

City of Flagler Beach

Planning and Architectural Review Board

Tuesday, February 5, 2013 at 5:30 p.m.

City Hall Commission Chambers

Agenda

1. Call the meeting to order.
2. Call the roll.
3. Pledge of Allegiance.
4. Approve the minutes of the Special Meeting of January 8, 2013.
5. Election of Officers.
6. Old Business:
 - A. Discussion and recommendation of an ordinance of the City of Flagler Beach, Florida, amending Chapter 7 Buildings and Building Regulations, Article III, "House Numbering," of the *City of Flagler Beach Code of Ordinances* to revise the display, size of numbers; repealing Article IV, "Procedure for Condemnation, Demolition and Removal of Unsafe Buildings and Structures," of the *City of Flagler Beach Code of Ordinances*; amending Section 5.00.01 of the *Land Development Regulations* to revise the list of codes adopted by reference, to revise the wind speed, and to establish the minimum regulations governing the conditions and maintenance of all property, buildings and structures in the city; provide the standards and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; provide for the condemnation of buildings and structures unfit for human occupancy; providing for codification, conflicts, and an effective date.
7. New Business:
 - A. Application #SP 13-02-01
Site Plan Review of Coquina Commercial Building Wall Addition
Applicant: Barbara S. Revels
316 South Ocean Shore Boulevard
Property Owner: Barbara S. Revels, Trustee
 - B. Application #SE 13-02-01
Special Exception to allow a single-family dwelling.
Applicants: John Lynch and Michael L. Flank
1732 South Ocean Shore Boulevard
Property Owner: Thomas and Judith Vaccaro
 - C. Application #VAR 13-02-01
Variance to allow a single-family dwelling setback 21' from the west property line.
Applicant: Carey and Dorothy Klee Strickland
1708 North Central Avenue
Property Owner: Carey and Dorothy Klee Strickland
8. PARB Member Comments.
9. Adjournment.



RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CDs are only made upon request. The City is not responsible for any mechanical failure of the recording equipment.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext. 235 at least 72 hours prior to the meeting.

Please take notice that individual Elected Officials of the City of Flagler Beach may attend this meeting. Those Elected Officials who attend will not take any action or take any vote at this committee meeting. This is not an official meeting of the Flagler Beach City Commission. This notice is being provided to meet the spirit of the Sunshine Law to inform the public that Elected Officials may be present at this committee meeting.

Posted January 30, 2013

Planning and Building Department

P.O. Box 70 • 116 3rd Street South, Flagler Beach, Florida 32136 • Phone (386) 517-2000 • Fax (386) 517-2016

FLAGLER BEACH PLANNING AND ARCHITECTURAL REVIEW BOARD
TUESDAY, JANUARY 8, 2013 AT 5:30 P.M
MINUTES

PRESENT: Dan Bayerl, Don Deal, Cathy Feind, Theodore Johnson, Joseph Pozzuoli, Roseanne Stocker, City Attorney Drew Smith, City Planner Chad Lingenfelter, Board Secretary Kate Settle.

ABSENT: Lea Stokes.

1. CALL THE MEETING TO ORDER: Don Deal called the meeting to order
2. CALL THE ROLL: Ms. Settle called the roll
3. PLEDGE OF ALLEGIANCE: Mr. Pozzuoli led the pledge.
4. APPROVE THE MINUTES OF THE SPECIAL MEETING OF OCTOBER 30, 2012: **Motion** by Ted Johnson, seconded by Joseph Pozzuoli, we approve the minutes. The motion carried unanimously.
5. APPROVE THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 7, 2012: **Motion** by Kathy Feind, seconded by Roseanne Stocker, to approve the minutes of November 7 meeting. The **motion** carried unanimously.
6. NEW BUSINESS:
 - A. Application #SP 13-01-01

Site Plan Review of Building and Outside Observation Deck Addition and Off-Street Parking Lot

Applicant: John Lulgjuraj for Oceanside Beach Bar & Grill
1848 South Ocean Shore Boulevard

Property Owners: TJ's Family Enterprises, Inc., 1900 Oceanshore, LLC, and Angel L. and Aida I. Torres

Dennis Bayer spoke of the history of the issue and reported his client had entered into a lease to meet the additional parking requirement since the last time the board met. He felt the addition proposed by the Lulgjurajs was consistent with other buildings in the City. They have entered into a lease for offsite parking. He spoke of the concern with the length of the lease. Attorney Bayer indicated they would be providing the handicapped spaces would be located by the building.

Discussion and questions from the board included how many handicapped spaces are required, what is required for satellite parking; the number of spaces needed would be 53 spaces; whether they are increasing seats; the packet missing a diagram of the seating; 160 total seating; the offsite parking lots being within the 200 ft. of the restaurant; the parking needing to be reconfigured; the code reading "spaces" not "lot" regarding offsite parking; Attorney Smith indicated if the parking spaces are more than 200 ft. away, there would be a code issue; waiving the landscape requirements for a parking lot would require a variance; the difference between "fixed seats" and "seats"; height elevations for the deck not in the packet; whether the deck would be built east of the coastal construction control line.

Mr. Bayerl had questioned over where one measure the lot line.

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Ms. Stocker expressed her frustration knowing the restaurant and the family owning it for years. She did have a concern with the length of the lease for the offsite parking. She asked the planner if there was a meeting with the restaurant owner to review the concerns he raised in his memo. Mr. Lingenfelter reported on the process that was taken.

Ms. Feind indicated the seating was increased at the time of the renovations and the parking was overlooked at that time. She had concerns with waiving the landscaping for the parking lot, whether the owner is within the setbacks.

Mr. Johnson felt most of the restaurants on A1A were non-conforming and would like to see Oceanside move forward with their plans.

The public hearing was opened. The following people came forward to express their concerns, opinions and suggestions: Ron Vath, Michelle Burpeau, Sil DiGregorio, John Feind, Larry Torino, John Lulgjuraj, Michael Benji; Ashley Katz, and Dennis Bayer. The public hearing was closed.

Motion by Cathy Feind to table it on the grounds, partly because the information is not accurate and complete. The parking needs to be fixed. The **mollion** died for a lack of a second.

Motion by Joseph Pozzuoli we follow the seven recommendations of Chad and I think there was something about Handicap parking being at the parking lot on the existing site, I think it covers everything we have concerns about because they might have to apply for a variance for parking, if not, it is all in these seven bullets, items. Roseanne Stocker asked that the following be added to the motion: when it goes to Commission for a recommendation for approval with those conditions, that we also add that the exterior elevations of the deck be included so we know what the deck looks like and a plan for lighting be included that has been drawn up with City staff. Joseph Pozzuoli accepted the wording to the motion. Roseanne Stocker seconded the motion. The **mollion** carried four to two, with Cathy Feind and Don Deal voting no.

B. Application #SP 13-01-02

Site Plan Review of Assisted Living Facility and Off-Street Parking Lot

Applicant: Charles Burgan for Beachside Estates

601 South Central Avenue

Property Owners: Sally G. Pillitteri and LHP Scales, Inc.

Brent Bruns, Real Estate Broker and Charles Burgan reviewed the vision of the property owner was to provide residence for a mature community (assisted living in 21 separate units). Each unit would be a one bedroom, with cooking facility along with a living area. The building would be built in the Key West style of architecture. He hoped to develop the property and sell it to interested parties as an assisted living facility. A question and answer period followed.

Mr. Deal quoted the definition of assisted living from Florida Statute 419. He was concerned that there were not common areas for the residents. Discussion included the gravel courtyard area and how an elderly person would manage and the Florida Statute regarding what is required for assisted living. Mr. Deal asked for a clarification regarding the recommendation and the terms Group Homes and Community Residential Homes. Mr. Deal reviewed the criteria of for community residential homes up to six people; the municipality

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would not have any type of input into where the home would be. The other category is homes with 7-14 individuals and the municipality is allowed to have input. He was not sure how 21 units would work. Discussion included density; varying interpretations; state approval and 21 units triggering a commercial use. Ms. Stocker referred to the applicant's paper work where the building was referred to as condominiums. Mr. Johnson spoke of his experience at looking at Community Residential Homes and in his experience, they all had shared kitchens, dining room, etc. The discussion turned to the parking, not meeting the specifications of the code. The drawing that was submitted shows the entire lot, the lease reflects half of the lot. Mr. Deal asked Mrs. Pillitteri if she was aware that the lease reflected only half of the lot. Mrs. Pillitteri was not aware. The board reviewed the drawings submitted by Mr. Burgan. Parking was discussed and the need for the PAR Board to set a standard for parking spaces for this type of facility. Attorney Smith read the City's definition of "Community Residential Home" from the Code of Ordinance. The zoning did not address assisted living. Mr. Deal suggested the Board table the item until staff could get more concrete information. There was discussion as to whether the applicant needs to do his due diligence or whether staff should gather the information for possible future cases. The public hearing was opened. The following citizens came forward to express their concerns, opinions and suggestions: Michelle Burpeau, Sil DiGregorio, Ron Vath, John Feind, David Laffite, Donna Diminglio, Larry Torino. The public hearing was closed. Mr. Bayerl thought the applicant should receive more information and had concerns over the density of the project. Joseph Pozzuoli was not pleased with the drawings of both projects presented this evening. He was concerned that the drawings did not depict ADA Compliance, the orientation of the street to the building; ingress/egress. Mr. Pozzuoli spoke of State Statute requirements regarding buildings that are other than single family or duplex. Ms. Stocker was in agreement with Messrs. Bayerl and Pozzuoli and wanted to point out to the applicant that referring to Key West Style and Assisted Living do not make it so. Ms. Feind felt strongly that the application should be denied by the PAR Board and recommended to the Commission the same. Mr. Johnson agreed with the other members of the Board. Mr. Deal reiterated some of the concerns of the Board and specifically, the density issue. **Motion** by Kathy Feind to recommend denial of SP-13-01-02 for the reasons that it does not follow policy and it is not group housing as defined in our comprehensive plan and the density is off. It is too dense for medium density residential in our City which has to be 1 per 3,000 square feet. Don Deal suggested adding the following wording to the motion: the group housing research under Section 419 defines 1-6 or 7-14 and this is 21 units. The **motion** was seconded by Joseph Pozzuoli. The **motion** carried unanimously

- C. DISCUSSION AND RECOMMENDATION OF AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING CHAPTER 7 BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, "HOUSE NUMBERING," OF THE CITY OF FLAGLER BEACH CODE OF ORDINANCES TO REVISE THE DISPLAY NUMBERS AND REMOVE NUMBER HEIGHT REQUIREMENT; REPEALING ARTICLE IV, "PROCEDURE FOR CONDEMNATION, DEMOLITION AND REMOVAL OF UNSAFE BUILDINGS AND STRUCTURES," OF THE CITY OF FLAGLER BEACH CODE OF ORDINANCES; AMENDING SECTION 5.00.01 OF THE LAND DEVELOPMENT REGULATIONS TO REVISE THE LIST OF CODES ADOPTED BY REFERENCE, TO REVISE THE WIND SPEED, AND TO ESTABLISH THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES IN THE CITY; PROVIDE THE STANDARDS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; PROVIDE FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE. It was the consensus of the Board for the ordinance to have a discussion at the next PAR Board meeting. The board members were to give their comments to Mr. Lingenfelter within the next two weeks.

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7. RESCHEDULE THE MARCH 5, 2013, REGULAR MEETING DATE DUE TO THE MUNICIPAL ELECTION: Mr. Lingenfelter spoke of the conflict with the March 5 Municipal Election. It was the consensus of the PAR Board to meet on Wednesday March 6 for the March PAR Board Meeting.
8. PARB MEMBER COMMENTS: Ms. Stocker thanked Mr. Lingenfelter for his hard work. Mr. Lingenfelter distributed an invitation to attend a Saturday morning seminar sponsored by Volusia Learning Academy for board members regarding planning. There was not fee to attend. Mr. Pozzuoli felt the packets have been lacking, particularly with the site plans. He volunteered to assist the Planner to establish a minimum package requirement.
9. ADJOURNMENT: **Motion** by Kathy Feind, seconded by Dan Bayerl, to adjourn the meeting at 9:09 p.m. The **motion** carried unanimously.

45 Ordinances for consistency.

46 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**
47 **OF THE CITY OF FLAGLER BEACH, FLORIDA, AS FOLLOWS:**

48
49 **SECTION ONE.** The findings set forth in the recitals above are hereby adopted as leg-
50 islative findings of the City Commission pertaining to this Ordinance.

51 **SECTION TWO.** Chapter 7, “Buildings and Building Regulations,” Article III, “House
52 Numbering,” of the *City of Flagler Beach Code of Ordinances* is hereby amended as set
53 forth below:

54 **ARTICLE III. HOUSE NUMBERING**

55 ***

56 **Sec. 7-62. - Display, size of numbers.**

57 (a) It shall be the duty of all owners of houses or buildings within the city to obtain
58 from the building official the correct number ~~ø~~for their respective building or
59 tenant space, the letter or number for the condominium unit or tenant space, and
60 to cause such numbers and/or letters to be conspicuously displayed on the
61 building or on the lot on which the building is located, and within fifty (50) feet of
62 the building, so that same are visible from the street along which it abuts is
63 addressed, or from the alley it abuts, if not accessible from a street. If a number is
64 visible from a street that the building is not addressed along, then the owner shall
65 also post the correct streetname with the number.

66 ***

67 **SECTION THREE.** Chapter 7, “Buildings and Building Regulations,” Article IV,
68 “Procedure for Condemnation, Demolition and Removal of Unsafe Buildings and
69 Structures,” of the *City of Flagler Beach Code of Ordinances* is hereby repealed as set
70 forth below:

71 ~~**ARTICLE IV. PROCEDURE FOR CONDEMNATION, DEMOLITION AND**~~
72 ~~**REMOVAL OF UNSAFE BUILDINGS AND STRUCTURES**~~

73 ~~**Sec. 7-75. - Authority of commission to declare structures unsafe.**~~

74 ~~If at any time a building or other structure located and situate on private property~~
75 ~~within said city shall have become so dilapidated, deteriorated or otherwise unsafe or~~
76 ~~unfit for human habitation or use, or otherwise injurious, or potentially injurious to~~
77 ~~the public health, safety or welfare, the commission, after so finding, may adopt a~~
78 ~~resolution declaring such building or other structure to be so dilapidated, deteriorated~~
79 ~~or otherwise unsafe or unfit for human habitation or use, or otherwise unsafe or~~
80 ~~injurious, or potentially injurious to the public health, safety or welfare, as the case~~
81 ~~may be.~~

82 ~~**Sec. 7-76. - Unsafe structures deemed nuisances.**~~

83 ~~Any such building or other structure as set forth and described above shall be deemed~~
84 ~~to be a public nuisance.~~

85 **Sec. 7-77. -- Appearance of owner before commission.**

86 ~~The resolution adopted above shall specify a time, not less than twenty (20) days~~
87 ~~thereafter, whereat the owner or owners of said property may appear before the~~
88 ~~commission, in person or by counsel, and show cause, if any there be, why said~~
89 ~~building or other structure should not be demolished and removed from said property.~~

90 **Sec. 7-78. -- Time limitation on demolition and removal.**

91 ~~The resolution shall specify the time, not less than thirty (30) days nor more than~~
92 ~~sixty (60) days after the day of said resolution within which the owner or owners shall~~
93 ~~cause the building or other structure to be demolished and removed at the sole~~
94 ~~expense of said owner or owners and without compensation by said city.~~

95 **Sec. 7-79. -- Notification of owner(s).**

96 ~~The city clerk shall cause a copy of said resolution to be delivered to said owner or~~
97 ~~owners, or any of them, either in person or by registered mail. If the owner or owners~~
98 ~~cannot be located so that personal delivery of a copy of said resolution cannot be~~
99 ~~served upon any of them, or if the post office address of said owners or owners, or~~
100 ~~either of them, cannot, after reasonable inquiry, be determined, and the city clerk~~
101 ~~shall so attest, then a copy of said resolution shall be posted in a conspicuous place~~
102 ~~upon said building or structure and said resolution shall be published once a week for~~
103 ~~two (2) consecutive weeks in a newspaper of general circulation within the city.~~

104 **Sec. 7-80. -- Application of city to appropriate court to demolish; authority of city to**
105 **remove.**

106 ~~If after delivery of such copy of said resolution, and after the expiration of the time~~
107 ~~allowed therein, said owner or owners shall have failed or refused to demolish and~~
108 ~~remove said building or other structure, the city shall have the power to apply to the~~
109 ~~appropriate court having jurisdiction thereof for an appropriate order commanding~~
110 ~~such owner or owners to demolish and remove said building or other structure, and~~
111 ~~for such other, supplemental or incidental relief as may be appropriate. Upon then~~
112 ~~entry of such order, should the owner or owners fail or refuse to demolish and remove~~
113 ~~said building or structure, within the time specified therein, then in addition to such~~
114 ~~other relief as may be provided by law, it shall be lawful for the commission to cause~~
115 ~~the building or other structure to be demolished and removed and to pay therefor and~~
116 ~~to charge, assess and collect the expenses thereof, including reasonable attorneys fees,~~
117 ~~against the lot, parcel, or tract on which said building or other structure has been~~
118 ~~demolished and removed, and against the owner or owners thereof.~~

119 **Sec. 7-81. -- Recordation of liens.**

120 ~~Notice of said liens shall be recorded and enforced as provided by law.~~

121 **SECTION FOUR.** Article V, "Development Design and Improvement Standards," of
122 the *City of Flagler Beach Land Development Regulations* is hereby amended as set forth
123 below:

124 **ARTICLE V. DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS**

125 ***

126 **Sec. 5.00.01. Codes Adopted.**

127 ***

128 (b) Codes adopted by reference. The following codes are hereby adopted by reference
129 as though copied herein fully except as the various codes relate to provisions for a
130 board of adjustments and appeals:

131 General Codes

132 Florida Building Code, the current edition adopted by the State as the
133 Building Code, as it may be amended from time to time by the State.

134 National Electric Code®, 2008 the current edition adopted by the State, as
135 it may be amended from time to time by the State National Fire Protection
136 Association.

137 ~~Standard Housing Code, Southern Building Code Congress International,~~
138 ~~1994 edition.~~

139 ~~Standard Housing Code, 1997 edition.~~

140 ~~Standard Amusement Device Code, 1997 edition.~~

141 ~~Standard Unsafe Building Abatement Code, 1998 edition.~~

142 ~~Standard for Insulation of Roof Covering, current edition.~~

143 ~~Standard for Hurricane Resistance Residential Construction, SSTD-99.~~

144 Florida Fire Protection Codes, the current edition adopted by the State, as
145 may be amended from time to time by the State.

146 (c) Wind speed. A wind speed demarcation line designation is hereby adopted to
147 include the entire city limits and established as one hundred ~~twenty~~ thirty-five
148 (~~120~~135) miles per hour.

149 ***

150 **Sec. 5.00.09. Minimum Property Maintenance Standards.**

151 The International Property Maintenance Code, 2012 Edition, as published by the
152 International Code Council, Inc. is hereby incorporated as the Minimum Property
153 Maintenance Standards of the City subject to and including such additions and
154 amendments that may be adopted by the City by Ordinance.

155 Section 5.00.09.1. Scope, Administration and Enforcement.

156 (a) General.

157 (1) Title. These regulations shall be known as the International Property
158 Maintenance Code of the City of Flagler Beach, hereinafter referred to
159 as “this code.”

160 (2) Scope. The provisions of this code shall apply to all existing
161 residential and nonresidential structures and all existing premises and
162 constitute minimum requirements and standards for premises,

163 structures, equipment and facilities for light, ventilation, space,
164 heating, sanitation, protection from the elements, life safety, safety
165 from fire and other hazards, and for safe and sanitary maintenance; the
166 responsibility of owners, operators and occupants; the occupancy of
167 existing structures and premises, and for administration, enforcement
168 and penalties.

169 (3) Intent. This code shall be construed to secure its expressed intent,
170 which is to ensure public health, safety and welfare insofar as they are
171 affected by the continued occupancy and maintenance of structures
172 and premises. Existing structures and premises that do not comply
173 with these provisions shall be altered or repaired to provide a
174 minimum level of health and safety as required herein.

175 (4) Severability. If a section, subsection, sentence, clause or phrase of this
176 code is, for any reason, held to be unconstitutional, such decision shall
177 not affect the validity of the remaining portions of this code.

178 (b) Applicability.

179 (1) General. Where there is a conflict between a general requirement and
180 a specific requirement, the specific requirement shall govern. Where
181 differences occur between provisions of this code and the referenced
182 standards, the provisions of this code shall apply. Where, in a specific
183 case, different sections of this code specify different requirements, the
184 most restrictive shall govern.

185 (2) Maintenance. Equipment, systems, devices and safeguards required
186 by this code or a previous regulation or code under which the structure
187 or premises was constructed, altered or repaired shall be maintained in
188 good working order. No owner, operator or occupant shall cause any
189 service, facility, equipment or utility which is required under this
190 section to be removed from or shut off from or discontinued for any
191 occupied dwelling, except for such temporary interruption as
192 necessary while repairs or alterations are in progress. The requirements
193 of this code are not intended to provide the basis for removal or
194 abrogation of fire protection and safety systems and devices in existing
195 structures. Except as otherwise specified herein, the owner or the
196 owner's designated agent shall be responsible for the maintenance of
197 buildings, structures and premises.

