



# city council agenda

**Agenda**  
**November 04, 2020 \* 6:30 PM**  
**City Council Meeting**  
**City Hall Chambers, 1600 Nela Avenue**

Nicholas Fouraker Mayor	Kurt Ardaman City Attorney	Bob Francis City Manager	Ed Gold District 1	Anthony Carugno District 2	Karl Shuck District 3	Mike Sims District 4	Harv Readey District 5	Jim Partin District 6	Sue Nielsen District 7
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## Welcome

Welcome to the City of Belle Isle City Council meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at [cityofbelleislefl.org](http://cityofbelleislefl.org).

1. Call to Order and Confirmation of Quorum
2. Invocation and Pledge to Flag - Commissioner Ed Gold- District 1
3. Public Hearing
  - a. Appeal of P&Z decision for the dock at 5842 Cove Drive (Jeff Giles) (30 minutes)
4. Consent Items - These items are considered routine or have been previously discussed by the Council. They will be adopted by one motion unless a Council member requests before the vote on the motion to have an item removed from the consent agenda and considered separately. If any item were removed from the Consent Agenda, it would be considered immediately following approval of the remainder of the Consent Agenda. (5 minutes)
  - a. Approval of the October 6, 2020, City Council minutes
  - b. Approval of the October 20, 2020, City Council minutes
5. Citizen's Comments - **Persons desiring to address the Council MUST complete and provide the City Clerk a yellow "Request to Speak" form located by the door.** After being recognized by the Mayor, persons are asked to come forward and speak from the lectern. The person shall state their name and address, and direct all remarks to the Council as a body and not to individual members of the Council, staff or audience. **Citizen comments and each section of the agenda where public comment is allowed are limited to three (3) minutes.** Questions will be referred to staff and answered by staff within a reasonable time following the meeting's date. Order and decorum will be preserved at all meetings. Personal, impertinent, or slanderous remarks are not permitted. Thank you.
6. Unfinished Business
  - a. Proposed Ordinance on After-the-Fact Permit (30 minutes)
7. New Business
  - a. Donation Request for Pioneer Days (15 minutes)
8. Attorney's Report (5 minutes)
9. City Manager's Report
  - a. Issues Log (5 minutes)
  - b. Chief's Report - Judge and Conway Traffic Detail (5 minutes)
  - c. Re-appoints of Doug DeYoung-District 1 and Emily Wakley-District 5 for the Tree Board (5 minutes)
  - d. Special Events Committee – Holiday Events (5 minutes)
10. Mayor's Report (5 minutes)
11. Council Reports
12. Adjournment

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"If a person decides to appeal any decision made by the Council 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). "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, FLORIDA CITY COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** November 4, 2020

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Appeal of P&Z decision to deny a Variance for a dock at 5842 Cove Drive

**Background:** The Planning & Zoning Board denied the appeal for a dock variance at 5842 Cove Drive; the property of Jeffrey Giles. The variance was denied because it did not meet the criteria stated in the code. In the Notice of Appeal submitted by Mr. Gervase, attorney for Mr. Giles, Mr. Gervase fails to address the two most important issues of the code: The first being is that the work was done without a permit and that this “grandfathered” was renovated against the code that clearly states that grandfathered docks are not allowed to be expanded or a new roof put on without FIRST getting a permit.

Mr. Gervase explains how his client meets the criteria for expanding, constructing, or extending the dock; however it is clear in Section 48-34 (c) that a permit is needed for any expansion and that the dock must now conform to the criteria in Section 48-33. The dock does not meet the criteria listed under Section 48-31 because it is does not meet the setback requirement by being 5 feet off the property line.

Section 48-34 (b) is very clear: **Maintenance and repair of docks.** When maintenance and repair of docks involves the repair or replacement of pilings or other portions of the dock at or below the water surface, or of any roofed structure, the permit holder shall submit an application for a permit pursuant to section 48-31 of this article. Maintenance or repair of the deck surface of a dock that does not involve activity at or below the water surface, or of any roofed structure, is allowed without notice or permit, except that all such maintenance and repair activities must maintain the original design and original footprint of the dock and structures located on such dock or associated therewith.

Section 48-34 (c) is also very clear **Nonconforming "grandfathered" docks.** A dock that was duly permitted and authorized by the county when under county jurisdiction, or duly permitted and authorized by the city under and that complied with a previous version of the city's dock regulations, which dock does not conform with the city's current dock regulations under this article, shall be considered a "grandfathered" dock and shall be an authorized legally non-conforming structure. Except for maintenance and repair activities allowed by this article, the expansion or modification of a legally non-conforming (or

"grandfathered") dock is not permitted except in situations where: (i) the dock is brought into conformance with the then current dock regulations of this article, or (ii) the city determines that the dock will be modified in such a way as to substantially decrease or mitigate the dock's non-conformity with the current dock regulations of this article. However, when a grandfathered dock is damaged or requires any maintenance or repairs, the costs of which equal or exceed 75 percent of the then current cost to reconstruct the dock, such maintenance or repair shall not be permitted unless the dock is brought into compliance with the current regulations under this article and any other relevant city regulation.

It is clear that Mr. Giles expanded his dock. Photo 1 shows the original dock with the extended roof and the roof supports are clearly outside of the dock. Photo 2 shows those roof supports enclosed in the dock. As stated above: the expansion or modification of a legally non-conforming (or "grandfathered") dock is not permitted except in situations where: (i) the dock is brought into conformance with the then current dock regulations of this article.

It is also clear that Mr. Giles did work below the water line by installing new supports and he did the work without the proper environmental protections in place (i.e. turbidity barrier). As stated above: when maintenance and repair of docks involves the repair or replacement of pilings or other portions of the dock at or below the water surface, or of any roofed structure, the permit holder shall submit an application for a permit pursuant to section 48-31 of this article. Photo 2 and Photo 3 clearly shows new roof supports.

Mr. Giles also did not get a permit for repairing the roof of the dock. He stated in the P&Z meeting that it was done when the house had its roof replaced: however the dock is not listed on the permit (attached) for the house roof and therefore this was also done without a permit and according to Section 48-33 (b), a permit is needed for roof repairs or replacement. As stated above: when maintenance and repair of docks involves the repair or replacement of pilings or other portions of the dock at or below the water surface, or of any roofed structure, the permit holder shall submit an application for a permit pursuant to section 48-31 of this article.

Mr. Giles contends that the roof of his dock was always touching his neighbors dock. The staff does not believe this is true. As shown in Photo 4, a gap can be seen between the roof line of the neighbor and Mr. Giles sloped roof. In Photo 5, that gap is no longer there and the sloped roof is touching the neighbor's boathouse and the slope of the roof is lower than in Photo 4. In the event the neighbor sells his property or Mr. Giles sells his, it would be difficult for either seller or buyer.

These are the salient points of the P&Z's denial of the variance and the City staff concurs with the P&Z decision. All else in Mr. Gervase's Notice of Appeal is "smoke & mirrors) and should be considered irrelevant to the appeal. For example, he states toward the end of his appeal that the P&Z Board erred because they allowed comments from a non-resident. Actually it is Mr. Gervase who erred in that The Florida Constitution and Sunshine Act give "the public" the right to attend the meetings of public collegial bodies. Florida law does not

limit access to meetings to a specific category of people or a profession. **Anyone** may attend. Florida law also recognizes a **public right to comment during open meetings**, but the public body holding the meeting may adopt reasonable rules and regulations to ensure the orderly conduct of meetings.

**Staff Recommendation:** Deny the Appeal of Jeffrey Giles and further require Mr. Giles to bring his dock into conformation as stated in BIMC which includes conforming to all criteria outlined in BIMC Section 48-31 and Section 48-32. The Council should remember that this is a similar situation to the dock at 2820 Nela Avenue (Angela Rosselot).

**Suggested Motion:** I move that deny the appeal of Case #2020-08-006, Application for Variance by Jeffrey Giles, 5842 Cove Drive, Belle Isle, FL 32812. I also move that the dock located at 5842 Cove Drive be brought into conformance with Section 48 of the BIMC by applying for and receiving an approved permit within 90-days of the date of this hearing and constructing the dock within 6 months of the date of the permit.

**Alternatives:** Approve the appeal which would allow the dock to continue to be a nonconforming dock.

**Fiscal Impact:** TBD if the City is forced to remove the dock.

**Attachments:**

- Notice of Appeal from Jeffrey Giles
- P&Z Minutes
- Photos 1-5
- Giles Roofing Permit



## NOTICE OF APPEAL

Case No.: 2020-08-006

This is an appeal of the Planning and Zoning Board's (the "Board") denial of the Variance Application submitted by Jeffrey Giles (the "Variance") for his Dock located at 5842 Cove Drive, Belle Isle, FL 32812, Case No.: 2020-08-006.

This appeal is being submitted by Donald Gervase, [dgervase@provisionlaw.com](mailto:dgervase@provisionlaw.com), attorney for Jeffrey Giles, and whose office address is:

Provision Law PLLC                      -                      407-287-6767  
310 S. Dillard St. Suite 140  
Winter Garden, FL 34787

The Hearing was held on September 22, 2020; therefore, this Notice of Appeal is timely filed.

The Board erred in denying the Variance for the following reasons, each of which shall be addressed in red italics:

Pursuant to The Code of Ordinances for the City of Belle Isle (the "Code"), Sec. 48-33. – Dock Variances. It states:

(a) In the event the applicant wishes to construct, expand, extend, or repair a dock, or conduct any other activity not meeting one or more of the criteria or requirements described in [section 48-32](#), a variance application must be made for hearing by the city planning and zoning board. Application fees shall be in accordance with the city fee schedule.

(b) The board shall not approve an application for a variance unless and until each of the following criteria have been met:

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

*At the Hearing, the Board did not determine that the Dock repair performed by the homeowner create any conditions hazardous to navigation nor any safety hazards.*

(2) The location and placement of the dock shall be compatible with other docks in the area, and the NHWC of the lake;

*At the Hearing, the Board did not find that the location and placement of the dock was incompatible with other docks in the area, and the NHWC of the lake. To the contrary, the Board found that the dock was comparable with other docks in the area.*

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

*At the Hearing, the current level of the lake was not a factor in deciding whether to approve or deny the Variance.*

(4) The application does not confer a special benefit to the landowner over and above the adjoining landowners and does not interfere with the rights of the adjoining property owner to enjoy reasonable use of their property;

*At the Hearing, the Board did not find that the application conferred a special benefit to the landowner over and above the adjoining landowners nor that it would interfere with the rights of the adjoining property owner to enjoy reasonable use of their property. In fact, evidence submitted and testimony given that indicated that the adjoining property owner benefitted from the dock repairs.*

(5) The requirements of subsection [42-64\(1\)](#), except for subsection [42-64\(1\)d](#).

*The requirements of subsection 42-64(1), except for the consideration of subsection 42-64(1)d have been met.*

BIMC Section 48-34(c) states:

“Nonconforming "grandfathered" docks. A dock that was duly permitted and authorized by the county when under county jurisdiction, or duly permitted and authorized by the city under and that complied with a previous version of the city's dock regulations, which dock does not conform with the city's current dock regulations under this article, shall be considered a "grandfathered" dock and shall be an authorized legally non-conforming structure. Except for maintenance and repair activities allowed by this article, the expansion or modification of a legally non-conforming (or "grandfathered") dock is not permitted except in situations where: (i) the dock is brought into conformance with the then current dock regulations of this article, or (ii) the city determines that the dock will be modified in such a way as to substantially decrease or mitigate the dock's non-conformity with the current dock regulations of this article. However, when a grandfathered dock is damaged or requires any maintenance or repairs, the costs of which equal or exceed 75 percent of the then current cost to reconstruct the dock, such maintenance or repair shall not be permitted unless the dock is brought into compliance with the current regulations under this article and any other relevant city regulation.”

*The Board determined that the Dock was grandfathered in and was duly permitted at the time of its construction. This dock was originally constructed on the lot line of the property, and the repairs have not expanded the Dock any closer to the lot line.*

BIMC Section 48-30 defines, among others, the following terms:

*Dock* means any permanently fixed or floating structure, slip, platform (whether covered or uncovered) extending from the upland into the water, capable of use for boat mooring and other water-dependent recreational activities. The term "dock" also includes the area used to dock or moor a boat, and any device or structure detached from the land that is used for or is capable of use as a swimming or recreational platform, boat lift and/or for other water-dependent recreational activities, or as a platform for non-boating use. This term does not include any boat that is temporarily docked, moored, or anchored for less than 72 consecutive hours.

*Maintenance* means the act of keeping the dock in a safe and useable condition consistent with original design specifications.

*Repair* means to restore to the permitted design specifications of a dock structure, including the replacement of the entire dock or portions of the dock.

The Dock that is the subject of this appeal was repaired and/or maintained in conformity with the definitions set forth in the BIMC.

In fact, prior to the Hearing the following recommendations were made by April Fisher of Fisher Planning and Development Services:

**“Staff Recommendations**

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

- (1) The dock does not create conditions hazardous to navigation nor any safety hazards as proposed. Because it is an existing dock and the applicant is not seeking to increase the terminal platform, it is not creating a hazardous condition. If the applicant were seeking to increase the size of the terminal platform, it should be rebuilt to meet the side setback requirement.
- (2) The location and placement of the dock will be compatible with other docks in the area, and the NHWC of the lake as it does seek a similar pattern to other dock configurations and will not restrict canal navigation.
- (3) The current level of the lake is not a factor in request of the variance as it is not seeking to augment the lake level or gain additional dock length based on lake level.
- (4) The application does not confer a special benefit to the landowner over and above the adjoining landowners and does not interfere with the rights of the adjoining property owner to enjoy reasonable use of their property as it is consistent with other similar dock layouts on the lake in this neighborhood, and it will not impede boat travel as it is currently built.
- (5) The requirements of subsection 42-64(1), except for subsection 42-64(1)d are met:
  - a) Special Conditions and/ or Circumstances (Section 42-64 (1) d):  
Per Sec. 48-33 (b) (5), this criterion is not applicable to consideration of a dock variance.

**b) Not Self- Created (Section 42-64 (1) e):**

The request for a variance is not due to a self-created situation, as the application is seeking to repair an existing dock in the same configuration and extend the roof. The dock already sits closer than five feet to the side property line and this application does not create this condition.

**c) Minimum Possible Variance (Section 42-64 (1) f):**

The requested variance is the minimum possible variance to make reasonable use of the land and building as the proposed repairs and roof addition do not increase an existing setback nonconformity.

**d) Purpose and Intent (Section 42-64 (1) g):**

The requested variance could be construed to be in harmony with the general purpose and intent of the land development code and not injurious to the neighborhood as it seeks to repair an existing dock structure and not dredge or disturb the lake bottom. It is consistent with other similar dock configurations, and it will not impede boat travel as the configuration exists.

Based on consideration of these review criteria staff **recommends approval** of the requested variance application.”

While there were other factors that the Board addressed, the main point that led to the denial of the Variance at the hearing was that the roofs of the Dock and that of the neighboring dock roofs were touching. However, this information was provided by testimony from a non-resident of the community and shown to be false by a letter from the actual homeowner stating that the docks had always touched and that the improvements to the Dock actually enhanced the neighbors use of his dock.

It is believed that the Board erred in allowing comments from a non-resident of the City of Belle Isle to be made a part of the record and considered at the hearing.

In addition, aerial photos from as early as 2006 show the two docks in question had always abutted one another and therefore should not have been a factor in the Board’s decision.

Finally, at the hearing held on September 22, 2020 (the “Hearing”), the chair of the Board stated, “The purpose of the code is to improve our community over time.” Later, at least one of the Board members noted that Mr. Giles dock was aesthetically pleasing and enhanced the appearance of the community. Also, at the Hearing another Board member expressed concerns that, of late, homeowners seem to be asking for forgiveness rather than for permission. It seems apparent that the denial was based more on the members of the Board attempting to set an example or message to one homeowner rather than basing its decision on sound reasoning and conformity with the Municipal Code.

For the foregoing reasons, it is asked that a hearing to appeal the Board’s denial of the Variance.

Sincerely,



Don Gervase



**City of Belle Isle**  
**Planning & Zoning Board Regular Session Minutes**  
**September 22, 2020 – 6:30 pm**

Dan Langley City Attorney	David Woods Vice-Chairman District 1	Chris Shenefelt District 2	OPEN  District 3	Randy Holihan Chairman District 4	Rainey Lane District 5	Andrew Thompson District 6	Leonard Hobbs District 7
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On Tuesday, September 22, 2020, the Belle Isle Planning & Zoning Board met in a Zoom virtual conference at 6:30 pm in the Belle Isle City Hall Council Chambers

<https://us02web.zoom.us/j/81264896578?pwd=K1JOT24rczhZlOGN4bkErVkNPdz09> - Passcode: 151859

Board members present were: Board member Woods, Board member Shenefelt, Board member Thompson, Board member Hobbs, and Board member Lane. Also present was Attorney Langley, City Manager Bob Francis, City Planner April Fisher, and City Clerk Yolanda Quiceno. Absent was Chairman Holihan.

