

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: September 22, 2014

SUBJECT: 869 South Atlantic Avenue, Riptides – front yard variance

APPLICANT: Mr. Stan Hoelle, Architect, on behalf of the Riptides restaurant

FILE NUMBER: 2014-125

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

This is a request for a front yard variance submitted by Mr. Stan Hoelle, Architect, on behalf of the Riptides restaurant at 869 South Atlantic Avenue to construct a hard roof addition within the front yard setback. Section 2-27(B)(9)(a) of the Land Development Code requires a 30' front yard setback for all hard roof building structures. The variance request from Mr. Hoelle seeks to allow a 23.5' variance to the required front yard setback of 30' to construct a hard roof structure over the existing front deck area, with a resulting front yard setback of 6.5'.

BACKGROUND:

The property is designated as "Oceanfront Tourist Commercial" on the City's Future Land Use Map (FLUM) and is zoned B-6 (Oceanfront Tourist Commercial) on the City's Official Zoning Map. The existing use of the property is consistent with the FLUM designation and zoning district.

Adjacent land uses and zoning:

	Current Land Uses	Future Land Use Designation	Zoning
North	Beach/Ocean	NA	NA
South	Aliki Atrium Multi-family	"Tourist Commercial"	B-6 (Oceanfront Tourist Commercial)
East	Restaurant(s)	"Tourist Commercial"	B-7 (Highway Tourist Commercial)
West	Andy Romano Beachfront Park	"Tourist Commercial"	B-6 (Oceanfront Tourist Commercial)

Site Aerial



Source: Bing maps

Site picture



The structure at 869 South Atlantic Avenue is Riptides restaurant is a part of the overall Ocean East Resort property located at 867 South Atlantic Avenue. The restaurant is leased and is one of two restaurants located on the Ocean East Resort property. Both restaurants recently applied for and were granted Special Exceptions to allow live outdoor music under certain conditions by the City Commission. The current structure at

869 South Atlantic Avenue is setback 31.8' for the principal structure to the front property line. The structure has an existing wood deck that is located 6.5' to the front property line along with a wood ramp that is used for handicapped access.

The owner of Riptides restaurant has expressed concern regarding the existing wood deck and how it impacts the overall operation of the restaurant. The wood deck provides both outdoor seating and is used for a waiting area for the restaurant. The deck is directly exposed to the sun setting in the western sky and especially in the summer beats directly onto customers eating and those individuals waiting to be seated. The owner has expressed concern regarding additional operation issues with rainy weather conditions. The applicant is seeking to create a hard roof covered area for outdoor seating and customer waiting areas. The request does not propose to add any additional seats.

ANALYSIS:

The subject property at 869 South Atlantic Avenue is zoned B-6 (Oceanfront Tourist Commercial). Pursuant to Chapter 2, Article II of the Land Development Code, Section 2-27(B)(9)(a), the required front yard setback in the B-6 zoning district is 30' from the property line. The variance request from Mr. Hoelle seeks to allow a 23.5' variance to the required front yard setback of 30' to construct a hard roof structure over the existing front deck area, with a resulting front yard setback of 6.5'.

During the staff review the future plans of South Atlantic Avenue were analyzed. The building front setbacks are designed to ensure encroachments do not occur close to the Atlantic Avenue right-of-way. Through the adopted Comprehensive Plan, the City has constrained widening this road by policy and there are no Florida Department of Transportation plans to widen South Atlantic Avenue within 2035 Long Range Transportation Plan.

Potential Alternatives:

1. Grant the applicant's request for a 23.5' variance with a resulting 6.5' setback from the required 30' front yard setback.
2. Deny the request and allow the 30' front yard setback to stand.

CONCLUSION:

Chapter 1, Article II, Section 1-16.D.2, of the Land Development Code states, "The Board of Adjustment and Appeals shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved and are not the result of the actions of the applicant. If the basis for the request is the unique quality of the site, the Board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the Board shall base its findings on the cumulative effect of granting the variance to all who may apply."

The Board must consider the following criteria established in Chapter 1, Article II, Section 1-16.D.4, of the Land Development Code for the expansion of the non-conforming structure:

1. **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.**

Argument for the variance: The special condition is the location of the existing building in relationship to the property line. There are many existing structures along South Atlantic Avenue are located within the required front yard setback and the application seeks to modernize and allow a better use of the existing building.

Argument against the variance: The existing building is conforming to the front yard setback and the hard roof addition would encroach into the required setback. The need for the hard roof addition does not outweigh the Land Development Code setback requirements.

2. **The special conditions and circumstances do not result from the actions of the applicant.**

Argument for the variance: The existing structure was constructed prior to the existing leaseholder of the restaurant and the building location did not result in any actions of the current property owners.

