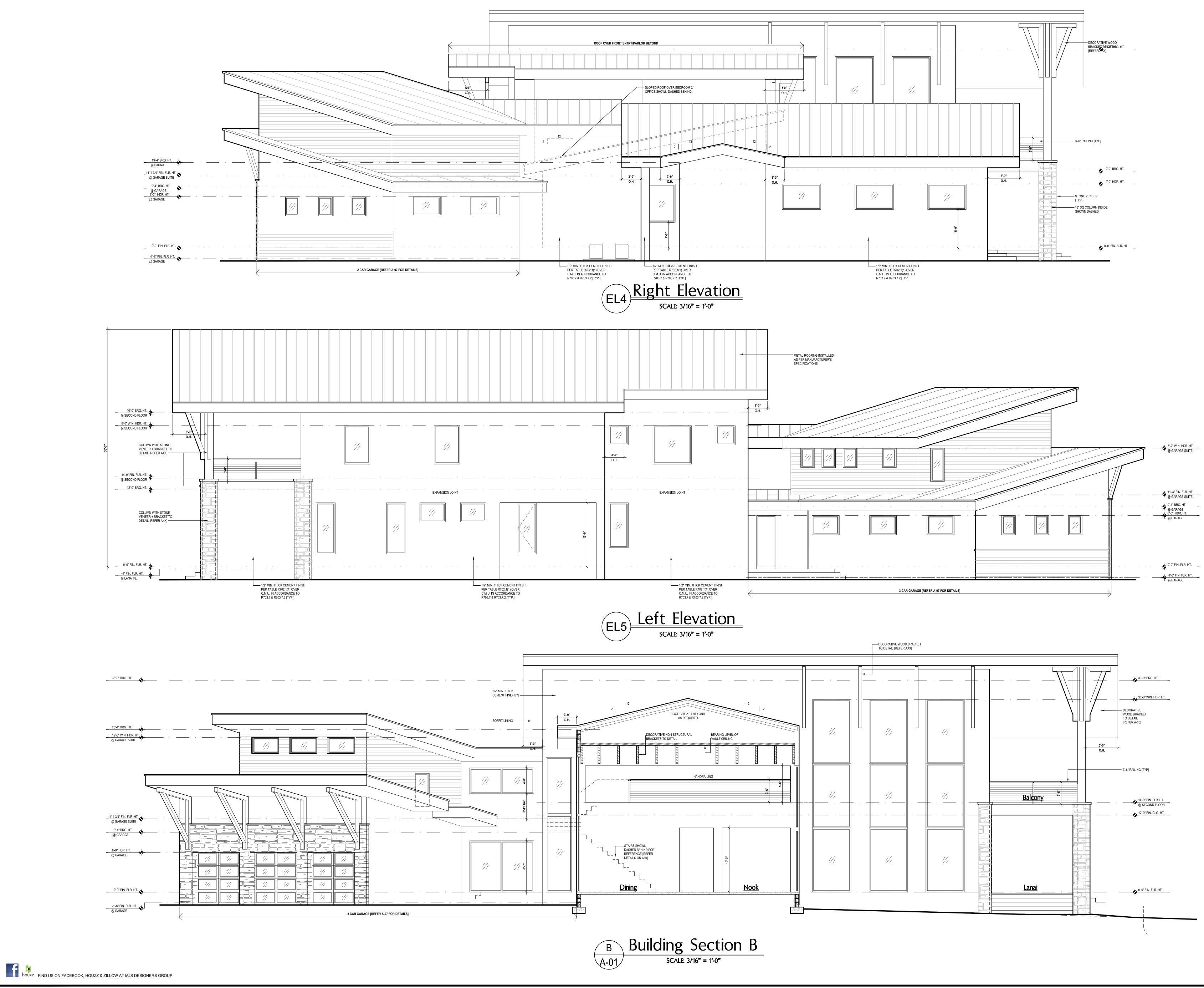
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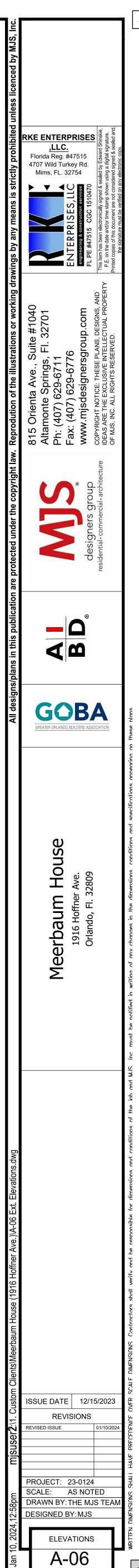