Open Seat – District 3

1. Call to Order

Vice-Chairman Woods called the meeting to order at 6:30 pm. Board member Hobbs gave the invocation and Pledge of Allegiance.

2. Public Hearing Case #2020-08-006 - (Continued) Pursuant to Belle Isle Code Sec. 48-33, the Board shall consider and take action on a requested variance from Sec. 48-32 (A) (1) and Sec. 48-34 to allow an expansion of the dock to extend the roof of an existing nonconforming dock, allow replacement of pilings and decking on the nonconforming dock, and allow a variance from the required side setback for the existing dock, submitted by applicant Jeffrey Giles, located at 5842 Cove Drive, Belle Isle, FL 32812 also known as Parcel Number 20-23-30-1660-00-090.

Jeffrey Giles, the applicant, spoke on his proposed variance and briefly spoke on his boat dock's permitted work approximately 3-4 years ago. He was aware of the concerns when the neighbor was upset once he removed a fence on his property. He stated that the dock roofline and the setback encroachment were 20 years before the composite decking repair. He provided a letter for the record from his neighbor Dale Robinson who expressed no opposition with the dock and its location.

Vice-Chairman Woods said the pilings for the roof appear unattached to the dock and the new deck extends beyond the piling by about 18 inches, which indicated the dock was widened. Mr. Giles said he does not believe the improvement was more than 20% of the dock. Vice-Chairman Woods stated after reviewing the OCPA aerals online, he can confirm that the docks have been adjacent to each other as they are since before Mr. Giles owned the property.

April Fisher said if someone is proposing to reconstruct an existing dock it must be evaluated ahead of time by staff. Regardless of that, coming into conformity, docks are not allowed to touch. The basis of a variance request is how it fits into the surrounding community and is harmonious or injurious to a neighbor. The plans that were submitted with the original application did not show the two docks touching. With the new evidence of what has been constructed, we have to work with it now. In order to do the current work completed by the applicant, Mr. Francis said there are three references in the Code that would have applied to require a new permit. Mr. Francis provided a memorandum on his findings and additional photos for review.

Chairman Wood opened for public comment.

Laray Williams, daughter of Dale Robinson, spoke in opposition to the variance and submitted an email that was read for the record as follows, "Even if the boathouses have a history of touching and this is not accurate. Is that good construction practice? Is this according to any code? And would Belle Isle allow this to continue as a dock is rebuilt or repaired? Would a reputable contractor complete a project in this manner? Was this allowed in 1996 when the dock was first converted from an enclosed flat roof boathouse to an open, hipped roof boathouse? One boat house touching another boathouse is unacceptable, and one questions how a city code would allow this."

There being no further comments, Vice Chairman Woods closed citizen comment and opened for Board discussion.

Vice-Chairman Woods said the purpose of the Code is to improve our neighborhoods over time. This is a situation where the applicant made the modifications without a permit thus avoiding the process. Discussion ensued.

Attorney Langley spoke on code enforcement fines and maximum amounts. The City's code enforcement remedies are extensive. The nature of the violation could be fined so that a daily penalty can be accrued until the violation is corrected. There are also other remedies afforded to the City in the Code, which can include obtaining a court order to require the removal of noncompliance structure in the form of a Junction Relief.

**Board member Shenefelt moved to deny all variances requested and to accept the recommendations as highlighted in the staff report pursuant to Belle Isle Code Sec. 48-33, the justifying criteria of the Belle Isle Land Development Code, having NOT been met the requirements of Section 48-32 (A) (1) and Sec. 48-34, TO DENY an expansion of the dock to extend the roof of an existing nonconforming dock, allow replacement of pilings and decking on the nonconforming dock, and allow a variance from the required side setback for the existing dock, submitted by applicant Jeffrey Giles, located at 5842 Cove Drive, Belle Isle, FL 32812 also known as Parcel Number 20-23-30-1660-00-090.)**

**Board member Hobbs seconded the motion, which passed unanimously 5:0.  
April Fisher stated that the applicant would have 14 days to appeal to City Council.**

3. Public Hearing Case #2020-06-050 – (Continued) Pursuant to Belle Isle Code Sec. 42-64, the Board shall consider and take action on a requested variance from Sec. 50-72 (a) (1) to allow a variance from the required number of parking spaces, take action on a requested variance from Sec. 50-73 (a) to allow a variance from the required building setbacks, and take action on a requested variance from Sec. 50-73 (d) (1), Sec. 50-76 (3) (b) (1) and Sec. 50-76 (5) (b), to allow for a reduced screening and buffer, submitted by applicant Hosanna Building Contractors, located at 5050 Conway Road, Belle Isle FL 32812, also known as Parcel # 17-23-30-0000-00-008.

Dean Blankenship, the representative for Hosanna Building Contractors, said he has submitted a narrative in response to the August 2020 hearing and has responded to the Board's comments based on the existing conditions.

Vice-Chairman Woods shared and reviewed several comments upon review of the site plan as follows,

1. Does the garbage truck have sufficient ingress/egress access
2. The addition to the building is shown with no dimensions (approximately 4,122 sqft-500 ft more than shown)
3. Parking Space Dimensions:
  - 50-72-d-1-a Parking dimensions 9'x20'
  - 50-72-d-1-c allows 2' beyond curb or wheels top so long as it does not encroach on sidewalks or landscaping.
  - Oddball parking width? Would it be better to go 9' and use the balance for landscaping?
4. No hedge showed in any of the landscape areas
5. Are the dimensions to the east accurate? The drawings show non-tangent arcs?
6. We need to make sure the sight triangle is clear. FDOT detail 546 <https://www.fdot.gov/docs/default-source/roadway/ds/06/idx/546.pdf>
7. Where is the cross access agreement to allow the south west entrance
8. Vice-Chairman Woods stated the impact of any future change of use, which could increase retail space also needs to be considered?

Chairman Woods opened for public comment. The City Clerk stated that she had not received any public comments for this Public hearing. There being no further comments, Vice Chairman Woods closed citizen comment and opened for Board discussion.

**After Board discussion, Board member Thompson moved, the criteria of Section 42-64 of the Belle Isle Land Development Code having been met TO APPROVE the requested variance from Sec. 50-72 (a) (1) to allow a variance from the required number of parking spaces, take action on a requested variance; Sec. 50-73 (a) to allow a variance from the required building setbacks, and take action on a requested variance; Sec. 50-73 (d) (1),**

**Sec. 50-76 (3) (b) (1) and Sec. 50-76 (5) (b), to allow for a reduced screening and buffer, submitted by applicant Hosanna Building Contractors, located at 5050 Conway Road, Belle Isle FL 32812, also known as Parcel # 17-23-30-0000-00-008.**

**Board member Lane seconded the motion, which passed unanimously 5:0.**

4. Public Hearing Case #2020-06-061 – (Continued) Proposed Development Site Plan. Pursuant to Belle Isle Code Sec. 54-79 (f) (4), the Board shall review and take action on the proposed site plan, submitted by applicant Hosanna Building Contractors, located at 5050 Conway Road, Belle Isle, FL 32812, also known as Parcel # 17-23-30-0000-00-008.

Vice-Chairman Woods reads code 50-73 (d) (1), Section 50-76 (3) (b) (1) and Section 50-76 (5) (b) for the record. Vice-Chairman Woods said the main issue to consider for the approval of a site plan in compliance with the 8ft solid wall and 15ft side landscaping buffer. He noted that dimensions were not provided on the site plan. There is an existing aluminum fence and some landscaping that is not in compliance. The land to the north is essentially a parking lot. Vice-Chairman Woods said he would like to see an visually opaque hedge buffer at least 6ft in height. Also, as long as the building use justifies the parking submitted, there is no need for a variance for that. Discussion ensued on visual landscaping buffer requirements.

April Fisher also added that it might be necessary to have the Shopping Center Owners signature on the final drawing (access) plans.

**After further discussion, Board member Thompson moved, pursuant to Belle Isle Code Sec. 54-79 (f) (4), TO RECOMMEND APPROVAL of the proposed site plan, submitted by applicant Hosanna Building Contractors, located at 5050 Conway Road, Belle Isle, FL 32812, also known as Parcel # 17-23-30-0000-00-008 subject to the following conditions,**

- **Conditions as stated in the staff report,**
  - **A separate dumpster permit shall be required as part of the building permit process that meets the design standards provided in the Code. The applicant has indicated the dumpster's proposed location and provided information on the size of the dumpster proposed.**
  - **The applicant seeks to close the existing curb cut abutting Conway Road, as indicated on the site plan. The applicant has provided a copy of the communication with the FDOT showing the procedure to effectuate this. As a condition of approval, the applicant must provide approval from the FDOT to close the curb cut prior to receiving building permit approval.**
  - **A landscaping plan consistent with Sec. 50-76 shall be provided for review with the building permit application. This shall include an irrigation plan.**
  - **Stormwater management plans consistent with the requirement of Sec. 50-74 and Sec. 54-79 (f) (2) shall be provided for review with the building permit application.**
  - **A lighting plan with foot-candle information shall be required as part of the building permit application process, if new exterior lighting is proposed, to ensure no light pollution occurs onto adjacent residential properties.**
  - **A separate sign permit application is required.**
- **A hedge at least 2 ½ feet in depth to mature to 6ft in height within 2-years.**
- **Approval of a driveway entrance not to encroach on the property parking area to the west.**

**Board member Shenefelt seconded the motion, which passed unanimously 5:0.**

Board member Lane excused herself from the remainder of the meeting.



5. PUBLIC HEARING CASE #2020-09-007 - PURSUANT TO BELLE ISLE CODE SEC. 42-63 AND SEC. 54-84 (D) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED SPECIAL EXCEPTION TO ALLOW ACTIVE RECREATIONAL USES ON PROPERTY ZONED OPEN SPACE DISTRICT AND PURSUANT TO BELLE ISLE CODE SEC. 54-84 (G) (2) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED SITE PLAN FOR WALLACE PARK IMPROVEMENTS, SUBMITTED BY APPLICANT CITY OF BELLE ISLE, LOCATED AT E. WALLACE STREET, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 24-23-29-8977-00-021

The applicant, City Manager Bob Francis, said this is part of a Use Agreement with Cornerstone Charter Academy (CCA). In this agreement, CCA will be the City agent and have submitted all the technical work.

Brian Leahy, Construction Manager for CCA, Rolando Llanes, Sara Garaulet from Civica Group, and Jimmy Palm from Appian Engineering were present. He provided a response summary dated September 21, 2020, addressing the staff comments and a copy of the Use Agreement for the record. An overview of the responses was discussed.

April Fisher spoke on the staff report stating that the setback requirement has been met for Open Space zoning.

City Manager Francis said this property is a public park and falls under the same regulations as all public parks in the Code. The parks are opened sunup/sundown, opened and closed by City staff, and open to all Belle Isle residents. Discussion ensued in park use and Use Agreement guidelines on hours of use. Mr. Francis said CCA has the responsibility for the maintenance and installation of the proposed astroturf.

Vice-Chairman Woods gave a summary of his site plan review as follows,

- The site plan does not provide sufficient trees to be used as shade trees.
- Provisions for additional future parking by relocating the swale to the southeast corner should be considered.
- The land's general slope is west to east and recommends a pollution abatement swale along the east property line to catch the small rainfall runoff.
- He noted inconsistent labeling of the existing 6' brick wall or block wall.

Brian Leahy said he would have the Engineers review the design plans per the comments.

Vice-Chairman Woods opened for citizen comments.

The city clerk stated that she has a few comments and read the following for the record,

1. Donella Altice residing at 1309 E Wallace Street, said, "Regarding the site plan to be reviewed by the planning and zoning board tonight, I would like to see Wallace Park kept as an open space for the enjoyment of our citizens. I would like to see the football practice area removed. This area benefits only the School, not the entire community. Perhaps it would be a better idea for the City of Belle Isle to do the beautification of Wallace Park rather than the school getting involved."
2. Gary Meloon residing at 6101 Matchett Road, said, 1) what is the actual number of acres in Green Space or Open Areas that the City of Belle Isle is deficient based on the City's Charter? And, 2) how does the proposed site plan allow for the field to fit into the City's Charter for Green Space or Open Areas?
3. Ardis Meloon residing at 6101 Matchett Road, spoke as a Panelist and asked if the Board is aware of the current impact of the light pollution on the field. Mrs. Meloon shared her concerns and said the surrounding residents have already been impacted by some of the things happening at the School. Does the Board take into consideration the impact of their decisions on the local community? What will happen at the park with weekend activities of parties and loud music? Will the City have additional resources to oversee the weekend activities? Also, she shared her concern with the current challenge with unleashed dogs in the park, excessive stereo/party noise, and recurring drainage issues.
4. Jeff & Hillary Maul residing at 1130 Waltham Avenue spoke as a Panelist and shared her immediate concerns on the drainage and run off to her property, which is already an enormous issue. She said she and the residents were promised by the Board and Council that there will be no scoreboards, permanent fixtures, bleachers on the property. In 2013, 2016, and 2019, bleachers, lights, a scoreboard, and a press board was added. She wants to protect her property and privacy and wants the City to commit and hold the School to proper permitting and approvals.

- a. Jimmy Palm, Appian Engineering, said they had engaged technical engineers to gauge and determine where the problem areas prevent any adverse drainage from traveling offsite. He stated that they would be held to the standards set by St. Johns Water Management. Vice-Chairman Woods said a swale along the north portion could help capture the runoff and direct it to another location on the site. Mr. Palm said he does not see a problem looking at the request.
5. John Hronek resided at 1320 Waltham Avenue, spoke as a Panelist, and shared his concerns on the property's added lights. They have been subject to a lot of flooding to the north from the school runoff. He further shared his concern with high school traffic, which does not allow him to get in and out of his home during the end of school hours. He further noticed that the new building will be branded with the CCA logo and how it can now be perceived as a City property. CCA has placed their footprint so deep, and he feels this is going to be another impact on our small City. He further shared his concern with the additional flooding issues that may occur with the proposed astroturf.
 

Jimmy Palm spoke on installing the artificial turf and said there is not a large amount of water to the north that travels offsite to cause further issues. He said St Johns Water Management regulates the permit, and they will not be allowed to discharge direct stormwater in a more significant amount than is currently being discharged.

There being no further comments, Vice-chairman Woods closed public comment and opened for Board discussion.

Board member Thompson asked does the drainage rating of >40 inches an hour remain no matter what soil type is underneath? Mr. Palm said it would depend on whether the drains percolate under the ground or are connected to a swale system. They are waiting for more information on the parameters.

Board member Shenefelt shared his concern with the astroturf and the amount of activity that it will bring to the park – (in Vice-Chairman Woods' words, "an attractive nuisance". Mr. Leahy said the astroturf would help reduce the use of fertilizer and upkeep. The CCA staff would also like to have the students practice on the same surface as the football field. Discussion ensued on the stormwater drainage issue on Wilks, Marinell, Hoffner.

Mr. Francis said City is working on a project with the County to be able to capture all the water under the Wallace Field and repurpose the water as irrigation or drain out into the County pipe on Wallace. He is not sure if this plan would be approved before construction on the Wallace field. There have been several meetings on these issues with the neighbors with staff, and the City Council. Mr. Francis said the City Council has no plans to change the classification; it will remain a park. Discussion ensued on vehicle parking.

Attorney Langley said the Board could condition the Special Exception by adding the resident's concerns, i.e., park lighting not reflected in the site plan. The City will not be able to restrict the park's use for Belle Isle residents only – it would be very problematic. It is an issue local governments wrestle with. Attorney Langley said the Board could Approve, Deny or Approve with conditions. Discussion ensued.

After Board discussion, Board member Shenefelt moved pursuant to Belle Isle Code Sec. 48-33, the justifying criteria of the Belle Isle Land Development Code, SEC. 42-63 AND SEC. 54-84 (D), Sub Sections: G, having NOT been met **TO DENY** A REQUESTED SPECIAL EXCEPTION TO ALLOW ACTIVE RECREATIONAL USES ON PROPERTY ZONED OPEN SPACE DISTRICT AND PURSUANT TO BELLE ISLE CODE SEC. 54-84 (G) (2) THE BOARD SHALL CONSIDER AND TAKE ACTION ON A REQUESTED SITE PLAN FOR WALLACE PARK IMPROVEMENTS, SUBMITTED BY APPLICANT CITY OF BELLE ISLE, LOCATED AT E. WALLACE STREET, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 24-23-29-8977-00-021.