Argument against the variance: None. The location of the existing building was established prior to the current property owners.

3. **Literal interpretation of the provisions of these zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant.**

Argument for the variance: The application of the zoning district setbacks in relationship to front yard setback would not allow the construction of the hard roof addition and would be an undue hardship. Within the application, the applicant states that the front entry faces west and is intensely hot for patrons wishing to eat. The proposed hard roof addition would provide shelter for customers to eat outside without direct weather impacts and those customers waiting to be seated.

Argument against the variance: The structure at 869 South Atlantic Avenue meets the front yard building setback requirements. This request would turn a conforming structure into a non-conforming structure with the variance.

4. **No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

Argument for the variance: There is no other alternative then the variance requested. The hard roof addition is required to be located at the front of the building to protect the customers of the restaurant. The requested variance is

the minimum variance possible to make reasonable use of the property and protect customers.

Argument against the variance: There is no other practical alternative to install a hard roof addition at this location. The issue becomes if the proposed hard roof addition merits the issuance of a variance to construct.

5. **The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.**

Argument for the variance: The variance is not sought to reduce the cost of the construction of the project. The selected location is the most logical and practical place for the hard roof addition to protect restaurant customers.

Argument against the variance: None. The variance is not sought to reduce the construction cost of the project.

6. **The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.**

Argument for the variance: The request will not increase congestion, fire danger or public hazards. The variance is designed to protect and provide shelter for restaurant customers.

Argument against the variance: None. The variance will not create any hazards to the public.

7. **The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.**

Argument for the variance: This area of the City is predominately tourist related and the requested hard roof addition will provide protection for customers of the restaurant. Other structures within the South Atlantic Avenue corridor encroach into the required 30' front yard building setback. Staff does not believe that the request will not diminish property values or alter the character of the surrounding area

Argument against the variance: It is staff's opinion that the hard roof addition will not diminish the property values of the surrounding properties. The restaurant owner has made investments in the property and this application continues the attempts to improve the structure and customer experience.

8. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district.**

Argument for the variance: The purpose of the variance process is to confer rights that are denied to a particular applicant because of a special condition or

unique circumstance for their property. Staff believes that this request is appropriate based on the existing structure location.

Argument against the variance: The variance would make a conforming structure in terms of the front yard setback non-conforming. The Board will need to review the applicant's request, staff report, and abutting property owner to come to a final determination on the application.

RECOMMENDATION:

It is recommended that the Board of Adjustment and Appeals **APPROVE** a variance of 23.5', for a front yard setback of 6.5' instead of the required 30' to install a porte cochere at Riptides restaurant located at 869 South Atlantic Avenue.

Exhibits:

- A: Variance Exhibit
- B: Maps and pictures
- C: Variance application

Exhibit A

Variance Exhibit

Exhibit B

Maps and pictures

869 South Atlantic Avenue location map



Address Points

 Traffic Signals

Airport and Railroad

— AIRPORT

—+ RAILROAD

City Streets

— DIRT

— MAJOR

— PAVED

 Water Features

 Property Lines

266 ft



GIS data is provided on an "as is" basis. The accuracy or reliability of the data is not guaranteed or warranted in any way. The City of Ormond Beach specifically disclaims any warranty either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance of the data is with the end user. In no event will the City, its staff or it's representatives be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the City has been advised of the possibility of such damages.