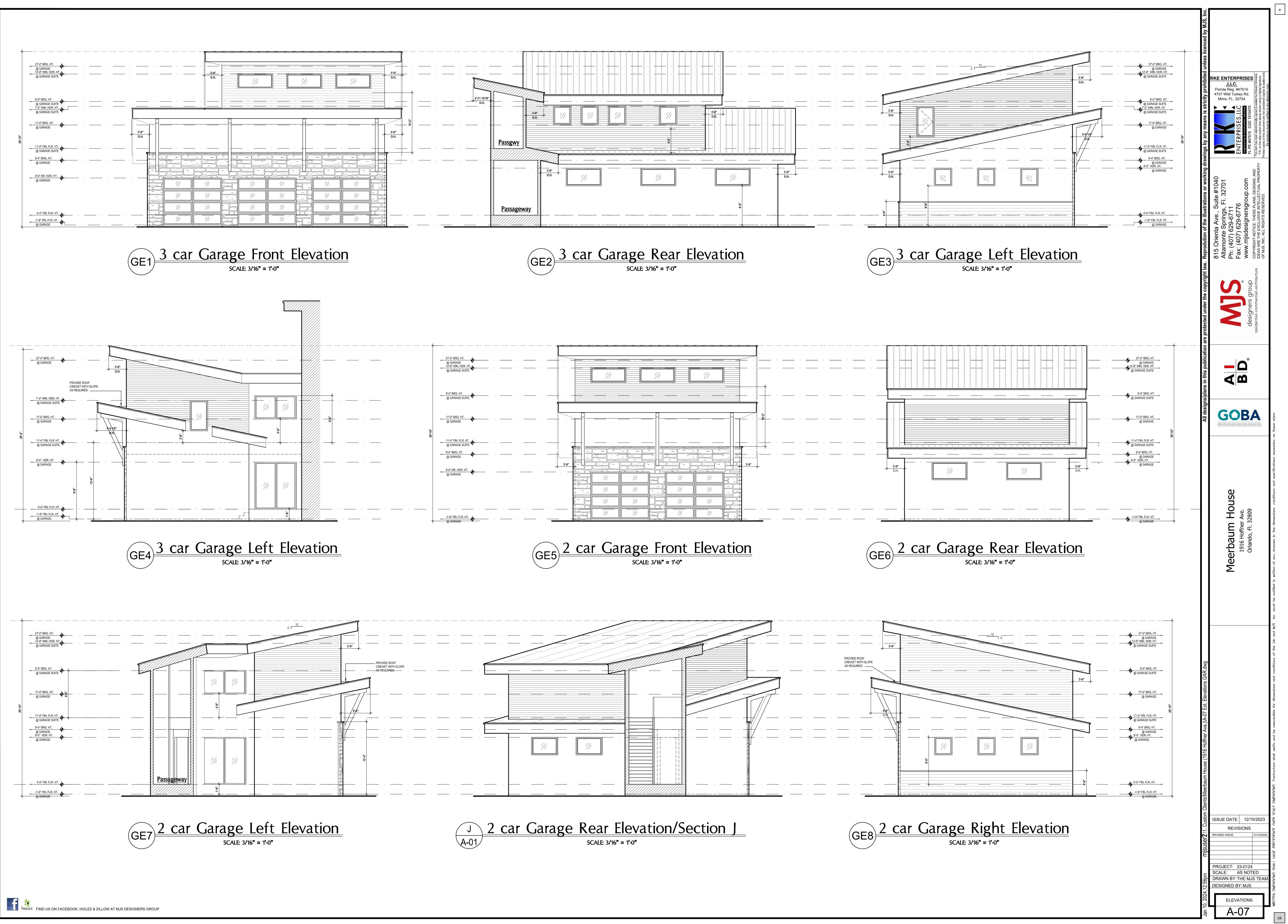












MEMORANDUM

TO: Planning and Zoning Board

DATE: March 26, 2024

RE: Variance Application – 1832 Wind Harbor Road

PUBLIC HEARING #2024-02-024 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FROM THE BUILDING SETBACKS REQUIREMENTS OF A R-1-AA ZONING DISTRICT, SUBMITTED BY APPLICANTS TIMOTHY SHIPE AS TRUSTEE OF THE GARY SHIPE TRUST DATED JANUARY 27, 1999 AND FRANK WILSON, LOCATED AT 1832 WIND HARBOR ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-9330-00-260.

Background:

- 1. On February 22, 2024, the applicant submitted a variance application and the required paperwork.
- 2. Letters to the abutting property owners were mailed within 300 feet of the subject property on March 13, 2024.
- 3. A Notice of Public Hearing legal advertisement was placed in the Orlando Sentinel on Sat., March 16, 2024.