**The motion dies for lack of a second.**

Board member Thompson moved, pursuant to Belle Isle Code SEC. 42-63 AND SEC. 54-84 (D) of the Belle Isle Land Development Code having been met **TO APPROVE** A REQUESTED SPECIAL EXCEPTION TO ALLOW ACTIVE RECREATIONAL USES ON PROPERTY ZONED OPEN SPACE DISTRICT SUBMITTED BY APPLICANT CITY OF BELLE ISLE, LOCATED AT E. WALLACE STREET, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 24-23-29-8977-00-021.

**Board member Hobbs seconded the motion, which passed 3:1 with Board member Shenefelt, nay.**

Vice-Chairman Woods moved, pursuant to Belle Isle Code 54-84 (G) (2) of the Belle Isle Land Development Code having been met **TO APPROVE** A REQUESTED SITE PLAN FOR WALLACE PARK IMPROVEMENTS, SUBMITTED BY APPLICANT CITY OF BELLE ISLE, LOCATED AT E. WALLACE STREET, BELLE ISLE, FL 32809 ALSO KNOWN AS PARCEL # 24-23-29-8977-00-021 with the following exceptions,

- Install canopy trees between the walkway and the park's boundaries—minimum planting size about 12' height.
- Staff recommendations on the staff report 1-7 as follows,
  1. Specifications on the artificial turf must be provided to verify whether it is pervious or impervious to determine if the impervious surface ratio standard is met. If this cannot be substantiated or impervious, the application will be required to come back to the Board for a formal review.
  2. Stormwater management plans consistent with the requirement of Sec. 50-74 and Sec. 54-84 (g) (1) shall be provided for review with the building permit application.
  3. A restriction that lighting the practice field is not permitted to prevent light pollution on adjacent residential properties.
  4. A prohibition on any private business or commercial enterprise running a business from the property such as, but not limited to, private lessons or outdoor classes such as yoga, group events, or non-profit special events not approved by the City.
  5. An executed Memorandum of Understanding or other Agreement, as approved by City Council, between the City of Belle Isle and Cornerstone Charter School regarding each party's responsibilities and authorities regarding the development of the park, and operation of the park such as hours available for public use and access coordinated with use by the School, including property maintenance, gate operations, field maintenance, and authorized use of the proposed building.
  6. A detailed parking/traffic plan be provided indicating how the applicant anticipates handling additional park traffic on E. Wallace Street and Matchett Road with users accessing the park or field practice operation, whether there is any impact; and,
  7. A detailed plan identifying how the park will be accessed by the public and hours of daily availability for public use. This plan should also address how the park will be secured, monitored, and restricted during closed hours.
- Restrict runoff from the north, and east sides of the property with discharge to the storm drain in Wallace Ave.
- Consider provisions for possible future increase in parking spaces.
- No lights to be installed in the park at any time.

**Board member Hobbs seconded the motion failed 2:2 with Board member Shenefelt and Board member Thompson, nay. Board member Shenefelt shared his concern with the proposed use of astroturf.**

Vice-chairman Woods called for another motion.

There being none, the applicant requested to table the motion to the next scheduled meeting.

**Board member motioned to table Public Hearing #2020-09-007 to a date certain of October 27, 2020.**

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

**Vice-Chairman Woods excused Board member Holihan from tonight's meeting**

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

ADJOURNED

There being no further business, Vice Chairman Woods adjourned the meeting at 10:52 pm.

Yolanda Quiceno

City Clerk, CMC



# City of Belle Isle

Universal Engineering Sciences 3532 Maggie Blvd., Orlando, FL 32811  
Tel 407-581-8161 \* Fax 407-581-0313 \* [www.universalengineering.com](http://www.universalengineering.com)

a.

## PERMIT CARD – PLEASE POST AT JOB SITE

THIS DOCUMENT BECOMES YOUR PERMIT WHEN PROPERLY VALIDATED

Per FBC 105.3.3: An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies." The issuance of this permit does not grant permission to violate any applicable City, Orange County, State of Florida and/or Federal codes and/or ordinances. Separate permits are required for Signs, Roofing, Electrical, Gas, Plumbing and Mechanical services. This permit becomes VOID if the work authorized is not commenced within 6 months, or is suspended or abandoned for a period of 6 months after commencement. WORK SHALL BE CONSIDERED SUSPENDED IF AN APPROVED INSPECTION HAS NOT BEEN MADE WITHIN A 6 MONTH PERIOD. PERMISSION IS GRANTED TO DO THE FOLLOWING WORK ACCORDING TO THE CONDITIONS HEREON AND THE APPROVED PLANS AND SPECIFICATIONS, SUBJECT TO COMPLIANCE WITH THE ORDINANCES OF THE CITY OF BELLE ISLE, FLORIDA.

**Scope of Work:** ROOF – new – over new trusses added to raise flat roof and create attic space – 3800 sf asphalt shingles  
**Comments:** None

### Project Information

**Address:** 5842 Cove Drive, Belle Isle, FL 32812  
**Parcel ID:** 20-23-30-1660-00-090  
**Property Owner:** Giles, Jeffrey  
**Phone Number:** 407-508-8309

**Company Name:** BY OWNER  
**Contractor Name:**  
**License Number:**  
**Address:**  
**Phone Number:**

**Permit Number:** 2016-09-054

**Date of Application:** 09/27/2016

**Date Permit Issued:** 10/04/2016

**WARNING TO OWNER:** "YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT." ON THE JOB INSPECTION(S) MUST BE MADE BEFORE PROCEEDING WITH SUBSEQUENT WORK. THIS CARD MUST BE DISPLAYED OUTSIDE AND BE PROTECTED FROM THE WEATHER WHILE BEING VISIBLE FROM THE STREET UNTIL THE FINAL INSPECTIONS HAVE BEEN APPROVED.

### BUILDING FEATURES

#### IMPACT FEES

**School** \$  
**Traffic** \$

#### ZONING FEES

**Zoning Fee** \$ none - new

#### UNIVERSAL ENG - BUILDING FEES

**Boat Dock** \$  
**Boat House** \$  
**Building** \$  
**Demo** \$  
**Door(s)** \$  
**Driveway** \$  
**Electrical** \$  
**Fence** \$  
**Gas** \$  
**Irrigation** \$  
**Low Voltage** \$  
**Mechanical** \$  
**Plumbing** \$  
**Pool** \$  
**Roofing** \$120.00  
**Screen Encl** \$  
**Shed** \$  
**Temp Pole** \$  
**Window(s)** \$

#### SURCHARGE FEES

**Surcharge Fee** \$2.00  
**Surcharge Fee** \$2.00

**TOTAL FEES \$124.00**

**Date Paid** 10-14-16

**CC or Check #** VISA 6422

**Amount Paid** 124.00

The person accepting this permit shall conform to the terms of the application on file and construction shall conform to the requirements of the Florida Building Code (FS 553).

#### BUILDING INSPECTOR USE ONLY

IF APPLICABLE:

**Have Zoning Approval Conditions Been Met?** YES NO **Have Stormwater Approval Conditions**

**Been Met?** YES NO **Silt fencing in place?** YES NO **Turbidity Barrier in place?** YES NO

#### € BUILDING

1<sup>st</sup> (Footing/Foundation)

Survey specific foundation plan must be onsite before slab pour. Approved Plan on Site? \_\_\_\_

2<sup>nd</sup> (Slab)

3<sup>rd</sup> (Lintel)(Wall Reinforcing on Masonry Building)

4<sup>th</sup> (Exterior Framing)(Roof/Wall Sheathing)

5<sup>th</sup> (Framing) (To be made after Plumbing/ Mechanical/ Electrical Rough-Ins & Windows/Doors Installed)

6<sup>th</sup> (Insulation to be Made After Roof Installed)

7<sup>th</sup> (Drywall)

8<sup>th</sup> (Sidewalk/Driveway)

9<sup>th</sup> (Other)

10<sup>th</sup> (Final – After MEP and Other Applicable Finals)

#### € ROOFING OSHA APPROVED ACCESS MUST BE MADE AVAILABLE TO INSPECTOR

1<sup>ST</sup> ROOFING Deck Nailing/Dry-in/Flashing

2<sup>nd</sup> ROOFING Covering In-Progress

3<sup>rd</sup> ROOFING Covering Final

#### € PLUMBING (Pool-Piping, Solar, Irrigation, Water Treatment Equip, Etc...)

€ 1<sup>ST</sup> (Underground) 2<sup>nd</sup> (Sewer)

3<sup>rd</sup> (Rough-In/Tub Set) 4<sup>th</sup> (Final)

#### CHECK APPROPRIATE BOX

€ GAS \_\_\_ Natural \_\_\_ LP € MECHANICAL € ELECTRICAL € LOW VOLTAGE

1<sup>st</sup> (Rough-In) 2<sup>nd</sup> (Final)

Inspection requests are to be emailed to [BD scheduling@UniversalEngineering.com](mailto:BD scheduling@UniversalEngineering.com); a confirmation email will be sent back to you upon scheduling. **Next-Day Inspection requests must be made by 4pm.** Please include the following in your request: Permit #, project address, type of inspection, date of the requested inspection, a contact name & a contact phone number. AM or PM may be requested but cannot be guaranteed.

For a copy of your permit, or to check inspection results, please visit <https://universalengineering.sharefile.com>

login ID = [cobi@universalengineering.com](mailto:cobi@universalengineering.com)

password = universal13





## City of Belle Isle

Universal Engineering Sciences 3532 Maggie Blvd., Orlando, FL 32811  
Tel 407-581-8161 \* Fax 407-581-0313 \* [www.universalengineering.com](http://www.universalengineering.com)

### APPLICATION FOR ROOFING PERMIT

**WARNING TO OWNER:** YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

DATE OF APPLICATION: 9/27/16

ROOF PERMIT NUMBER 2016-09-054

PLEASE PRINT. The undersigned hereby applies for a permit to make installations as indicated below:

Project Address 5842 COVE DR, Belle Isle, FL 32809 X 32812

Property Owner JEFFREY S. GINES Phone 407 509 8309

Property Owner's Mailing Address SAME City \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_ Parcel Id Number: 20.23.30.1660.00.090

REQUIRED! To obtain this information, please visit <http://www.ocpafi.org/Searches/ParcelSearch.aspx>

Class of Building: Old ☒ New ☐ Type of Building: Residential ☒ Commercial ☐ Other ☐

Type of Work: New Roof ☒ ReRoof ☐

- REQUIRED!** Florida Product Approval Screen Printout from [www.floridabuilding.org](http://www.floridabuilding.org) showing the Code Version
- REQUIRED!** Florida Product Approval Installation Instructions from [www.floridabuilding.org](http://www.floridabuilding.org) (not the manufacturer instructions)
- REQUIRED!** Copies of your General Liability & Worker's Comp Insurance Certificate & State and Local Licenses

Please indicate the nature of work by completing the information below:

Roof Square Footage: 3800

Number of Stories: 1

Job Valuation: \$ 3500<sup>00</sup>

Type: Asphalt Shingles ☒ Metal ☐ Modified Bitumen ☐ Other: \_\_\_\_\_

I hereby certify that the above is true and correct to the best of my knowledge and make Application for Permit as outlined above, and if same is granted I agree to conform to all Florida Building Code Regulations and City Ordinances regulating same and in accordance with plans submitted. The issuance of this permit does not grant permission to violate any applicable Town and/or State of Florida codes and/or ordinances. By signing below, I recognize Republic Services is by legal contract the sole authorized provider of garbage, recycling, yard waste, and commercial garbage and construction debris collection and disposal services with the city limits of the City. Contractors, homeowners and commercial businesses may contact Republic Services at 407-293-8000 to setup accounts for Commercial, Construction Roll Off, or other services needed. Rates are fixed by contract and are available at City Hall or from Republic Services. The City enforces the contract through its code enforcement office. Failure to comply will result in a stop work order.

LICENSE HOLDER SIGNATURE BY OWNER LICENSE # \_\_\_\_\_

LICENSE HOLDER NAME \_\_\_\_\_ COMPANY NAME \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone Number \_\_\_\_\_

Email Address jeffrey@jagles.com 1511K 25  
15X11 55  
96

Building Official: Lajendranth Date 10-13-16

Verified Contractor's Licenses & Insurance are on file SW Date 9-28-16  
O/B disburse

Zoning Fee \$ none new

Permit Fee \$ 80.-

Review Fee \$ 40.-

3% Florida Surcharge \$ 4.-

Total Permit Fee \$ 124.-

NOTE: The Building Permit Number is required if the Roof Installation is associated with any construction or alteration where a Building Permit has been issued.

Building Permit Number \_\_\_\_\_

wo 73338



## City of Belle Isle

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### OWNER BUILDER DISCLOSURE STATEMENT

Per Florida Statue 455.228:

**Homeowners hiring unlicensed Contractors may be subject a fine of up to \$5,000.00!**

SEP 27 2016

BY:

Before me this day personally appeared JEFFREY S. GINES, who being duly sworn, deposes, and says as follows. "I hereby acknowledge that I have read and fully understand the individual provisions of this instrument."

1. I understand that state law requires construction to be done by a licensed contractor and have applied for an owner-builder permit under an exemption from the law. The exemption specifies that I, as the owner of the property listed, may act as my own contractor with certain restrictions even though I do not have a license JS Initial
2. I understand that building permits are not required to be signed by a property owner unless he or she is responsible for the construction and is not hiring a licensed contractor to assume responsibility. JS Initial
3. I understand that, as an owner-builder, I am the responsible party of record on a permit. I understand that I may protect myself from potential financial risk by hiring a licensed contractor and having the permit filed in his or her name instead of my own name. I also understand that a contractor is required by law to be licensed in Florida and to list his or her license numbers on permits and contracts. JS Initial
4. I understand that I may build or improve a one-family or two-family residence or a farm outbuilding. I may also build or improve a commercial building if the costs do not exceed \$75,000.00. The building or residence must be for my own use or occupancy. It may not be built or substantially improved for sale or lease. If a building or residence that I have built or substantially improved myself is sold or leased within 1 year after the construction is complete, the law will presume that I built or substantially improved it for sale or lease, which violates the exemption. JS Initial
5. I understand that, as the owner-builder, I must provide direct, onsite supervision of the construction. Initial
6. I understand that I may not hire an unlicensed person to act as my contractor or to supervise persons working on my building or residence. It is my responsibility to ensure that the persons whom I employ have the licenses required by law and by county or municipal ordinance. JS Initial
7. I understand that it is a frequent practice of unlicensed persons to have the property owner obtain an owner-builder permit, that erroneously implies that the property owner is providing his or her own labor and materials. I, as an owner-builder, may be held liable and subjected to serious financial risk for any injuries sustained by an unlicensed person or his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an owner-builder and am aware of the limits of my insurance coverage for injuries to workers on my property. JS Initial
8. I understand that I may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work being done. Any person working on my building who is not licensed must work under my direct supervision and must be employed by me, which means that I must comply with laws requiring the withholding of federal income tax and social security contributions under the Federal Insurance Contributions Act (FICA) and must provide workers' compensation for the employee. I understand that my failure to follow these laws may subject me to serious financial risk. JS Initial
9. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern owner-builders as well as employers. I also understand that the construction must comply with all applicable laws, ordinances, building codes, and zoning regulations. JS Initial
10. I understand that I may obtain more information regarding my obligations as an employer from the Internal Revenue Service, the United States Small Business Administration, the Florida Department of Financial Services, and the Florida Department of Revenue. I also understand that I may contact the Florida Construction Industry Licensing Board at (850)487-1395 or [www.Call.Center@dbpr.state.fl.us](mailto:www.Call.Center@dbpr.state.fl.us) for more information about licensed contractors. JS Initial

11. I am aware of, and consent to, an owner-builder building permit applied for in my name and understand that I am the party legally and financially responsible for the proposed construction activity at the following address:  
Project Address: 5842 Cove DR 32812 JS Initial
12. I agree to notify the City of Belle Isle Building/Zoning Department immediately of any additions, deletions, or changes to any of the information that I have provided on this disclosure. JS Initial
13. FBC 105.3.6 requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. JS Initial

Licensed contractors are regulated by laws designed to protect the public. If you contract with a person who does not have a license, the Construction Industry Licensing Board and Department of Business and Professional Regulation may be unable to assist you with financial loss that you sustain as a result of a complaint. Your only remedy against an unlicensed contractor may be in civil court. It is also important for you to understand that, if any unlicensed contractor or employee of an individual or firm is injured while working on your property, you may be held liable for damages. If you obtain an owner-builder permit and wish to hire a licensed contractor, you will be responsible for verifying whether the contractor is properly licensed and the status of the contractor's workers' compensation coverage.