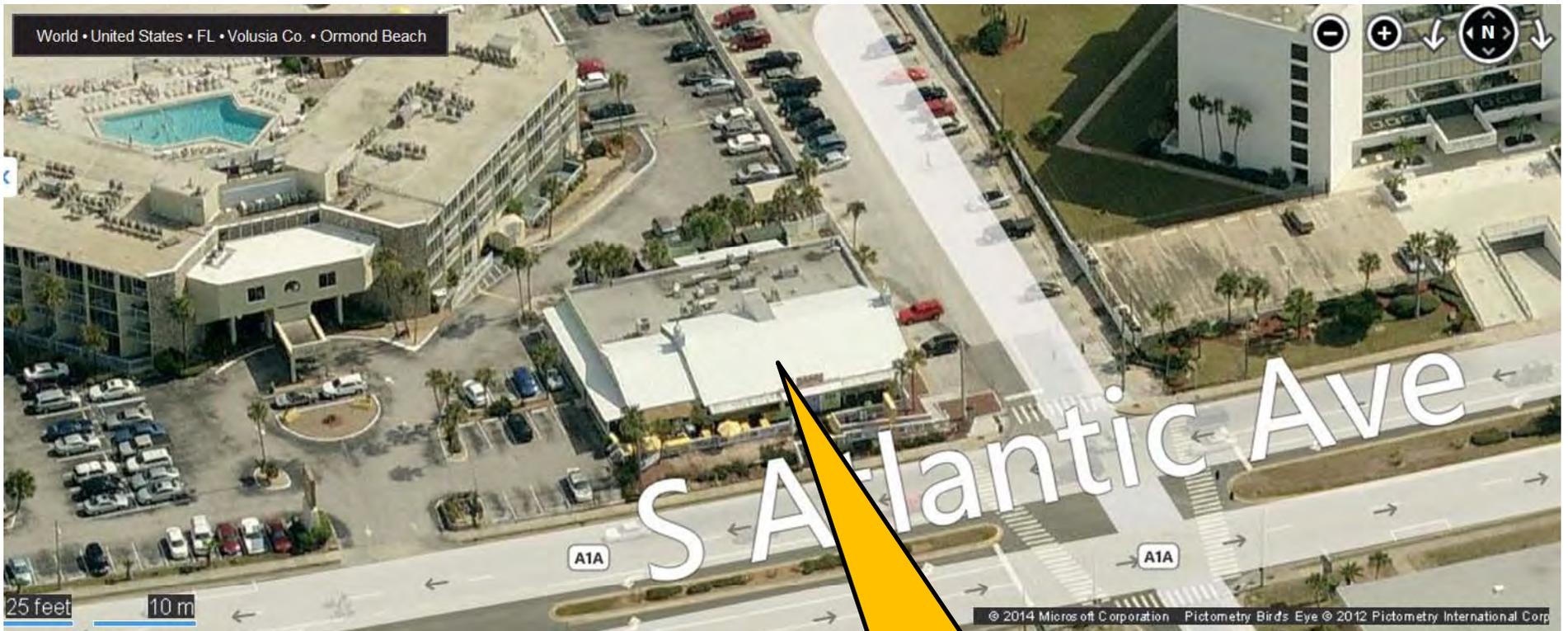


869 South Atlantic Avenue



Source: Bing maps

869 South Atlantic Avenue



Source: Bing maps

Riptides,
869 S Atlantic Avenue



Area where expansion
is proposed

09/12/2014





09/12/2014

Exhibit C

Variance Application



CITY OF ORMOND BEACH

Planning Department

22 South Beach Street, Ormond Beach, FL 32174

Tel: (386) 676-3238

www.ormondbeach.org

comdev@ormondbeach.org

v3.2013

14-125

REC'D AUG 29 2014

VARIANCE - APPLICATION

For Planning Department Use

Application Number

Date Submitted

APPLICATION TYPE AND FEES

	Application	Advertising Deposit for Advisory Board	Advertising Deposit for Commission	Total*
<input checked="" type="checkbox"/> Residential or Commercial	350	350	N/A	700
<input type="checkbox"/> After the Fact Residential or Commercial	700	350	N/A	1050

*The total is calculated as the Application plus approximate Advisory Board and Commission Public Notification Fees. Depending on the actual costs, Staff shall refund any remaining balance or require additional payment.

APPLICANT INFORMATION

This application is being submitted by Property Owner Agent, on behalf of Property Owner**

Name

Full Address

Telephone Email

* If this application is being submitted by a person other than the property owner, please provide the following Property Owner Information as well as a notarized letter designating you as agent.

PROPERTY OWNER INFORMATION****

Name

Full Address

Telephone Email

****If the property owner does not reside on the property for which the application refers, please provide the following Property Details.

PROPERTY DETAILS

Full Address

Parcel ID Number

Legal Description

REQUEST

For the Board of Adjustment and Appeals to grant a variance, there must be special conditions or circumstances existing which are peculiar to a particular piece of land, structure or building. The variance should not request special privilege denied to other lands, buildings or structures, and must prove deprivation of rights commonly enjoyed by other property owners in the subject property area that results in an unnecessary hardship. The request should be the minimum possible to make reasonable use of the land and, if granted, should not be injurious to the area or materially diminish the value of the surrounding properties, alter the essential characteristics of the neighborhood or otherwise be detrimental to the public welfare or create a public nuisance. A purely financial hardship does not, except under extreme circumstances, constitute sufficient grounds for hardship.

Request:

The existing restaurant used to be called "Barnacles". The business owner is now (Brad Hoffman) and the "Riptides" is the new name. The property owner is Ocean East Club Assoc. and has been for decades.

Our request is that the existing wood deck entrance needs to be covered because there is a waiting list for dinner almost every night all summer long and the western sun exposure and rain drives customers away. The front yard setback is now 31.8 feet to the restaurant and we propose to cover the existing deck within the now established entry and setback from the sidewalk.