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 must determine if the criteria outlined in Chapter 42, Article III, Section 42-64(1) of the Land Development Code have been met and approve, approve with conditions, or deny this request.

SAMPLE MOTION TO APPROVE:

"I MOVE, PURSUANT TO BELLE ISLE CODE 42-64 AND 50-73 (A), <u>TO</u> <u>APPROVE</u> THE BUILDING SETBACKS REQUIREMENTS OF A R-1-AA ZONING DISTRICT AS FOLLOWS ______,

SUBMITTED BY APPLICANTS TIMOTHY SHIPE AS TRUSTEE OF THE GARY SHIPE TRUST DATED JANUARY 27, 1999 AND FRANK WILSON, LOCATED AT 1832 WIND HARBOR ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-9330-00-260.

SAMPLE MOTION TO DENY:

"I MOVE, PURSUANT TO BELLE ISLE CODE CODE SEC. 42-64 AND 50-73 (A), HAVING NOT BEEN MET, **TO DENY** [use only if NONE of the justifying criteria have been met] the requirements of, Subsections: [state only the subsections below that are not satisfied] having NOT been met; [may be used in addition to above or alone] THE BUILDING SETBACKS REQUIREMENTS OF A R-1-AA ZONING DISTRICT SUBMITTED BY APPLICANTS TIMOTHY SHIPE AS TRUSTEE OF THE GARY SHIPE TRUST DATED JANUARY 27, 1999 AND FRANK WILSON, LOCATED AT 1832 WIND HARBOR ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-9330-00-260.

Or the Board can request that it be tabled to a date certain to allow for revisions as discussed.

SUBSECTION (D), a 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. b

City of Belle Isle

1600 Nela Avenue, Belle Isle, FL 32809 Tel 407-851-7730 * Fax 407-240-2222 * www.belleislefl.gov

Variance and Special	Exception Application
City Code Chapter 42, Art. II, Sec. 41-61 thru	41-72 AND Sec 42-64 Land Development Code
APPLICANTE AND Shin & COMPY IN LOO	Timothy Shipe, as trustee of the Gary Ship
ADDRESS 771161 by DEOLOGICAL 2000	Mane Hust dated Januar 27, 1999
1415Lake pr alanon 3269	1832 What Hotor Rd, Orland & FI, 32809
321 663 3001/321-303-6699(Front	OWNER CONTACT WHITER
EMAIL Tim. Shipe@ icland.com	OWNER'S EMAIL Barbslaski Cmac.com
PARCEL ID# 30-23-30-9330-00-260	
LAND USE CLASSIFICATION 5100 - Single family	ZONING DISTRICT A-1-AA
SECTION OF THE CODE VARIANCE REQUESTED N 50-13	
DETAILED VARIANCE REQUEST	
Variance to build front c ba	ack parch non living space, with
Variance to build front ; ba a lesser setback than code allo	ws-for front is rear colloack.
 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 re-	quested in the application within nine (9) months. Further, the
 requested user does not violate any deed restriction of the p By applying, I authorize City of Belle Isle employees and me 	
during reasonable hours to inspect the area to which the app	plication applies.
 The applicant shall provide a minimum of ten (10) sets of the 	ree (3) photographs in support of this application as
follows: at least one (1) picture of the front of the property a	and at least two photos (from different angles) of the
specific area of the property to which the application applies.	
APPLICANTS &IGNATURE	OWNEB'S SIGNATUBE
1 the tulle	the Map astrustee
SPECIAL SPECIAL	P&Z CASE NUMPER DATE OF HEARING
	2024-02 1024 3/26/2024

Sec. 42-64. - Variances. The Board shall have the power to approve, conditionally approve or deny applications for a variance from the terms of the Land Development Code.

Criteria. The Board shall not approve an application for a variance from terms of the Land Development Code unless and until:

- a. A written application for a variance is submitted to the city manager or the city manager's designee on a form provided by the city clerk setting forth all of the special conditions and circumstances that exist in favor of the granting of the variance and addressing the requirements of subsections (1)d—g of this section of the criteria set forth in this section. Upon submission of the properly completed application and the appropriate fee, the city manager or the city manager's designee shall refer the application to the board.
- Notice of public hearing for the variance shall be given as required by the article for hearing before the board.
- c. The public hearing on the application for the variance shall be held. The applicant, the applicant's agent as evidenced by a signed writing or the applicant's attorney shall appear before the board.
- d. It is determined 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.
- e. It has been determined that 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 Land

GENERAL DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That I, GARY W. SHIPE, of

Hamblen County, Tennessee, have made, constituted and appointed and by these presents do make, constitute and appoint TIMOTHY H. SHIPE of Orlando, Florida my true and lawful general attorney-in-fact, for me and in my name, place and stead to do all my personal business in my name, including but not limited to, all those powers enumerated in <u>Tennessee Code</u> <u>Annotated</u> §§34-6-109 and 34-6-108 (c), as such statutes are in effect on the date hereof and without regard to the fact that such statutes may be amended hereafter, as fully, completely and amply to all intents and purposes whatsoever, as I might or could do if acting personally. And I hereby ratify and confirm all lawful acts done by my said attorney-in-fact in virtue hereof.