Before a building permit can be issued, this disclosure statement must be completed and signed by the property owner and returned to the local permitting agency responsible for issuing the permit. A copy of the property owner's driver license, the notarized signature of the property owner, or other type of verification acceptable to the local permitting agency is required when the permit is issued.

Signature: <u>Jeffrey S. Giles</u> (Signature of the property owner)	Print: <u>JEFFREY S. GILES</u> (Name of the property owner)
Signature: _____ (Signature of the property owner)	Print: _____ (Name of the property owner)
Owner's Address: <u>5842 Cove DR 32812</u>	
The foregoing instrument was acknowledged before me this ____/____/____	
by _____ who is personally known to me / who produced the following _____ as identification and who did not take an oath.	
State of Florida / County of _____	Seal: _____
Notary Signature _____	





# City of Belle Isle

Universal Engineering Sciences 3532 Maggie Blvd., Orlando, FL 32811  
Tel 407-581-8161 \* Fax 407-581-0313 \* [www.universalengineering.com](http://www.universalengineering.com)

ROOF

a.

## Product Approval Form

SEP 27 2016

DATE: 9/27/16

PERMIT # 2016-09054

PROJECT ADDRESS 5842 CORE DR, Belle Isle, FL 32809 32812

As required by Florida Statue 553.842 and Florida Administrative Code 9B-72m, please provide the information and approval numbers of the building components listed below if they will be utilized on the building or structure. FL Approved products are listed online at [www.floridabuilding.org](http://www.floridabuilding.org) or can be obtained from the local product supplier. The following information must be turned in with permit application and available onsite for inspections:

1. This Product Approval Cover Sheet
2. Internet screen from FloridaBuilding.org showing PA#, approval and code edition stamped
3. Manufacturer's installation details from FloridaBuilding.org and requirements for each product stamped

Product Type	Manufacturer	Model/Series	FL Product Approval #	Product Type	Manufacturer	Model/Series	FL Product Approval #
EXTERIOR DOORS				WALL PANELS			
Swinging				Sliding			
Sliding				Soffits			
Sectional/Rollup				Storefront			
Other				Glass Block			
				Other			
WINDOWS				ROOFING PRODUCTS			
Single/DbI Hung				Asphalt Shingles		FL10624	
Horizontal Slider				Non Struct Metal			
Casement				Roofing Tiles			
Fixed				Single Ply Roof			
Mullion				Underlayment			
Skylights				Other			
Other				Underlayment		FL2346	
STRUCTURAL COMPONENTS				OTHER			
Wood Connectors							
Wood Anchors							
Truss Plates							
Insulation Forms							
Lintels							
Other							

It is the applicant's responsibility to verify that specific products have been installed in accordance with their limitations and with the minimum required design pressures for the structure. Specific compliance will be verified during field inspections.

Applicant Signature Jeffrey S. [Signature]

Date 9/27/16



**Product Approval**  
USER: Public User

[Product Approval Menu](#) > [Product or Application Search](#) > [Application List](#) > **Application Detail**

FL #	FL10674-R11	
Application Type	Revision	
Code Version	2014	
Application Status	Approved	
Comments	Archived	
Product Manufacturer	Owens Corning	
Address/Phone/Email	One Owens Corning Parkway Toledo, OH 43659 (740) 404-7829 greg.keeler@owenscorning.com	
Authorized Signature	Greg Keeler greg.keeler@owenscorning.com	
Technical Representative	Mel Sancrant	
Address/Phone/Email	1 Owens Corning PKWY Toledo, OH 43659 (419) 376-8360 mel.sancrant@owenscornig.com	
Quality Assurance Representative		
Address/Phone/Email		
Category	Roofing	
Subcategory	Asphalt Shingles	
Compliance Method	Evaluation Report from a Florida Registered Architect or a Licensed Florida Professional Engineer Evaluation Report - Hardcopy Received	
Florida Engineer or Architect Name who developed the Evaluation Report	Robert J.M. Nieminen	
Florida License	PE-59166	
Quality Assurance Entity	UL LLC	
Quality Assurance Contract Expiration Date	08/20/2017	
Validated By	John W. Knezevich, PE ✓ Validation Checklist - Hardcopy Received	
Certificate of Independence	<a href="#">FL10674 R11 COI 2015 01 COI Nieminen.pdf</a>	
Referenced Standard and Year (of Standard)	<b>Standard</b> ASTM D3161 ASTM D3462 ASTM D7158	<b>Year</b> 2009 2009 2008
Equivalence of Product Standards Certified By		
Sections from the Code		

Product Approval Method  
Date Submitted  
Date Validated  
Date Pending FBC Approval  
Date Approved  
Date Revised

Method 1 Option D  
10/15/2015  
10/19/2015  
10/20/2015  
12/15/2015  
04/18/2016

**EXTERIOR RESEARCH & DESIGN, LLC.**

*Certificate of Authorization #9503*  
 353 CHRISTIAN STREET, UNIT #13  
 OXFORD, CT 06478  
 PHONE: (203) 262-9245  
 FAX: (203) 262-9243

**EVALUATION REPORT****Owens Corning**

One Owens Corning Parkway  
 Toledo, OH 43659

**Evaluation Report O37940.02.12-R6****FL10674-R11****Date of Issuance: 02/06/2012****Revision 6: 10/15/2015****SCOPE:**

This Evaluation Report is issued under Rule 61G20-3 and the applicable rules and regulations governing the use of construction materials in the State of Florida. The documentation submitted has been reviewed by Robert Nieminen, P.E. for use of the product under the Florida Building Code and Florida Building Code, Residential Volume. The products described herein have been evaluated for compliance with the 5<sup>th</sup> Edition (2014) Florida Building Code sections noted herein.

**DESCRIPTION: Owens Corning Asphalt Roof Shingles**

**LABELING:** Labeling shall be in accordance with the requirements the Accredited Quality Assurance Agency noted herein.

**CONTINUED COMPLIANCE:** This Evaluation Report is valid until such time as the named product(s) changes, the referenced Quality Assurance documentation changes, or provisions of the Code that relate to the product change. Acceptance of this Evaluation Report by the named client constitutes agreement to notify Robert Nieminen, P.E. if the product changes or the referenced Quality Assurance documentation changes. Trinity|ERD requires a complete review of this Evaluation Report relative to updated Code requirements with each Code Cycle.

**ADVERTISEMENT:** The Evaluation Report number preceded by the words "Trinity|ERD Evaluated" may be displayed in advertising literature. If any portion of the Evaluation Report is displayed, then it shall be done in its entirety.

**INSPECTION:** Upon request, a copy of this entire Evaluation Report shall be provided to the user by the manufacturer or its distributors and shall be available for inspection at the job site at the request of the Building Official.

This Evaluation Report consists of pages 1 through 7.

**Prepared by:**
**Robert J.M. Nieminen, P.E.**

Florida Registration No. 59166, Florida DCA ANE1983



The facsimile seal appearing was authorized by Robert Nieminen, P.E. on 10/15/2015. This does not serve as an electronically signed document. Signed, sealed hardcopies have been transmitted to the Product Approval Administrator and to the named client

**CERTIFICATION OF INDEPENDENCE:**

1. Trinity|ERD does not have, nor does it intend to acquire or will it acquire, a financial interest in any company manufacturing or distributing products it evaluates.
2. Trinity|ERD is not owned, operated or controlled by any company manufacturing or distributing products it evaluates.
3. Robert Nieminen, P.E. does not have nor will acquire, a financial interest in any company manufacturing or distributing products for which the evaluation reports are being issued.
4. Robert Nieminen, P.E. does not have, nor will acquire, a financial interest in any other entity involved in the approval process of the product.
5. This is a building code evaluation. Neither Trinity|ERD nor Robert Nieminen, P.E. are, in any way, the Designer of Record for any project on which this Evaluation Report, or previous versions thereof, is/was used for permitting or design guidance unless retained specifically for that purpose.

ROOFING SYSTEMS EVALUATION:

1.

SCOPE:

Product Category:

Roofing

Sub-Category:

Asphalt Shingles

Compliance Statement:

Owens Corning Asphalt Roof Shingles, as produced by Owens Corning, have demonstrated compliance with the following sections of the Florida Building Code and Florida Building Code, Residential Volume through testing in accordance with the following Standards. Compliance is subject to the Installation Requirements and Limitations / Conditions of Use set forth herein.

2.

STANDARDS:

Section	Property	Standard	Year
1507.2.5, R905.2.4	Physical Properties	ASTM D3462	2009
1507.2.7.1, R905.2.6.1	Wind Resistance	ASTM D3161	2009
1507.2.7.1, R905.2.6.1	Wind Resistance	ASTM D7158	2008

3.

REFERENCES:

Entity	Examination	Reference	Date
UL LLC (CER9626)	Physicals & Wind Resistance	File R2453, Vol. 3	02/15/2007
UL LLC (CER9626)	Physicals & Wind Resistance	20120516-R2453	05/16/2012
UL LLC (TST9628)	Physical Properties	06CA20263	04/18/2006
UL LLC (TST9628)	Wind Resistance	11CA34308	02/18/2012
UL LLC (TST9628)	Physicals & Wind Resistance	4786093137	02/01/2014
UL LLC (TST9628)	Wind Resistance	4786126532	02/10/2014
UL LLC (TST9628)	Physical Properties	Classification letter	02/13/2014
UL LLC (TST9628)	Physical Properties	Classification letter	10/02/2015
Miami-Dade (CER1592)	FBC HVHZ Compliance	Various NOAs	Various
UL LLC (QUA9625)	Quality Control	Service Confirmation, R2453	Exp. 08/20/2017

4.

PRODUCT DESCRIPTION:

4.1

Asphalt Shingles:

4.1.1

Classic<sup>®</sup> and Supreme<sup>®</sup> are fiberglass reinforced, 3-tab asphalt roof shingles.

4.1.2

Berkshire<sup>®</sup> are fiberglass reinforced, 4-tab asphalt roof shingles.

4.1.3

Devonshire<sup>™</sup> are fiberglass reinforced, 5-tab asphalt roof shingles.

4.1.4

Duration<sup>®</sup>, TruDefinition<sup>®</sup> Duration<sup>®</sup>, Duration<sup>®</sup> Premium Cool, TruDefinition<sup>®</sup> Duration<sup>®</sup> Designer Color Collection, TruDefinition<sup>®</sup> Oakridge<sup>®</sup>, Oakridge<sup>®</sup> and WeatherGuard<sup>®</sup> HP are fiberglass reinforced, laminated asphalt roof shingles.

4.2

Berkshire<sup>®</sup> Hip & Ridge Shingles, High Ridge, Hip & Ridge with Sealant, WeatherGuard<sup>®</sup> HP Hip & Ridge Shingles, ProEdge Hip & Ridge Shingles and DuraRidge<sup>™</sup> Hip & Ridge Shingles are fiberglass reinforced, hip and ridge asphalt roof shingles.

4.3

Starter Strip Shingle, Starter Strip Plus and Starter Shingle Roll are starter strips for asphalt roof shingles.

5.

LIMITATIONS:

5.1

This is a building code evaluation. Neither Trinity|ERD nor Robert Nieminen, P.E. are, in any way, the Designer of Record for any project on which this Evaluation Report, or previous versions thereof, is/was used for permitting or design guidance unless retained specifically for that purpose.

5.2

This Evaluation Report is not for use in the HVHZ.

5.3

Fire Classification is not part of this Evaluation Report; refer to current Approved Roofing Materials Directory for fire ratings of this product.

#### 5.4 Wind Classification:

- 5.4.1 All Owens Corning shingles noted herein are Classified in accordance with FBC Tables 1507.2.7.1 and R905.2.6.1 to ASTM D3161, Class F and/or ASTM D7158, Class H, indicating the shingles are acceptable for us in all wind zones up to  $V_{asd} = 150$  mph ( $V_{ult} = 194$  mph). Refer to Section 6 for installation requirements to meet this wind rating.
- 5.4.2 All Owens Corning hip & ridge shingles, Starter Strip Shingle and Starter Strip Plus noted herein are Classified in accordance with FBC Tables 1507.2.7.1 and R905.2.6.1 to ASTM D3161, Class F, indicating the shingles are acceptable for us in all wind zones up to  $V_{asd} = 150$  mph ( $V_{ult} = 194$  mph). Refer to Section 6 for installation requirements to meet this wind rating.
- 5.4.3 Classification by ASTM D7158 applies to exposure category B or C and a building height of 60 feet or less. Calculations by a qualified design professional are required for conditions outside these limitations. Contact the shingle manufacturer for data specific to each shingle.
- 5.4.4 Refer to Owens Corning published information on wind resistance and installation limitations.
- 5.5 All products in the roof assembly shall have quality assurance audit in accordance with the Florida Building Code and F.A.C. Rule 61G20-3.

### 6. INSTALLATION:

#### 6.1 Underlayment:

- 6.1.1 Underlayment shall be acceptable to Owens Corning and shall hold current Florida Statewide Product Approval, or be Locally Approved per Rule 61G20-3, per FBC Sections 1507.2.3, 1507.2.4 or R905.2.3.

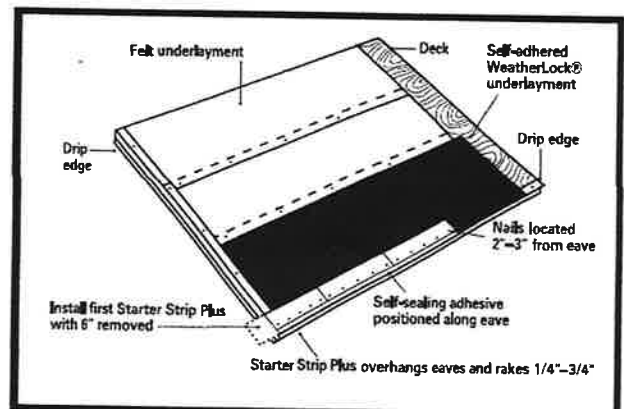
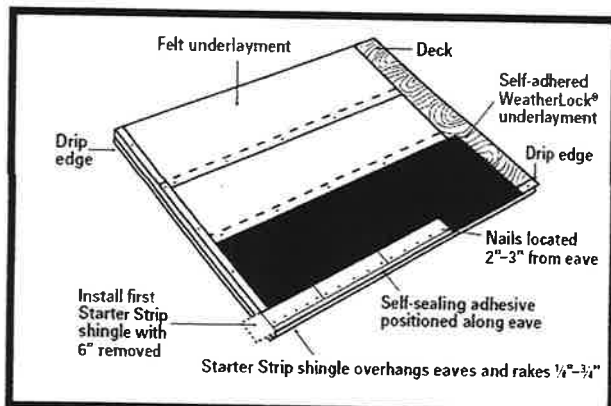
#### 6.2 Asphalt Shingles:

- 6.2.1 Installation of asphalt shingles shall comply with the manufacturer's current published instructions, using minimum four (4) nails per shingle in accordance with FBC Sections 1507.2 or R905.2, with the following exceptions:

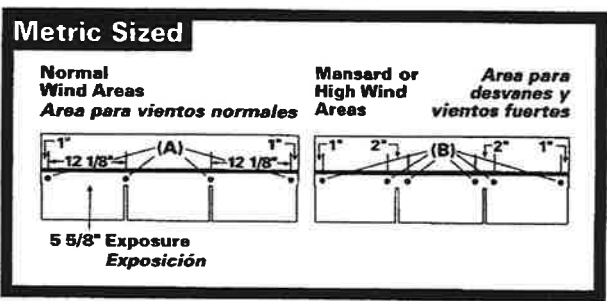
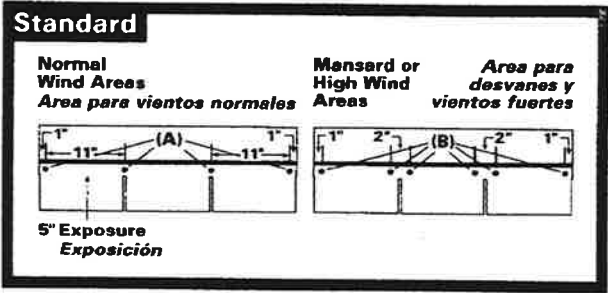
- Berkshire® shingles require minimum five (5) nails per shingle.
- WeatherGuard® HP shingles require minimum six (6) nails per shingle.
- Devonshire™ shingles require minimum six (6) nails per shingle.
- Starter Strip Shingle and Starter Strip Plus require minimum five (5) nails per strip.