ABUTTING PROPERTY OWNERS

Please provide abutting property owner signatures or provide letters indicating position toward the request.

Signature	Street Address	For	Against
	Andy Romano Beach Park, 839 S. Atlantic Ave.	<input type="checkbox"/>	<input type="checkbox"/>
	Aliki Atrium Mgmt Assoc., 901 S. Atlantic Ave.	<input type="checkbox"/>	<input type="checkbox"/>
	Black Sheep Pub, 890 S. Atlantic Ave.	<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA: CONFORMING

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

1. 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:

Building on site with Original Condominium/Timeshare with restaurant building owned by Ocean East Resort Condominium, since the 1980's. The buildings were built prior to the 1960's. The current operator/owner has totally renovated the interior and wishes to modernize the exterior and enhance his business.

2. The special conditions and circumstances do not result from the actions of the applicant:

The current operator inherited the existing physical facility.

3. Literal interpretation of the provisions of these zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant:

The front entry faces west and is intensely hot for patrons wishing to eat at this restaurant and a lot of people leave and go to other restaurants as there is a waiting list almost every day, all summer long.

4. No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure:

A permanent covered structure is the only way to protect the patrons from rain and sun. They have tried palm trees, umbrellas and shade canopies and they do not work and are blown away by almost any wind gust.

5. The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship:

The variance request is not at all based upon cost and this proposed solution is quite expensive, but is necessary to improve the physical comfort and greatly improve the appearance of this aging structure.

6. The proposed variance will not substantially increase congestion on surrounding streets, or the danger of fire or other hazard to the public:

The congestion on the surrounding streets should be unchanged and a metal roof with heavy timber construction is not a fire or other hazard to the public.

7. The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site:

The effect of the proposed variance is in harmony with the general intent of this Code and will not diminish property values, but will substantially increase the property values surrounding the site.

8. Granting this variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district:

Granting this variance requested will not confer on the applicant any special privilege. This is an established Commercial Tourist Zoning District. We are proposing to enhance this property that was established in 1965.

CRITERIA: NONCONFORMING

Section 1-16.D.4 of the Land Development Code establishes separate criteria for the expansion of an existing nonconforming structure or portion of that structure. The Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 6 criteria. Additional pages, photographs, surveys, plot plans or any other materials may be attached as exhibits.

1. The property where the structure is located meets the minimum lot area standard for the zoning district, as specified in Chapter 2, Article II:

Minimum Lot Area not an issue.

2. There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure:

The Waiting Area is existing but is outdoors and needs protection from the elements. Due to the limitations of this site the only and best solution is the current wood deck area.

3. The proposed expansion will be consistent with the use of the structure and surrounding structures, given the use is permitted by right, conditional use or special exception in the zoning district within which the structure is located:

Most new facilities have extensive outdoor covered areas for dining, bars and waiting areas (i.e.) Bahama Breeze Restaurants; or second floor designs.

4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:

The existing building interior area is not increased. The Open Deck Area is proposed to be covered.

5. The proposed expansion is in scale with adjacent buildings:

The One-Story Commercial Restaurant is on site with the Four Story Time-Share Condominium. No other buildings are within 150 feet as this is a corner property.

6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:

Adjacent building to the South is 150 feet away and Five-Stories high. No changes in views, light and/or noise.

CERTIFICATION

By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled hearing.

Signature: Stanley Hoelle
ARCHITECT

STATE OF FLORIDA
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 28 day of August, 2014, by Stanley Hoelle
as _____ (title*) for _____ (name of corporation*), who provided
_____ as identification, or who is personally known to me.

Alexis A Robinson
Notary Public, State of Florida
My Commission Expires Mar 28, 2018
Commission # FF 095373

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.



OCEAN EAST

RESORT CLUB ASSOCIATION, INC.

August 28, 2014

Ormond Beach Planning Department

Re: Variance Request for 869 S. Atlantic Ave Rip Tides Restaurant

Stanley Paul Hoelle, architect will be our agent for processing this application and for the meeting scheduled in October.