I also appoint Timothy H. Shipe to be my deputy to have access to any safety deposit box which I may have with any bank or savings and loan association with the same power that I would have if personally present and I further authorize my deputy to execute any safe deposit box contract in my behalf as such deputy.

I do hereby agree that this power of attorney shall be and remain in full force and effect until by me revoked by written notice to anyone who may in good faith rely on same and recorded in the Register's Office for Hamblen County, Tennessee, if the original appointment has been so recorded.

This power of attorney is to be construed as a general durable power of attorney and the enumeration of various powers therein shall not be considered as a limitation of powers. Also, it is my intention that this power of attorney shall not be affected by my subsequent mental or physical debility or incapacity as provided for by <u>Tennessee Code Annotated</u> §34-6-101, et seq.

WITNESS my hand this <u>19</u> day of June, 2008.

Harry Mar

This Instrument Prepared By:

William O. Foutch, Jr. 830 West First North Street, Morristown, Tennessee 37814

STATE OF TENNESSEE

COUNTY OF HAMBLEN

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, the within named bargainor, GARY W SHIPE, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the foregoing instrument for the purposes therein contained and expressed.

Nex., 2008 WITNESS my hand and official seal at office in said County this $\sqrt{9}$ day of June, 2007.

L. Carmichael RY PUBLIC My commission expires: M 2012



b.

33

Raquel Lozano City of Belle Isle 1600 Nela Avenue, Belle Isle, FL 32809 Direct Line: 407-793-5348 Office Line: 407-851-7730 Planner@BelleIsleFL.Gov

February 22, 2024

Re: New house at 1832 Wind Harbor Rd., Belle Isle, FL 32809 Parcel ID# 30-23-30-9330-00-260, Land use: 0103 Single Family Class III, Zoning: R-1-AA.

Ms. Lozano,

This narrative letter is to give a brief description of the planned project for the above referenced address. The existing 2 story house is to be demolished and the site prepared for a new house. The existing house does not meet the current setbacks required by the City of Belle Isle. See Existing Site survey.

The proposed plan for constructing a new 2 story house will be built within the allowable setbacks set forth by the City of Belle Isle Land Development code, **Sec. 50-73.** - **Site and building requirements.** Due to the current setback requirements per The City of Belle Isle and the shape of the property, the new building envelope will only allow for 34.4 ft of depth in the midsection of the property. We are able to fit a narrow house plan in this space, but this leaves little to no room for front and rear porches. We are asking for a variance to construct front and rear porches. This would be non-living square footage and will add a functional covered area in the front and rear. This will promote energy savings for heating and cooling, plus adds to the aesthetics of the property. We are asking to encroach a maximum of 8 feet into the front setback for the front porch. We are asking to encroach a maximum of 20 feet into the rear setback for the rear porch. See Proposed site plan.