198 (3) Application of other codes. Repairs, additions or alterations to a
199 structure, or changes of occupancy, shall be done in accordance with
200 the procedures and provisions of the *Florida Building Code,*
201 *International Energy Conservation Code, Florida Fire Protection*
202 *Code, Florida Fuel Gas Code, Florida Mechanical Code, Florida*
203 *Residential Code, Florida Plumbing Code,* and NFPA 70. Nothing in
204 this code shall be construed to cancel, modify or set aside any
205 provision of the *Land Development Regulations.*

- 206 (4) Existing remedies. The provisions in this code shall not be construed
 207 to abolish or impair existing remedies of the jurisdiction or its officers
 208 or agencies relating to the removal or demolition of any structure
 209 which is dangerous, unsafe and insanitary.
- 210 (5) Workmanship. Repairs, maintenance work, alterations or installations
 211 which are caused directly or indirectly by the enforcement of this code
 212 shall be executed and installed in a workmanlike manner and installed
 213 in accordance with the manufacturer's instructions.
- 214 (6) Historic buildings. The provisions of this code shall not be mandatory
 215 for existing buildings or structures designated as historic buildings
 216 when such buildings or structures are judged by the code official to be
 217 safe and in the public interest of health, safety and welfare.
- 218 (7) Referenced codes and standards. The codes and standards referenced
 219 in this code shall be considered part of the requirements of this code to
 220 the prescribed extent of each such reference and as further regulated in
 221 Sections 500.09.1(b)(7)a and 500.09.1(b)(7)b.
- 222 Exception: Where enforcement of a code provision would violate the
 223 conditions of the listing of the equipment or appliance, the conditions
 224 of the listing shall apply.
- 225 a. Conflicts. Where conflicts occur between provisions of this code
 226 and the referenced standards, the provisions of this code shall
 227 apply.
- 228 b. Provisions in referenced codes and standards. Where the extent of
 229 the reference to a referenced code or standard includes subject
 230 matter that is within the scope of this code, the provisions of this
 231 code, as applicable, shall take precedence over the provisions in
 232 the referenced code or standard.
- 233 (8) Requirements not covered by code. Requirements necessary for the
 234 strength, stability or proper operation of an existing fixture, structure
 235 or equipment, or for the public safety, health and general welfare, not
 236 specifically covered by this code, shall be determined by the code
 237 official.
- 238 (9) Application of references. References to section or subsection
 239 numbers, or to provisions not specifically identified by number, shall
 240 be construed to refer to such section, subsection or provision of this
 241 code.
- 242 (10) Other laws. The provisions of this code shall not be deemed to nullify
 243 any provisions of local, state or federal law.
- 244 (c) Duties and Powers of the Code Official.
- 245 (1) General. The official in charge shall be known as the code official.
- 246 (2) Appointment. The code official shall be appointed by the City

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Manager.

- (3) Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the code official.
- (4) Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.
- (5) General. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.
- (6) Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.
- (7) Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.
- (8) Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.
- (9) Department records. The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

- 290 (d) Approval.
- 291 (1) Modifications. Whenever there are practical difficulties involved in
292 carrying out the provisions of this code, the code official shall have the
293 authority to grant modifications for individual cases upon application
294 of the owner or owner's representative, provided the code official shall
295 first find that special individual reason makes the strict letter of this
296 code impractical and the modification is in compliance with the intent
297 and purpose of this code and that such modification does not lessen
298 health, life and fire safety requirements. The details of action granting
299 modifications shall be recorded and entered in the department files.
- 300 (2) Alternative materials, methods and equipment. The provisions of this
301 code are not intended to prevent the installation of any material or to
302 prohibit any method of construction not specifically prescribed by this
303 code, provided that any such alternative has been approved. An
304 alternative material or method of construction shall be approved where
305 the code official finds that the proposed design is satisfactory and
306 complies with the intent of the provisions of this code, and that the
307 material, method or work offered is, for the purpose intended, at least
308 the equivalent of that prescribed in this code in quality, strength,
309 effectiveness, fire resistance, durability and safety.
- 310 (3) Required testing. Whenever there is insufficient evidence of
311 compliance with the provisions of this code, or evidence that a
312 material or method does not conform to the requirements of this code,
313 or in order to substantiate claims for alternative materials or methods,
314 the code official shall have the authority to require tests to be made as
315 evidence of compliance at no expense to the jurisdiction.
- 316 (4) Test methods. Test methods shall be as specified in this code or by
317 other recognized test standards. In the absence of recognized and
318 accepted test methods, the code official shall be permitted to approve
319 appropriate testing procedures performed by an approved agency.
- 320 (5) Test reports. Reports of tests shall be retained by the code official for
321 the period required for retention of public records.
- 322 (6) Used material and equipment. The use of used materials which meet
323 the requirements of this code for new materials is permitted. Materials,
324 equipment and devices shall not be reused unless such elements are in
325 good repair or have been reconditioned and tested when necessary,
326 placed in good and proper working condition and approved by the
327 code official.
- 328 (7) Approved materials and equipment. Materials, equipment and devices
329 approved by the code official shall be constructed and installed in
330 accordance with such approval.
- 331 (8) Research reports. Supporting data, where necessary to assist in the
332 approval of materials or assemblies not specifically provided for in this

333 code, shall consist of valid research reports from approved sources.

334 (e) Violations.

335 (1) Unlawful acts. It shall be unlawful for a person, firm or corporation to
336 be in conflict with or in violation of any of the provisions of this code.

337 (2) Notice of violation. The code official shall serve a notice of violation
338 or order in accordance with Chapter 162, Florida Statutes.

339 (3) Violation penalties. Any person who shall violate a provision of this
340 code, or fail to comply therewith, or with any of the requirements
341 thereof, shall be prosecuted within the limits provided by state or local
342 laws. Each day that a violation continues after due notice has been
343 served shall be deemed a separate offense.

344 (4) Abatement of violation. The imposition of the penalties herein
345 prescribed shall not preclude the legal officer of the jurisdiction from
346 instituting appropriate action to restrain, correct or abate a violation, or
347 to prevent illegal occupancy of a building, structure or premises, or to
348 stop an illegal act, conduct, business or utilization of the building,
349 structure or premises.

350 (f) Unsafe Structures and Equipment.

351 (1) General. When a structure or equipment is found by the code official
352 to be unsafe, or when a structure is found unfit for human occupancy,
353 or is found unlawful, such structure shall be condemned pursuant to
354 the provisions of this code.

355 a. Unsafe structures. An unsafe structure is one that is found to be
356 dangerous to the life, health, property or safety of the public or the
357 occupants of the structure by not providing minimum safeguards to
358 protect or warn occupants in the event of fire, or because such
359 structure contains unsafe equipment or is so damaged, decayed,
360 dilapidated, structurally unsafe or of such faulty construction or
361 unstable foundation, that partial or complete collapse is possible.

362 b. Unsafe equipment. Unsafe equipment includes any boiler, heating
363 equipment, elevator, moving stairway, electrical wiring or device,
364 flammable liquid containers or other equipment on the premises or
365 within the structure which is in such disrepair or condition that
366 such equipment is a hazard to life, health, property or safety of the
367 public or occupants of the premises or structure.

368 c. Structure unfit for human occupancy. A structure is unfit for
369 human occupancy whenever the code official finds that such
370 structure is unsafe, unlawful or, because of the degree to which the
371 structure is in disrepair or lacks maintenance, is insanitary, vermin
372 or rat infested, contains filth and contamination, or lacks
373 ventilation, illumination, sanitary or heating facilities or other
374 essential equipment required by this code, or because the location

- 375 of the structure constitutes a hazard to the occupants of the
376 structure or to the public.
- 377 d. Unlawful structure. An unlawful structure is one found in whole
378 or in part to be occupied by more persons than permitted under this
379 code, or was erected, altered or occupied contrary to law.
- 380 e. Dangerous structure or premises. For the purpose of this code, any
381 structure or premises that has any or all of the conditions or defects
382 described below shall be considered dangerous:
- 383 1. Any door, aisle, passageway, stairway, exit or other means of
384 egress that does not conform to the approved building or fire
385 code of the jurisdiction as related to the requirements for
386 existing buildings.
- 387 2. The walking surface of any aisle, passageway, stairway, exit or
388 other means of egress is so warped, worn loose, torn or
389 otherwise unsafe as to not provide safe and adequate means of
390 egress.
- 391 3. Any portion of a building, structure or appurtenance that has
392 been damaged by fire, earthquake, wind, flood, deterioration,
393 neglect, abandonment, vandalism or by any other cause to such
394 an extent that it is likely to partially or completely collapse, or
395 to become detached or dislodged.
- 396 4. Any portion of a building, or any member, appurtenance or
397 ornamentation on the exterior thereof that is not of sufficient
398 strength or stability, or is not so anchored, attached or fastened
399 in place so as to be capable of resisting natural or artificial
400 loads of one and one-half the original designed value.
- 401 5. The building or structure, or part of the building or structure,
402 because of dilapidation, deterioration, decay, faulty
403 construction, the removal or movement of some portion of the
404 ground necessary for the support, or for any other reason, is
405 likely to partially or completely collapse, or some portion of
406 the foundation or underpinning of the building or structure is
407 likely to fail or give way.
- 408 6. The building or structure, or any portion thereof, is clearly
409 unsafe for its use and occupancy.
- 410 7. The building or structure is neglected, damaged, dilapidated,
411 unsecured or abandoned so as to become an attractive nuisance
412 to children who might play in the building or structure to their
413 danger, becomes a harbor for vagrants, criminals or immoral
414 persons, or enables persons to resort to the building or structure
415 for committing a nuisance or an unlawful act.
- 416 8. Any building or structure has been constructed, exists or is

417 maintained in violation of any specific requirement or
418 prohibition applicable to such building or structure provided by
419 the approved building or fire code of the jurisdiction, or of any
420 law or ordinance to such an extent as to present either a
421 substantial risk of fire, building collapse or any other threat to
422 life and safety.

423 9. A building or structure, used or intended to be used for
424 dwelling purposes, because of inadequate maintenance,
425 dilapidation, decay, damage, faulty construction or
426 arrangement, inadequate light, ventilation, mechanical or
427 plumbing system, or otherwise, is determined by the code
428 official to be unsanitary, unfit for human habitation or in such a
429 condition that is likely to cause sickness or disease.

430 10. Any building or structure, because of a lack of sufficient or
431 proper fire-resistance-rated construction, fire protection
432 systems, electrical system, fuel connections, mechanical
433 system, plumbing system or other cause, is determined by the
434 code official to be a threat to life or health.

435 11. Any portion of a building remains on a site after the demolition
436 or destruction of the building or structure or whenever any
437 building or structure is abandoned so as to constitute such
438 building or portion thereof as an attractive nuisance or hazard
439 to the public.

440 (2) Closing of vacant structures. If the structure is vacant and unfit for
441 human habitation and occupancy, and is not in danger of structural
442 collapse, the code official is authorized to post a placard of
443 condemnation on the premises and order the structure closed up so as
444 not to be an attractive nuisance. Upon failure of the owner to close up
445 the premises within the time specified in the order, the code official
446 shall cause the premises to be closed and secured through any
447 available public agency or by contract or arrangement by private
448 persons and the cost thereof shall be charged against the real estate
449 upon which the structure is located and shall be a lien upon such real
450 estate and may be collected by any other legal resource.

451 a. Authority to disconnect service utilities. The code official shall
452 have the authority to authorize disconnection of utility service to
453 the building, structure or system regulated by this code and the
454 referenced codes and standards set forth in Section 500.09.1(b)(7)
455 in case of emergency where necessary to eliminate an immediate
456 hazard to life or property or when such utility connection has been
457 made without approval. The code official shall notify the serving
458 utility and, whenever possible, the owner and occupant of the
459 building, structure or service system of the decision to disconnect
460 prior to taking such action. If not notified prior to disconnection

461 the owner or occupant of the building structure or service system
462 shall be notified in writing as soon as practical thereafter.

463 (3) Notice. Whenever the code inspector has condemned a structure or
464 equipment under the provisions of this section, notice shall be
465 protected from the weather and posted in a conspicuous place on or
466 about the structure affected by such notice and served on the owner or
467 the person or persons responsible for the structure or equipment in
468 accordance with Chapter 162, Florida Statutes. If the notice pertains to
469 equipment, it shall also be placed on the condemned equipment.

470 (4) Placarding. Upon failure of the owner or person responsible to comply
471 with the notice provisions within the time given, the code official shall
472 post on the premises or on defective equipment a placard bearing the
473 word "Condemned" and a statement of the penalties provided for
474 occupying the premises, operating the equipment or removing the
475 placard.

476 a. Placard removal. The code official shall remove the condemnation
477 placard whenever the defect or defects upon which the
478 condemnation and placarding action were based have been
479 eliminated. Any person who defaces or removes a condemnation
480 placard without the approval of the code official shall be subject to
481 the penalties provided by this code.

482 (5) Prohibited occupancy. Any occupied structure condemned and
483 placarded by the code official shall be vacated as ordered by the code
484 official. Any person who shall occupy a placarded premises or shall
485 operate placarded equipment, and any owner or any person responsible
486 for the premises who shall let anyone occupy a placarded premises or
487 operate placarded equipment shall be liable for the penalties provided
488 by this code.

489 (6) Abatement methods. The owner, operator or occupant of a building,
490 premises or equipment deemed unsafe by the code official shall abate
491 or cause to be abated or corrected such unsafe conditions either by
492 repair, rehabilitation, demolition or other approved corrective action.

493 (7) Record. The code official shall cause a report to be filed on an unsafe
494 condition. The report shall state the occupancy of the structure and the
495 nature of the unsafe condition.

496 (g) Emergency Measures.

497 (1) Imminent danger. When, in the opinion of the code official, there is
498 imminent danger of failure or collapse of a building or structure which
499 endangers life, or when any structure or part of a structure has fallen
500 and life is endangered by the occupation of the structure, or when there
501 is actual or potential danger to the building occupants or those in the
502 proximity of any structure because of explosives, explosive fumes or
503 vapors or the presence of toxic fumes, gases or materials, or operation

504 of defective or dangerous equipment, the code official is hereby
505 authorized and empowered to order and require the occupants to
506 vacate the premises forthwith. The code official shall cause to be
507 posted at each entrance to such structure a notice reading as follows:
508 "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by
509 the Code Official." It shall be unlawful for any person to enter such
510 structure except for the purpose of securing the structure, making the
511 required repairs, removing the hazardous condition or of demolishing
512 the same.

513 (2) Temporary safeguards. Notwithstanding other provisions of this code,
514 whenever, in the opinion of the code official, there is imminent danger
515 due to an unsafe condition, the code official shall order the necessary
516 work to be done, including the boarding up of openings, to render such
517 structure temporarily safe whether or not the legal procedure herein
518 described has been instituted; and shall cause such other action to be
519 taken as the code official deems necessary to meet such emergency.

520 (3) Closing streets. When necessary for public safety, the code official
521 shall temporarily close structures and close, or order the authority
522 having jurisdiction to close, sidewalks, streets, public ways and places
523 adjacent to unsafe structures, and prohibit the same from being
524 utilized.

525 (4) Emergency repairs. For the purposes of this section, the code official
526 shall employ the necessary labor and materials to perform the required
527 work as expeditiously as possible.

528 (5) Costs of emergency repairs. Costs incurred in the performance of
529 emergency work shall be paid by the owner or agent responsible for
530 the property, or the City may thereafter file a lien on the property for
531 such costs.

532 (6) Hearing. Any person ordered to take emergency measures shall
533 comply with such order forthwith. Any adversely affected person shall
534 thereafter, upon application directed to the city council, be afforded an
535 appeal from the code inspector's decision upon payment of appeal fees
536 as set by resolution of council

537 (h) Demolition.

538 (1) General. The code official shall order the owner of any premises upon
539 which is located any structure, which in the code official judgment
540 after review is so deteriorated or dilapidated or has become so out of
541 repair as to be dangerous, unsafe, insanitary or otherwise unfit for
542 human habitation or occupancy, and such that it is unreasonable to
543 repair the structure, to demolish and remove such structure; or if such
544 structure is capable of being made safe by repairs, to repair and make
545 safe and sanitary, or to board up and hold for future repair or to
546 demolish and remove at the owner's option; or where there has been a

547 cessation of normal construction of any structure for a period of more
548 than two years, the code official shall order the owner to demolish and
549 remove such structure, or board up until future repair. Boarding the
550 building up for future repair shall not extend beyond one year, unless
551 approved by the building official.

552 (2) Notices and orders. All notices and orders shall comply with Section
553 500.09.1(f).

554 (3) Failure to comply. If the owner of a premises fails to comply with a
555 demolition order within the time prescribed, the code official shall
556 cause the structure to be demolished and removed, either through an
557 available public agency or by contract or arrangement with private
558 persons, and the cost of such demolition and removal shall be charged
559 against the real estate upon which the structure is located and shall be
560 a lien upon such real estate.

561 (4) Salvage materials. When any structure has been ordered demolished
562 and removed, the governing body or other designated officer under
563 said contract or arrangement aforesaid shall have the right to sell the
564 salvage and valuable materials at the highest price obtainable. The net
565 proceeds of such sale, after deducting the expenses of such demolition
566 and removal, shall be promptly remitted with a report of such sale or
567 transaction, including the items of expense and the amounts deducted,
568 for the person who is entitled thereto, subject to any order of a court. If
569 such a surplus does not remain to be turned over, the report shall so
570 state.

571 (i) Means of Appeal.

572 (1) Application for appeal. Any person directly affected by a decision of
573 the code official or a notice or order issued under this code shall have
574 the right to appeal to the Code Enforcement Board or Special
575 Magistrate, provided that a written application for appeal is filed
576 within 20 days after the day the decision, notice or order was served.
577 An application for appeal shall be based on a claim that the true intent
578 of this code or the rules legally adopted thereunder have been
579 incorrectly interpreted, the provisions of this code do not fully apply,
580 or the requirements of this code are adequately satisfied by other
581 means.

582 (2) Court review. Any person, whether or not a previous party of the
583 appeal, shall have the right to apply to the appropriate court for a writ
584 of certiorari to correct errors of law. Application for review shall be
585 made in the manner and time required by law following the filing of
586 the decision.

587 (3) Stays of enforcement. Appeals of notice and orders (other than
588 Imminent Danger notices) shall stay the enforcement of the notice and
589 order until the appeal is heard by the Code Enforcement Board or

590 Special Magistrate.

591 (j) Stop Work Order.

592 (1) Authority. Whenever the code official finds any work regulated by
593 this code being performed in a manner contrary to the provisions of
594 this code or in a dangerous or unsafe manner, the code official is
595 authorized to issue a stop work order.

596 (2) Issuance. A stop work order shall be in writing and shall be given to
597 the owner of the property, to the owner's agent, or to the person doing
598 the work. Upon issuance of a stop work order, the cited work shall
599 immediately cease. The stop work order shall state the reason for the
600 order and the conditions under which the cited work is authorized to
601 resume.

602 (3) Emergencies. Where an emergency exists, the code official shall not
603 be required to give a written notice prior to stopping the work.

604 (k) Failure to comply. Any person who shall continue any work after having
605 been served with a stop work order, except such work as that person is
606 directed to perform to remove a violation or unsafe condition, shall be
607 subject to a fine in accordance with limits established by Florida Statutes.

608 Section 5.00.09.2. Definitions.

609 (a) General.

610 (1) Scope. Unless otherwise expressly stated, the following terms shall,
611 for the purposes of this code, have the meanings shown in this chapter.

612 (2) Interchangeability. Words stated in the present tense include the
613 future; words stated in the masculine gender include the feminine and
614 neuter; the singular number includes the plural and the plural, the
615 singular.

616 (3) Terms defined in other codes. Where terms are not defined in this
617 code and are defined in the *Florida Building Code, Florida Existing*
618 *Building Code, Florida Fire Prevention Code, Florida Fuel Gas Code,*
619 *Florida Mechanical Code, Florida Plumbing Code, Florida*
620 *Residential Code, Land Development Regulations, or NFPA 70, such*
621 terms shall have the meanings ascribed to them as stated in those
622 codes.

623 (4) Terms not defined. Where terms are not defined through the methods
624 authorized by this section, such terms shall have ordinarily accepted
625 meanings such as the context implies.

626 (5) Parts. Whenever the words "dwelling unit," "dwelling," "premises,"
627 "building," "rooming house," "rooming unit," "housekeeping unit" or
628 "story" are stated in this code, they shall be construed as though they
629 were followed by the words "or any part thereof."

630 (b) General Definitions

631 Anchored—Secured in a manner that provides positive connection.

632 Approved—Approved by the code official.

633 Basement—That portion of a building which is partly or completely

634 below grade.

635 Bathroom—A room containing plumbing fixtures including a bathtub or

636 shower.

637 Bedroom—Any room or space used or intended to be used for sleeping

638 purposes in either a dwelling or sleeping unit.

639 Code Official—The official who is charged with the administration and

640 enforcement of this code, or any duly authorized representative.

641 Condemn—To adjudge unfit for occupancy.

642 Detached—When a structural element is physically disconnected from

643 another and that connection is necessary to provide a positive connection.

644 Deterioration—To weaken, disintegrate, corrode, rust or decay and lose

645 effectiveness.

646 Dwelling Unit—A single unit providing complete, independent living

647 facilities for one or more persons, including permanent provisions for living,

648 sleeping, eating, cooking and sanitation.

649 Easement—That portion of land or property reserved for present or

650 future use by a person or agency other than the legal fee owner(s) of the

651 property. The easement shall be permitted to be for use under, on or above a

652 said lot or lots.

653 Equipment Support—Those structural members or assemblies of

654 members or manufactured elements, including braces, frames, lugs,

655 snuggers, hangers or saddles, that transmit gravity load, lateral load and

656 operating load between the equipment and the structure.

657 Exterior Property—The open space on the premises and on adjoining

658 property under the control of owners or operators of such premises.

659 Garbage—The animal or vegetable waste resulting from the handling,

660 preparation, cooking and consumption of food.

661 Guard—A building component or a system of building components

662 located at or near the open sides of elevated walking surfaces that minimizes

663 the possibility of a fall from the walking surface to a lower level.

664 Habitable Space—Space in a structure for living, sleeping, eating or

665 cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces,

666 and similar areas are not considered habitable spaces.

667 Housekeeping Unit—A room or group of rooms forming a single

668 habitable space equipped and intended to be used for living, sleeping,

669 cooking and eating which does not contain, within such a unit, a toilet,

670 lavatory and bathtub or shower.

671 Imminent Danger—A condition which could cause serious or life-
672 threatening injury or death at any time.

673 Infestation—The presence, within or contiguous to, a structure or
674 premises of insects, rats, vermin or other pests.

675 Inoperable Motor Vehicle—A vehicle which cannot be driven upon the
676 public streets for reason including but not limited to being unlicensed,
677 wrecked, abandoned, in a state of disrepair, or incapable of being moved
678 under its own power.

679 Labeled—Equipment, materials or products to which have been affixed
680 a label, seal, symbol or other identifying mark of a nationally recognized
681 testing laboratory, inspection agency or other organization concerned with
682 product evaluation that maintains periodic inspection of the production of
683 the above-labeled items and whose labeling indicates either that the
684 equipment, material or product meets identified standards or has been tested
685 and found suitable for a specified purpose.

686 Let For Occupancy or LET—To permit, provide or offer possession or
687 occupancy of a dwelling, dwelling unit, rooming unit, building, premise or
688 structure by a person who is or is not the legal owner of record thereof,
689 pursuant to a written or unwritten lease, agreement or license, or pursuant to
690 a recorded or unrecorded agreement of contract for the sale of land.