Refer to Owens Corning published information on wind resistance and installation limitations.

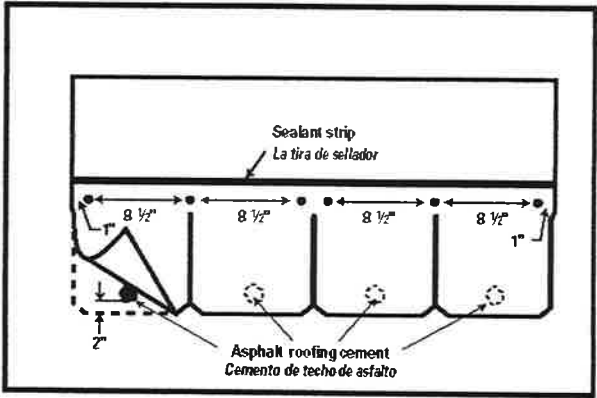
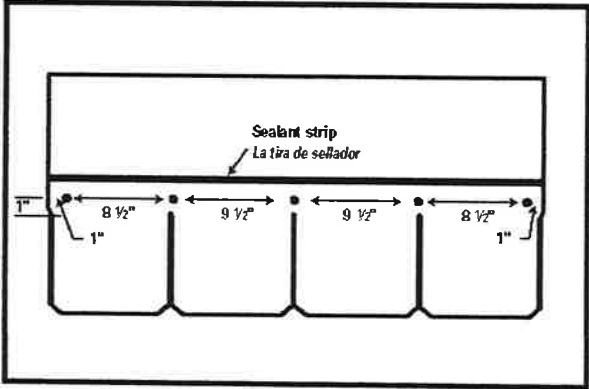
- 6.2.2 Fasteners shall be in accordance with the manufacturer's published requirements, but not less than FBC 1507.2.6 or R905.2.5. Staples are not permitted.
- 6.2.4 Where the roof slope exceeds 21 units vertical in 12 units horizontal, special methods of fastening are required. Contact the shingle manufacturer for details.
- 6.2.5 Minimum Nailing – Starter Strip Shingle and Starter Strip Plus:



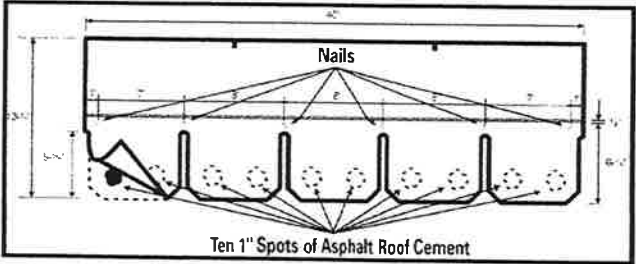
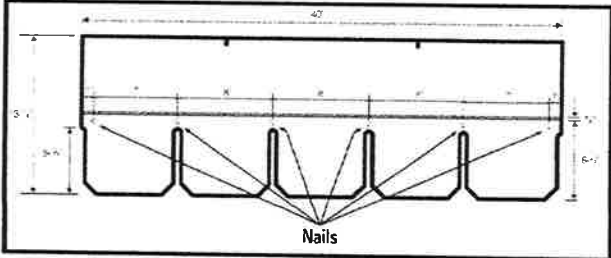
6.2.6 Minimum Nailing – Classic® & Supreme:



6.2.7 Minimum Nailing – Berkshire®:

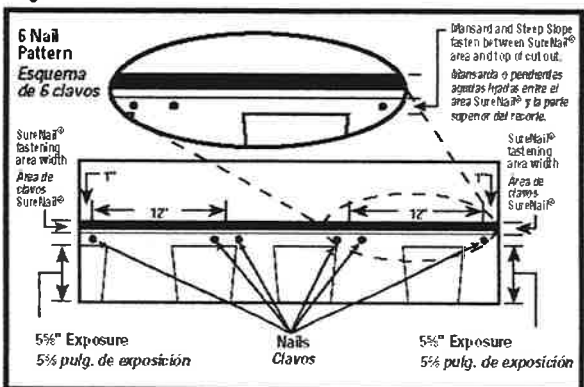
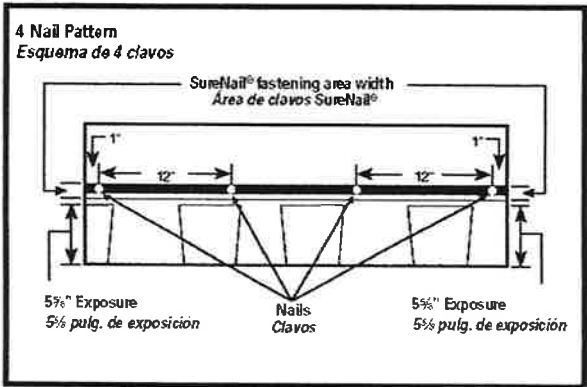


6.2.8 Minimum Nailing – Devonshire™:

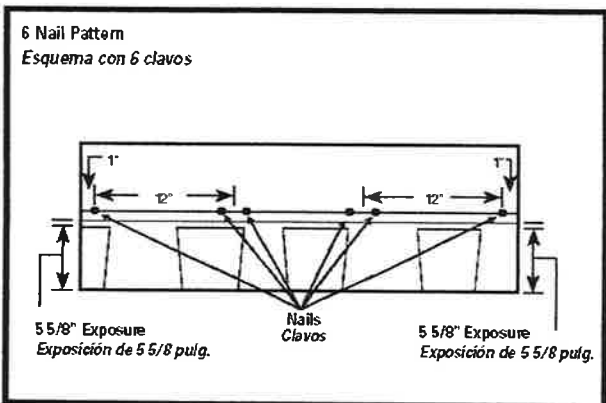
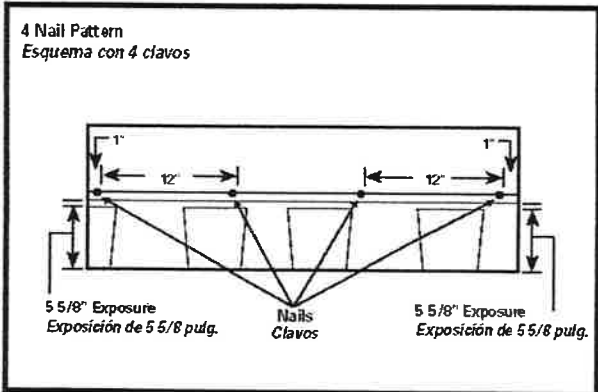




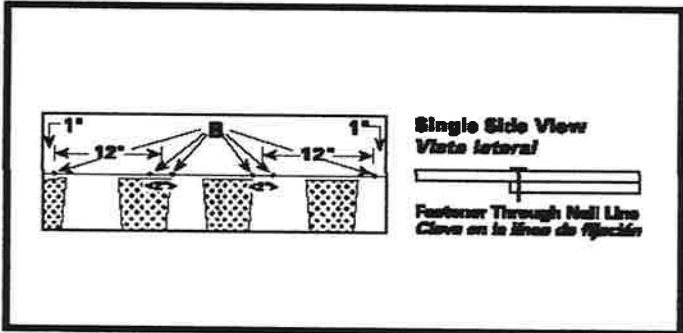
6.2.9 Minimum Nailing – Duration®, TruDefinition® Duration, Duration® Premium Cool & TruDefinition® Duration® Designer Color Collection:



6.2.10 Minimum Nailing – TruDefinition® Oakridge®, Oakridge®:



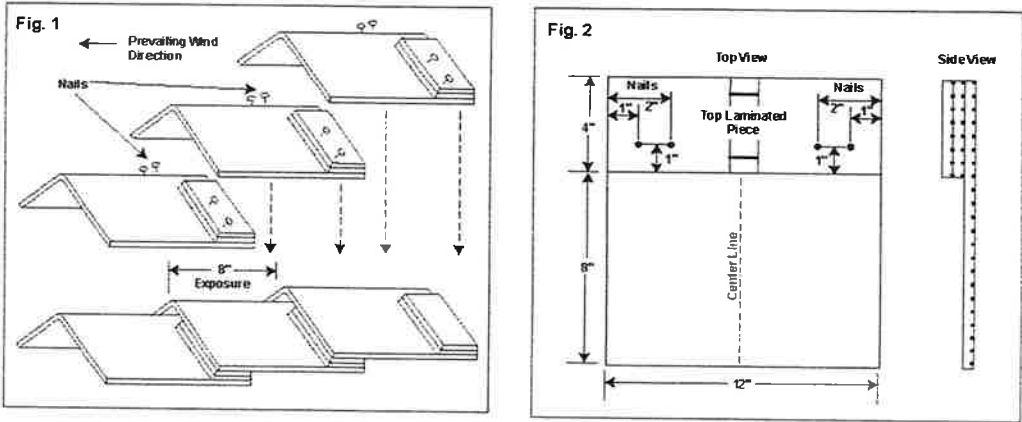
6.2.11 Minimum Nailing – WeatherGuard® HP:



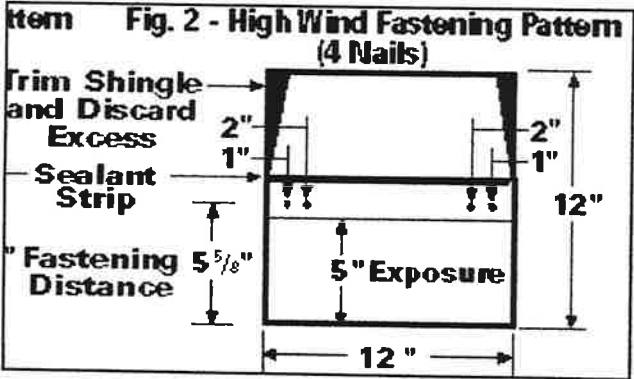
6.3 Hip & Ridge Shingles:

6.3.1 Installation of Berkshire® Hip and Ridge Shingles, High Ridge, Hip & Ridge with Sealant, WeatherGuard® HP Hip and Ridge Shingles and ProEdge Hip & Ridge Shingles shall comply with the manufacturer's current published instructions, using four (4) nails per shingle. Installation of DuraRidge™ Hip & Ridge Shingles shall comply with the manufacturer's current published instructions, using two (2) nails per shingle. Refer to Owens Corning published information on wind resistance and installation limitations, including the use of hand-sealing for wind warranties.

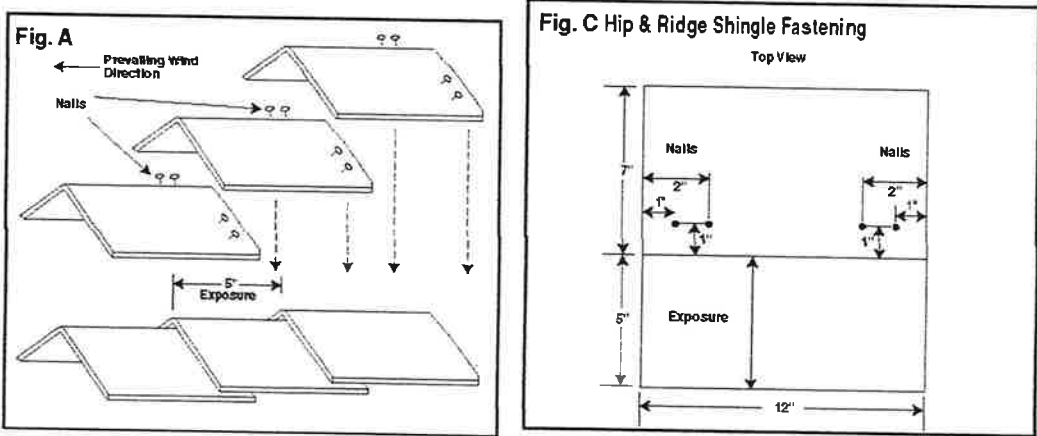
- 6.3.2 Fasteners shall be in accordance with the manufacturer’s published requirements, but not less than FBC 1507.2.6 or R905.2.5. Staples are not permitted.
- 6.3.3 Minimum Nailing – Berkshire® Hip & Ridge and High Ridge:



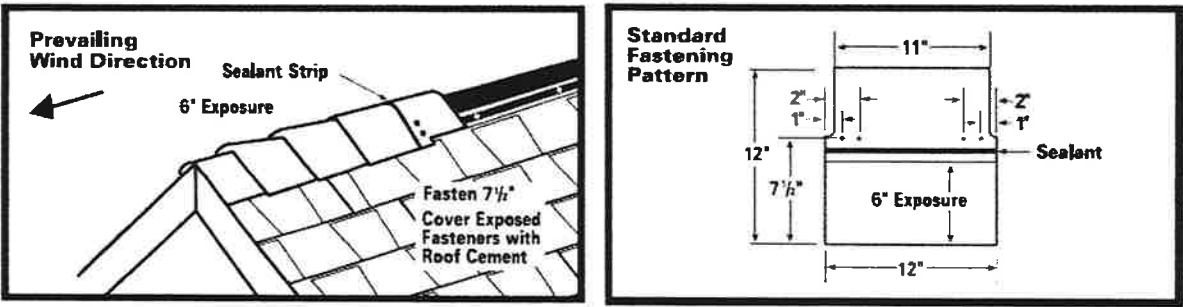
- 6.3.4 Minimum Nailing – Hip & Ridge with Sealant:



- 6.3.5 Minimum Nailing – WeatherGuard® HP Hip and Ridge:

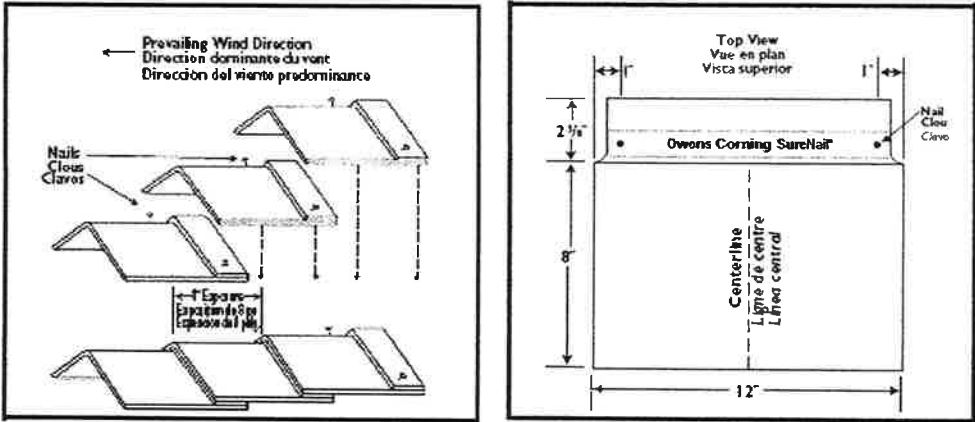


6.3.6 Minimum Nailing - ProEdge Hip & Ridge Shingles:



6.3.7 Minimum Nailing – DuraRidge™ Hip & Ridge Shingles:

Note: The drawings below pertain to minimum, as-tested attachment requirements. Refer to Owens Corning published installation instructions for their minimum requirements.



7. LABELING:

- 7.1 Labeling shall be in accordance with the requirements the Accredited Quality Assurance Agency noted herein.
- 7.2 Asphalt shingle wrappers shall indicate compliance with one of the required classifications detailed in FBC Table 1507.2.7.1 / R905.2.6.1.

8. BUILDING PERMIT REQUIREMENTS:

As required by the Building Official or Authority Having Jurisdiction in order to properly evaluate the installation of this product.

9. MANUFACTURING PLANTS:

Contact the named QA entity for information on which plants produce products covered by Florida Rule 9N-3 QA requirements.