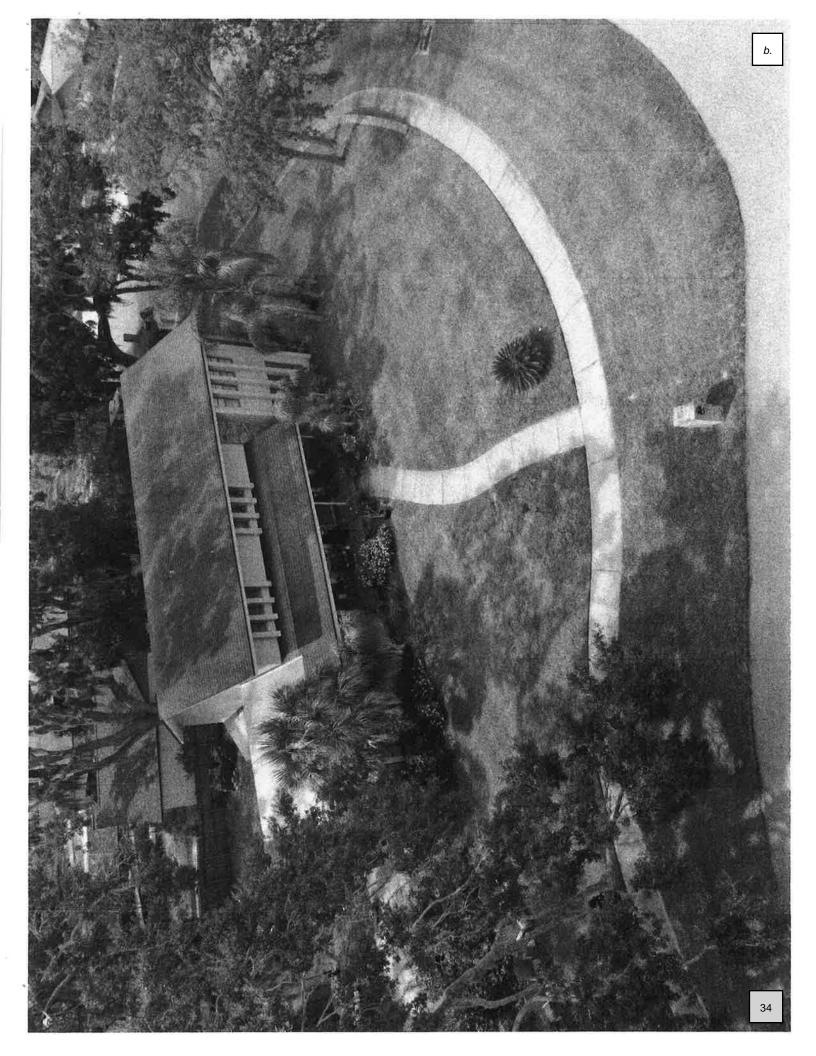
The variances we are asking for are in keeping with the architectural style and size of houses in this neighborhood. We thank you for your consideration in advance.

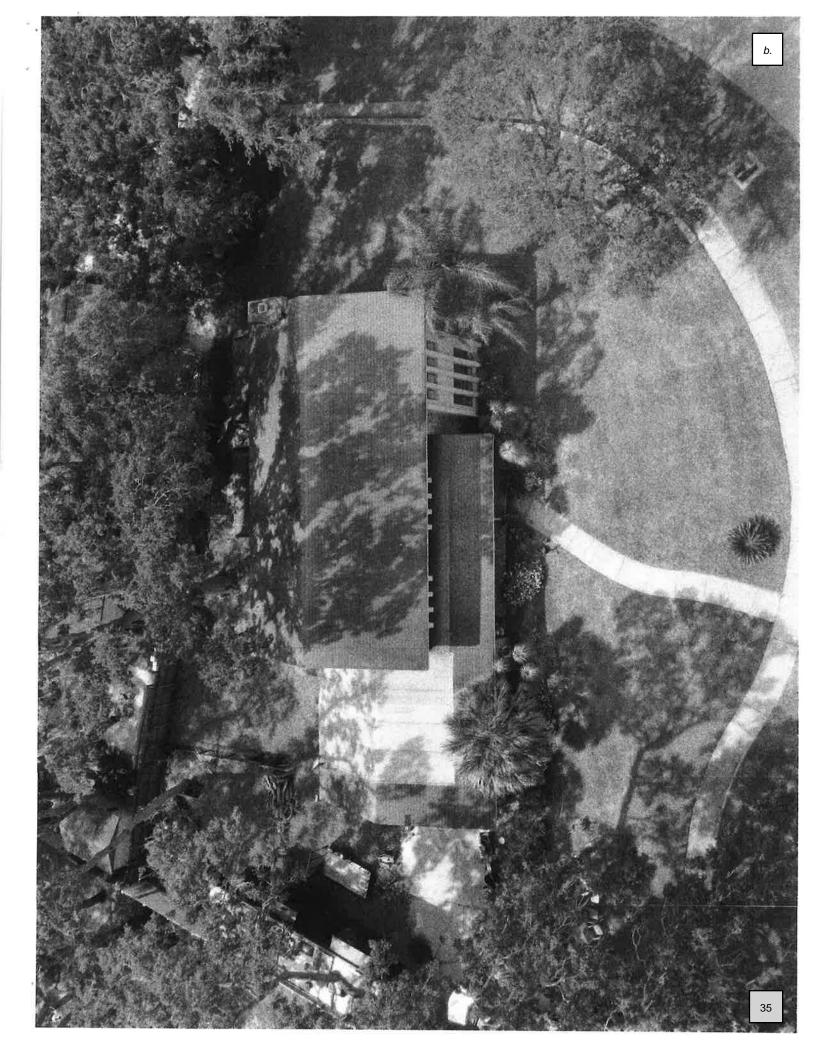
Please call if you have any further questions.