691 Neglect—The lack of proper maintenance for a building or structure.

692 Occupancy—The purpose for which a building or portion thereof is
693 utilized or occupied.

694 Occupant—Any individual living or sleeping in a building, or having
695 possession of a space within a building.

696 Openable Area—That part of a window, skylight or door which is
697 available for unobstructed ventilation and which opens directly to the
698 outdoors.

699 Operator—Any person who has charge, care or control of a structure or
700 premises which is let or offered for occupancy.

701 Owner—Any person, agent, operator, firm or corporation having a legal
702 or equitable interest in the property; or recorded in the official records of the
703 state, county or municipality as holding title to the property; or otherwise
704 having control of the property, including the guardian of the estate of any
705 such person, and the executor or administrator of the estate of such person if
706 ordered to take possession of real property by a court.

707 Person—An individual, corporation, partnership or any other group
708 acting as a unit.

709 Pest Elimination—The control and elimination of insects, rodents or
710 other pests by eliminating their harborage places; by removing or making
711 inaccessible materials that serve as their food or water; by other approved

712 pest elimination methods.

713 Premises—A lot, plot or parcel of land, easement or public way,
714 including any structures thereon.

715 Public Way—Any street, alley or similar parcel of land essentially
716 unobstructed from the ground to the sky, which is deeded, dedicated or
717 otherwise permanently appropriated to the public for public use.

718 Rooming House—A building arranged or occupied for lodging, with or
719 without meals, for compensation and not occupied as a one- or two-family
720 dwelling.

721 Rooming Unit—Any room or group of rooms forming a single habitable
722 unit occupied or intended to be occupied for sleeping or living, but not for
723 cooking purposes.

724 Rubbish—Combustible and noncombustible waste materials, except
725 garbage; the term shall include the residue from the burning of wood, coal,
726 coke and other combustible materials, paper, rags, cartons, boxes, wood,
727 excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals,
728 mineral matter, glass, crockery and dust and other similar materials.

729 Sleeping Unit—A room or space in which people sleep, which can also
730 include permanent provisions for living, eating and either sanitation or
731 kitchen facilities, but not both. Such rooms and spaces that are also part of a
732 dwelling unit are not sleeping units.

733 Strict Liability Offense—An offense in which the prosecution in a legal
734 proceeding is not required to prove criminal intent as a part of its case. It is
735 enough to prove that the defendant either did an act which was prohibited,
736 or failed to do an act which the defendant was legally required to do.

737 Structure—That which is built or constructed or a portion thereof.

738 Tenant—A person, corporation, partnership or group, whether or not the
739 legal owner of record, occupying a building or portion thereof as a unit.

740 Toilet Room—A room containing a water closet or urinal but not a
741 bathtub or shower.

742 Ultimate Deformation—The deformation at which failure occurs and
743 which shall be deemed to occur if the sustainable load reduces to 80 percent
744 or less of the maximum strength.

745 Ventilation—The natural or mechanical process of supplying
746 conditioned or unconditioned air to, or removing such air from, any space.

747 Workmanlike—Executed in a skilled manner; e.g., generally plumb,
748 level, square, in line, undamaged and without marring adjacent work.

749 Yard—An open space on the same lot with a structure.

750 Section 5.00.09.3. General Requirements.

751 (a) General.

- 752 (1) Scope. The provisions of this chapter shall govern the minimum
753 conditions and the responsibilities of persons for maintenance of
754 structures, equipment and exterior property.
- 755 (2) Responsibility. The owner of the premises shall maintain the
756 structures and exterior property in compliance with these
757 requirements, except as otherwise provided for in this code. A person
758 shall not occupy as owner-occupant or permit another person to
759 occupy premises which are not in a sanitary and safe condition and
760 which do not comply with the requirements of this chapter. Occupants
761 of a dwelling unit, rooming unit or housekeeping unit are responsible
762 for keeping in a clean, sanitary and safe condition that part of the
763 dwelling unit, rooming unit, housekeeping unit or premises which they
764 occupy and control.
- 765 (3) Vacant structures and land. All vacant structures and premises thereof
766 or vacant land shall be maintained in a clean, safe, secure and sanitary
767 condition as provided herein so as not to cause a blighting problem or
768 adversely affect the public health or safety.
- 769 (b) Exterior Property Areas.
- 770 (1) Sanitation. All exterior property and premises shall be maintained in a
771 clean, safe and sanitary condition. The occupant shall keep that part of
772 the exterior property which such occupant occupies or controls in a
773 clean and sanitary condition.
- 774 (2) Grading and drainage. All premises shall be graded and maintained to
775 prevent the erosion of soil and to prevent the accumulation of stagnant
776 water thereon, or within any structure located thereon.
- 777 Exception: Approved retention areas and reservoirs.
- 778 (3) Sidewalks and driveways. All sidewalks, walkways, stairs, driveways,
779 parking spaces and similar areas shall be kept in a proper state of
780 repair, and maintained free from hazardous conditions.
- 781 (4) Upon failure of the owner or agent having charge of a property to cut
782 and destroy weeds after service of a notice of violation, they shall be
783 subject to prosecution in accordance with Section 500.09.1(e)(3) and
784 as prescribed by the authority having jurisdiction. Upon failure to
785 comply with the notice of violation, any duly authorized employee of
786 the jurisdiction or contractor hired by the jurisdiction shall be
787 authorized to enter upon the property in violation and cut and destroy
788 the weeds growing thereon, and the costs of such removal shall be paid
789 by the owner or agent responsible for the property.
- 790 (5) Rodent harborage. All structures and exterior property shall be kept
791 free from rodent harborage and infestation. Where rodents are found,
792 they shall be promptly exterminated by approved processes which will
793 not be injurious to human health. After pest elimination, proper
794 precautions shall be taken to eliminate rodent harborage and prevent

- 795 reinfestation.
- 796 (6) Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not
797 discharge gases, steam, vapor, hot air, grease, smoke, odors or other
798 gaseous or particulate wastes directly upon abutting or adjacent public
799 or private property or that of another tenant.
- 800 (7) Accessory structures. All accessory structures, including detached
801 garages, fences and walls, shall be maintained structurally sound and
802 in good repair.
- 803 (8) Motor vehicles. Except as provided for in other regulations, no
804 inoperative or unlicensed motor vehicle shall be parked, kept or stored
805 on any premises, and no vehicle shall at any time be in a state of major
806 disassembly, disrepair, or in the process of being stripped or
807 dismantled. Painting of vehicles is prohibited unless conducted inside
808 an approved spray booth.
- 809 Exception: A vehicle of any type is permitted to undergo major
810 overhaul, including body work, provided that such work is performed
811 inside a structure or similarly enclosed area designed and approved for
812 such purposes.
- 813 (9) Defacement of property. No person shall willfully or wantonly
814 damage, mutilate or deface any exterior surface of any structure or
815 building on any private or public property by placing thereon any
816 marking, carving or graffiti.
- 817 (10) It shall be the responsibility of the owner to restore said surface to an
818 approved state of maintenance and repair.
- 819 (c) Swimming Pools, Spas and Hot Tubs.
- 820 (1) Swimming pools. Swimming pools shall be maintained in a clean and
821 sanitary condition, and in good repair.
- 822 (2) Enclosures. Private swimming pools, hot tubs and spas, containing
823 water more than 24 inches in depth shall be completely surrounded by
824 a fence or barrier at least 48 inches in height above the finished ground
825 level measured on the side of the barrier away from the pool. Gates
826 and doors in such barriers shall be self-closing and self-latching.
827 Where the self-latching device is a minimum of 54 inches above the
828 bottom of the gate, the release mechanism shall be located on the pool
829 side of the gate. Self-closing and self-latching gates shall be
830 maintained such that the gate will positively close and latch when
831 released from an open position of 6 inches from the gatepost. No
832 existing pool enclosure shall be removed, replaced or changed in a
833 manner that reduces its effectiveness as a safety barrier.
- 834 Exception: Spas or hot tubs with a safety cover that complies with
835 ASTM F 1346 shall be exempt from the provisions of this section.
- 836 (d) Exterior Structure.

- 837 (1) General. The exterior of a structure shall be maintained in good repair,
838 structurally sound and sanitary so as not to pose a threat to the public
839 health, safety or welfare.
- 840 a. Unsafe conditions. The following conditions shall be determined
841 as unsafe and shall be repaired or replaced to comply with the
842 Florida Building Code or the Florida Existing Building Code as
843 required for existing buildings:
- 844 i. The nominal strength of any structural member is exceeded
845 by nominal loads, the load effects or the required strength;
- 846 ii. The anchorage of the floor or roof to walls or columns, and
847 of walls and columns to foundations is not capable of
848 resisting all nominal loads or load effects;
- 849 iii. Structures or components thereof that have reached their
850 limit state;
- 851 iv. Siding and masonry joints including joints between the
852 building envelope and the perimeter of windows, doors and
853 skylights are not maintained, weather resistant or water tight;
- 854 v. Structural members that have evidence of deterioration or
855 that are not capable of safely supporting all nominal loads
856 and load effects;
- 857 vi. Foundation systems that are not firmly supported by footings,
858 are not plumb and free from open cracks and breaks, are not
859 properly anchored or are not capable of supporting all
860 nominal loads and resisting all load effects;
- 861 vii. Exterior walls that are not anchored to supporting and
862 supported elements or are not plumb and free of holes, cracks
863 or breaks and loose or rotting materials, are not properly
864 anchored or are not capable of supporting all nominal loads
865 and resisting all load effects;
- 866 viii. Roofing or roofing components that have defects that admit
867 rain, roof surfaces with inadequate drainage, or any portion
868 of the roof framing that is not in good repair with signs of
869 deterioration, fatigue or without proper anchorage and
870 incapable of supporting all nominal loads and resisting all
871 load effects;
- 872 ix. Flooring and flooring components with defects that affect
873 serviceability or flooring components that show signs of
874 deterioration or fatigue, are not properly anchored or are
875 incapable of supporting all nominal loads and resisting all
876 load effects;
- 877 x. Veneer, cornices, belt courses, corbels, trim, wall facings and
878 similar decorative features not properly anchored or that are

- 879 anchored with connections not capable of supporting all
880 nominal loads and resisting all load effects;
- 881 xi. Overhang extensions or projections including, but not limited
882 to, trash chutes, canopies, marquees, signs, awnings, fire
883 escapes, standpipes and exhaust ducts not properly anchored
884 or that are anchored with connections not capable of
885 supporting all nominal loads and resisting all load effects;
- 886 xii. Exterior stairs, decks, porches, balconies and all similar
887 appurtenances attached thereto, including guards and
888 handrails, are not structurally sound, not properly anchored
889 or that are anchored with connections not capable of
890 supporting all nominal loads and resisting all load effects; or
- 891 xiii. Chimneys, cooling towers, smokestacks and similar
892 appurtenances not structurally sound or not properly
893 anchored, or that are anchored with connections not capable
894 of supporting all nominal loads and resisting all load effects.
- 895 Exceptions:
- 896 a. When substantiated otherwise by an approved method.
- 897 b. Demolition of unsafe conditions shall be permitted when
898 approved by the code official.
- 899 (2) Protective treatment. All exterior surfaces, including but not limited
900 to, doors, door and window frames, cornices, porches, trim, balconies,
901 decks and fences, shall be maintained in good condition. Exterior
902 wood surfaces, other than decay-resistant woods, shall be protected
903 from the elements and decay by painting or other protective covering
904 or treatment. Peeling, flaking and chipped paint shall be eliminated
905 and surfaces repainted. All siding and masonry joints, as well as those
906 between the building envelope and the perimeter of windows, doors
907 and skylights, shall be maintained weather resistant and water tight.
908 All metal surfaces subject to rust or corrosion shall be coated to inhibit
909 such rust and corrosion, and all surfaces with rust or corrosion shall be
910 stabilized and coated to inhibit future rust and corrosion. Oxidation
911 stains shall be removed from exterior surfaces. Surfaces designed for
912 stabilization by oxidation are exempt from this requirement.
- 913 (3) Premises identification. Buildings shall have approved address
914 numbers placed in a position to be plainly legible and visible from the
915 street or road fronting the property. These numbers shall contrast with
916 their background. Address numbers shall be Arabic numerals or
917 alphabet letters. Numbers shall be a minimum of 4 inches in height
918 with a minimum stroke width of 0.5 inch.
- 919 (4) Structural members. All structural members shall be maintained free
920 from deterioration, and shall be capable of safely supporting the
921 imposed dead and live loads.

- 922 (5) Foundation walls. All foundation walls shall be maintained plumb and
923 free from open cracks and breaks and shall be kept in such condition
924 so as to prevent the entry of rodents and other pests.
- 925 (6) Exterior walls. All exterior walls shall be free from holes, breaks, and
926 loose or rotting materials; and maintained weatherproof and properly
927 surface coated where required to prevent deterioration.
- 928 (7) Roofs and drainage. The roof and flashing shall be sound, tight and
929 not have defects that admit rain. Roof drainage shall be adequate to
930 prevent dampness or deterioration in the walls or interior portion of the
931 structure. Roof drains, gutters and downspouts shall be maintained in
932 good repair and free from obstructions. Roof water shall not be
933 discharged in a manner that creates a public nuisance.
- 934 (8) Decorative features. All cornices, belt courses, corbels, terra cotta
935 trim, wall facings and similar decorative features shall be maintained
936 in good repair with proper anchorage and in a safe condition.
- 937 (9) Overhang extensions. All overhang extensions including, but not
938 limited to canopies, marquees, signs, metal awnings, fire escapes,
939 standpipes and exhaust ducts shall be maintained in good repair and be
940 properly anchored so as to be kept in a sound condition. When
941 required, all exposed surfaces of metal or wood shall be protected from
942 the elements and against decay or rust by periodic application of
943 weather-coating materials, such as paint or similar surface treatment.
- 944 (10) Stairways, decks, porches and balconies. Every exterior stairway,
945 deck, porch and balcony, and all appurtenances attached thereto, shall
946 be maintained structurally sound, in good repair, with proper
947 anchorage and capable of supporting the imposed loads.
- 948 (11) Chimneys and towers. All chimneys, cooling towers, smoke stacks,
949 and similar appurtenances shall be maintained structurally safe and
950 sound, and in good repair. All exposed surfaces of metal or wood shall
951 be protected from the elements and against decay or rust by periodic
952 application of weather-coating materials, such as paint or similar
953 surface treatment.
- 954 (12) Handrails and guards. Every handrail and guard shall be firmly
955 fastened and capable of supporting normally imposed loads and shall
956 be maintained in good condition.
- 957 (13) Window, skylight and door frames. Every window, skylight, door and
958 frame shall be kept in sound condition, good repair and weather tight.
- 959 a. Glazing. All glazing materials shall be maintained free from
960 cracks and holes.
- 961 b. Openable windows. Every window, other than a fixed window,
962 shall be easily openable and capable of being held in position by
963 window hardware.

- 964 (14) Insect screens. Year round, every door, window and other outside
965 opening required for ventilation of habitable rooms, food preparation
966 areas, food service areas or any areas where products to be included or
967 utilized in food for human consumption are processed, manufactured,
968 packaged or stored shall be supplied with approved tightly fitting
969 screens of minimum 16 mesh per inch, and every screen door used for
970 insect control shall have a self-closing device in good working
971 condition.
- 972 Exception: Screens shall not be required where other approved means,
973 such as air curtains or insect repellent fans, are employed.
- 974 (15) Doors. All exterior doors, door assemblies, operator systems if
975 provided, and hardware shall be maintained in good condition. Locks
976 at all entrances to dwelling units and sleeping units shall tightly secure
977 the door. Locks on means of egress doors shall be in accordance with
978 Section 500.09.7(b)(3).
- 979 (16) Basement hatchways. Every basement hatchway shall be maintained
980 to prevent the entrance of rodents, rain and surface drainage water.
- 981 (17) Guards for basement windows. Every basement window that is
982 openable shall be supplied with rodent shields, storm windows or other
983 approved protection against the entry of rodents.
- 984 (18) Building security. Doors, windows or hatchways for dwelling units,
985 room units or housekeeping units shall be provided with devices
986 designed to provide security for the occupants and property within.
- 987 a. Doors. Doors providing access to a dwelling unit, rooming unit or
988 housekeeping unit that is rented, leased or let shall be equipped
989 with a deadbolt lock designed to be readily openable from the side
990 from which egress is to be made without the need for keys, special
991 knowledge or effort and shall have a minimum lock throw of 1
992 inch. Such deadbolt locks shall be installed according to the
993 manufacturer's specifications and maintained in good working
994 order. For the purpose of this section, a sliding bolt shall not be
995 considered an acceptable deadbolt lock.
- 996 b. Windows. Operable windows located in whole or in part within 6
997 feet above ground level or a walking surface below that provide
998 access to a dwelling unit, rooming unit or housekeeping unit that is
999 rented, leased or let shall be equipped with a window sash locking
1000 device.
- 1001 c. Basement hatchways. Basement hatchways that provide access to
1002 a dwelling unit, rooming unit or housekeeping unit that is rented,
1003 leased or let shall be equipped with devices that secure the units
1004 from unauthorized entry.
- 1005 (19) Gates. All exterior gates, gate assemblies, operator systems if
1006 provided, and hardware shall be maintained in good condition. Latches

1007 at all entrances shall tightly secure the gates.

1008 (e) Interior Structure.

1009 (1) General. The interior of a structure and equipment therein shall be
1010 maintained in good repair, structurally sound and in a sanitary
1011 condition. Occupants shall keep that part of the structure which they
1012 occupy or control in a clean and sanitary condition. Every owner of a
1013 structure containing a rooming house, housekeeping units, a hotel, a
1014 dormitory, two or more dwelling units or two or more nonresidential
1015 occupancies, shall maintain, in a clean and sanitary condition, the
1016 shared or public areas of the structure and exterior property.

1017 a. Unsafe conditions. The following conditions shall be determined
1018 as unsafe and shall be repaired or replaced to comply with the
1019 Florida Building Code or the Florida Existing Building Code as
1020 required for existing buildings:

1021 i. The nominal strength of any structural member is exceeded
1022 by nominal loads, the load effects or the required strength;

1023 ii. The anchorage of the floor or roof to walls or columns, and
1024 of walls and columns to foundations is not capable of
1025 resisting all nominal loads or load effects;

1026 iii. Structures or components thereof that have reached their
1027 limit state;

1028 iv. Structural members are incapable of supporting nominal
1029 loads and load effects;

1030 v. Stairs, landings, balconies and all similar walking surfaces,
1031 including guards and handrails, are not structurally sound,
1032 not properly anchored or are anchored with connections not
1033 capable of supporting all nominal loads and resisting all load
1034 effects;

1035 vi. Foundation systems that are not firmly supported by footings
1036 are not plumb and free from open cracks and breaks, are not
1037 properly anchored or are not capable of supporting all
1038 nominal loads and resisting all load effects.

1039 Exceptions:

1040 a. When substantiated otherwise by an approved method.

1041 b. Demolition of unsafe conditions shall be permitted when
1042 approved by the code official.

1043 (2) Structural members. All structural members shall be maintained
1044 structurally sound, and be capable of supporting the imposed loads.

1045 (3) Interior surfaces. All interior surfaces, including windows and doors,
1046 shall be maintained in good, clean and sanitary condition. Peeling,

- 1047 chipping, flaking or abraded paint shall be repaired, removed or
1048 covered. Cracked or loose plaster, decayed wood and other defective
1049 surface conditions shall be corrected.
- 1050 (4) Stairs and walking surfaces. Every stair, ramp, landing, balcony,
1051 porch, deck or other walking surface shall be maintained in sound
1052 condition and good repair.
- 1053 (5) Handrails and guards. Every handrail and guard shall be firmly
1054 fastened and capable of supporting normally imposed loads and shall
1055 be maintained in good condition.
- 1056 (6) Interior doors. Every interior door shall fit reasonably well within its
1057 frame and shall be capable of being opened and closed by being
1058 properly and securely attached to jambs, headers or tracks as intended
1059 by the manufacturer of the attachment hardware.
- 1060 (f) Component Serviceability.
- 1061 (1) General. The components of a structure and equipment therein shall
1062 be maintained in good repair, structurally sound and in a sanitary
1063 condition.
- 1064 a. Unsafe conditions. Where any of the following conditions cause
1065 the component or system to be beyond its limit state, the
1066 component or system shall be determined as unsafe and shall be
1067 repaired or replaced to comply with the *Florida Building Code* as
1068 required for existing buildings:
- 1069 i. Soils that have been subjected to any of the following
1070 conditions:
- 1071 a. Collapse of footing or foundation system;
- 1072 b. Damage to footing, foundation, concrete or other
1073 structural element due to soil expansion;
- 1074 c. Adverse effects to the design strength of footing,
1075 foundation, concrete or other structural element due to a
1076 chemical reaction from the soil;
- 1077 d. Inadequate soil as determined by a geotechnical
1078 investigation;
- 1079 e. Where the allowable bearing capacity of the soil is in
1080 doubt; or
- 1081 f. Adverse effects to the footing, foundation, concrete or
1082 other structural element due to the ground water table.
- 1083 ii. Concrete that has been subjected to any of the following
1084 conditions:
- 1085 a. Deterioration;
- 1086 b. Ultimate deformation;

- 1087 c. Fractures;
1088 d. Fissures;
1089 e. Spalling;
1090 f. Exposed reinforcement; or
1091 g. Detached, dislodged or failing connections.
- 1092 iii. Aluminum that has been subjected to any of the following
1093 conditions:
1094 a. Deterioration;
1095 b. Corrosion;
1096 c. Elastic deformation;
1097 d. Ultimate deformation;
1098 e. Stress or strain cracks;
1099 f. Joint fatigue; or
1100 g. Detached, dislodged or failing connections.
- 1101 iv. Masonry that has been subjected to any of the following
1102 conditions:
1103 a. Deterioration;
1104 b. Ultimate deformation;
1105 c. Fractures in masonry or mortar joints;
1106 d. Fissures in masonry or mortar joints;
1107 e. Spalling;
1108 f. Exposed reinforcement; or
1109 g. Detached, dislodged or failing connections.
- 1110 v. Steel that has been subjected to any of the following
1111 conditions:
1112 a. Deterioration;
1113 b. Elastic deformation;
1114 c. Ultimate deformation;
1115 d. Metal fatigue; or
1116 e. Detached, dislodged or failing connections.
- 1117 vi. Wood that has been subjected to any of the following
1118 conditions:
1119 a. Ultimate deformation;
1120 b. Deterioration;