10. QUALITY ASSURANCE ENTITY:

UL LLC– QUA9625 ; (414) 248-6409; [karen.buchmann@ul.com](mailto:karen.buchmann@ul.com)

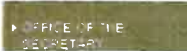
- END OF EVALUATION REPORT -



**Product Approval**

USER: Public User

[Product Approval Menu](#) > [Product or Application Search](#) > [Application List](#) > **Application Detail**



FL #	FL2346-R5						
Application Type	Affirmation						
Code Version	2014						
Application Status	Approved						
Comments							
Archived	<input type="checkbox"/>						
Product Manufacturer	Warrior Roofing Manufacturing						
Address/Phone/Email	3050 Warrior Road Tuscaloosa, AL 35404 (205) 553-1734 Ext 115 Steven@WarriorRoofing.net						
Authorized Signature	Steven Crew Steven@WarriorRoofing.net						
Technical Representative							
Address/Phone/Email	Steven Crew 3050 Warrior Road Tuscaloosa, AL 35404 (205) 553-1734 Ext 1024 Steven@WarriorRoofing.net						
Quality Assurance Representative							
Address/Phone/Email	Steven Crew 3050 Warrior Road Tuscaloosa, AL 35404 (205) 553-1734 Ext 1024 Steven@WarriorRoofing.net						
Category	Roofing						
Subcategory	Underlayments						
Compliance Method	Test Report						
Testing Lab	PRI Construction Materials Technologies, LLC						
Quality Assurance Entity	Keystone Certifications, Inc.						
Quality Assurance Contract Expiration Date	10/05/2019						
Validated By	Jesus Gonzalez, P.E. <input type="checkbox"/> Validation Checklist - Hardcopy Received						
Certificate of Independence	<a href="#">FL2346_R5_COI_PRI_CMT_Cert of Independence.pdf</a>						
Referenced Standard and Year (of Standard)	<table><tr><th>Standard</th><th>Year</th></tr><tr><td>ASTM D226</td><td>2006</td></tr><tr><td>ASTM D4869</td><td>2005</td></tr></table>	Standard	Year	ASTM D226	2006	ASTM D4869	2005
Standard	Year						
ASTM D226	2006						
ASTM D4869	2005						
Equivalence of Product Standards							
Certified By							

☒ I affirm that there are no changes in the new Florida Building Code which affect my product(s) and my product(s) are in compliance with the new Florida Building Code.

Documentation from approved Evaluation or Validation Entity ☐ Yes ☐ No ☐ N/A

Product Approval Method Method 1 Option B

Date Submitted 02/13/2015  
Date Validated 02/13/2015  
Date Pending FBC Approval  
Date Approved 02/19/2015

Summary of Products

FL #	Model, Number or Name	Description
2346.1	#15 and #30 roofing felt	ASTM D 226 Tested
<b>Limits of Use</b> <b>Approved for use in HVHZ:</b> Yes <b>Approved for use outside HVHZ:</b> Yes <b>Impact Resistant:</b> N/A <b>Design Pressure:</b> N/A <b>Other:</b> Primary roof covering should be installed immediately after felt. Roofing felt is not intended to be an unprotected weathering surface.		<b>Installation Instructions</b> <a href="#">FL2346 R5 II InstallationInstructions.pdf</a> Verified By: PRI Construction Materials Technologies, LLC <b>Test Reports</b> <a href="#">FL2346 R5 TR 15A Test Report.pdf</a> <a href="#">FL2346 R5 TR 30A Test Report.pdf</a>
2346.2	15w and 30w roofing felt	ASTM D 4869 Tested
<b>Limits of Use</b> <b>Approved for use in HVHZ:</b> No <b>Approved for use outside HVHZ:</b> Yes <b>Impact Resistant:</b> N/A <b>Design Pressure:</b> N/A <b>Other:</b> Primary roof covering should be installed immediately after felt. Roofing felt is not intended to be an unprotected weathering surface.		<b>Installation Instructions</b> <a href="#">FL2346 R5 II InstallationInstructions.pdf</a> Verified By: PRI Construction Materials Technologies, LLC <b>Test Reports</b> <a href="#">FL2346 R5 TR 15w Test Report.pdf</a> <a href="#">FL2346 R5 TR 30w Test Report.pdf</a>

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Product Approval Accepts:





## WARRIOR® ROOFING MANUFACTURING

P. O. BOX 40185 • TUSCALOOSA, AL 35404 • PHONE (205) 553-1734 • FAX (205) 553-1755

193 LEROY ANDERSON ROAD • MONROE, GA 30655 • PHONE (770) 207-0695 • FAX (770) 207-0775

323 DEVELOPMENT AVENUE • CHAMBERSBURG, PA 17201 • PHONE (717) 709-0323 • FAX (717) 709-0027

### Roofing Felt Installation Recommendations

Be aware that roofing felt should not be walked upon prior to fastening into position. Proper safety equipment is recommended for all installations. Also, the roof decking should be clear of debris and moisture prior to installation of the roofing felt.

Roofing felt should be installed from the bottom of the roof in horizontal layers to increase the water shedding ability of the felt. The initial layer of felt should be installed to cover the bottom edge of the decking, from edge to edge. Overhang is not required.

Anchor the top corner of the felt after it has been properly positioned and roll the felt out across the roof. Pay careful attention to roll the felt out smoothly, avoiding wrinkles as you move across the roof. The top edge of the felt should be fastened no less than every eight inches. The middle and bottom edge should also be fastened no less than every eight inches. Fasteners should be applied no less than every eight inches along the eaves.

The next course of felt should also be aligned with the roof edge and should overlap the previous course two inches (sometimes referred to as head lap). In the event you get to the end of a roll prior to getting to the opposite edge of the roof, begin a new roll with a four inch overlap over the end of the prior roll (sometimes referred to as end lap). The same fastening pattern used on the middle and bottom of the initial course should be used for each subsequent course. For the top of each subsequent course, fasten intermittently to hold the top edge in place until the next course is applied. The fasteners in the bottom of the next course will hold the top of the previous course securely.

Continue up the roof in this manner. Be sure to firmly fasten the top of the final course if it terminates at the top edge of the roof. Otherwise, overlap the felt over the ridge and secure then begin at the bottom of the other side of the ridge and repeat the process.

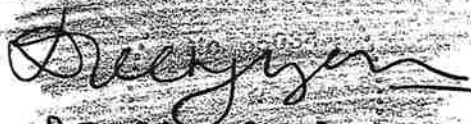
In valleys, lay a vertical section of roofing felt the length of the valley prior to the installation of the horizontal runs of roofing felt. If you use more than one section of roofing felt in a valley, be certain to start at the bottom and overlap each subsequent length a minimum of two inches as you move up the valley to insure proper water shedding.

*Dillon*  
P.E. No. 65434  
9/17/2008

In the event some wrinkles are created while fastening down a course of felt, slice the wrinkles and fasten them flat to the deck. Then seal the cuts with waterproofing cement.

Installation of the primary roof covering (ex. Shingles) is recommended immediately after felt installation.

NOTE: LOCAL BUILDING CODES MAY REQUIRE A DIFFERENT FASTENING PATTERN AND/OR SPECIFIC FASTENER TYPES THAN RECOMMENDED BY THESE INSTRUCTIONS. PLEASE CONTACT YOUR LOCAL BUILDING CODE ADMINISTRATOR FOR THE EXISTENCE OF REGIONALLY SPECIFIC FASTENING REQUIREMENTS.



P.E. No. 65034

9/12/2008







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a.

















## city council minutes

**MINUTES**  
**CC Regular Session – 6:30 pm**  
**October 6, 2020**  
**Virtual Conference**

The Belle Isle City Council met in a City Council Regular session on October 6, 2020, at 6:30 p.m. on a virtual webinar (zoom.us/j/81582344601).

**Present was:**

Mayor Nicholas Fouraker  
Commissioner Ed Gold  
Commissioner Anthony Carugno  
Commissioner Harv Readey  
Commissioner Jim Partin  
Commissioner Sue Nielsen

**Absent was:**

Commissioner Mike Sims  
Commissioner Karl Shuck

Also present were City Manager Bob Francis, Attorney Ardaman, Chief Houston, and City Clerk Yolanda Quiceno.

### **CALL TO ORDER**

Mayor Fouraker opened the meeting at 6:30 pm, and City Clerk confirmed quorum.  
Comm Partin gave the invocation and led the Pledge to the Flag.

Mayor Fouraker announced the absence of Comm Sims and Comm Shuck and called for a motion for an excused absence.

Comm Carugno motioned to excuse Comm Sims and Comm Shuck from today's meeting.

Comm Gold seconded the motion, which passed unanimously 5:0

### **CITIZEN COMMENTS**

Mayor Fouraker opened for citizen comments.

City Clerk reported that she did not receive any comments for this meeting.

There being no comments, Mayor Fouraker closed citizen comments.

### **UNFINISHED BUSINESS**

#### **Approval of 2012 Bond Refinancing with Cornerstone Charter Academy (CCA)**

City Manager Francis reported that the City has continued to negotiate with CCA on refinancing the 2012 Bond. The City's Financial Advisors, staff, and CCA's Financial Team met on a conference call on September 23, 2020, to review the options. After discussions, both parties recommended moving forward with the refinancing of the bond. The next step is to draft a new lease between the City and CCA. Mr. Francis provided the financial information by Ziegler Banking. Mr. Francis recommended moving forward and said the refinancing would remove the \$9m debt from the City's books.

Comm Carugno asked if the Budget Committee reviewed this. Mr. Francis said the Budget Committee has recommended not moving forward because of the current relationship with the CCA School Board. However, the City's Financial Advisors highly recommended that the City move forward.

Comm Nielsen said the City will continue to be the landlord and own the Charter. The only change will be that CCA will solely be responsible for the debt and remove the City from the financing. Mr. Francis said the relationship remains the same other than the maintenance responsibility, which will be managed by the school.

Mr. Miller, resident, and Chairman of the Budget Committee said the budget committee's concerns were related to the lease conditions. Some of the issues discussed related to (a) the maintenance of the property, (b) what happens if the school was to close and become an asset on the City's books with no revenue source, and (c) more information on CCA's ongoing operations needed. Once these items are discussed and approved, should the City move forward. Comm Readey asked if there was a reason why the City cannot wait to refinance until these questions have been cleared,

Comm Gold said he did not see an analysis that shows why the City cannot restructure the bond and take over the payments; our relationship with CCA is ill-defined. He would like to understand the relationship better before involving the citizens in anything further.

Mayor Fouraker shared his concern with extending the lease and asked if CCA can refinance the bond and raise the \$12m without extending the lease's term dates. He does not believe there is any compelling reason to extend the date.

Mr. Francis clarified that the City taxpayers will not and do not have any responsibility for payment of the debt; this was the case from the very beginning. The relationship we have with the school will continue to be Tenant/Landlord. Mr. Francis said the relationship and the refinancing are two separate issues. Discussion ensued.

David Moore, City's Financial Advisor, said no, the school could not raise funds without the refinancing because it would be restructured using the same vehicle. The refinancing will be with a third party as proposed, or the entire total will be through the City. Mr. Moore clarified that the agenda item is not approving a Resolution that is a legal document to allow the refinance. It is mainly allowing the City Manager to negotiate a draft lease with the City Attorney and CCA for approval by City Council. Mr. Moore said the proposed extending of the lease would be a better cash flow option for CCA; however, acceptance of extending the lease is a policy decision, and Council can instruct the City Manager to negotiate a shorter term. Discussion ensued.

Comm Partin spoke on the process and said the City deserves to receive revenue for that property, and having the \$9m off the city books is considered a right action by the City. He further added that the City would need to negotiate the rents moving forward.

Comm Nielsen clarified that approval is not negotiating any agreement. It authorizes the City Manager to continue the negotiations of the lease for Council approval. She does not feel the City should continue carrying the \$9m debt in the City books.

**Comm Nielsen moved to authorize the City Manager to continue negotiations for the bond refinancing and lease amendment with CCA to bring back to City Council for approval. Comm Readey seconded the motion.**

**Comm Gold said he would like to have the Budget Committee's recommendations before it comes to Council.**

**After further discussion, Comm Nielsen amended the motion to include recommendations from the Budget Committee before it comes to Council. The motion passed 4:1 with Comm Carugno, nay.**

## CONSENT ITEMS

- a. Approval of the September 23, 2020, City Council minutes

**Comm Nielsen made a change to include the percentage of the rollback rate as required. The City Clerk stated that the amended minutes were posted, and the edits can be found on the 2<sup>nd</sup> page of the agenda, Call to Order: 3<sup>rd</sup> paragraph, 2<sup>nd</sup> bullet.**

**Comm Nielsen moved to approve the minutes of September 23, 2020, as amended.**

**Comm Gold seconded the motion, which passed unanimously 5:0.**

## NEW BUSINESS

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

Mr. Francis shared the concerns with non-permitted work. He said most permit fees are minimal, and some will take the chance and build without a permit, and if they get caught, they would only have to pay a double permit fee. He requested the following change for consideration, a fine amount of \$5,000 or ten (10%) of the non-permitted structure's valuation, whichever is greater.



Comm Carugno shared his concern and said the \$5,000 is a little “stiff” and asked if the Planning & Zoning Board can oversee the process instead of being appealed to City Council. Mr. Francis said this does not have to do with the Planning & Zoning Board; it has to do with the permitting process through Universal Engineering or Zoning Department. The City currently has a Code Enforcement Special Magistrate, and the process may be cumbersome to move the penalty through. Discussion ensued.

After discussing the permitting process, the City Manager proposed Council make any recommendations they would like to see added to the ordinance in the motion for approval.

**Comm Carugno moved to increase the after-the-fact permit to \$1,000 or 10%, whichever is greater, and direct the appropriate ordinance to be drafted for the first reading with a start date beginning year or after approval of the second reading.**

**Comm Gold recommended that the City send out extensive communication of the new rule. City Manager Francis asked for clarification of the motion.**

**After discussion, Comm Carugno moved to accept staff recommendation to increase the after-the-fact permit penalty and direct the appropriate ordinance to be drafted for the first reading with a start date beginning of the calendar year or after approval the second reading.**

**Comm Nielsen seconded the motion, which passed unanimously 5:0.**

#### Reconsideration of Boat Length at City Ramps

City Manager said this is presented to Council attention again because the Police Department has begun enforcing the rule. He has received complaints from residents that they could not launch their boats because they were over 21ft. At certain times, when there was no enforcement, some of the residents said they did not have a problem launching their boats.

He said the measure came into effect in 2003 when the City wanted to have Perkins Boat Ramp permits. The adjoining property owner sued the City in court and won. While obtaining the Perkins Boat Ramp permit, a condition of the permit issued that a set of rules be developed and approved by the City and the adjoining homeowner. As part of Resolution 03-07, it was agreed that we would not allow boats over 20ft, and trailers over 23ft to launch to avoid damaging the ramp.

Comm Readey said it would not be wise to go against the original Resolution just because we were lax in enforcing the rule. Mayor Fouraker shared his concern and said there is a practical issue and asked if is this hurting anyone or is the 20ft too arbitrary.

Comm Partin said it would be beneficial to go back to Mr. Liberty, the homeowner and see if he is willing to change the agreement. Mr. Francis said the agreement does state if there are any changes, the City should go back to the adjacent property owner. Mr. Francis asked if the Council would like to table the discussion until he speaks with the adjoining homeowner.

Comm Carugno said he would like to motion to allow a maximum boat length of 26 feet. Comm Nielsen said it would be prudent to check with an Engineer to confirm if a boat larger than 21ft can safely launch the current ramp design. Discussion ensued on a couple of scenarios.

**Comm Readey moved to table the discussion to the next scheduled Council meeting to allow the City Manager to (1) speak to the adjoining homeowner, Mr. Liberty, (2) define how a boat is measured, and (3) confirm from an engineering perspective that the Perkins Boat Ramp is equipped to have larger vessels launch from it. Comm Nielsen seconded the motion, which passed unanimously 5:0.**

#### **ATTORNEY REPORT**

Attorney Ardaman reported on a conversation with the Sheriff's Office and their General Counsel regarding the Lake Conway Issues. He said they discussed the current enforcement concerns on the Lake and a potential Interlocal Agreement concerning coordination of enforcement and applicable laws. He noted that additional regulations on the Lake were discussed with the County and FWC. FWC is asserting its jurisdiction on the City's position. The staff will continue to pursue other options for the enforcement on the Lake and the sand bar with the Sheriff's Office in the interim. Finally, the staff is researching a no-vessel exclusion zone and swimming area similar to the Butler Chain of Lakes. Attorney Ardaman gave a brief overview of the discussions with Orange County BOCC.