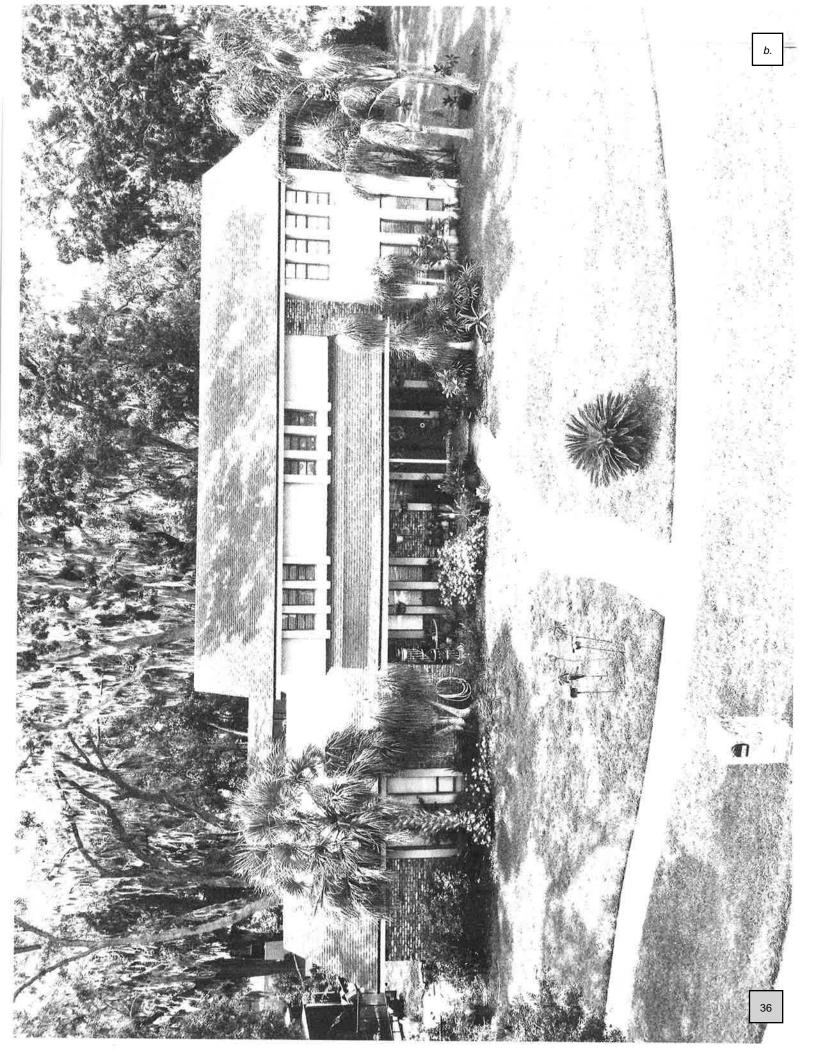
Sincerely,

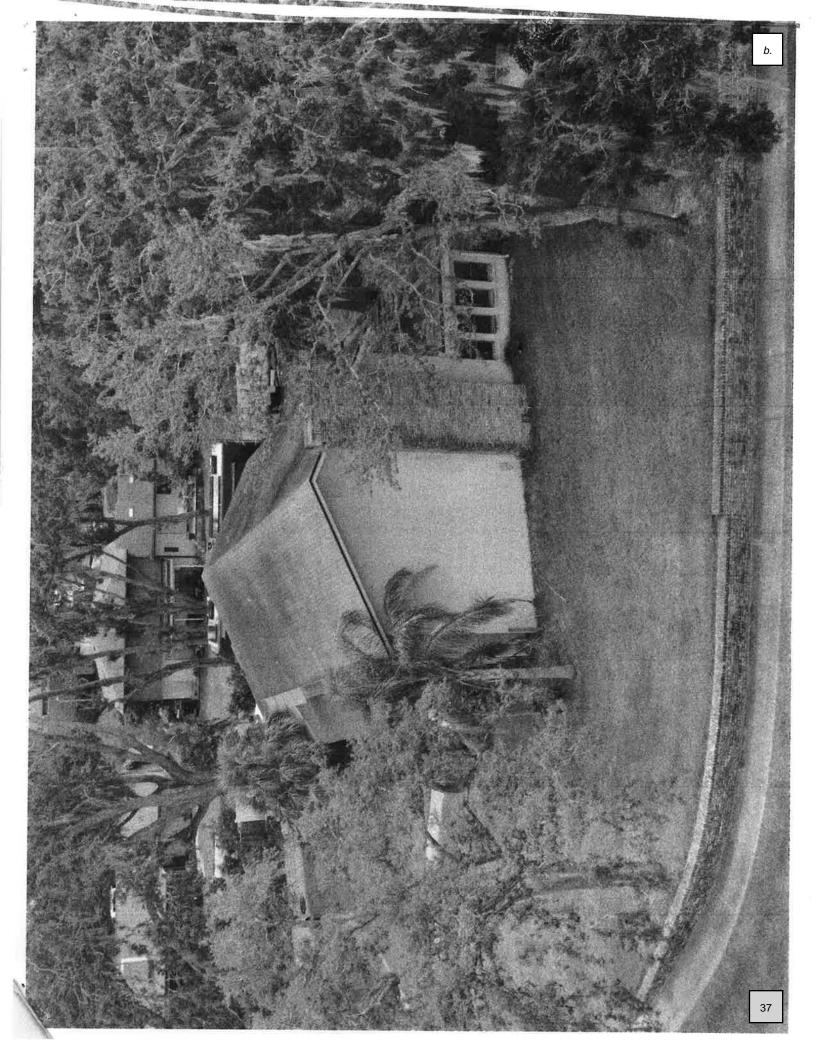
Amp Wils

Frank Wilson











CITY OF BELLE ISLE, Florida

Planning and Zoning: Staff Report

March 18, 2024

Variance Request: 1832 Wind Harbor Road

Application Request: Public Hearing #2024-02-024 - PURSUANT TO BELLE ISLE CODE SEC. 42-64 AND 50-73 (A), THE CITY OF BELLE ISLE PLANNING & ZONING BOARD WILL CONSIDER AND TAKE ACTION ON A REQUESTED VARIANCE FROM THE BUILDING SETBACKS REQUIREMENTS OF A R-1-AA ZONING DISTRICT, SUBMITTED BY APPLICANTS TIMOTHY SHIPE AS TRUSTEE OF THE GARY SHIPE TRUST DATED JANUARY 27, 1999 AND FRANK WILSON, LOCATED AT 1832 WIND HARBOR ROAD, BELLE ISLE, FL 32809 ALSO KNOWN AS ORANGE COUNTY TAX PARCEL ID #30-23-30-9330-00-260.

Existing Zoning/Use: R-1-AA / Single-Family Home

Background

The applicant seeks to demolish and build a new single-family home within the designated building setbacks for an R-1-AA zoning district, according to section 50-73 (A). The property maintains a unique lot configuration, as it abuts Wind Harbor Road to the north and east. The property is at the street end of the cul-de-sac. The front-facing side of the existing single-family residence faces east. The sides of the residential building face north and south, and the rear yard faces west.

The applicant has provided two different site plans to show the existing single-family home setbacks, the proposed SFR and its building setbacks, and an outline of the applicable building setbacks for the lot. Please note: the applicant has applied the required building setbacks based on the structure's orientation to the lot.

The designated yards and applicable building setbacks may be reviewed and determined by the Board.

Staff Recommendation

Staff provides an evaluation based on the variance criteria for the application below.