- 1121 c. Damage from insects, rodents and other vermin;
- 1122 d. Fire damage beyond charring;
- 1123 e. Significant splits and checks;
- 1124 f. Horizontal shear cracks;
- 1125 g. Vertical shear cracks;
- 1126 h. Inadequate support;
- 1127 i. Detached, dislodged or failing connections; or
- 1128 j. Excessive cutting and notching.
- 1129 Exceptions:
- 1130 1. When substantiated otherwise by an approved
- 1131 method.
- 1132 2. Demolition of unsafe conditions shall be permitted
- 1133 when approved by the code official.
- 1134 (g) Handrails and Guardrails.
- 1135 (1) General. Every exterior and interior flight of stairs having more than
- 1136 four risers shall have a handrail on one side of the stair and every open
- 1137 portion of a stair, landing, balcony, porch, deck, ramp or other walking
- 1138 surface which is more than 30 inches above the floor or grade below
- 1139 shall have guards. Handrails shall not be less than 30 inches in height
- 1140 or more than 42 inches in height measured vertically above the nosing
- 1141 of the tread or above the finished floor of the landing or walking
- 1142 surfaces. Guards shall not be less than 30 inches in height above the
- 1143 floor of the landing, balcony, porch, deck, or ramp or other walking
- 1144 surface.
- 1145 Exception: Guards shall not be required where exempted by the
- 1146 adopted building code.
- 1147 (h) Rubbish and Garbage.
- 1148 (1) Accumulation of rubbish or garbage. All exterior property and
- 1149 premises, and the interior of every structure, shall be free from any
- 1150 accumulation of rubbish or garbage.
- 1151 (2) Disposal of rubbish. Every occupant of a structure shall dispose of all
- 1152 rubbish in a clean and sanitary manner by placing such rubbish in
- 1153 approved containers.
- 1154 a. Rubbish storage facilities. The owner of every occupied premises
- 1155 shall supply approved covered containers for rubbish, and the
- 1156 owner of the premises shall be responsible for the removal of
- 1157 rubbish.
- 1158 b. Refrigerators. Refrigerators and similar equipment not in
- 1159 operation shall not be discarded, abandoned or stored on premises

- 1160 without first removing the doors.
- 1161 (3) Disposal of garbage. Every occupant of a structure shall dispose of
 1162 garbage in a clean and sanitary manner by placing such garbage in an
 1163 approved garbage disposal facility or approved garbage containers.
- 1164 a. Garbage facilities. The owner of every dwelling shall supply one
 1165 of the following: an approved mechanical food waste grinder in
 1166 each dwelling unit; an approved incinerator unit in the structure
 1167 available to the occupants in each dwelling unit; or an approved
 1168 leakproof, covered, outside garbage container.
- 1169 b. Containers. The operator of every establishment producing
 1170 garbage shall provide, and at all times cause to be utilized,
 1171 approved leakproof containers provided with close-fitting covers
 1172 for the storage of such materials until removed from the premises
 1173 for disposal.
- 1174 (i) Pest Elimination.
- 1175 (1) Infestation. All structures shall be kept free from insect and rodent
 1176 infestation. All structures in which insects or rodents are found shall be
 1177 promptly exterminated by approved processes that will not be
 1178 injurious to human health. After pest elimination, proper precautions
 1179 shall be taken to prevent reinfestation.
- 1180 (2) Owner. The owner of any structure shall be responsible for pest
 1181 elimination within the structure prior to renting or leasing the
 1182 structure.
- 1183 (3) Single occupant. The occupant of a one-family dwelling or of a
 1184 single-tenant nonresidential structure shall be responsible for pest
 1185 elimination on the premises.
- 1186 (4) Multiple occupancy. The owner of a structure containing two or more
 1187 dwelling units, a multiple occupancy, a rooming house or a
 1188 nonresidential structure shall be responsible for pest elimination in the
 1189 public or shared areas of the structure and exterior property. If
 1190 infestation is caused by failure of an occupant to prevent such
 1191 infestation in the area occupied, the occupant and owner shall be
 1192 responsible for pest elimination.
- 1193 (5) Occupant. The occupant of any structure shall be responsible for the
 1194 continued rodent and pest-free condition of the structure.
- 1195 Exception: Where the infestations are caused by defects in the
 1196 structure, the owner shall be responsible for pest elimination.

1197 Section 5.00.09.4. Light, Ventilation and Occupancy Limitations.

- 1198 (a) General.
- 1199 (1) Scope. The provisions of this chapter shall govern the minimum
 1200 conditions and standards for light, ventilation and space for occupying

- 1201 a structure.
- 1202 (2) Responsibility. The owner of the structure shall provide and maintain
1203 light, ventilation and space conditions in compliance with these
1204 requirements. A person shall not occupy as owner-occupant, or permit
1205 another person to occupy, any premises that do not comply with the
1206 requirements of this chapter.
- 1207 (3) Alternative devices. In lieu of the means for natural light and
1208 ventilation herein prescribed, artificial light or mechanical ventilation
1209 complying with the *Florida Building Code* shall be permitted.

1210 (b) Light

- 1211 (1) Habitable spaces. Every habitable space shall have at least one
1212 window of approved size facing directly to the outdoors or to a court.
1213 The minimum total glazed area for every habitable space shall be 8
1214 percent of the floor area of such room. Wherever walls or other
1215 portions of a structure face a window of any room and such
1216 obstructions are located less than 3 feet from the window and extend to
1217 a level above that of the ceiling of the room, such window shall not be
1218 deemed to face directly to the outdoors nor to a court and shall not be
1219 included as contributing to the required minimum total window area
1220 for the room.

1221 Exception: Where natural light for rooms or spaces without exterior
1222 glazing areas is provided through an adjoining room, the unobstructed
1223 opening to the adjoining room shall be at least 8 percent of the floor
1224 area of the interior room or space, but a minimum of 25 square feet.
1225 The exterior glazing area shall be based on the total floor area being
1226 served.

- 1227 (2) Common halls and stairways. Every common hall and stairway in
1228 residential occupancies, other than in one- and two-family dwellings,
1229 shall be lighted at all times with at least a 60-watt standard
1230 incandescent light bulb for each 200 square feet of floor area or
1231 equivalent illumination, provided that the spacing between lights shall
1232 not be greater than 30 feet. In other than residential occupancies,
1233 means of egress, including exterior means of egress, stairways shall be
1234 illuminated at all times the building space served by the means of
1235 egress is occupied with a minimum of 1 footcandle at floors, landings
1236 and treads.

- 1237 (3) Other spaces. All other spaces shall be provided with natural or
1238 artificial light sufficient to permit the maintenance of sanitary
1239 conditions, and the safe occupancy of the space and utilization of the
1240 appliances, equipment and fixtures.

1241 (c) Ventilation

- 1242 (1) Habitable spaces. Every habitable space shall have at least one
1243 openable window. The total openable area of the window in every

1244 room shall be equal to at least 45 percent of the minimum glazed area
1245 required in Section 500.09.4(b)(1).

1246 Exception: Where rooms and spaces without openings to the outdoors
1247 are ventilated through an adjoining room, the unobstructed opening to
1248 the adjoining room shall be at least 8 percent of the floor area of the
1249 interior room or space, but a minimum of 25 square feet. The
1250 ventilation openings to the outdoors shall be based on a total floor area
1251 being ventilated.

1252 (2) Bathrooms and toilet rooms. Every bathroom and toilet room shall
1253 comply with the ventilation requirements for habitable spaces as
1254 required by Section 500.09.4(b)(1), except that a window shall not be
1255 required in such spaces equipped with a mechanical ventilation
1256 system. Air exhausted by a mechanical ventilation system from a
1257 bathroom or toilet room shall discharge to the outdoors and shall not
1258 be recirculated.

1259 (3) Cooking facilities. Unless approved through the certificate of
1260 occupancy, cooking shall not be permitted in any rooming unit or
1261 dormitory unit, and a cooking facility or appliance shall not be
1262 permitted to be present in the rooming unit or dormitory unit.

1263 Exceptions:

1264 a. Where specifically approved in writing by the code official.

1265 b. Devices such as coffee pots and microwave ovens shall not be
1266 considered cooking appliances.

1267 (4) Process ventilation. Where injurious, toxic, irritating or noxious
1268 fumes, gases, dusts or mists are generated, a local exhaust ventilation
1269 system shall be provided to remove the contaminating agent at the
1270 source. Air shall be exhausted to the exterior and not be recirculated to
1271 any space.

1272 (5) Clothes dryer exhaust. Clothes dryer exhaust systems shall be
1273 independent of all other systems and shall be exhausted outside the
1274 structure in accordance with the manufacturer's instructions.

1275 Exception: Listed and labeled condensing (ductless) clothes dryers.

1276 (d) Occupancy Limitations.

1277 (1) Privacy. Dwelling units, hotel units, housekeeping units, rooming
1278 units and dormitory units shall be arranged to provide privacy and be
1279 separate from other adjoining spaces.

1280 (2) Minimum room widths. A habitable room, other than a kitchen, shall
1281 be a minimum of 7 feet in any plan dimension. Kitchens shall have a
1282 minimum clear passageway of 3 feet between counterfronts and
1283 appliances or counterfronts and walls.

1284 (3) Minimum ceiling heights. Habitable spaces, hallways, corridors,

1285 laundry areas, bathrooms, toilet rooms and habitable basement areas
1286 shall have a minimum clear ceiling height of 7 feet.

1287 Exceptions:

1288 a. In one- and two-family dwellings, beams or girders spaced a
1289 minimum of 4 feet on center and projecting a maximum of 6
1290 inches below the required ceiling height.

1291 b. Basement rooms in one- and two-family dwellings occupied
1292 exclusively for laundry, study or recreation purposes, having a
1293 minimum ceiling height of 6 feet 8 inches with a minimum clear
1294 height of 6 feet 4 inches under beams, girders, ducts and similar
1295 obstructions.

1296 c. Rooms occupied exclusively for sleeping, study or similar
1297 purposes and having a sloped ceiling over all or part of the room,
1298 with a minimum clear ceiling height of 7 feet over a minimum of
1299 one-third of the required minimum floor area. In calculating the
1300 floor area of such rooms, only those portions of the floor area with
1301 a minimum clear ceiling height of 5 feet shall be included.

1302 (4) Bedroom and living room requirements. Every bedroom and living
1303 room shall comply with the requirements of Sections 500.09.4(d)(4)a
1304 through 500.09.4(d)(4)e.

1305 a. Room area. Every living room shall contain at least 120 square
1306 feet and every bedroom shall contain a minimum of 70 square feet
1307 and every bedroom occupied by more than one person shall
1308 contain a minimum of 50 square feet of floor area for each
1309 occupant thereof.

1310 b. Access from bedrooms. Bedrooms shall not constitute the only
1311 means of access to other bedrooms or habitable spaces and shall
1312 not serve as the only means of egress from other habitable spaces.

1313 Exception: Units that contain fewer than two bedrooms.

1314 c. Water closet accessibility. Every bedroom shall have access to at
1315 least one water closet and one lavatory without passing through
1316 another bedroom. Every bedroom in a dwelling unit shall have
1317 access to at least one water closet and lavatory located in the same
1318 story as the bedroom or an adjacent story.

1319 d. Prohibited occupancy. Kitchens and nonhabitable spaces shall not
1320 be used for sleeping purposes.

1321 e. Other requirements. Bedrooms shall comply with the applicable
1322 provisions of this code including, but not limited to, the light,
1323 ventilation, room area, ceiling height and room width requirements
1324 of this chapter; the plumbing facilities and water-heating facilities
1325 requirements of Section 500.09.5; the heating facilities and
1326 electrical receptacle requirements of Section 500.09.6; and the

1327 smoke detector and emergency escape requirements of Section
1328 500.09.7.

1329 (5) Overcrowding. Dwelling units shall not be occupied by more
1330 occupants than permitted by the minimum area requirements of Table
1331 500.09.4(d)(5).

1332 Table 500.09.4(d)(5) Minimum Area Requirements

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a, b}	120	120	150
Dining room ^{a, b}	No Requirement	80	100
Bedrooms	Shall comply with Section 500.09.4(d)(4)a		

1333
1334 a. See Section 500.09.4(d)(5)b for combined living room/dining room
1335 spaces.

1336 b. See Section 500.09.4(d)(5)a for limitations on determining the
1337 minimum occupancy area for sleeping purposes.

1338 a. Sleeping area. The minimum occupancy area required by Table
1339 500.09.4(d)(5) shall not be included as a sleeping area in
1340 determining the minimum occupancy area for sleeping purposes.
1341 All sleeping areas shall comply with Section 500.09.4(d)(4).

1342 b. Combined spaces. Combined living room and dining room spaces
1343 shall comply with the requirements of Table 500.09.4(d)(5) if the
1344 total area is equal to that required for separate rooms and if the
1345 space is located so as to function as a combination living
1346 room/dining room.

1347 (6) Efficiency unit. Nothing in this section shall prohibit an efficiency
1348 living unit from meeting the following requirements:

1349 a. A unit occupied by not more than one occupant shall have a
1350 minimum clear floor area of 120 square feet. A unit occupied by
1351 not more than two occupants shall have a minimum clear floor area
1352 of 220 square feet. A unit occupied by three occupants shall have a
1353 minimum clear floor area of 320 square feet. These required areas
1354 shall be exclusive of the areas required by Items 2 and 3.

1355 b. The unit shall be provided with a kitchen sink, cooking appliance
1356 and refrigeration facilities, each having a minimum clear working

1357 space of 30 inches in front. Light and ventilation conforming to
1358 this code shall be provided.

1359 c. The unit shall be provided with a separate bathroom containing a
1360 water closet, lavatory and bathtub or shower.

1361 d. The maximum number of occupants shall be three.

1362 (7) Food preparation. All spaces to be occupied for food preparation
1363 purposes shall contain suitable space and equipment to store, prepare
1364 and serve foods in a sanitary manner. There shall be adequate facilities
1365 and services for the sanitary disposal of food wastes and refuse,
1366 including facilities for temporary storage.

1367 Section 5.00.09.5. Plumbing Facilities and Fixture Requirements. – Reserved.

1368 Section 5.00.09.6. Mechanical and Electrical Requirements. – Reserved.

1369 Section 5.00.09.7. Fire Safety Requirements.

1370 (a) General.

1371 (1) Scope. The provisions of this chapter shall govern the minimum
1372 conditions and standards for fire safety relating to structures and
1373 exterior premises, including fire safety facilities and equipment to be
1374 provided.

1375 (2) Responsibility. The owner of the premises shall provide and maintain
1376 such fire safety facilities and equipment in compliance with these
1377 requirements. A person shall not occupy as owner-occupant or permit
1378 another person to occupy any premises that do not comply with the
1379 requirements of this chapter.

1380 (b) Means of Egress.

1381 (1) General. A safe, continuous and unobstructed path of travel shall be
1382 provided from any point in a building or structure to the public way.
1383 Means of egress shall comply with the *Florida Fire Protection Code*.

1384 (2) Aisles. The required width of aisles in accordance with the *Florida*
1385 *Fire Protection Code* shall be unobstructed.

1386 (3) Locked doors. All means of egress doors shall be readily openable
1387 from the side from which egress is to be made without the need for
1388 keys, special knowledge or effort, except where the door hardware
1389 conforms to that permitted by the *Florida Building Code*.

1390 (4) Emergency escape openings. Required emergency escape openings
1391 shall be maintained in accordance with the code in effect at the time of
1392 construction, and the following. Required emergency escape and
1393 rescue openings shall be operational from the inside of the room
1394 without the use of keys or tools. Bars, grilles, grates or similar devices
1395 are permitted to be placed over emergency escape and rescue openings
1396 provided the minimum net clear opening size complies with the code

1397 that was in effect at the time of construction and such devices shall be
1398 releasable or removable from the inside without the use of a key, tool
1399 or force greater than that which is required for normal operation of the
1400 escape and rescue opening.

1401 (c) Fire-Resistance Ratings.

1402 (1) Fire-resistance-rated assemblies. The required fire-resistance rating of
1403 fire-resistance-rated walls, fire stops, shaft enclosures, partitions and
1404 floors shall be maintained.

1405 (2) Opening protectives. Required opening protectives shall be
1406 maintained in an operative condition. All fire and smokestop doors
1407 shall be maintained in operable condition. Fire doors and smoke
1408 barrier doors shall not be blocked or obstructed or otherwise made
1409 inoperable.

1410 (d) Fire Protection Systems.

1411 (1) General. All systems, devices and equipment to detect a fire, actuate
1412 an alarm, or suppress or control a fire or any combination thereof shall
1413 be maintained in an operable condition at all times in accordance with
1414 the Florida Fire Protection Code.

1415 a. Automatic sprinkler systems. Inspection, testing and maintenance
1416 of automatic sprinkler systems shall be in accordance with NFPA
1417 25.

1418 (2) Smoke alarms. Single- or multiple-station smoke alarms shall be
1419 installed and maintained in Group R or I-1 occupancies, regardless of
1420 occupant load at all of the following locations:

1421 a. On the ceiling or wall outside of each separate sleeping area in the
1422 immediate vicinity of bedrooms.

1423 b. In each room used for sleeping purposes.

1424 c. In each story within a dwelling unit, including basements and
1425 cellars but not including crawl spaces and uninhabitable attics. In
1426 dwellings or dwelling units with split levels and without an
1427 intervening door between the adjacent levels, a smoke alarm
1428 installed on the upper level shall suffice for the adjacent lower
1429 level provided that the lower level is less than one full story below
1430 the upper level.

1431 Single- or multiple-station smoke alarms shall be installed in other
1432 groups in accordance with the Florida Fire Protection Code.

1433 (3) Power source. In Group R or I-1 occupancies, single-station smoke
1434 alarms shall receive their primary power from the building wiring
1435 provided that such wiring is served from a commercial source and
1436 shall be equipped with a battery backup. Smoke alarms shall emit a
1437 signal when the batteries are low. Wiring shall be permanent and

1438 without a disconnecting switch other than as required for overcurrent
1439 protection.

1440 Exception: Smoke alarms are permitted to be solely battery operated in
1441 buildings where no construction is taking place, buildings that are not
1442 served from a commercial power source and in existing areas of
1443 buildings undergoing alterations or repairs that do not result in the
1444 removal of interior wall or ceiling finishes exposing the structure,
1445 unless there is an attic, crawl space or basement available which could
1446 provide access for building wiring without the removal of interior
1447 finishes.

1448 (4) Interconnection. Where more than one smoke alarm is required to be
1449 installed within an individual dwelling unit in Group R or I-1
1450 occupancies, the smoke alarms shall be interconnected in such a
1451 manner that the activation of one alarm will activate all of the alarms
1452 in the individual unit. Physical interconnection of smoke alarms shall
1453 not be required where listed wireless alarms are installed and all
1454 alarms sound upon activation of one alarm. The alarm shall be clearly
1455 audible in all bedrooms over background noise levels with all
1456 intervening doors closed.

1457 Exceptions:

1458 a. Interconnection is not required in buildings which are not
1459 undergoing alterations, repairs or construction of any kind.

1460 b. Smoke alarms in existing areas are not required to be
1461 interconnected where alterations or repairs do not result in the
1462 removal of interior wall or ceiling finishes exposing the structure,
1463 unless there is an attic, crawl space or basement available which
1464 could provide access for interconnection without the removal of
1465 interior finishes.

1466 Section 5.00.09.8. Boarding Standard.

1467 (a) General. All windows and doors shall be boarded in an approved manner to
1468 prevent entry by unauthorized persons and shall be painted to correspond to
1469 the color of the existing structure.

1470 (b) Materials.

1471 (1) Boarding sheet material. Boarding sheet material shall be minimum
1472 1/2-inch thick wood structural panels complying with the *Florida*
1473 *Building Code.*

1474 (2) Boarding framing material. Boarding framing material shall be
1475 minimum nominal 2-inch by 4-inch solid sawn lumber complying with
1476 the *Florida Building Code.*

1477 (3) Boarding fasteners. Boarding fasteners shall be minimum 3/8-inch
1478 diameter carriage bolts of such a length as required to penetrate the
1479 assembly and as required to adequately attach the washers and nuts.

1480

Washers and nuts shall comply with the *Florida Building Code*.

1481

(c) Installation.

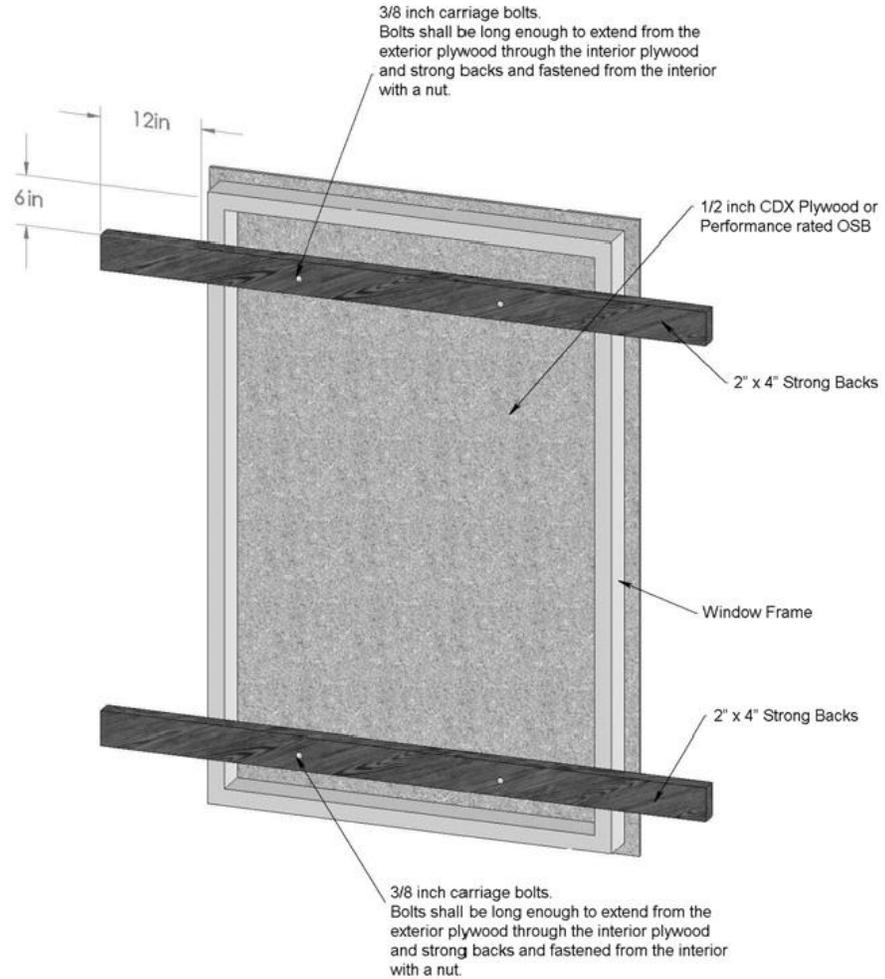
1482

- (1) Boarding installation. The boarding installation shall be in accordance with Figures 5.00.09.8(c)(1)a and 5.00.09.8(c)(1)b and Sections 5.00.09.8(c)(2) through 5.00.09.8(c)(5).