#### **CITY MANAGER REPORT**

City Manager Francis gave an overview as follows,

##### **Issues Log**

- Paving – Reviewing estimates for 20/21 paving projects. Comm Nielsen asked if all the streets in the City have been rated. Mr. Francis said no, however the city-wide rating would be started soon.
- Storm Drainage – City staff has located at Wind Willow for excavating swales. Quotes received for St Marie and Jade. Stafford and St Partin at 50% completion. City ordered a survey of Sol Avenue to get the appropriate slope for reconstruction work.
- Traffic Study – The City received and is reviewing new plans and project documents. Once updated plans are accepted, the staff will post new plans for resident comments. The staff received a resident request for a few benches on Hoffner Avenue from Regal Park to the shopping center. After further reviewing, the City decided to place benches and garbage cans or pet stations on Louvre, the crosswalk on Monet, and Dorian.
- Wallace Field – P&Z tabled the site plan; however, they did approve the special exception. An appeal was received from the neighbors in the area for Council review. At the next P&Z meeting, they will continue with consideration of the site plan.
- Acquisition of Property – Due diligence period with BOA should be completed by October 12<sup>th</sup> unless some new issue arises. Preliminary discussions on potential annexation areas.
- Annexation – Staff will be sending a letter to residents on Randolph, Wilkes, and Waltham re Annexation. Some residents have been asking to annex into the City, and he recommended they speak with Comm Uribe.
- Lancaster House – Comm Uribe continues to work with the private property owner.
- Ethics Training – Available by FLC. Staff offering Council the opportunity to meet in the Chambers to attend the seminar. COVID guidelines will be followed, and lunch will be provided.
- Multi-Family Unit – The City received letters from residents on Nela regarding the upcoming project. He recommended that they contact their OC representative Mayra Uribe.
- Virtual Meetings – Governor has announced Nov 1<sup>st</sup> to allow in-person meetings, and a quorum must be present to move forward. If Council members feel that they have a health risk, please let the City Clerk know to make arrangements. On Nov 3 is our first in-person meeting. Election Day falls on Nov 3<sup>rd</sup>, and staff will ask to have the City Council meeting moved to a later date or canceled.
- Comm Nielsen asked for the formula on how to compute the rollback rate.

##### **Special Events Committee Fall Event**

Board Chairman Bobrowski presented the Hay Y'all its Fall event. Ms. Bobrowski provided a flyer with the details. The event will be held at the green space at City Hall with an entry fee of \$25 and \$40 business/corporate. The cost to the City is minimal. The entry fees should cover most of the expenses. Council agreed to have the Girl/Boy Scouts or Civic organizations free participation.

**Comm Partin moved to approve the proposal for the Fall event.**

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

**Comm Carugno moved to extend the meeting to 9:15 pm.**

**Comm Nielsen seconded the motion, which passed unanimously 7:0.**

### Chief's Report

Chief Houston reported on the missing person. She said the agency has received over 50 Crime Line Tips. Chief Houston asked for the public's continued support in finding the missing person.

### **MAYOR'S REPORT**

- Mayor Fouraker thanked all the volunteers for their support to the Belle Isle family.
- Mayor Fouraker gave a brief report on his new home's start/completion and thanked Council for their support.

### **COUNCIL REPORT**

#### Comm Carugno

- ANAC meeting is scheduled for Friday, October 16<sup>th</sup>.
- Requested discussion on moving December meeting dates for the holidays.
- Wallace Field – Mr. Francis said core drainage sampling is currently being conducted on the field.
- Golf Carts – Mr. Francis said staff is sending a letter to all HOAs in the City for their input. He is expecting another 2-week before the start date.
- Boat Parade dates for Dec 18<sup>th</sup> on the South Lake, and Dec 19 and Dec 20<sup>th</sup>.

#### Comm Nielsen

- Annual donation for Pioneer Days. She will provide more information at the next meeting.
- Comm Nielsen spoke on a future hiring of an Asst for the City Manager to help move some of the projects.

### **ADJOURNMENT**

There being no further business, Mayor Fouraker called for a motion to adjourn. The motion passed unanimously at 9:05 p.m.

Yolanda Quiceno, CMC, City Clerk



**MINUTES**  
**CC Regular Session – 6:30 pm**  
**October 20, 2020**  
**Virtual Conference**

The Belle Isle City Council met in a City Council Regular session on October 20, 2020, at 6:30 p.m. on a virtual webinar (zoom.us/j/81582344601).

Present was:

Mayor Nicholas Fouraker  
 Commissioner Ed Gold  
 Commissioner Anthony Carugno  
 Commissioner Karl Shuck  
 Commissioner Mike Sims  
 Commissioner Harvey Readey  
 Commissioner Jim Partin  
 Commissioner Sue Nielsen

Absent was:

Also present were City Manager Bob Francis, Attorney Ardaman, Chief Houston, and City Clerk Yolanda Quiceno.

**CALL TO ORDER**

Mayor Fouraker opened the meeting at 6:30 pm, gave the invocation, and led the Pledge to the Flag. The City Clerk confirmed quorum.

**CITIZEN COMMENTS**

Mayor Fouraker opened for citizen comments.

The City Clerk reported that she received an email from Rick Miller residing at 2001 Nela Avenue, Belle Isle, FL, dated October 20, 2020, regarding the Retirement Contribution Increase. Mayor Fouraker read the public comment for the record as requested,

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

**CONSENT ITEMS**

- a. **RESOLUTION 20-16:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE DEFINED CONTRIBUTION RETIREMENT PLAN FOR THE EMPLOYEES OF BELLE ISLE; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.
- b. September Monthly Reports: Finance Report, Police Department, Marine Patrol, Code Enforcement, and OC Fire.

**Mayor Fouraker Read Resolution 20-16 for the record.**

Mayor Fouraker read the public comment for the record as requested,

“Commissioners and Mayor- Tonight I write to you as a citizen of Belle Isle to express my concern over an item on the consent agenda. The use of the consent agenda should be limited to administrative items that do not need public debate or comment. Tonight we have an item on the agenda that has not previously appeared before the Budget Advisory Committee, nor was it included in the budget. This is the increase in retirement contributions for city staff. The current agenda item is for an increase of 1% for civilian staff, and 1/2 (.5)% for law enforcement. This would bring the totals to 14% for civilian staff and 17.5% for law enforcement. These retirement contributions are on top of the rather generous increases that the city just awarded these employee groups. Civilian staff received a 5% bump and law enforcement received between 7.62% and 46.93% increase, depending on where the officer sat on the pay schedule during the budget process. Additionally, the police pay plan includes a 4% salary increase in years 2 and 3. These are all very 'rich' plan changes for the public sector when the cost of living has only increased by 1.3-1.5% according to the federal government bureau of labor statistics from last year to this year. I urge the city commission to refer this item as well as any other item that

has budget implications to the Budget Advisory Committee for its review and recommendations before the commission takes action. Thank you!”

Comm Nielsen asked the City Manager if the Resolution can be read later to allow the Budget Committee review. Mr. Francis said this was passed by the City Council as part of the Police Pay Plan and included in the budget.

**Comm Nielsen moved to approve the consent agenda as presented.**

**Comm Sims seconded the motion.**

**Comm Gold shared his concern and said he would like to vote on the Resolution separately.**

**After discussion, the motion passed 6:1 with Comm Gold, nay.**

## UNFINISHED BUSINESS

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

Mr. Francis said one of the issues that continually surfaces is residents building without permits. At the October 6<sup>th</sup> Council meeting, the Council acknowledged that the section needs to be revised. The City Manager presented the following edits for consideration,

1. *After the Fact Fee is defined as “an improvement made to a property prior to March 1, 2010. The improvement has been existing, used, occupied, or otherwise known to the current owner as legal. It is not shown, located or identified upon any property record within the permitting department of the city.”*
2. *Working without a Permit – Fees will be assessed on non-permitted work as of March 2010. Edit was defined as follows, “commencement of an improvement made or completed to a property after March 1, 2010, and prior to the issuance of a permit; the improvements of which may include building, electrical, gas, mechanical, plumbing, or roofing work.”*
  - a. *Penalties to include, “In all cases where work for which a permit is required is started, proceeded with, or completed before the permit is obtained, except where specific permission is granted to proceed by the City Manager or the City Manager’s designee, the permit fee due to the city shall be as follows:*
    - i. *If the valuation of the non-permitted structure is \$5,000 or less, the fee shall be \$1,000 plus all costs incurred by the City in assessing the value of the non-permitted structure.*
    - ii. *If the valuation of the non-permitted structure is more than \$5,000, the fee shall be \$1,000 plus ten (10) percent of the valuation of the non-permitted structure and all costs incurred by the City in assessing the value of the non-permitted structure.*
    - iii. *Payment of the after-the-fact permit fee shall not be a defense in a prosecution for doing the work for which a permit was required without having first obtained the necessary permit.*

Comm Nielsen said the penalty must be substantial enough to discourage homeowners from working without a permit. She suggested that a grace period be allowed for correction for those residents who have less expensive repairs before the Ordinance goes into effect.

Comm Gold said he agrees with a penalty; however, he does not want the punishment to be so severe that it would place the city under un-necessary litigation. He would like to see a draft comparison to other cities, i.e., the City of Orlando, Windermere, and Winter Park.

Comm Carugno shared his concern with the proposed fine and said he would like to see a 5-10% penalty and an incremental percentage for additional violations. Council further discussed other measures and ratios on the value of a structure.

**After further discussion, Comm Nielsen moved to direct the City Manager to prepare the Ordinance for review and adoption. Mayor Fouraker said before a motion can be made, he would like to continue with the Council discussion. Discussion ensued to table for further consideration.**

After further discussion, Comm Nielsen withdrew her initial motion and moved to direct the City Manager to present the first draft for consideration.

Comm Sims seconded the motion.

The motion failed 4:3 with Comm Partin, Comm Carugno, Comm Readey, and Comm Gold, nay.

Comm Sims asked to table the discussion.

Comm Gold moved to have the City Manager present draft comparisons from neighboring Cities (Windermere, Winter Park, and Orlando) for consideration, including the incorporation of the discussion topics.

Comm Readey seconded the motion.

Comm Sims shared his concern with the unnecessary work imposed on the staff.

Mayor Fouraker shared his frustrations with the discussion and prolonging of a response on a decision. Discussion ensued.

The motion failed 5:2 with Comm Carugno, Comm Shuck, Comm Nielsen, Comm Partin, Comm Sims, nay.

Comm Sims moved to have the City Manager draft an Ordinance for First Reading and consideration incorporating the discussion topics. Comm Nielsen seconded the motion.

Comm Gold stated the opposing side could not make the motion.

Comm Partin moved to table the discussion.

Comm Nielsen seconded the motion, which passed unanimously 7:0.

## **NEW BUSINESS**

Consider changing Nov 3<sup>rd</sup> CC Meeting to Nov 4<sup>th</sup> due to Election

Comm Gold moved to reschedule the November 3<sup>rd</sup> meeting to November 4<sup>th</sup> due to the Election.

Comm Readey seconded the motion, which passed unanimously 7:0.

## **ATTORNEY REPORT**

Attorney Ardaman said discussions continue on the proposed Interlocal Agreement involving the Sheriff's Office Marine Patrol and FWC. He will keep the Council updated on ongoing-discussions.

## **CITY MANAGER REPORT**

City Manager Francis gave an overview of the following,

- As of November 1<sup>st</sup>, the City Council will have to return to in-person meetings per the Governors' Order. The City Council session scheduled for November 4th will be held in-person at the City Hall Chambers.
- Mr. Francis reported that he approached a company (lobbyists) on the current Lake issues for review. He will send the findings to the City Attorney and Council for discussion.
- November 4<sup>th</sup> is the deadline for the City newsletter articles
- Ethics training was completed last week for 2020-21. Training is available on the FLC website.
- On the November 4<sup>th</sup> agenda, City Council will hear the appeal of Jeff Giles dock
- On the November 20<sup>th</sup> agenda, City Council will hear the appeal to the Wallace Field's special exception. Attorney Ardaman spoke on exparte communication for the upcoming hearings.

## **Issues Log:**

- Paving – Reviewing the new year paving projects. The City will continue to piggyback with paving contracts with Middlesex Paving.
- Storm Drainage – Moving forward with Wind Willow and St Moritz. 50% complete – Stafford, Pam, and St Partin. Scheduled utility locates for Sol Avenue project. He said that the NAV Board had received its lake study. They have listed nine projects- one of which is Delia beach. He will communicate with the Board to see if they would split the funding and reimburse the City for the completed work.
- Traffic Study – The City received changes to the maps. He will post at City Hall after the final review. RFP was completed for the crosswalk/beacon project.
- Wallace Field – Site Plan tabled to the P&Z Meeting in November. Appeal to City Council on Nov 17<sup>th</sup>.

- Acquisition of Property – BOA purchased closing scheduled for November 11<sup>th</sup>. Mr. Francis said he postponed staff discussions with CCA on the expansion project until returning to the office.
- CCA Lease – Mr. Francis said he is working on a draft lease for consideration to ensure that all the points discussed would be included. Mayor Fouraker shared his concern and opposition with the City taking the lead on drafting a lease.
- Annexation – Working on scheduling a meeting before Thanksgiving with Waltham residents to discuss annexation into the City. Also, he will meet with a Publix representative for possible annexation.
- Mr. Francis gave a brief overview of the Sol paving project to rebuild the road and add better drainage to eliminate flooding.

#### Appointment of Todd Tatum – Solid Waste Committee

**Comm Readey moved to appoint Todd Tatum – District 5 to the Solid Waste Committee.**

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

#### Chief's Report

Chief Houston reported on the missing person case. She thanked the volunteers, other Agencies, and exceptional staff for their support and commitment. She stated that the family would be hosting a celebration of life at the Action Church in Belle Isle Commons. Council shared their appreciation to the staff and volunteers on the Hollingsworth case.

#### **MAYOR'S REPORT**

- Mayor Fouraker commended the Chief and her staff for their commitment. He further acknowledged the support of the countless volunteers and surrounding agencies. He reported that September is National Suicide month and shared the following hotline for anyone who needs some help – 800-273-8255.
- Mayor Fouraker spoke on and shared a chart from the NAV Board and their total expenses. He said he would like to have Council think of other things the City may need to complete through the MSTU tax dollars and send it to the City Manager for reporting. He congratulated John Evertsen for his appointment with the NAV Board.

#### **COUNCIL REPORT**

Comm Carugno

- Boat Parade dates for Dec 18<sup>th</sup> on the South Lake, and Dec 19 and Dec 20<sup>th</sup> for the middle and north lakes.
- Bike Parade is scheduled for November 23<sup>rd</sup>.
- He shared a brief overview of his calls to the Noise abatement hotline.

Comm Readey

- Comm Readey shared his excitement about his grandson's participation on the CCA Football team.

Comm Shuck

- Comm Shuck reported that there is an opening for District 3 on the Planning & Zoning Board. Please send a letter of interest to the City.

Comm Gold

- Comm Gold thanked the staff for the quick turnaround on installing the benches on Hoffner.

Comm Nielsen

- Comm Nielsen presented a Flyer for Pioneer Days 2021. She said if the event is canceled due to COVID, all sponsorships will be reimbursed.

#### **ADJOURNMENT**

There being no further business, Mayor Fouraker called for a motion to adjourn. The motion passed unanimously at 8:23 p.m.

Yolanda Quiceno, CMC, City Clerk





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

**Meeting Date:** November 4, 2020

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** “After the Fact” (ATF) Permits

**Background:** As a result of the October 20, 2020 meeting on the above subject, the City Council directed that the City staff research what other municipalities provide in the way of penalties associated with “after-the-fact” permits.

First, I did check with the FLC on this issue, and they do not have this information. Also, just so the Council is aware that one of my first resources is to reach out to the FLC whenever I research a topic. We are members, and we pay dues for FLC to research a wide variety of issues. Since the FLC did not have this information, I contacted a few of my counterparts to see what they could tell me. Most municipalities do not have a large problem or issue with ATF permits. They cite the same reasons that the City Staff has experienced with ATF permits and why people do not choose to get permits or inquire about them. The following municipalities have ATF permit fees:

Orange County	Double the permit fee or \$103, whichever is greater
Orlando	Double the permit fee
Winter Park	Double the variance fee plus triple the permit fee
Maitland	Double the permit fee or \$100, whichever is greater
Apopka	Double the permit fee or \$100, whichever is greater
Winter Garden	Triple the permit fee
Ocoee	100% of the application fee plus double the permit fee
Eatonville	Double the application fee plus triple the permit fee
Altamonte Springs	Depending on the project, double or triple the permit fee.

Currently, Belle Isle is double the permit fee, but it is not much of a deterrent. However, if the Council wants to continue with this fee, there is no need to change the BIMC. For my reasons stated in my previous two memos, I believe that this could be an issue for property owners and staff at some time.

To reiterate, permits are essential because they provide a permanent record of the work performed and inspections conducted on the project. It is important to meet code standards to ensure safety for current and future owners. Codes are not only written for safety reasons but also environmental and energy-saving considerations. For the property owner, home or business is an investment. If a construction project does not comply with the codes, the investment value could be reduced. Also, property insurers may not cover work or damages



caused by work done without permits and inspections. Lastly, the City could make the owner take down the unpermitted work, and therefore the project is more expensive.