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

The applicant seeks to build a new single-family residence eight feet within the designated 30-foot front yard setback and approximately twenty feet within the designated 35-foot rear setback to accommodate an attached, covered porch area. The porch areas do not affect the living areas of the proposed principal building. While the property maintains a unique lot configuration, the requested variances to build a

new single-family residence within the designated front and rear setback are not based on the special conditions or circumstances of the lot.

2. Not Self-Created (Section 42-64 (1) e):

The request to build a front and rear covered porch area within eight feet of the designated front setback and 20 feet within the designated rear setback is self-created. The applicants have provided a site plan for the proposed single-family residence, demonstrating that the principal building's living area meets the code's designated building setbacks. The attached covered porch areas are optional and not required for the new house. The strict compliance with the city code does not prevent or burden the applicant from meeting the zoning district's designated building setbacks.

3. Minimum Possible Variance (Section 42-64 (1) f):

The variance request does not make reasonable use of the land and structure as the applicants seek to encroach within the front and rear building setbacks.

4. Purpose and Intent (Section 42-64 (1) g):

The variance request to allow a front building setback of 22 feet from the required 30-foot building and a rear building setback of 14.5 feet from the required 35-foot building setback will not be injurious to the neighborhood and will not be detrimental to the public welfare. The existing property and single-family structure provide limited backyard space.