1484

1485

Figure 5.00.09.8(c)(1)a Boarding of Door or Window

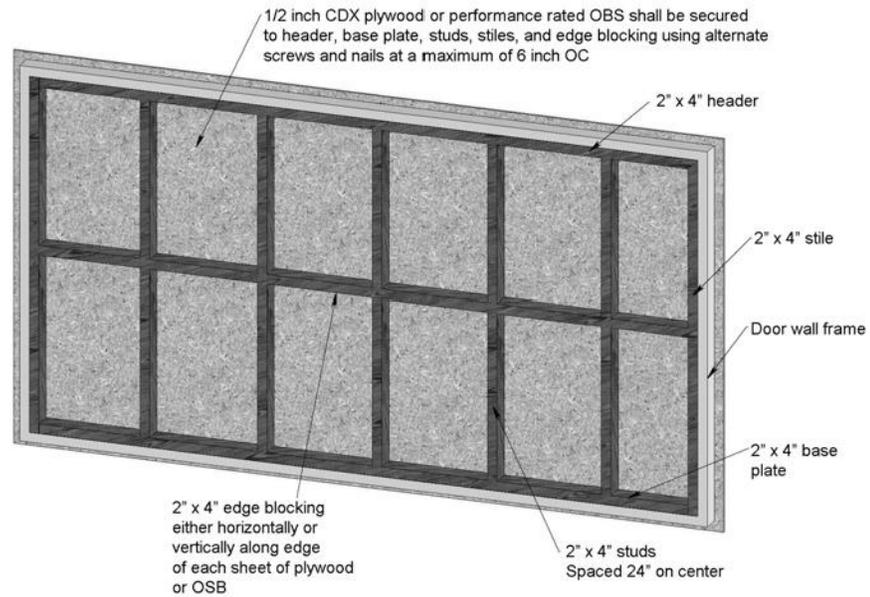


1486

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Figure 5.00.09.8(c)(1)b Boarding of Door Wall



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(2) Boarding sheet material. The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

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1500

(3) Windows. The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch strong back framing material shall be cut minimum 2 inches wider than the window opening and shall be placed on the inside of the window opening 6 inches minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.

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1504
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1506

(4) Door walls. The door opening shall be framed with minimum 2-inch by 4-inch framing material secured at the entire perimeter and vertical members at a maximum of 24 inches on center. Blocking shall also be secured at a maximum of 48 inches on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches on center.

1507
1508
1509
1510

(5) Doors. Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an approved manner.

1511 Secs. 5.00.910—5.00.20. - Reserved.

1512 ***

1513 **SECTION FIVE. Codification.** It is the intent of the City Commission of the City of
1514 Flagler Beach that the provisions of this Ordinance shall be codified. The codifier is

1515 granted broad and liberal authority in codifying the provisions of this Ordinance.

1516

1517 **SECTION SIX. Conflicts.** Conflicts. In any case where a provision of this
1518 Ordinance is found to be in conflict with a provision of any other ordinance of this City,
1519 the provision which establishes the higher standards for the promotion and protection of
1520 the health and safety of the people shall prevail.

1521

1522 **SECTION SEVEN. Effective date.** This Ordinance shall take effect
1523 immediately upon adoption as provided by the Charter of the City of Flagler Beach.

1524

1525 PASSED ON FIRST READING THIS ____ DAY OF _____, 2013.

1526

1527 PASSED AND ADOPTED THIS ____ DAY OF _____, 2013.

1528

1529

1530

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

1531

1532

1533

1534

Linda Provencher, Mayor

1535 ATTEST:

1536

1537

1538 _____
Penny Overstreet, City Clerk

1539

1540



City of Flagler Beach

To: Don Deal, Chairperson, Planning and Architectural Review Board
Planning and Architectural Review Board Members

FROM: Chad T. Lingenfelter, AICP, PTP, City Planner

RE: #SP 13-02-01 – Coquina Commercial Building Wall Addition Site Plan Review

DATE: January 30, 2013

Applicant and Property Owner: Barbara S. Revels, Trustee, P.O. Box 434, Flagler Beach, Florida 32136

Property: 316 South Ocean Shore Boulevard – 12-12-31-4500-00100-0100

Future Land Use: Commercial

Zoning District: General Commercial (Downtown A1A Retail Corridor Overlay)

Summary

Pursuant to the *City of Flagler Beach Code of Ordinances, Appendix A, Land Development Regulations, Article II., Zoning*, the applicant is requesting approval of a site plan for building expansion. The subject property is occupied by a 3,524 square foot commercial building and nine (9) parking spaces. This building is occupied by Coquina Real Estate & Construction, Inc., Wayne Aman Massage Therapy, The Waffle Cone, and JBirney Financial.

Analysis

The applicant's application includes plans that indicate that the proposed building expansion would enclose an additional 126.3 square feet to the 1660 square foot second floor. The application also states that ten (10) off-site parking spaces are proposed.

Pursuant to Section 2.06.06., Site Plan Review., "Before approving the site plan, the Planning and Architectural Review Board shall make findings with respect to the following:"

1. Traffic access – All proposed site traffic access ways are adequate, but not excessive in number, adequate in grade, width, alignment and visibility, and not located too near street corners, entrances to schools or places of public assembly and other similar considerations.

The parking spaces are arranged perpendicular to and along the adjacent street 4th Street South right-of-way.

2. Circulation and parking – That the interior circulation system is adequate and that all required parking spaces are provided and are easily accessible.

Pursuant to Section 2.06.02.1., Off-Street Parking., General business, commercial and personal service require one (1) per 350 square feet of establishments or

office buildings total [floor] area or portion thereof. The present building is 4,060 square feet of interior space, as stated by the applicant. If this were a new development, then 12 parking spaces would be required. Staff has recently observed nine (9) off-street parking spaces with no handicapped accessible parking space. Since the subject property is within the area as described in Section Sec. 2.06.10., Central Business District Exclusion., the subject property is "exempt from furnishing parking facilities, as required by this ordinance." The application states that ten (10) off-site parking spaces are proposed. However, no site plan for the building site or an off-site parking lot was found within the application packet. Therefore, staff was unable to review the proposed off-site parking spaces.

3. Disposal of usable open space – That in accordance with the spirit and intent of this ordinance, wherever possible, usable open space is disposed of in such a way as to insure the safety and welfare of residents or guests.

No site plan for the building site was found within the application packet. Therefore, staff was unable to review opportunities for the available open spaces.

4. Arrangement of buildings – That adequate provision has been made for light, air, access and privacy in the arrangement of the buildings to each other. Each dwelling unit shall have a minimum of one (1) exterior exposure. Laundry facilities, including washing machines and clothes dryers, shall be available for multifamily dwellings on the premises for use by all occupants of the premises, if hookups for such facilities are not provided in each unit.

The proposed building addition is to the second floor under the existing roof structure. Therefore, the proposed building addition will not impede the light, air, access and privacy of the adjacent buildings or property.

5. Proper landscaping – That the proposed site is properly landscaped, the purpose of which is to further enhance the natural qualities of the land. As provided elsewhere in this section, proper screening and buffer zones may be required. The location and type of plants or materials shall be shown on the development plan. Furthermore, all landscaping shall comply with the criteria established in Section 5.04.00 Landscaping/Trees.

The building site is presently improved and the applicant did not provide a site plan to review for any opportunities for landscaping.

6. Supplemental controls – In reviewing the proposed site plan for one (1) or more multi-family or motel structures, the Planning and Architectural Review Board shall be guided by the following:

This criterion is not applicable.

The Planning and Architectural Review Board shall have the right to disapprove any plans and specifications submitted because of the requirements of Section 8.00.15 (1. through 11.). Staff's responses to each of the prescribed criteria are as follows:

1. Failure to include information in such plans and specifications as may have been requested.

The applicant has provided an insufficient application packet for this review. The

following items were not included in the application packet:

- Site plan showing setbacks for the building site and the proposed off-site parking lot
- All exterior elevations. (Elevations must include all items affecting the appearance of the building including but not limited to, air conditioning, grills, compressors and signs)
- Exterior surface treatments

2. Failure of such plans or specifications to comply with the Flagler Beach *Land Development Regulations*.

The applicant presented an aerial photograph in lieu of a site plan and photographs in lieu of an elevation. Therefore, staff was unable to review the proposed building for compliance with the *Land Development Regulations*.

3. Objection to the exterior design, appearance or materials of any proposed structure.

The applicant presented photographs in lieu of an elevation. Therefore, staff was unable to review the proposed building for compliance with the *Downtown Design Guidelines*. Staff construed from the application that the proposed siding material is to "Match existing," a horizontal lap siding. However, staff does not have sufficient information to determine that the exterior design, appearance or materials is not objectionable.

4. Incompatibility of any proposed structure or of the proposed structure's use to any existing structures.

The proposed structure is compatible with the adjacent commercial structures.

5. Objection to a location of any proposed structure with reference to other lots or structures in the vicinity.

The location of the proposed building addition to the second floor is within the first floor footprint and within the existing roof structure. The location is not objectionable.

6. Objection to the grading plans for any lot.

The building addition to the second floor does not require a grading plan. Therefore, this criterion is not applicable.

7. Objection to the finish, proportions, style of architecture, height, bulk or appropriateness of any proposed structure.

The finish, construed by staff to be horizontal lap siding, and design are not objectionable. The height and bulk comply with the *Land Development Regulations*. The finish, proportions, style of architecture, height, bulk, and appropriateness are not objectionable.

8. Objection to parking areas proposed for any lot on the grounds of incompatibility to proposed uses or insufficiency of the size of the parking area.

The building site does not include a handicapped accessible parking space. Therefore, the parking area needs to be reconfigured to include a five (5) foot accessible isle, a 12 foot wide handicapped accessible parking space with markings and signage, and eight and one half (8½) foot wide parking spaces

without reducing the overall number of parking spaces. Additionally, no site plan for an off-site parking lot was found within the application packet. Therefore, the present parking configuration is objectionable.

9. The failure of the plans and specifications to adhere to the most current edition of the *Florida Building Code*.

The plans and specifications for proposed building addition will comply with the current edition of the *Florida Building Code* or a building permit will not be issued by the Chief Building Official.

10. Any other matter which in the judgment of the Planning and Architectural Review Board would render the proposed structure or uses inharmonious with the general plan of improvement of the property or with structures or uses located upon other lots in the vicinity.

The proposed structure is compatible with the adjacent commercial structures.

11. The Planning and Architectural Review Board may adopt and promulgate rules and regulations regarding the preservation of trees and other natural resources and wildlife upon the property. If it shall deem it appropriate, such board may mark certain trees regardless of size as not removable without its authorization.

The subject property does not contain any trees or other natural resources.

Recommendation

Staff recommends that the Planning and Architectural Review Board recommend that the City Commission not approve the site plan of the proposed building addition and off-street parking lot on the subject property. However, if the Planning and Architectural Review Board finds that the criteria in Section 8.00.15 (1. through 11.) are not failed by the applicant, then staff recommends that the requested building addition for the subject property be approved with the following conditions:

1. A site plan is submitted prior to the consideration by the City Commission depicting the parking reconfiguration to accommodate one (1) handicapped accessible isle and parking space and eight (8), eight and one half (8½) foot wide parking spaces;
2. A site plan is submitted prior to the consideration by the City Commission depicting the off-site parking lot described in the application that complies with the *Land Development Regulations*;
3. An elevation is submitted prior to the consideration by the City Commission depicting the existing and proposed south façade of the subject building; and
4. The proposed siding material is horizontal lap siding, matching the existing siding.

Enclosures: Location Map, Application, Aerial Photograph, Photographs, and Floor Plan

SITE PLAN REVIEW SUBMITTAL REQUIREMENTS

Note:

- A Pre-submittal meeting is recommended with City Staff.
- Application for Site Plan requires appointment with Planning and Zoning Director prior to meeting cut off date. Please call (386) 517-2000 ext. 230
- Plans will **not** be accepted unless all required documents are completed.

Required Documents:

- ✓• Fifteen (15) sets of all required documents.
- ✓• Site Plan Application
- ✓• Check made payable to the City of Flagler Beach
- ✓• Warranty Deed - *Property Appraisers Sheet*
 - Survey
- ✓• Surrounding Land Use
- ✓• Location Map
- ✓• Site Plan - *AERIAL*
- ✓• Building Elevations - *PHOTOS*
 - Landscape Plan
 - Lighting Plan
 - Water, Sewer, Paving and Drainage Plan

FEE SCHEDULE: SITE PLAN REVIEW

Site Development Plan Review Initial Submittal:

Commercial buildings < 10,000 sq. ft	\$1000
Commercial building > 10,000 sq ft	\$1000 + \$3.00 per 1,000 sq ft area over 10,000
Multifamily w/20 dwelling units or less	\$1,000
Multifamily w/more than 20 dwelling units	\$1000 + \$3.00 per unit over 20
Each re-submittal of site plan	\$150.00

SPR#: _____ DATE FILED: _____ PARB Date: _____ CC: _____

SITE PLAN REVIEW APPLICATION

PROJECT TITLE: COQUINA COMMERCIAL BUILDING WALL ADDITION

PROJECT ADDRESS: 316 S. OCEANSHORE BOVD. FLAGLER BEACH

SUBDIVISION: MOODY BLOCK: 10 LOT(s): 10

TAX ID NUMBER: 12-12-31-4500- ZONING DISTRICT: gc
00100-0100

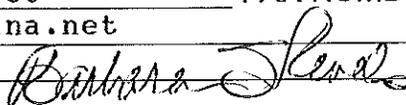
OWNERS INFORMATION:

OWNERS NAME: BARBARA S. REVELS TRUSTEE

ADDRESS: P.O. BOX 434, Flagler Beach, FL 32136

PHONE NUMBER: 439-3130 FAX NUMBER: 439-2253

E-MAIL: brevels@coquina.net

SIGNATURE OF OWNER: 

APPLICANTS INFORMATION:

APPLICANTS NAME (IF OTHER THAN OWNER): _____

ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

E-MAIL: _____

SIGNATURE OF APPLICANT: _____

REPRESENTATIVE:

NAME: Same as above

ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

E-MAIL: _____

SIGNATURE OF REPRESENTATIVE: _____

SITE PLAN REVIEW PROJECT DESCRIPTION

PRINT OR TYPE INFORMATION

- A. Provide a detailed description of the proposed project:
Construct a wall to enclose an existing
alcove - under roof. No change in Building footprint.
Add 3 windows in wall
- B. Provide the lot size (parcel) and square footage of all building(s):
Lot 50' x 100'
Building footprint on ground est. 2400
Total under roof est. 4060
New enclosed room appx. 126.3 sq.ft.
- C. Provide the size, height and proposed use of each building:
All existing New 8' tall wall under existing roof

- D. Provide a detailed description of the following:
Exterior finish and color: Match existing SW Banana Cream
Roof material and color: no change
- E. Indicate the project floor area ratio or lot coverage (if applicable):

- F. Provide the total number of: no change
Required on-site parking spaces: _____
Proposed on-site parking spaces: _____
Required on-site Handicapped parking spaces: _____
Proposed on-site Handicapped Parking spaces: _____
- G. Any off-site parking spaces proposed? If yes, describe number, location, and distance from proposed project location:
Yes 10 spaces provided

H. Will project be accomplished in phases? If Yes, describe phasing plans and timeframe:

No phases

I. Describe the nature of any tree and native vegetation removal, if applicable:

no changes

J. If a Commercial use, describe the operational characteristics of the development (proposed hours of operation, any unique characteristics of the proposed use.

Adding one room to an existing office
that is leased to a financial advisor. Open appx.
9-5 M-F

K. Provide other pertinent information regarding the proposed development:

Site Plan Review

Existing Conditions

A. Describe all previous uses or activities on the site:

Existing building built in 1986. 2 story office building.
Houses currently: 1st floor Real Estate Office, Reflexologist
and Ice Cream Parlor, 2nd floor 2 offices housing a financial
advisor.

B. Describe all existing structures on the site in terms of their use, construction type, height, density, and size:

As noted before, approximately a . 30'x80' footprint
2 story office building with 10 parking spaces.

C. Describe the project site as it presently exists before the project in terms of:

- Site topography:

Flat square lot on A1A, elevation
matches FDOT sidewalk

- Plant life (existing trees, vegetative cover):

None

- Soil conditions:

NA

- Historic or cultural resources (if applicable):

Was the home of my Grandfather George Wickline

D. Describe the land use and zoning of surrounding properties within 200 feet of project location:

North: All General Commercial in all directions
~~except across A1A, oceanfront boardwalk?~~

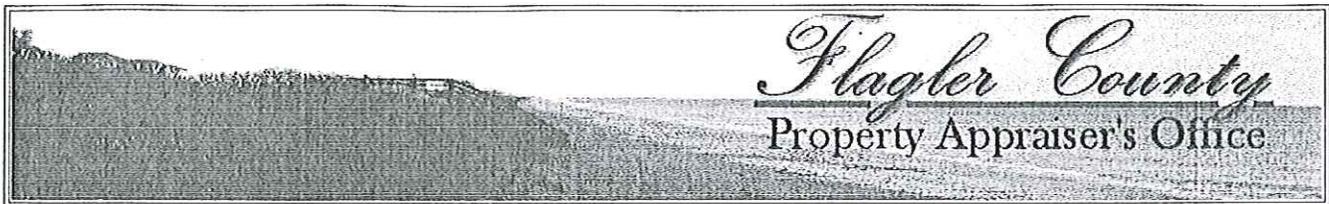
South:

East:

West:

Elevations





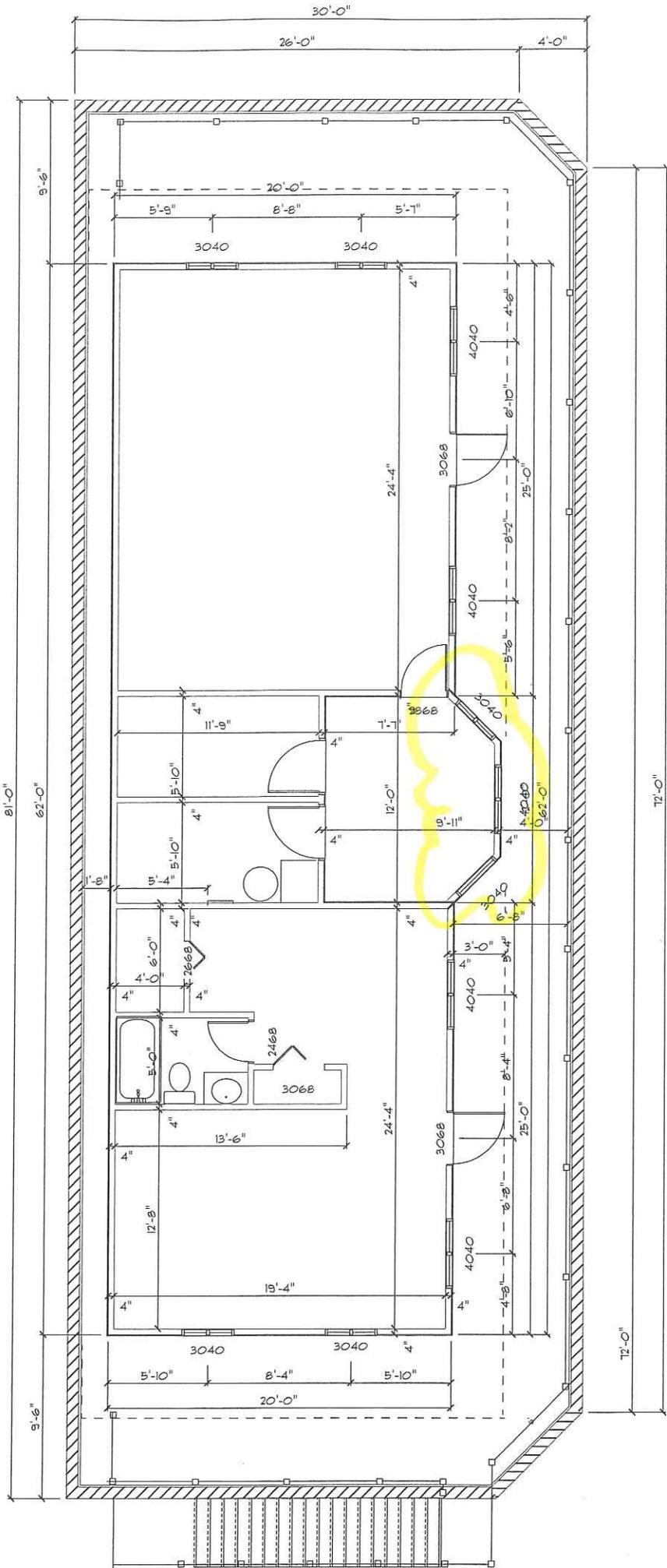
Appraiser Home	Return to Main Search Page	Previous Parcel	Next Parcel	Show Parcel Map	Sales in Area
Property Address			Parcel Number		
316 OCEANSHORE BLVD S			12-12-31-4500-00100-0100		
Owner Name and Address					
REVELS BARBARA S TRUSTEE PO BOX 434 FLAGLER BEACH, FL 32136					
Homestead	Primary Millage District		2012 Millage Rate	Property Type	
NO	FLAGLER BEACH REDEVELOPMENT AREA (22)		25.616	STORE/OFFI	

Recent Value Information (Historical Values)

LEGAL DESCRIPTION

	2010 Certified	2011 Certified	2012 Certified	
Building Value	121,578	118,004	114,431	MOODY SUBD BLOCK 10 LOT 10 & SOUTHERLY 18 INCHES OF LOT 9 OR 230 PG 429 OR 266 PG 365 OR 255 PG 143 OR 552 PG 1860 OR 605 PG 239-REVELS TRUST OR 1670/358-CD The legal description shown here may be condensed for assessment purposes. Exact description may be obtained from the recorded deed.
Extra Feature Value	4,482	4,827	4,827	
Land Value	168,560	120,400	96,320	
Agricultural Value	0	0	0	
* Just (Market) Value	294,620	243,231	215,578	
Assessed Value	294,620	243,231	215,578	
Exempt Value	0	0	0	
Tax Collector Information			View 2012 Trim Notice	

* Just (Market) Value is established by the Property Appraiser for ad valorem tax purposes. It does not represent anticipated selling price



N

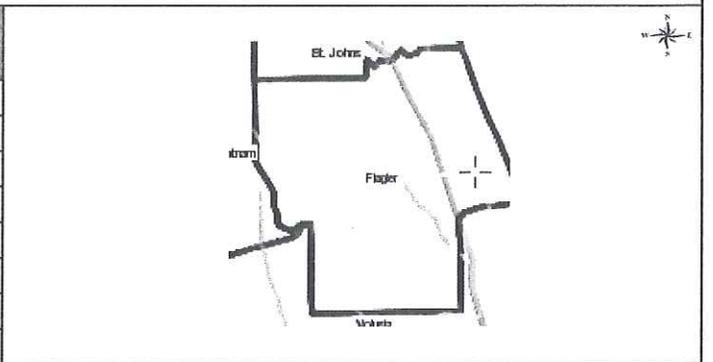
Aerial



MAP



Flagler County Property Appraiser			
Parcel: 12-12-31-4500-00100-0100 Acres: 0.11			
Name:	REVELS BARBARA S	Land Value	96,320
Site:	316 OCEANSHORE BLVD S	Building Value	114,431
Sale:	\$0 on 02-1998 Vacant=N Qual=U	Misc Value	4,827
Mail:	TRUSTEE	Just Value	215,578
	PO BOX 434	Assessed Value	215,578
	FLAGLER BEACH, FL 32136	Exempt Value	0
		Taxable Value	215,578



The Flagler County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FLAGLER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS ---THIS IS NOT A SURVEY---

Date printed: 01/11/13 : 10:05:32



City of Flagler Beach

TO: Don Deal, Chairperson, Planning and Architectural Review Board
Planning and Architectural Review Board Members

FROM: Chad T. Lingenfelter, AICP, PTP, City Planner

RE: #SE 13-02-01 – 1732 South Ocean Shore Boulevard Special Exception

DATE: January 30, 2013

Applicants: John Lynch, Stoughton Luxury Homes, 1736 South Ocean Shore Boulevard, Flagler Beach, Florida 32136
Michael L. Flank, 18 Clarendon Court South, Palm Coast, Florida 32137

Property Owner: Thomas and Judith Vaccaro, 11055 SE Federal Highway, Lot 6, Hobe Sound, Florida 33455

Property: 1732 South Ocean Shore Boulevard – 18-12-32-2750-00030-0090

Future Land Use: Commercial

Zoning District: Tourist Commercial

Summary

Pursuant to the *City of Flagler Beach Code of Ordinances, Appendix A, Land Development Regulations, Section 2.06.01.*, Special Exception Uses, the applicant is requesting a special exception to allow a single-family dwelling. The subject property is zoned as TC, Tourist Commercial, contains approximately 0.15 acre, and is generally located northwest of the intersection of 18th Street South and South Ocean Shore Boulevard. The subject property is vacant.