Thank you for your cooperation

Sincerely,

Steve Coleman
Business Manager/ Vice President
Ocean East Resort Club





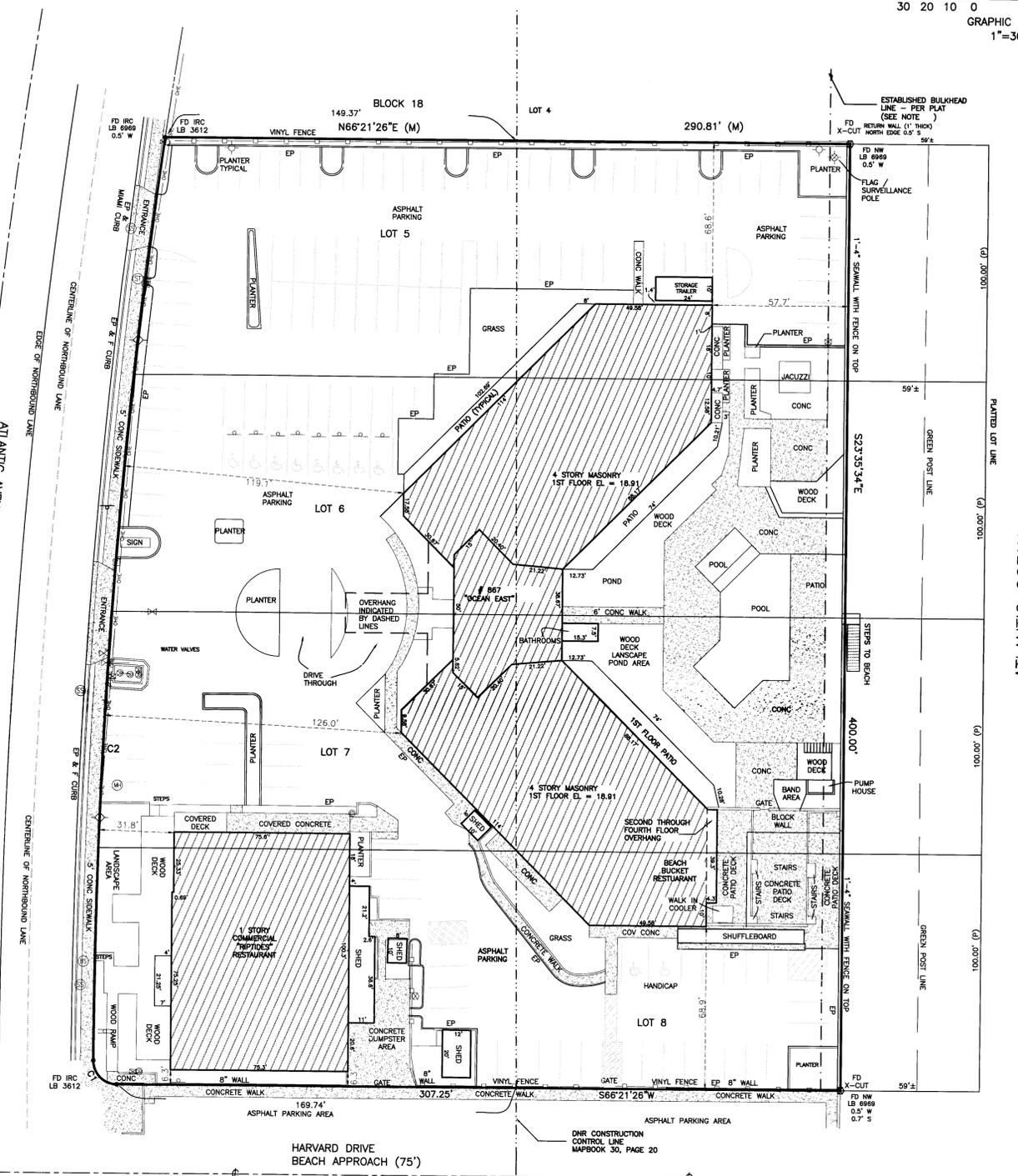
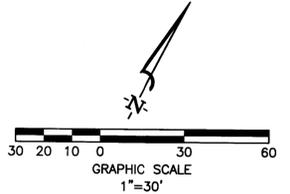


LEGAL DESCRIPTION:

LOTS 5, 6, 7 AND 8, BLOCK 18, SECTION 2, ORTONA PARK REPLAT IN ORMOND BEACH, AS RECORDED IN MAP BOOK 23, PAGE 226, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

GENERAL NOTES AND SURVEY REPORT:

- BEARING STRUCTURE REFERENCE TO DEPARTMENT OF NATURAL RESOURCES COASTAL CONSTRUCTION CONTROL LINE PER MAP BOOK 30, PAGE 20 BETWEEN MONUMENT 79-78-A-63 AND 79-78-A-62 (S 19°08'17" E).
- LEGAL DESCRIPTION PROVIDED BY CLIENT PER BOOK 2873, PAGE 439, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
- RECORD DIMENSIONS ARE SHOWN IN PARENTHESIS (), WHEN DIFFERS FROM MEASURED.
- ACCURACY STATEMENT: THE ACCURACY OF THE BOUNDARY CONTROL OF THE SUBJECT PROPERTY IS COMMERCIAL/HIGH RISK LINEAR. THE CLOSURE IS 1:10,000
- DATA SOURCES: NONE
- MEASUREMENT METHODS: HORIZONTAL AND VERTICAL MEASURES MADE BY ONE OR MORE OF THE FOLLOWING INSTRUMENTS: TOPCON INSTRUMENTS GPT-3003W, SOKKIA GRX-1 GPS INSTRUMENTS, PAL-2 LUFKIN STEEL TAPE, CST STEEL TAPE, STEEL HIGHWAY CHAIN, CST & LUFKIN FIBERGLASS TAPE FOR DIMENSIONS FOR BUILDINGS.
- CORNERS FOUND AND NOT FOUND AS SHOWN ON THIS SURVEY ARE REFERENCED TO THE FOLLOWING HELPER SURVEYS AND ORIGINAL PLAT PLATS.
 - ORTONA PARK, SECTION 2, REPLAT IN ORMOND BEACH, AS RECORDED IN MAP BOOK 23, PAGE 226, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.
 - UPHAM, INC. SURVEY FILE 208-110, DATED AUGUST 12, 2003.
 - UPHAM INC. SURVEY 208-104B, DATED MAY 7, 1991.
 - V.G. STEPP, SURVEY FILE 208-80, DATED JANUARY 8, 1965.
- THIS IS A RETRACEMENT SURVEY OF V.G. STEPP, SURVEY FILE 208-80, DATED JANUARY 8, 1965.
- TITLE INFORMATION PROVIDED: NONE
- LIMITATIONS:
 - SOME INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY AND OR OWNERSHIP WHEN FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN, THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY, NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN. IF LOCATION OF EASEMENTS OR RIGHT-OF-WAY OF RECORD, OTHER THAN THOSE ON RECORD PLATS, IS REQUIRED, THIS INFORMATION MUST BE FURNISHED TO THE SURVEYOR AND MAPPER. PER FLORIDA STATUTES RULE 5J-17.05(2)(d)(4)
 - IT IS UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THIS SURVEYOR AND THE FIRM, FROM WHICH IS FORMULATED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. FURTHERMORE, THIS SURVEYOR AND FIRM, DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE LIABLE FOR CLAIMS ARISING FROM ERRONEOUS OR INCORRECT INFORMATION FURNISHED BY THE OWNER, LENDER, OR OWNER'S CONTRACTORS OR OTHERS, WHICH IS USED AS A BASIS TO FORMULATE THIS SURVEYOR'S OPINION.
 - ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE PARTY. PER FLORIDA STATUTES CHAPTER RULE 5J-17.05(1)(3)(b)(6)