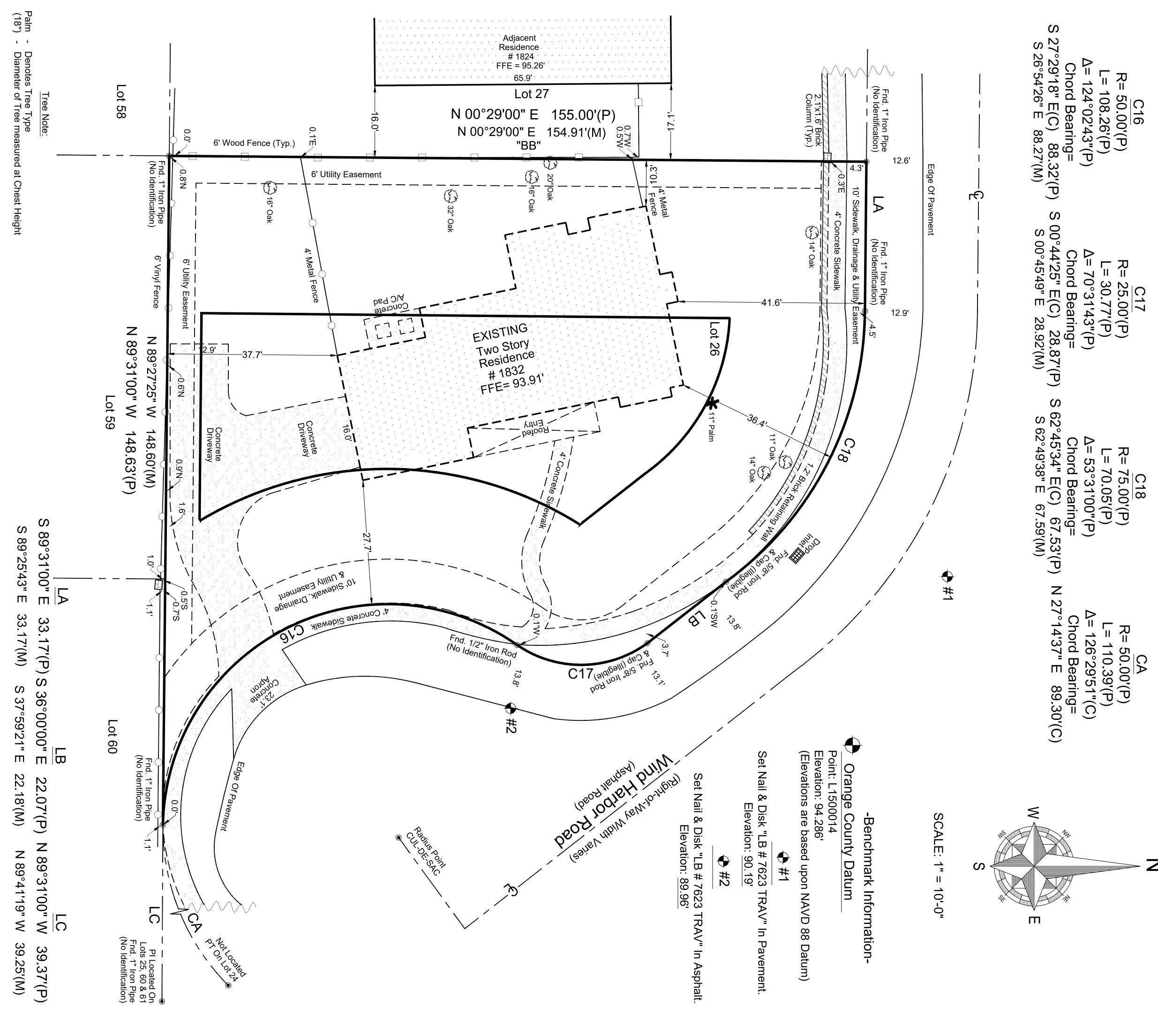
Based on the variance criteria under section 42-64 (d-f), City staff recommends that the Board not approve the requested variances to allow a 22-foot front yard building setback from the required 30-foot setback and a 20-foot rear building setback from the required 35-foot setback.

Should the Board approve the requested variances for the front and rear building setbacks, City Staff recommends the following condition of approval:

- 1. At the recommendation of legal counsel, the applicant Timothy Shipe must update the property appraiser's information through the County to show the owner as "Timothy Shipe as Trustee of the Gary Shipe Trust dated January 27, 1999."
- 2. Under section 42-67, the code outlines time limits and extensions for variance cases. Pursuant to section 42-67(A), variance approvals are valid for six months after the Board's decision or one year after issuance of the last issued permit necessary for the utilization of the variance. The Board may choose to assign a different time limit for the requested variances.

Additional Notes

The Board may approve the proposed variance application as it is presented to them, approve with specific conditions, continue the application if additional information is being requested for consideration, or deny the application, citing which variance criteria are not met. A decision by the Board may be appealed by an aggrieved person to the City Council pursuant to Code Sec. 42-71.



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