Analysis

Special exception uses, as enumerated in Schedule One, Zoning Schedule of Use Controls, shall be permitted only upon authorization of the City Commission after review by the Planning and Architectural Review Board. In recommending approval or denial of the use, the reviewing boards shall provide findings and recommendations on whether the requirements of Section 2.06.01 (1. through 7.) are met as well as other comments such board feel will assist the City Commission in the determination of whether to grant the use. Staff's responses to each of the prescribed criteria are as follows:

1. That the use is a permitted special use as set forth in Schedule One hereof.

Single-family dwellings are a permitted principal use in the MDR, Medium Density Residential zoning district and all principal uses permitted in the MDR zoning district are permitted special uses as set forth in Schedule One for the TC, Tourist Commercial zoning district.

2. That the use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected.

The proposed structure will be built and occupied consistent with the requirements of a single-family dwelling.

3. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.

The proposed structure is a 3,840 square foot single-family dwelling.

4. That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.

The adjacent lots to the south and west are used residentially.

5. That the adequate landscaping and screening is provided as required herein, or otherwise required.

The proposed development will comply with the tree removal, lot clearing, and landscape requirements for a single-family dwelling. The subject property does contain numerous Palm trees and Saw Palmettos along the east property line.

6. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.

The proposed single-family dwelling must include two (2) 10' x 20' parking spaces. The elevations depict two (2) single width garage doors on the west façade. Driveway access is proposed to be from the alley along the west property line.

7. That the use conforms with all applicable regulations governing the district where located.

The proposed structure is a single-family dwelling.

The applicant responded to the above criteria as follows:

“New home” to the first criterion and “Yes” to each of the remaining criteria.

Recommendation

Staff recommends that the Planning and Architectural Review Board recommend that the City Commission approve the special exception to allow a single-family dwelling at the subject property with the condition that the Palm trees within the improvement area be relocated on site to the required yards and protect and preserve the Saw Palmettos within the east front yard.

Enclosure: Special Exception Application Packet



Legend

-  Subject Property
-  200 Foot Radius of 1732 South Ocean Shore Boulevard
-  Incorporated Areas
-  Parcels



Sources: Flagler County Property Appraiser's Office, Florida Department of Transportation, and Microsoft Corporation
 The data contained in this map is provided "as is" without warranty or any representation of accuracy, timeliness, or completeness. The burden for determining accuracy, timeliness, completeness, merchantability, and fitness for, or the appropriateness for, the use rests solely with the requester. The City of Flagler Beach makes no warranties, expressed or implied, as to the appropriate use of the data contained in this map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the data, including the fact that the data is dynamic and is in a constant state of maintenance, correction, and update.



City of Flagler Beach
PO Box 70 105 South 2nd Street
Flagler Beach, Florida 32136
Phone (386) 517-2000 Fax (386) 517-2016

Special Exception – (SPEX)

PETITION NO.: _____

DATE: 12/28/12

Pursuant to Appendix A, Land Development Regulations, Section 2.06.01 of the Zoning Ordinance,
 I hereby request a Special Exception as described below:

PURPOSE FOR THE SPECIAL EXCEPTION PETITION: Build New Home in TC

PETITIONER: Mike Flank / John Lynch

PROJECT ADDRESS: 1732 S Ocean Shore Blvd PHONE NO.: 386.

OWNER OF SUBJECT PROPERTY: Thomas Vaccaro

ADDRESS: 11055 SE Federal Hwy PHONE NO.: _____

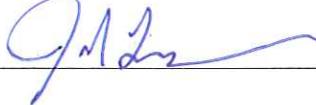
PETITIONER'S RELATION TO SUBJECT PROPERTY: Buyer of lot / Builder

ADDRESS/LEGAL DESCRIPTION: 1732 Ocean Shore Blvd S

LOT: 9 BLOCK: 3 SUBDIVISION: Fuquay ZONING DISTRICT: _____

ATTACH JUSTIFICATION STATEMENTS ADDRESSING ALL SEVEN (7) REQUIREMENTS FOR THIS SPECIAL EXCEPTION REQUEST AS REQUIRED: (See Attachment "A" Special Exception Requirements.)

THIS IS TO CERTIFY THAT I AM THE OWNER AND/OR PETITIONER OF THE SUBJECT PROPERTY DESCRIBED IN THIS SPECIAL EXCEPTION PETITION. I HAVE READ THIS PETITION AND THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF PETITIONER: 

SIGNATURE OF OWNER: _____

DATE: 12-7-12

SPECIAL EXCEPTION STANDARDS - ATTACHMENT A

The Planning and Architectural Review Board may grant Special Exceptions only upon finding that the request meets the criteria set forth in Appendix A, Land Development Regulations, Section 2.06.01. Describe how your request meets each requirement.

1. That the use is a permitted Special Exception use as set forth in Schedule One hereof. *New Home*
2. That the use is so designed located and proposed to be operated that the public health, safety, welfare and convenience will be protected. *yes*
3. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located. *yes*
4. That the use will be compatible with adjoining development and the proposed character of the district where it is to be located. *yes*
5. That the adequate landscaping and screening is provided as required herein, or otherwise required. *yes*
6. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets. *yes*
7. That the use conforms with all applicable regulations governing the district where located. *yes*

In advocating any Special Exception, the Planning and Architectural Review Board may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the Special Exception is advocated, shall be deemed a violation of this ordinance. The Planning and Architectural Review Board may prescribe a reasonable time limit within which the action for which the Special Exception is required shall be begun or completed or both. Under no circumstances except as permitted above shall the Planning and Architectural Review Board advocate a Special Exception to permit use not generally permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of this ordinance in the zoning district. No nonconforming use of neighboring lands, structures or buildings in the same zoning district and no permitted use of lands, structures or buildings in other zoning districts shall be considered grounds for the advocacy of a Special Exception.

*Tan Barched New Home at
1722 S Ocean Blvd Blvd*

Return to (enclosed self-addressed stamped envelope)

Name: CHIUMENTO, BRAUNSTEIN & EMERY,
P.A.

Address: 4 OLD KINGS ROAD NORTH, SUITE B
PALM COAST, FL 32137

This Instrument Prepared by: LEORA M. PLUMMER (#98-824)
CHIUMENTO, BRAUNSTEIN & EMERY,
P.A.

Address: 4 OLD KINGS ROAD NORTH, SUITE B
PALM COAST, FL 32137
Property Appraiser Parcel Identification (Folio) Number(s):
181232-2750-00030-0090

Grantor(s) SS No(s):

WARRANTY DEED
INDIVID. TO INDIVID.

DOC NO: 9900265 DATE: 1/06/1999
DOC STAMP-FEE: \$315.00
SYD CROSSY, FLAGLER COUNTY

BY: *M. Stevens* D.C. 3:39

DOC NO: 9900265 DATE: 1/06/1999
OFF REC: 639 PAGE: 1/33

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed Made the 23rd day of December A.D. 1998 by
ALMA POWERS, A SINGLE PERSON

hereinafter called the grantor, to THOMAS VACCARO AND JUDITH VACCARO, HUSBAND AND WIFE, AS
TENANTS BY THE ENTIRETIES
whose post office address is 779 E. MERITT ISLAND, STE 1232
MERITT ISLAND, FL 32952
hereinafter called the grantee:

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

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises,
releases, conveys and confirms unto the grantee all that certain land situate in Flagler
County, State of Florida, viz:
LOT 9, BLOCK 3, FUQUAY SUBDIVISION OF FLAGLER BEACH, AS SHOWN IN PLAT BOOK
1, PAGE 26, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, EXCEPT PART TAKEN
FOR A-1-A ROAD RIGHT-OF-WAY.

GRANTOR WARRANTS THAT THIS IS NON HOMESTEAD PROPERTY

Subject To covenants, conditions, restrictions, reservations, limitations, easements and agreements of record,
if any; taxes and assessments for the year 1999 and subsequent years; and to all applicable zoning ordinances and/or
restrictions and prohibitions imposed by governmental authorities, if any,

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee
simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the
title to said land and will defend the same against the lawful claims of all persons.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Ray L. Adams
Signature

Cheryl Adams
Printed Signature

Robert M. Adams
Signature

Violet M. Adams
Printed Signature

Signature

Printed Signature

Alma Powers
Signature

ALMA POWERS
Printed Signature

1107 WEST NORTH BLVD, STE 9
Post Office Address

LEESBURG, FL 34748

Signature

Printed Signature

Signature

Printed Signature

Signature

Printed Signature

STATE OF Florida
COUNTY OF Lake

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take
acknowledgments, personally appeared ALMA POWERS, A SINGLE PERSON

Florida State Driver's License (being duly sworn) to me known to be the person (identified by
who executed the foregoing instrument and who did not take an oath described in and

WITNESS my hand and official seal in the County and State last aforesaid this 23rd day of December A.D. 1998.

My Commission Expires Margo L. Glasgow
My Commission Expires February 9, 2001

Margo L. Glasgow
Signature

Margo L. Glasgow
Printed Name

Signature

DCLAW

AS OWNER, I AUTHORIZE Michael L. Flank TO ACT AS MY AGENT IN THIS MATTER.
PRINT NAME, ADDRESS AND PHONE NUMBER OF REPRESENTATIVE, IF APPLICABLE.

NAME: Michael L Flank
ADDRESS: 18 Clarendon Ct S Palm Coast, FL 32137
PHONE: 386-283-5268

STATE OF FLORIDA,
County of Flagler

Subscribed and Sworn to (or affirmed) before me by

X Thomas Vaccaro
SIGNATURE OF OWNER
THOMAS VACCARO
OWNER'S NAME (Print/Type) lot # 6
11055 SE Fed Hwy Hoke Sou
ADDRESS (Street, City) & Phone Number 2133453
561-379-8780

This 11 day of Dec, 2012. Who is personally known to me or has produced Florida DL # V266-826-40330ms
Identification.

J. Ben Spur
Notary Public

Consolidated Notary & Registration
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE143320
Expires 11/2/2015



TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT

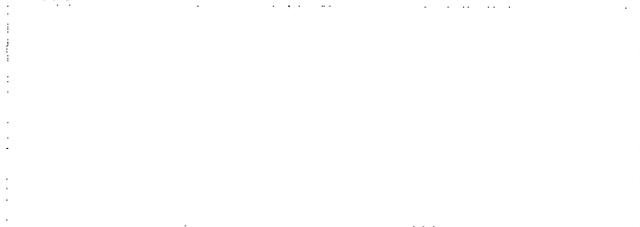
ACCEPTED BY: _____ DATE: _____

PETITION #: _____



Map of:
1732 S Oceanshore Blvd
Flagler Beach, FL 32136-3803

Notes

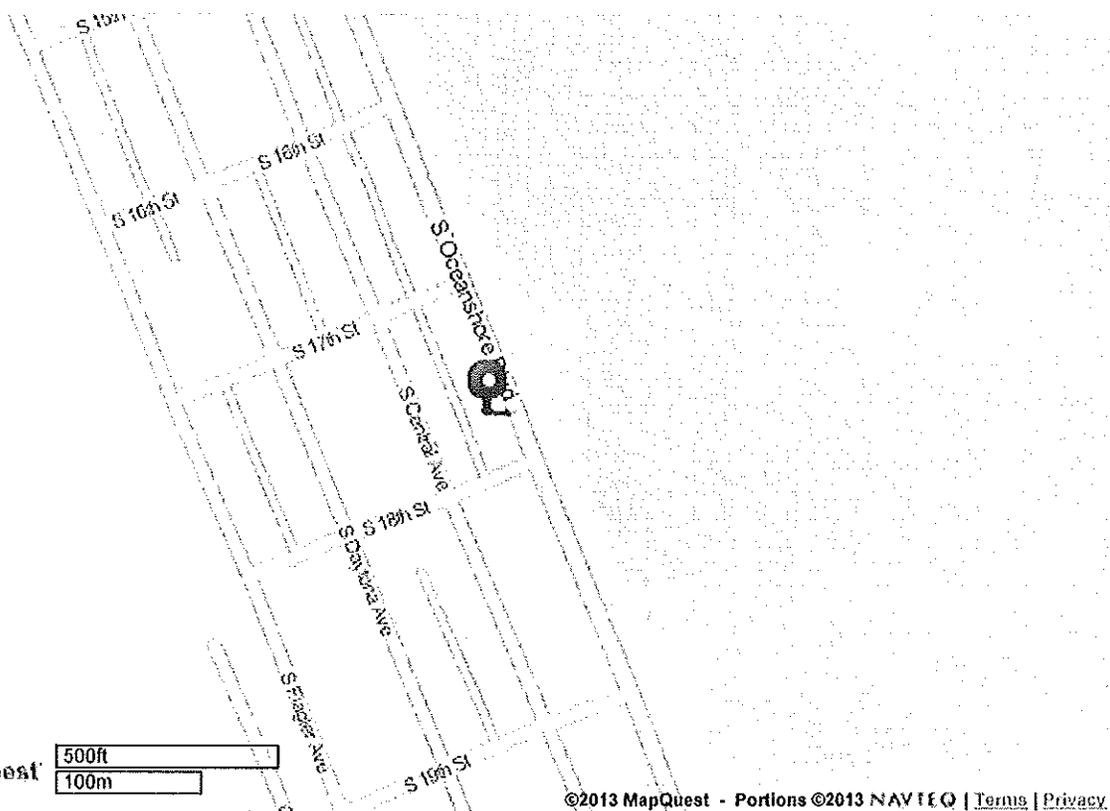


Are you comfortable in your retirement?

If you have a \$500,000 portfolio, download the guide for retirees written by *Forbes* columnist and money manager Ken Fisher's firm. It's called "The 15-Minute Retirement Plan." Even if you have something else in place right now, it *still* makes sense to request your guide!

[Click Here to Download Your Guide!](#)

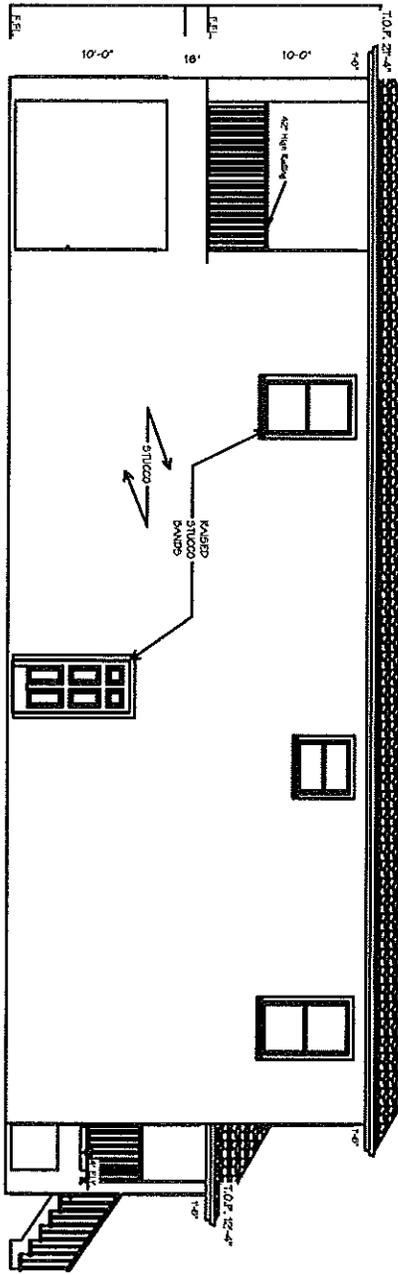
FISHER INVESTMENTS



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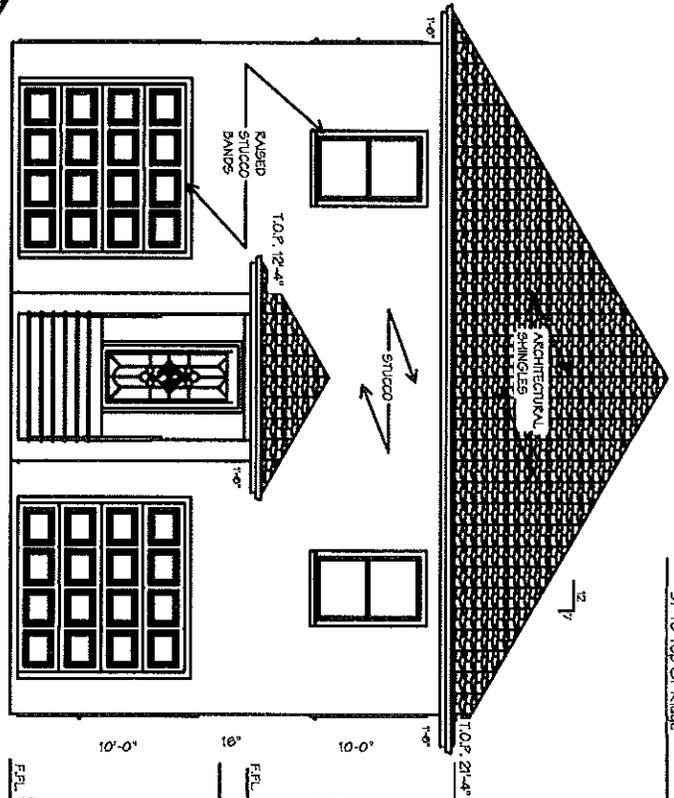
Get the **FREE MapQuest toolbar.** features.mapquest.com/toolbar/





RIGHT ELEVATION

SCALE: 3/8" = 1'



REAR ELEVATION

SCALE: 3/8" = 1'

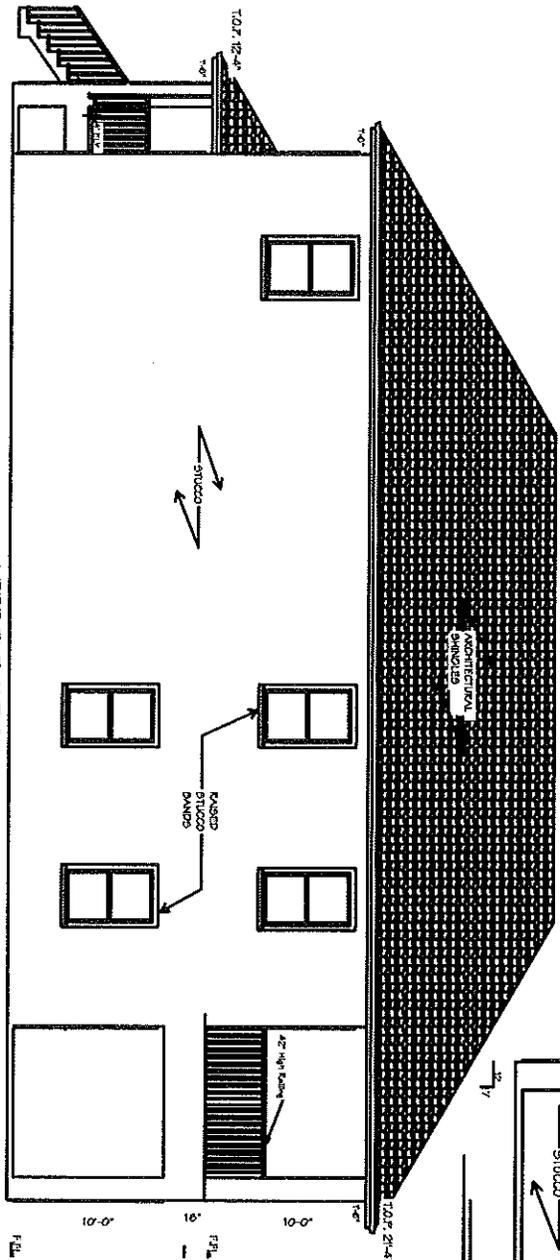

W.A. CROSS
 CONSULTING ENGINEERING, INC.
 P.O. BOX 9266
 OCEANO BEACH, FL. 32119
 CERTIFICATE OF AUTHORIZATION NO. 1280
 320-479-2004 PHONE & FAX
 320-453-7474 CELL PHONE
 15000 S.W. 27th AVE. #1000
 OCEANO BEACH, FL. 32136