 - THE ACCEPTANCE OF THIS SURVEY AS CERTIFIED FOR THE EXCLUSIVE USE OF NAMES SHOWN HEREON SHALL CONSTITUTE FULFILLMENT OF MY CONTRACTUAL OBLIGATION. "ORIGINAL" AS DEFINED HEREON REFERS TO THE SIGNED AND SEALED GRAPHIC REPRESENTATION OF THE FIELD SURVEY. CAD FILES ARE NOT THE SURVEY AND THERE MAY BE A SURCHARGE FOR THEM.
 - TAX PARCEL IDENTIFICATION NUMBERS, ADJACENT OWNERS NAMES AND ADDRESS WHEN SHOWN SHOWN IS EITHER SUPPLIED BY CLIENT AND/OR TAKEN FROM COUNTY APPRAISER'S INTERNET WEB PAGE AND MAY NOT BE THE MOST CURRENT.
 - SPECIAL PURPOSE SURVEYS WHEN IDENTIFIED AS TYPE OF SURVEY:
 - WHEN TREES AS SHOWN ON THE SURVEY IT IS FOR THE LOCATION OF THE TREES 6" INCHES DIAMETER AND ABOVE TREES TAKEN APPROXIMATELY 4 TO 4-1/2 FEET ABOVE GROUND LEVEL TREE IDENTIFICATION OTHER THAN LOCATION AND SIZE, SEE AN ARBORIST.
 - JURISDICTIONAL WETLANDS WHEN SHOWN WERE LOCATED FROM FLAGS/MARKS BY BIOLOGIST / ENVIRONMENTALIST. AND THE DETERMINATION OF WETLANDS ARE OUT OF THE EXPERTISE OF THIS SURVEYOR AND MAPPER.
 - ARCHAEOLOGICAL FEATURES WHEN SHOWN WERE LOCATED FROM OBJECTS IDENTIFIED BY OTHERS AND THE DETERMINATION OF WHAT CONSTITUTES A ARCHAEOLOGICAL FEATURES IS OUT OF THE EXPERTISE OF THIS SURVEYOR AND MAPPER.
 - WILDLIFE CORRIDORS OR HABITATS WHEN SHOWN WERE LOCATED FROM OBJECTS IDENTIFIED BY OTHERS AND THE DETERMINATION OF WHAT CONSTITUTES A WILDLIFE CORRIDORS OR HABITATS IS OUT OF THE EXPERTISE OF THIS SURVEYOR AND MAPPER.
 - GEO-TECHNICAL BORINGS SHOWN AS MARKED AND FIELD LOCATED.
 - AS-BUILT / RECORD SURVEYS WHEN IDENTIFIED AS TYPE OF SURVEY:
 - WHEN UNDERGROUND UTILITIES, SUCH AS UNDERGROUND CABLES, GAS MAINS, WATER MAINS, SANITARY SEWER SYSTEMS AND STORM COLLECTIONS SYSTEMS ARE SHOWN, THE LIMITS OF THIS SURVEY INCLUDE VISIBLE STRUCTURES / IMPROVEMENTS IN COMBINATION WITH AS-BUILT / RECORD DRAWINGS SUPPLIED BY OTHERS.
 - WHEN THE PERCENTAGE OF SLOPES ARE SHOWN IT IS BASED ON THE INVERTS BETWEEN VISIBLE STRUCTURES. THIS SURVEY DOES NOT INCLUDE VIDEO PIPELINE INSPECTIONS. VERIFICATION OF LINE OF SITE HAS NOT BEEN VERIFIED. THIS SURVEYOR SUGGESTS VIDEO PIPELINE INSPECTION BY A PROFESSIONALS PROVIDING SERVICE OF THAT SPECIALTY.
 - THIS SURVEYOR SUGGEST VIDEO PIPELINE INSPECTION BY A PROFESSIONAL PROVIDING SERVICE OF THAT SPECIALTY.
 - TOPOGRAPHIC SURVEY:
 - CONTOURS ARE ON ONE FOOT INTERVALS, INTERPOLATED BETWEEN 100 FOOT GRIDS, VISIBLE GRADE BREAKS, ALONG WITH RANDOM GROUND ELEVATIONS.
 - OFFSITE TOPOGRAPHIC INFORMATION SHOWN IS BASED ON THE REQUEST BY THE CLIENT AND OR THE CLIENTS AGENT, BEING AN ARCHITECT OR ENGINEER.