Section 6-5 of the BIMC states: The penalty for failure to obtain a permit required by any code or ordinance adopted by this chapter shall be set at the double the permit fee.

The Council also discussed many different fees but did not come to a consensus on a single idea. The Council also did not formally agree to the March 1, 2010 date for ATF permits versus WWP permits, or even if they agree, there should be two permits or one permit.

Therefore the staff requests the Council provide direction on these questions:

1. Does the Council want to have a date of March 1, 2010, as discussed below?
2. Does the Council want to have both the ATF permit and WWP permit or just an ATF permit? The discussion for both is continued below.
3. What is considered a fair penalty but strong enough to dissuade residents from applying for a permit?

### **DATE**

The Council was concerned that many properties currently exist with improvements completed that have been done so without the issuance of a permit and the approval of inspections. Such improvements may affect property insurance, flood insurance, and attempts to transfer title or refinance mortgages. Property improvements completed without the issuance of a permit, and the approval of inspections, are subject to enforcement and current building code regulation. Based on this discussion, the Council was also directed to add language that would provide for properties that fall into this category. However, I would request that the Council consider passing a new motion to make that date March 1, 2010. The reason for this date is this is the approximate date that the City started its own permitting process and is no longer permitted under Orange County. I am also concerned that if the date is set for January 2021, that it could tempt some residents to ignore getting a permit and just build with the intent of getting an after-the-fact permit later.

### **AFT or AFT/WWP**

Based on the Council's above concern, it might be better to separate both issues and handle them differently: "**After-The-Fact**" (ATF) and "**Working Without a Permit**" (WWP). Categorizing ATF permits separate from WWP is important for the permit applicant and the City staff to understand.

Work done without a permit prior to March 1, 2010, will be considered "**After-The-Fact.**" Work done after March 1, 2010, will be considered "**Working Without a Permit.**"

"**After-The-Fact**" is defined as "an improvement made to a property prior to March 1, 2010. The improvement has been existing, used, occupied, or otherwise known to the current owner as legal and is not shown, located or identified upon any property record within the permitting department of the City."

"**Working Without a Permit**" will be defined as "commencement of an improvement made or completed to a property after March 1, 2010, and prior to the issuance of a permit; the improvement of which may include building, electrical, gas, mechanical, plumbing, or roofing work."

### **After-The-Fact Permit**

The ATF permit's purpose is not to verify compliance with the current code but to observe if the current state of the building, structure, or any component is safe to utilize for its' intended use. Many un-permitted improvements were built years ago, and as such, they may not be in compliance with the current Florida Building Codes and the BIMC.

An ATF permit does not grant permission to make alterations, changes, renovations, or any remodeling improvement, which is the function of a regular building permit. The ATF permit is intended to be a vehicle to document the existing improvement, legitimize existing improvements through inspections, ensure the un-permitted work is safe, and inform any current and future interested parties of the result of ATF inspections.

ATF permits can be considered as the grand-fathering of un-permitted improvements. The improvements of which have been existing, used, occupied, or otherwise known to the current owner as legal and not shown, located, or identified upon any property record within the City.

To assist properties affected by un-permitted improvements, the City would establish a policy to simplify the issuance of permits and simplify the process of inspections for ATF work.

### **Working Without a Permit**

Working without a permit (WWP) is defined as the commencement of an improvement made or completed to a property after March 1, 2010, and prior to the issuance of a permit; the improvement of which may include building, electrical, gas, mechanical, plumbing, or roofing work or work identified, observed, or revealed during the course of an investigation or inspection of a valid permit; the work of which was not specifically described on the original permit application for which the permit was issued. In this instance, the permit applicant will be required to stop their current improvement and obtain approval of their revisions from the building official prior to recommencing their project. This may also require the permit applicant to get another permit for any improvement not included with the original description of work.

### **FEES**

1. **ATF fee would be the cost of a permit plus any inspection costs related to inspections.**
2. **WWP fee: \$500 and double the cost of the permit fee plus all costs related to the issuance of the permit and inspections.**

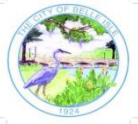
**Staff Recommendation:** Direct the staff to prepare the ordinance. If the Council feels the maximum fine is too excessive, then the Council should agree on what the maximum fine should be.

**Suggested Motion:** **I move that we accept the staff recommendation to increase the after the fact permit penalty and direct that the appropriate ordinance be drafted for a first reading.**

**Alternatives:** Do not change the current code

**Fiscal Impact:** TBD

**Attachments:** None at this time.



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

**Meeting Date:** November 4, 2020

**To:** Honorable Mayor and City Council Members

**From:** B. Francis, City Manager

**Subject:** Donation to Pioneer Days

**Background:** Commissioner Nielsen requested the City donate to the Pioneer Days event as we've done in past years. Last year, the City sponsored the Acoustic Stage for \$600. However due to budget reductions this year, the City did not budget any funds for donations. Pioneer Days is one of the premier events that showcase the area. The event is very popular with Belle Isle residents. Sponsoring this event show that the City is a community partner and sponsorship brings recognition to the City.

**Staff Recommendation:** Allocate \$600 to be the acoustic stage sponsor. This donation will be part of the mid-year budget amendment.

**Suggested Motion:** **I move that we allocate \$600 to sponsor the Acoustic Stage for Pioneer Days.**

**Alternatives:** Donate a different amount or do not donate anything.

**Fiscal Impact:** \$600

**Attachments:** Pioneer Days Sponsorship Application

# PINE CASTLE PIONEER DAYS



## 2020-2021 SPONSORSHIP & ADVERTISEMENT REGISTRATION

Thank you for your interest in being a sponsor of our 49th annual festival where we will be "Celebrating Citrus!"

After completing this registration, please return with payment and artwork to:

PCPD, P.O. Box 593175, Orlando, FL 32859-3175.

If you have any questions, please call us at 407-427-9692

or email [pinecastlepioneerdays@hotmail.com](mailto:pinecastlepioneerdays@hotmail.com).

### TELL US ABOUT YOURSELF!

Name & address

Phone(s):

Email address:

### SPONSORSHIP PACKAGES

- ☐ **Soundstage Sponsor - \$1,000**  
Full page ad in magazine; right to display banners at sound stage and covered seating area; and choice of booth space in vendor area. (Sponsor supplies banners.)
- ☐ **Wagon Ride Sponsor - \$1,000**  
Full page ad in magazine; right to display banners on both sides of wagon; and space to erect a "depot" tent. (Sponsor supplies banners.)
- ☐ **Acoustic Stage Sponsor - \$600**  
Half page ad in magazine; right to display a banner at the stage/seating area; and choice of booth space in vendor area. (Sponsor supplies banner.)
- ☐ **Train Ride Sponsor - \$600**  
Half page ad in magazine; right to display a banner at the front gate; and space to erect a "depot" tent. (Sponsor supplies banner.)
- ☐ **Bounce House Sponsor - \$500**  
Half page ad in magazine; right to display a banner at the front gate; and choice of booth space in vendor area. (Sponsor supplies banner.)
- ☐ **General Sponsor - \$300**  
Quarter page ad in magazine; right to display a banner on perimeter fence; and choice of booth space in vendor area. (Sponsor supplies banner.)

### RATES FOR MAGAZINE AD ONLY: Note full-color selections (\*) are subject to availability.

- |   |  |
|---|--|
| <input type="checkbox"/> Full color* back cover - \$1,000         | <input type="checkbox"/> Half Page (horizontal or vertical) - \$275  |
| <input type="checkbox"/> Full color* inside front cover - \$1,000 | <input type="checkbox"/> Third Page (horizontal or vertical) - \$200 |
| <input type="checkbox"/> Full color* inside back cover - \$1,000  | <input type="checkbox"/> Quarter Page - \$150                        |
| <input type="checkbox"/> Full page (black & white) - \$500        | <input type="checkbox"/> Eighth Page (business card) - \$50          |

### DEADLINE FOR MAGAZINE AD ARTWORK IS DECEMBER 30, 2020.

Any sponsor returning artwork by **November 15, 2020**, will receive complimentary ad space in our 2021 "This Day in History" calendar to be printed in time for Christmas gift giving.

\* Magazines will be printed & distributed at the end of **January 2021**, and at the front gate during the festival weekend.

\* Sponsor banners must be received by **February 26, 2021** (the Friday preceding the festival weekend). Call or email as directed at top to make pick-up/drop-off arrangements.

**Belle Isle Issues Log**  
**11/4/20**

a.

<u>Issue</u>	<u>Description</u>	<u>Start Date</u>	<u>POC</u>	<u>Expected Completion Date</u>	<u>Completed Action</u>	<u>Next steps</u>
Street Paving	The City staff will conduct a street assessment to determine the pavement conditions and determine if the prior assessment is still valid. When complete, the staff will set-up a Capital Improvement Program for street paving. Program	7/1/2020	PW/CM	<b>TBD</b>	The City has been successful in paving several streets over the past few years; most recently the area around City Hall.	City to conduct Pavement Assessment and develop CIP for paving (next Fiscal Year). \$200,000 Allocated for District 3 in FY20-21 Budget. Measuring streets for estimate of cost for those streets listed in FY20-21 Budget. <b>Working on a cost estimate based on street measurements</b>
Storm Drainage	The City Engineer recently completed an assessment of the storm system. Some trouble spots have been corrected (Wind Drift, Derine, Chiswick) CM and Finance Director developed Storm Water CIP	4/3/2017	ENG/CM	<b>TBD</b>	Stormwater CIP was developed and reviewed by Budget Committee, who recommend approval. City staff to start reconditioning swales in trouble areas. Council workshop to be scheduled for review drainage issues. Work at Jade Circle Swales done.	Materials ordered for 1631 Wind Willow. Estimates received for pipe lining on St. Moritz and Jade. Plans 50% complete for Stafford & Pam and 6504 St. Partin outfall; survey and locates ordered for Sol Ave. CM to see what Nav Bd might pay for.
Traffic Studies	Increased traffic in and through Belle Isle prompted the Council to allocate funds for city-wide traffic study to improve traffic flow. Study was done and resulting Traffic Master Plan was adopted by Council. Due to the City's membership in Metroplan Orlando, they are conducting additional studies focusing on Hoffner Ave.	4/3/2017	CM/Eng.	Sept. 2020	City's TMP completed and adopted. Metroplan study is nearing completion. Hoffner median constructed but still needs additional work. WaWa to reconfigure entrance (Working on permit with OC). Citizen feedback sent back to MetroPlan. Metroplan Consultant to work toward finalizing report.	OC/City working together to install RRFB at Monet/Hoffner crosswalk. RFP done for Crosswalk. New plans and final project document to be reviewed by City staff for changes based on citizen input.
Wallace Field	City purchased large area at Wallace/Matchett for open space. Issues with Wallace Street Plat in this area with people trespassing on private property. District 2 Comm. And CM met with residents to discuss solutions. Council met on June 14 and issues was discussed. Council directed that a fence would be erected around property. Dist. 2 Comm. and CM to meet with residents to discuss options for Wallace Street plat. Area is still zoned R-2.	6/14/2017	Dist.2 Comm and CM	9/30/2020	Fence installed. Zoning changed to OS. Agreement for CCA use of the field being reviewed by school. Trees planted as part of Arbor Day Celebration. Workshop held on development. CCA and City to review CCA draft plan. All changes sent to CCA Board for review. Possibility to be on their June 26 agenda. CA rejected change in Use Agreement regarding by-laws and rejected by-	City to talk to County on a joint drainage plan in the area (depends on Nav Bd project). P&Z decision granting special exception is being appealed to Council. <b>The site plan tabled at Planning and Zoning until a decision is made on the appeal.</b>

**Belle Isle Issues Log  
11/4/20**

a.

					law changes suggested by the City. Use Agreement adopted. CCA planning park site plan. CCA/City staff met to go over site plan requirements. CCA working with City Planner for site plan submission. CCA completed site plan. Council approved site plan concepts.	
City acquisition of Property	Council discussed possibility of acquiring parcels within the City and directed City staff look at options on how to acquire property.	3/20/2018	CM	8/31/2020	Cross lake purchase is on hold until County reschedules PH. Mayor/CM to meet with Commissioner Uribe and Adjacent property owner on Cross Lake on March 4. CM/Comm. Cross Lake Property deed recorded and improvements made (closed). BoA agreement finalized.	Financing complete. PSA executed by Mayor and BoA. Closing in November.
Charter School (CCA)	There has been infrastructure issues at Cornerstone for some time. The City owns the property and leases it to CCA. The City is responsible for replacing major systems at CCA according to the lease.	4/3/2017	CM	Ongoing	Capital Facility Plan complete. CCA considering purchase of property. Roofs are being patched, not replaced at this time. Letter was sent to CCA Board asking for joint meeting and other Board issues. CM sent memorandum to CCA outlining conditions for refinancing. CCA discussed and rejected all the conditions sent by Council.	CM and CCA Chair met to discuss working on conditions. Meeting held with City team to discuss refinancing 2012 bond and additional CCA borrowing. CM drafting lease agreement for Budget Committee review. <b>CCA Staff and City staff meeting to discuss expansion is postponed (date TBD)</b>
Municipal Code Update	The City Council contracted with a planner to update the municipal code. This process was not completed and needs to be completed. There have been significant code changes in the past few years that need to be in the code.	4/3/2017	CM/CC	Ongoing	Meet with consultant to determine what was done and what is left to do. P&Z Board looking at possible changes to fence/wall requirements. Discussion of sidewalk maintenance. Ordinance adoption for Home Occupation and Golf Carts.	On-going as needed. Drafting additional impact fee language for development to the Land Development Code.
Comp Plan Updates	The comp plan is reviewed every 7 years to see if it needs to be updated. The City Council contracted with a planner to update the comprehensive plan.	3/1/2017	Council Planner CM	Ongoing	Meet with consultant to determine what was done and what is left to do.	City Manager and Planner to review 2009 Comp Plan for errors discovered in Zoning Map. <b>No Update</b>
Annexation	Council discussed the desire to annex contiguous property in order to build the tax base and possibly provide more commercial development in Belle Isle.	4/3/2017	Council CM	12/28/2020	Council determined the priority to annex. Planner completed 1st report. City Staff reviewing.	CM working with Waltham property owners to set up meeting. County will not allow voluntary annexation of Pine Castle Property. Made initial contact with Conway Crossings Rep.



# Belle Isle Police Department

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b.

## Interoffice Memorandum:

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**TO:** Chief Laura Houston

**FROM:** Sergeant Jeremy Millis

**DATE:** October 21, 2020

**RE:** Traffic Detail

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BIPD conducted a traffic detail at the intersection of Conway Road and Judge Road. The date(s) of the operation was from September 9, 2020, through October 2, 2020, and the hours were from 1630-1830, on weekdays. The attached spreadsheet breaks down violations written and by who. Take into consideration that approximately 25% of the days weren't covered due to afternoon thunderstorms and calls for service.

*\* Community First \**



# Judge/Conway Detail Stats

Detail was conducted from 1630-1830 daily between September 8, 2020 - October 2, 2020

## UTC's Written

316.085 - Overtaking/Passing		19
316.1355 - Safety Zone Violation		8
316.081 - Driving On Right Side of Roadway		2
322.34 - DWLS Without Knowledge		1
322.34(2) - DWLS W/Knowledge		1
Non-Moving Violations		1
Total		32

Warnings Issued 2

Gargano - Felony Warrant Arrest 1

<u># Of Citations By Officer</u>	<u>UTC's</u>	<u>Warnings</u>
Gargano	19	
Shaffer	8	
Ferraiuolo	2	
Hernandez	1	2
McCormick	1	
Wasmund	0	
Clark	0	
Lugo	0	
Watkins	0	
Tren	0	
Herrada	0	
Bausch	0	
Ruiz	0	
DelCastillo	0	



**City of Belle Isle  
2020 Santa Ride Budget  
December 15 - 17**

Santa ( 3 nights )	\$500.00
Plush Toys (1000)	\$2500.00
Candy and Bags	\$1000.00
Cellophane bags, Misc.	<u>\$250.00</u>
	\$4250.00

To assist with social distancing, Santa Stops will not be utilized. Instead, additional streets will be added, stopping only for quick photos. No one other than the Mayor, Santa and three members of the SE Committee (or designees) will be allowed on the sleigh.

A small candy bag and a plush toy will be placed in a sealed cellophane bag to prevent contamination.

Residents will be encouraged not to congregate and to stand off the road in a well-lit area or with a flashlight for visibility.

The ride will take place over two evenings, but the possibility of a third night remains until the final route is determined and approved by BIPD.