DATE: 02-04-12
 DRAWN: DDD/DP
CUSTOM RESIDENCE
 SCALE: 3/8" = 1'

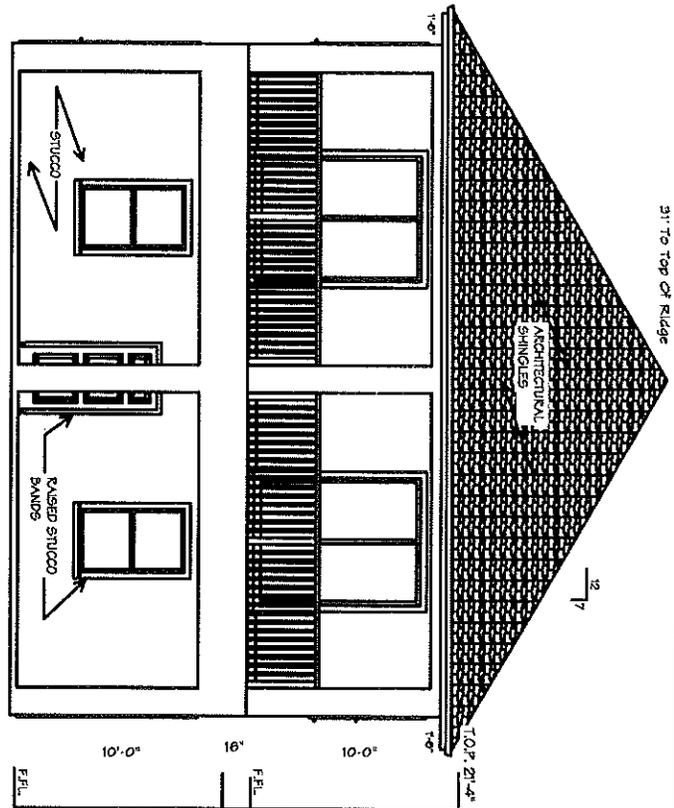
STOUGHTON LUXURY HOMES
 1736 SOUTH OCEANSHORE BLVD.
 FLAGLER BEACH, FL. 32136
 386-931-3290

LOCATION:
 1731 S. OCEANSHORE BLVD.
 FLAGLER BEACH, FL. 32136

NO.	REVISIONS
1	
2	
3	
4	
5	



LEFT ELEVATION
SCALE 3/8" = 1'



FRONT ELEVATION
SCALE 3/8" = 1'

REAL ESTATE CONSULTING-ENGINEERING, INC.
P.O. BOX 5266
ORLANDO BEACH, FL. 32115
ORLANDO, FL. 32115
386-931-3290 PHONE & FAX
386-931-3290 CELL PHONE
LICENSE # 17000 - ARCHITECTURE

OWNER: STOUGHTON LUXURY HOMES
CUSTOM RESIDENCE
SCALE: 3/8" = 1'-0"

STOUGHTON LUXURY HOMES

1736 SOUTH OCEANSHORE BLVD.
FLAGLER BEACH, FL. 32136
386-931-3290

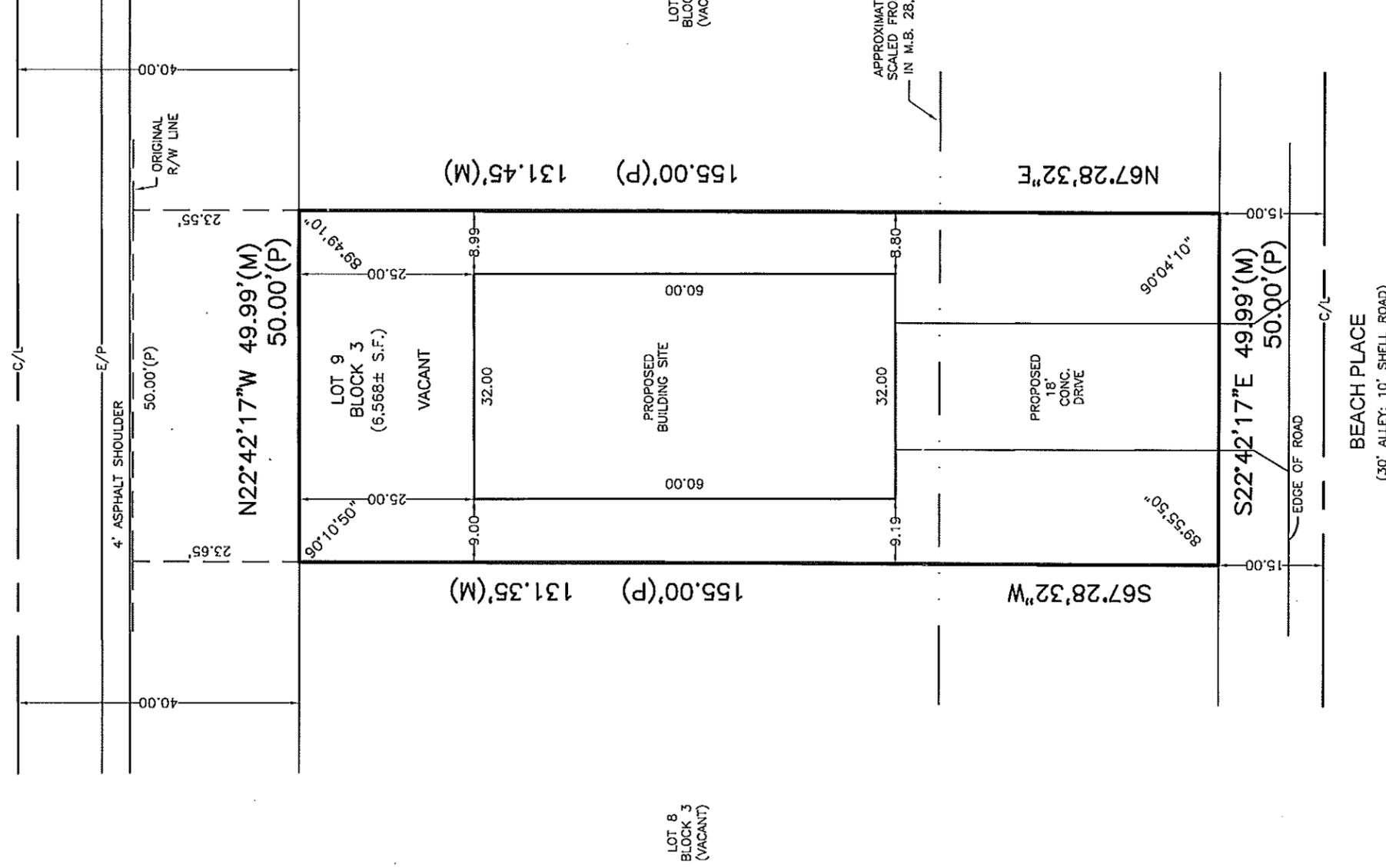
LOCATION:
1732 S. OCEANSHORE BLVD.
FLAGLER BEACH, FL. 32136

NO.	DATE	REVISIONS
1		
2		
3		
4		
5		



NORTH
SCALE: 1"=20'

STATE ROAD A1A
(A.K.A. OCEANSHORE BOULEVARD)
(80' R/W)



APPROXIMATE LOCATION OF C.C.C.L. AS
SCALED FROM C.C.C.L. MAPS RECORDED
IN M.B. 28, PG. 11 DATED 04/11/88

TYPE OF SURVEY: SKETCH OF BOUNDARY/PLOT PLAN
NOTE: PURSUANT TO FLORIDA STATE LAW, THIS SURVEY IS VALID NO MORE THAN 90 DAYS FROM DATE OF LAST FIELD WORK

DESCRIPTION: LOT 9, BLOCK 3, FUQUAY SUBDIVISION, A SUBDIVISION AS RECORDED
IN MAP BOOK 1, PAGE 26, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

LEGEND:

IR&C	5/8" Iron Rod & Cap set	Delta	
IP	5/8" Iron Rod & Cap found	Radius	
N/D	1/2" Iron Pipe	Length	
N/D	Nail and Disk set	Chord Bearing	
PCP	Nail and Disk found	Chord Distance	
CM	Permanent Control Point	Point of Curvature	
CM	4"x4" Concrete Monument set	Point of Intersection	
CM	4"x4" Concrete Monument found	Mean Sea Level	
FND	Found	Corrupted Metal Pipe	
C/L	Center Line	Concrete Block & Stucco	
E/P	Edge of Pavement	O.R.	Official Records Book & Page
R/W	Right of Way	N.A.V.D.	National Geodetic Vertical Datum
		N.A.V.D.	North American Vertical Datum

PREPARED FOR:
STOUGHTON LUXURY HOMES, LLP
4 PONCE DELEON DRIVE
PALM COAST, FL 32164

SWA
STEPHENSON, WILCOX
& ASSOCIATES, INC. (C-127726/LB1767)

CIVIL ENGINEERS • LAND SURVEYORS • CONSULTANTS • PLANNERS

204 N. Railroad Street PO Box 186 Bunnell FL 32110
Phone: 386.437.2363 Fax: 386.437.0030
Email: info.swa@gmail.com

NOTES

- The entire map encompassing this survey is recorded in Map Book 1, Page 26.
- No elevations shown on survey.
- Underground improvements and utilities not located.
- Bearings refer to D.O.T. right of way maps and to the West R/W of STATE ROAD A1A as being N22°42'17"W.
- Description provided by client.
- No search for encumbering instruments was made by surveyor.
- Error of closure meets or exceeds 1:7500 feet.

B.M.	Bench Mark	Conc.	Concrete
T.B.M.	Temporary Bench Mark	C/S	Concrete Slab
TOB	Top of Bench	A/C	Air Conditioner Pad
O/E	Top of Slope	LS	Licensed Surveyor
P/P	Overhead Electric	F.F.	Finish Floor Elevation
PEP	Power Pole	N.R.	Non-Radial to Curve
PEP	PEP Tank	(P)	Piet Bearing & Distance
⊙	Manhole	(M)	Measured Bearing & Distance
⊙	Television Riser		
⊙	Cable Television Riser		
⊙	Water Meter		
⊙	Electric Meter		
⊙	Fire Hydrant		

TYPE SURVEY:	FIELD DATE	OFFICE DATE	JOB NO.	BY:
Boundary	---	01/03/13	13-0007	AC
Form				
Foundation				
Final				

I hereby certify that the survey represented hereon meets or exceeds the minimum standards established pursuant to Section 472.027, Florida Statutes, and adopted in Chapter 5J-17 Florida Administrative Code.

DAN A. WILCOX Jr., PSM No. 5749, PE No. 57633
Not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper.



City of Flagler Beach

To: Don Deal, Chairperson, Planning and Architectural Review Board
Planning and Architectural Review Board Members

FROM: Chad T. Lingenfelter, AICP, PTP, City Planner

RE: #VAR 13-02-01 – 1708 North Central Avenue Variance

DATE: January 30, 2013

Applicant and Property Owner: Carey and Dorothy Klee Strickland, 1708 North Central Avenue, Flagler Beach, Florida 32136

Property: 1708 North Central Avenue – 01-12-31-2900-00010-0080

Future Land Use: Commercial

Zoning District: TC, Tourist Commercial

Summary

Pursuant to the *City of Flagler Beach Code of Ordinances, Appendix A, Land Development Regulations, Section 8.04.16., Variances*, the applicant is requesting a variance from the *City of Flagler Beach Land Development Regulations Section 2.04.02.9. Zoning District Schedule Two: Lot, Density, Yard, Height and Lot Coverage Requirements* to permit a four (4) foot front yard variance to allow a single-family dwelling setback 21' from the west property line. The subject property contains approximately 0.12 acre and is generally located north of the intersection of 17th Street North and North Central Avenue. The subject property is occupied with a single-family dwelling and a home business, D-Hair.

Analysis

The Planning and Architectural Review Board shall recommend such variances as will not be contrary to the public interest and where, owing to special conditions a literal enforcement of the provisions of this ordinance will result in unnecessary and undue hardships. In order to recommend any variance from the terms of this ordinance the Planning and Architectural Review Board must and shall find each of the following criteria is met by the applicant, and the Board's written findings shall be sent to the City Commission. The applicant's architect prepared responses to each of the prescribed criteria and are as follows:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;

"The existing home is peculiar in that it is a non-conforming structure, encroaching 2'-6" into the north side setback. This lot is also unique in that it extends between streets, requiring a front setback to be met on both street frontages. The existing structure respects a 25' front setback on the A1A side of

the property. In a Tourist Commercial zoning district, a 25' setback is required only on the front of the property, whereas a back setback would be 10'."

2. That the special conditions and circumstances do not result from the action of the applicant;

"The applicant purchased the home which was built as a non-conforming structure."

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district;

"This area is zoned Tourist Commercial (TC). The TC zoning allows for in-law suite additions to be constructed on a property. The properties on this block extend from A1A to Central Avenue. Two homes on this block have in-law suites that are constructed well into the 25' setback on the Central Avenue side of the lots. (Corner of N. 17th St. and Central Ave.)"

4. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant;

"The literal interpretation of the ordinance would not allow enough room to meet the standards for a handicap-accessible in-law suite addition that would respect the existing building and be sensitive to the existing site conditions. The proposed plan is of the necessary size to accommodate the ADA standards for circulation and livable space by the occupant. Changing the dimensions of the proposed plan or locating it closer to the existing home would not be in the interest of good architecture as cited in the City of Flagler Beach Design Guidelines which should be maintained throughout the city. This ordinance deprives the applicant of the ability to build such an addition as others in the same block have done beyond the same Central Avenue setback boundary."

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

"Granting this variance would allow for an ADA-compliant, handicap accessible in-law suite to be constructed on the Central Avenue side of the lot. This variance would be minimal in that it is for the minimum space required for accessibility and is for a 4' cantilevered living space, while the foundation would remain within the setback lines."

6. That the grant of the variance will be in harmony with the general intent and purpose of this ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

"This variance would have no impact on the neighbors of the site since the lot extends between streets. The building would be located more than 36' from Central Avenue, which is a greater distance than other buildings on the same block."

The applicant's application states, "In order to get the square footage needed for a handicapped unit, I would need to obtain a four foot wide by twenty and a half foot long variance that would be cantilevered over a foundation that would be within the

city's setback requirements on the West side Facing N. Central Avenue." Although this statement states that the foundation would be "within the city's setback requirements," the exhibits in the application packet depict that the foundation is outside of the setback requirements and the proposed four (4) foot encroachment into the west front yard setback would be cantilevered over the said yard.

The subject property is a typical 50 foot wide rectangular lot with a 104.5 foot depth, exceeding the minimum lot depth requirements for the TC zoning district by 24.5 feet. Also, the wood deck on the east side of the existing structure encroaches nearly five (5) feet into the east front yard setback. Therefore, criterion 1 is not satisfied.

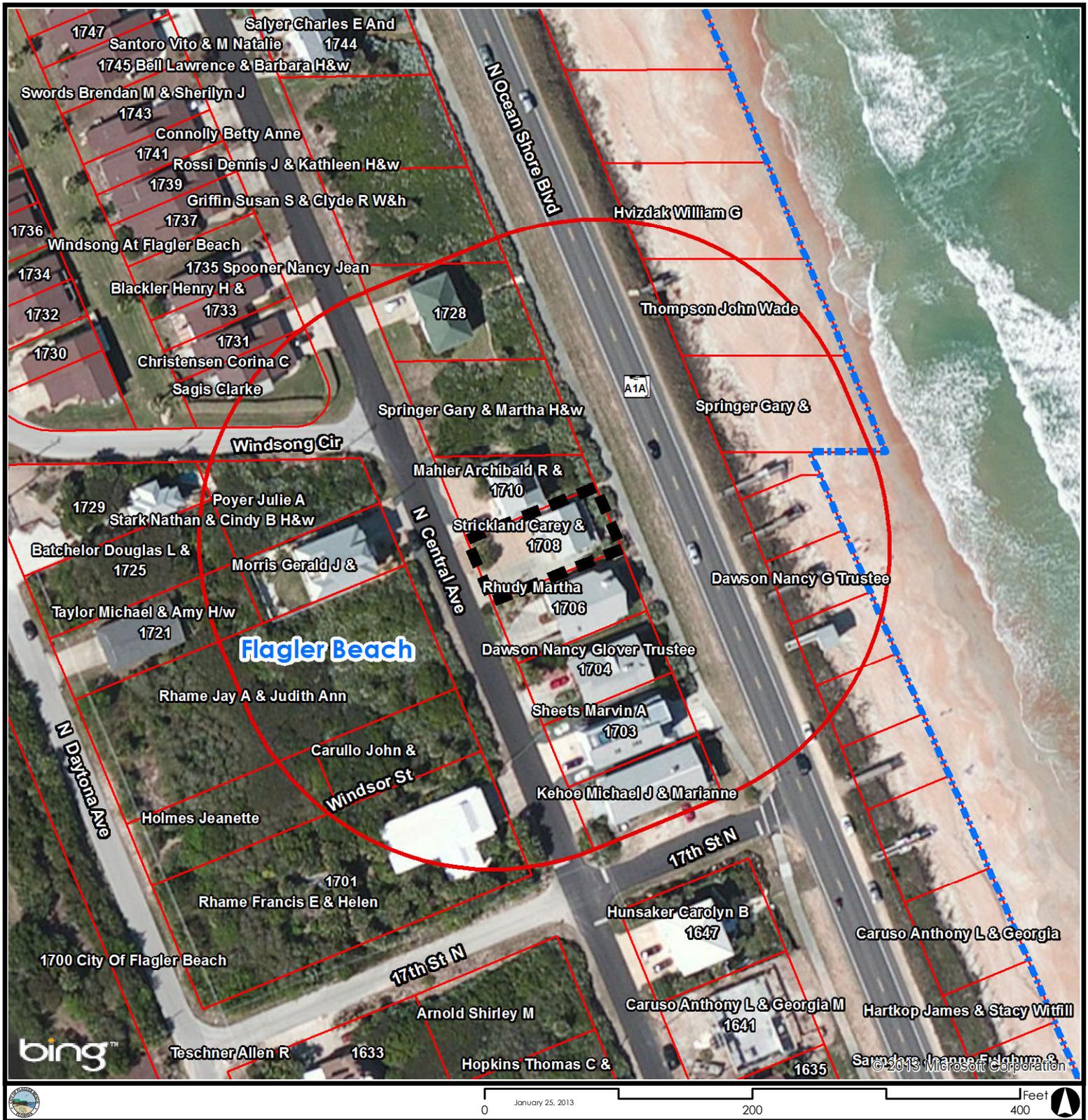
After reviewing the site plan, elevations, boundary and location survey, and addition floor plan, there is adequate room on the west side of the existing structure for the "handicapped unit" outside of the required setbacks by reducing the "salon reception area" width four (4) feet. The "salon reception area" could remain at the proposed dimensions by shifting the proposed "handicapped unit" to the south, creating a "C" shaped structure. Therefore, criterion 5 is not satisfied.

Recommendation

Staff recommends that the Planning and Architectural Review Board recommend that the City Commission not approve the requested variance for the subject property to allow a single-family dwelling setback 21' from the west property line. However, if the Planning and Architectural Review Board finds that each of the criteria is met by the applicant, then staff recommends that the requested variance for the subject property be approved with the following conditions:

1. All encroachments into the west front yard setback is only by a cantilevered structure up to four (4) feet maximum;
2. If the structure is renovated into a two (2) or more family dwelling units or is to be converted into commercial building, then a site plan and architectural approval is required before a building permit is issued; and
3. A single-family residential building permit is issued within 12 months of the City Commission's approval of the variance.

Enclosure: Variance Application Packet



Legend

-  Subject Property
-  200 Foot Radius of 1708 North Central Avenue
-  Incorporated Areas
-  Parcels



Sources: Flagler County Property Appraiser's Office, Florida Department of Transportation, and Microsoft Corporation
 The data contained in this map is provided "as is" without warranty or any representation of accuracy, timeliness, completeness, merchantability, and fitness for, or the appropriateness for, the use rests solely with the requester. The City of Flagler Beach makes no warranties, expressed or implied, as to the appropriate use of the data contained in this map. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the data, including the fact that the data is dynamic and is in a constant state of maintenance, correction, and update.



City of Flagler Beach
P.O. Box 70 105 S. 2nd Street
Flagler Beach, Florida 32136
Phone (386) 517-2000 Fax (386) 517-2016

Zoning Variance – (ZV)

DATE: 1-4-2012

PETITION NO.:

Pursuant to Section 8.05.13 of the Land Development Regulations, I hereby request a variance of the Zoning Code as described below:

PETITIONER: CAREY & DOROTHY STRICKLAND

ADDRESS: 1708 N. CENTRAL AVE PHONE NO.: 305 299-9955

OWNER OF SUBJECT PROPERTY: CAREY & DOROTHY STRICKLAND

ADDRESS: 1708 N. CENTRAL AVE PHONE NO.: 305 299-9955

PETITIONER'S RELATION TO SUBJECT PROPERTY: OWNERS

ADDRESS/LEGAL DESCRIPTION:

LOT: 8 BLOCK: 1 SUBDIVISION: Good Const Subdivision ZONING DISTRICT: TC

SECTION(S) OF THE CODE TO BE APPLIED FOR VARIANCE REQUEST:

ATTACH A JUSTIFICATION STATEMENT ADDRESSING ALL SIX CRITERIA FOR THIS VARIANCE REQUEST AS FOLLOWS: (See Attachment "A" Variance Standards.)

- | | |
|-------------------------------------|------------------------------|
| 1. Special conditions/circumstances | 4. Hardship |
| 2. Actions of Applicant | 5. Minimum variance |
| 3. Special privilege | 6. General intention purpose |

THIS IS TO CERTIFY THAT I AM THE OWNER OF THE SUBJECT PROPERTY DESCRIBED IN THIS VARIANCE PETITION. I HAVE READ THIS PETITION AND THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF PETITIONER: Carey & Dorothy Strickland DATE: 1-4-2012

1708 N. Central Avenue
Flagler Beach, FL. 32136

January 7, 2013

City of Flagler Beach, FL.
Planning & Zoning Appeals Board
Flagler Beach, FL. 32136

Re: Variance Application for addition
to existing residence at 1708 N. Central Ave.

Gentlemen:

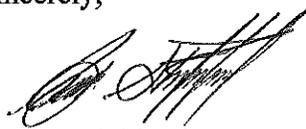
This letter is to request your consideration to the circumstances under which we are applying for a variance for an addition to our home at 1708 N. Central Avenue.

My mother has asked for help with her living condition as she is handicapped with Parkinson's Disease and uses a walker and/or her mobility chair to get around.. She has trouble walking and turning corners in her home as is not handicap equipped ..

I would like to build her a smaller structure behind my existing house. In order to get the square footage needed for a handicapped unit , I would need to obtain a four foot wide by twenty and a half foot long variance that would be cantilevered over a foundation that would be within the city's setback requirements on the West side facing N. Central Avenue.

Your favorable consideration to this request will be greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carey Strickland', written in a cursive style.

Carey Strickland



JOSEPH POZZUOLI ARCHITECT

memo

Job #212202

DATE | January 11, 2012
TO | City of Flagler Beach
COPY | File
FROM | Joseph Pozzuoli, AIA, I.D., ICAA
RE | **Strickland Residence**
1708 North Central Ave.
Flagler Beach, FL 32136

To whom it may concern,

We ask that a variance be granted for the Strickland Residence to allow for a 4' cantilever of a new handicap accessible in-law suite beyond the established 25' setback boundary from Central Avenue. This request meets the six standards set forth in Appendix A, Land Development Regulations, Section 8.05.13 as follows.

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other structures or buildings in the same zoning district;

The existing home is peculiar in that it is a non-conforming structure, encroaching 2'-6" into the north side setback. This lot is also unique in that it extends between streets, requiring a front setback to be met on both street frontages. The existing structure respects a 25' front setback on the A1A side of the property. In a Tourist Commercial zoning district, a 25' setback is required only on the front of the property, whereas a back setback would be 10'.

2. That the special conditions and circumstances do not result from the actions of the applicant;

The applicant purchased the home which was built as a non-conforming structure.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district;

This area is zoned Tourist Commercial (TC). The TC zoning allows for in-law suite additions to be constructed on a property. The properties on this block extend from A1A to Central Avenue. Two homes on this block have in-law suites that are constructed well into the 25' setback on the Central Avenue side of the lots. (Corner of N. 17th St. and Central Ave.)

4. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant;

The literal interpretation of the ordinance would not allow enough room to meet the standards for a handicap-accessible in-law suite addition that would respect the existing building and be

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sensitive to the existing site conditions. The proposed plan is of the necessary size to accommodate the ADA standards for circulation and livable space by the occupant. Changing the dimensions of the proposed plan or locating it closer to the existing home would not be in the interest of good architecture as cited in the City of Flagler Beach Design Guidelines which should be maintained throughout the city. This ordinance deprives the applicant of the ability to build such an addition as others in the same block have done beyond the same Central Avenue setback boundary.

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

Granting this variance would allow for an ADA-compliant, handicap accessible in-law suite to be constructed on the Central Avenue side of the lot. This variance would be minimal in that it is for the minimum space required for accessibility and is for a 4' cantilevered living space, while the foundation would remain within the setback lines.

6. That the grant of the variance will be in harmony with the general intent and purpose of this ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

This variance would have no impact on the neighbors of the site since the lot extends between streets. The building would be located more than 36' from Central Avenue, which is a greater distance than other buildings on the same block.

If you have any further questions please call JPA.

Signed: _____
Joseph D. Pozzuoli, AIA, I.D., ICAA
AR 13178 ID 4843

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Prepared by and Return to: Grantee

Inst No: 00001214 Date: 01/20/2000
Doc Stamp-Deed : 1015.00
SYD CROSBY, FLAGLER County
By: [Signature], D.C. Time: 08:48:42

MICHELLE J. HEISER
Coast Title Insurance Agency, Inc.
31 Old Kings Road North, Suite 5
Palm Coast, FL 32137
SS# - GRANTEE 1: 265-17-9634
SS# - GRANTEE 2: 158-38-5856

OFF REC 0680 PAGE 1712

[Space Above This Line for Recording Data]

WARRANTY DEED

File No.
99624

THIS INDENTURE, made this 14th day of January, A.D. 2000 between

JOSEPH J. KOVALICK, a single man

as Grantor*, whose address is: 309 ELBERTA ST., NASHVILLE, TN 37210
and

CAREY STRICKLAND and DOROTHY KLEE STRICKLAND, Husband and Wife

as Grantee*, whose address is: 8107 SW 72 AVE 305 E, MIAMI, FL 33143

WITNESSETH: That the Grantors, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations to said grantors in hand paid by said grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs forever the following described land located in the County of Flagler, State of Florida, to-wit:

SEE ATTACHED FOR CONTINUATION OF LEGAL DESCRIPTION

GRANTOR WARRANTS THIS PROPERTY IS NON-HOMESTEAD.

Property Tax ID Number: 011231-2900-00010-0080

SUBJECT TO easements, covenants and restrictions and reservations of record, if any, and taxes for 1999 and subsequent years.

Said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*Singular and plural are interchangeable as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Witnesses

(WITNESS 1) [Signature]
PRINT NAME: Teresa Clanton

(WITNESS 2) [Signature]
PRINT NAME: Nancy Caffey

[Signature]
JOSEPH J. KOVALICK

State of Tennessee
County of Bedford

JOSEPH J. KOVALICK, a single man

as Grantor*, whose address is: 309 ELBERTA ST., NASHVILLE, TN 37210
and

CAREY STRICKLAND and DOROTHY KLEE STRICKLAND, Husband and Wife

as Grantee*, whose address is: 8107 SW 72 AVE 305 E, MIAMI, FL 33143

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SEE ATTACHED FOR CONTINUATION OF LEGAL DESCRIPTION

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Said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*Singular and plural are interchangeable as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Witnesses

(WITNESS 1) Teresa Clanton
PRINT NAME: Teresa Clanton

(WITNESS 2) Nancy Capley
PRINT NAME: Nancy Capley

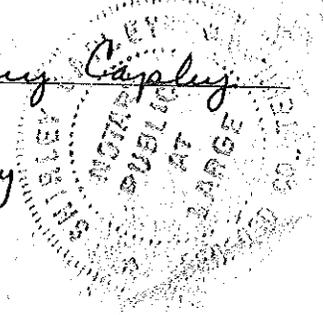
Joseph J. Kovalick
JOSEPH J. KOVALICK

State of Tennessee
County of Bedford

The foregoing instrument was acknowledged before me on this 14th day of January, 2000 by JOSEPH J. KOVALICK, a single man, who is known to me or who has produced drivers license as identification and did _____ take an oath.

My Commission Expires: 3/15/2000
(SEAL)

Shirley Capley
NOTARY PUBLIC
PRINT OR TYPE NAME:
Shirley Capley



LEGAL DESCRIPTION

Lot 8, Block 1, GOLD COAST SUBDIVISION, a subdivision according to the plat thereof as recorded in Plat Book 1, at page (s) 23, of the Public Records of Flagler County, Florida. Seller to grant buyers shared littoral rights in deed together with and in common with grantor, his heirs, successors and or assigns, in and to the following described land:

ALSO: All that portion of U.S. Lot 1 of Section 1 of Township 12 South, Range 31 East of the Tallahassee meridian, which is more particularly described and bounded as follows: Bounded on the West by the East side of Block 1 of Gold Coast Subdivision of Flagler Beach, Flagler County, Florida, according to the plan thereof on file in the office of the Clerk of the Circuit Court for Flagler County, Florida, in Plat Book 1, page 23, bounded on the North by the North Boundary line of said U.S. Lot 1 of Section 1, Township 12 South, Range 31 East and by the latter line projected East to the Atlantic Ocean, bounded on the South by the Southerly side of Lot 8 of Block 1 of said plan of Gold Coast Subdivision of Flagler Beach projected Easterly to the Atlantic Ocean, and bounded on the East by the Atlantic Ocean, together with all the riparian rights and accretions; hereto pertaining to all the above described parcel of land excepting all that portion of the above described parcel of land located within the platted portion of Ocean Boulevard as shown on said plan of Gold Coast Subdivision of Flagler Beach, so long as the same shall be used for highway purposes. (Now known as highway A-1-A as now laid out and used.)

Owner Authorization

Property Address: 1708 N. CENTRAL AVE
FLAGLER BEACH, FL 32136

Parcel Id: 014231-2900-00010-0080

AS OWNER, I AUTHORIZE JOSEPH POZZUOLI TO ACT AS MY AGENT IN THIS MATTER.
PRINT NAME, ADDRESS AND PHONE NUMBER OF REPRESENTATIVE, IF APPLICABLE.

NAME: Joseph Pozzuoli ADDRESS: 314 Moody Blvd Flagler Beach, FL
PHONE: (386) 439-5650
STATE OF FLORIDA,
County of Flagler

Subscribed and Sworn to (or affirmed) before me by
Carey + Dorothy Strickland



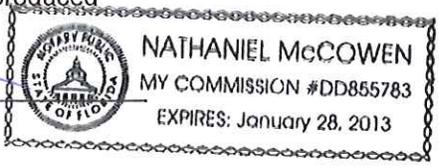
SIGNATURE OF OWNER
CAREY + DOROTHY STRICKLAND
OWNER'S NAME (Print/Type)

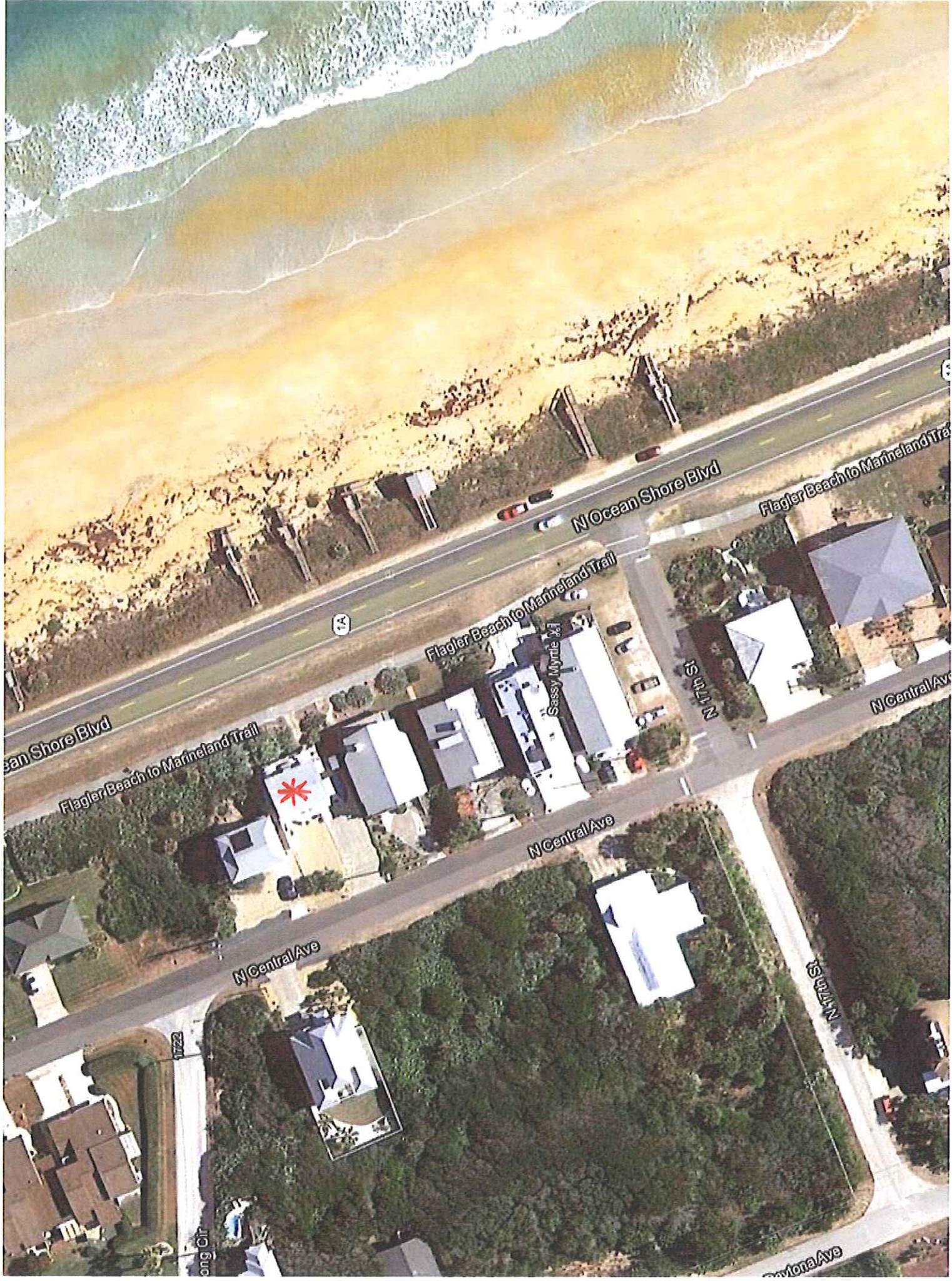
1708 N. CENTRAL FLAGLER BEACH FL.
ADDRESS (Street, City) & Phone Number 32136
305 299 9955

This 7 day of JANUARY, 20 13. Who is personally known to me or has produced
Driver license as identification.

Commission Number & Expiration

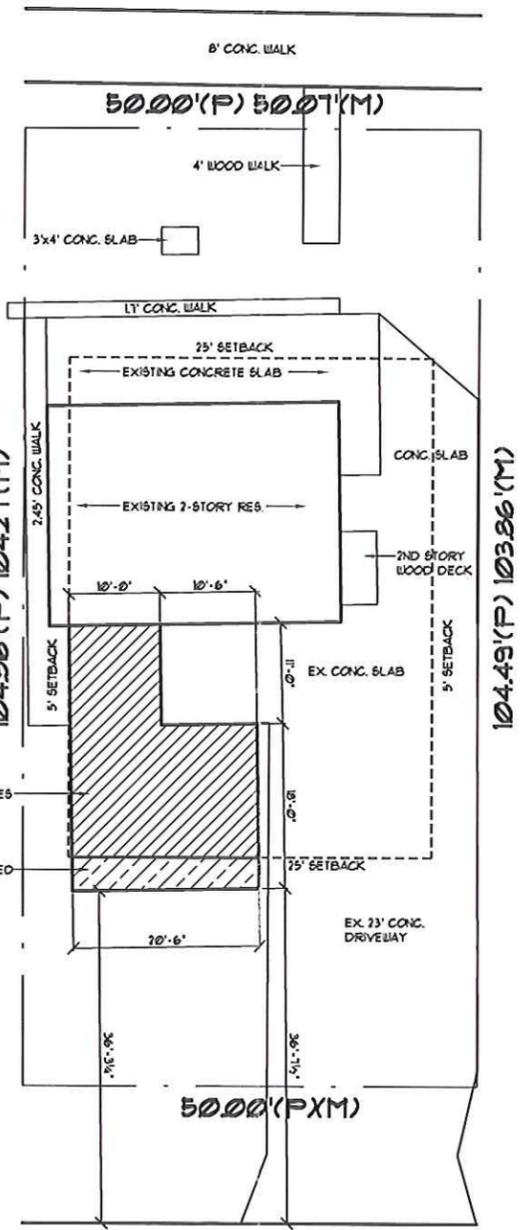
[Signature]
Notary Public







STATE ROAD A-1-A



HATCHED AREA INDICATES
FOUNDATION FOR NEW
STRUCTURE

4' CANTILEVER REQUESTED
FOR VARIANCE

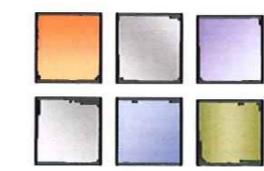
NOTE:
EXISTING EASEL SHALL
REMAIN ON SITE ADJACENT TO
CITY'S 5' EASEMENT EASEL

SITE PLAN
SCALE: 1" = 20'-0"

LEGAL DESCRIPTION:
LOT 8, BLOCK 1, GOLD COAST SUBDIVISION, A
SUBDIVISION ACCORDING TO THE PLAT THEREOF
AS RECORDED IN PLAT BOOK 1, AT PAGE 23, OF
THE PUBLIC RECORDS OF FLAGLER COUNTY,
FLORIDA.

CENTRAL AVENUE

THE
STRICKLAND RESIDENCE
IN-LAW SUITE ADDITION



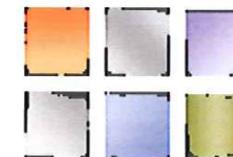
JPA
JOSEPH POZZUOLI ARCHITECT
314 MOODY BOULEVARD
FLAGLER BEACH, FL 32136
T: (352) 437-5553 F: (352) 437-5551
AR 13117 ID 4443



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

THE
STRICKLAND RESIDENCE
 IN-LAW SUITE ADDITION



JPA

JOSEPH POZZUOLI ARCHITECT
 314 MOODY BOULEVARD
 FLAGLER BEACH, FL 32136
 T: (386) 432-5552 F: (386) 432-5551
 AIA 1917
 ID 4610

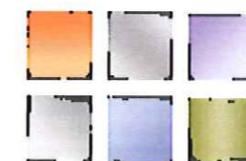
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RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

THE
STRICKLAND RESIDENCE
 IN-LAW SUITE ADDITION

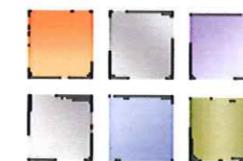


JPA
 JOSEPH POZZUOLI ARCHITECT
 314 MOODY BOULEVARD
 FLEET BEACH, FL 32119
 T. (386) 439-5550 F. (386) 439-5551
 ARCHITECT
 © 2013



LEFT SIDE ELEVATION
 SCALE: 1/4" = 1'-0"

THE
STRICKLAND RESIDENCE
 IN-LAW SUITE ADDITION

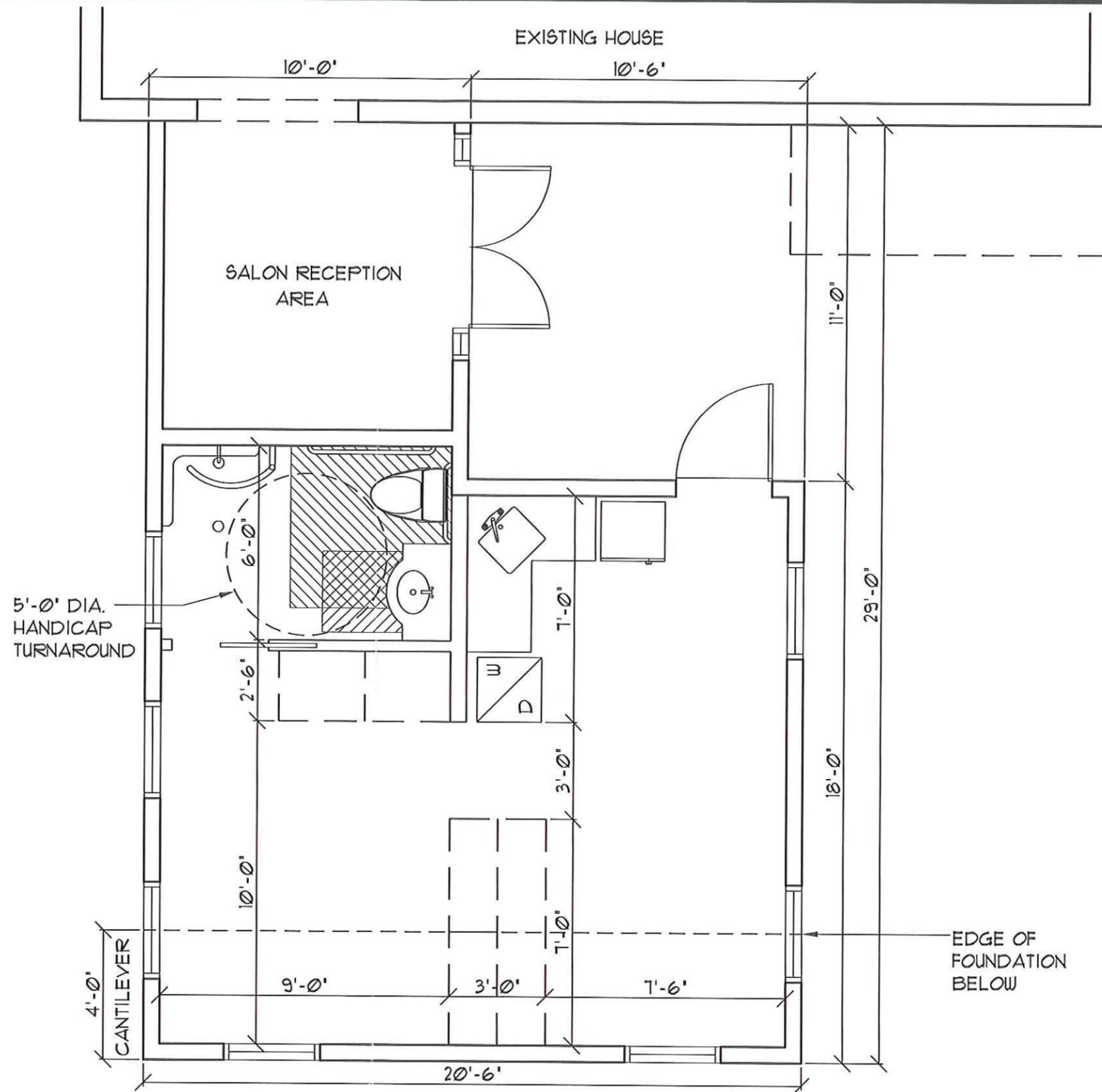


JPA

JOSEPH POZZUOLI ARCHITECT
 314 MOODY BOULEVARD
 FLAGLER BEACH, FL 32136
 T. (386) 432-4452 F. (386) 432-4551
 AIA 1917
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FLOOR PLAN

SCALE: 1/4" = 1'-0"



THE STRICKLAND RESIDENCE IN-LAW SUITE ADDITION



JPA
JOSEPH POZZADLI ARCHITECT
314 MOODY BOULEVARD
FLAOR BEACH, FL 32136
T (386) 433-5552 (386) 433-5551
ARCHITECT
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