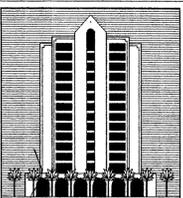
CURVE 1 DATA
 CA = 99°57'52"
 R = 10.00'
 CB = S 63°39'38" E
 CH = 15.32'
 L = 17.45'

CURVE 2 DATA
 CA = 07°57'13"
 R = 2804.84'
 CB = S 20°00'16" E
 CH = 389.05'
 L = 389.36'

BUILDING HATCH
 CONCRETE HATCH

ABBREVIATIONS / LEGEND: SURVEY MAP AND SURVEY REPORT

ACR	ACRES	FEMA	FEDERAL EMERGENCY
AD	AIR CONDITIONER	FLM	FLORIDA LICENSED
AG	AGRICULTURE	FLM	FLORIDA LICENSED
AL	ALUMINUM	FLM	FLORIDA LICENSED
AS	ASBESTOS	FLM	FLORIDA LICENSED
AT	ATMOSPHERE	FLM	FLORIDA LICENSED
AV	AUTOMATIC VALVE	FLM	FLORIDA LICENSED
AW	AIRWAY	FLM	FLORIDA LICENSED
AX	AXIS	FLM	FLORIDA LICENSED
AY	AYER	FLM	FLORIDA LICENSED
BA	BATHROOM	FLM	FLORIDA LICENSED
BB	BELL SOUTH MANHOLE	FLM	FLORIDA LICENSED
BC	BENCH MARK	FLM	FLORIDA LICENSED
BD	BUILDING	FLM	FLORIDA LICENSED
BE	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BF	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BG	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BH	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BI	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BJ	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BK	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BL	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BM	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BN	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BO	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BP	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BQ	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BR	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BS	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BT	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BU	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BV	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BW	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BX	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BY	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
BZ	BELLSOUTH MANHOLE	FLM	FLORIDA LICENSED
CA	CADASTRAL	FLM	FLORIDA LICENSED
CB	CADASTRAL	FLM	FLORIDA LICENSED
CC	CADASTRAL	FLM	FLORIDA LICENSED
CD	CADASTRAL	FLM	FLORIDA LICENSED
CE	CADASTRAL	FLM	FLORIDA LICENSED
CF	CADASTRAL	FLM	FLORIDA LICENSED
CG	CADASTRAL	FLM	FLORIDA LICENSED
CH	CADASTRAL	FLM	FLORIDA LICENSED
CI	CADASTRAL	FLM	FLORIDA LICENSED
CJ	CADASTRAL	FLM	FLORIDA LICENSED
CK	CADASTRAL	FLM	FLORIDA LICENSED
CL	CADASTRAL	FLM	FLORIDA LICENSED
CM	CADASTRAL	FLM	FLORIDA LICENSED
CN	CADASTRAL	FLM	FLORIDA LICENSED
CO	CADASTRAL	FLM	FLORIDA LICENSED
CP	CADASTRAL	FLM	FLORIDA LICENSED
CQ	CADASTRAL	FLM	FLORIDA LICENSED
CR	CADASTRAL	FLM	FLORIDA LICENSED
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CT	CADASTRAL	FLM	FLORIDA LICENSED
CU	CADASTRAL	FLM	FLORIDA LICENSED
CV	CADASTRAL	FLM	FLORIDA LICENSED
CW	CADASTRAL	FLM	FLORIDA LICENSED
CX	CADASTRAL	FLM	FLORIDA LICENSED
CY	CADASTRAL	FLM	FLORIDA LICENSED
CZ	CADASTRAL	FLM	FLORIDA LICENSED
DA	DRAINAGE	FLM	FLORIDA LICENSED
DB	DRAINAGE	FLM	FLORIDA LICENSED
DC	DRAINAGE	FLM	FLORIDA LICENSED
DD	DRAINAGE	FLM	FLORIDA LICENSED
DE	DRAINAGE	FLM	FLORIDA LICENSED
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DG	DRAINAGE	FLM	FLORIDA LICENSED
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DI	DRAINAGE	FLM	FLORIDA LICENSED
DJ	DRAINAGE	FLM	FLORIDA LICENSED
DK	DRAINAGE	FLM	FLORIDA LICENSED
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JB	JACOZZI	FLM	FLORIDA LICENSED
JC	JACOZZI	FLM	FLOR

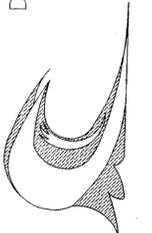


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OCEAN EAST RESORT CLUB CONDO
DECK REMODEL & ADDITION
869 S. ATLANTIC AVE. ORMOND
BEACH FL.



OWNER:
OCEAN EAST
BAR OWNER:
BRAD HOFFMAN
PLAN DATE:

8-28-14

"PLANS CONFORM TO"
2010 FLORIDA BUILDING CODE
2008 NATIONAL ELEC CODE
ASCE 7-10 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR
ALTERATION LEVEL:
RISK CATEGORY:
WIND VELOCITY (MPH):
EXPOSURE CATEGORY:
INTERNAL PRESSURE:

Stanley P. Hoelle
STANLEY P. HOELLE
ARCH #9033

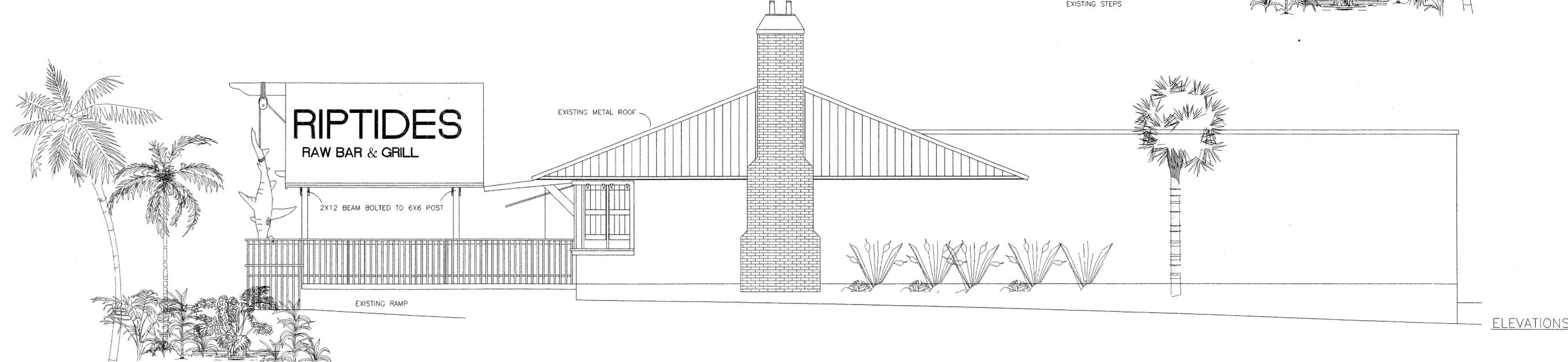
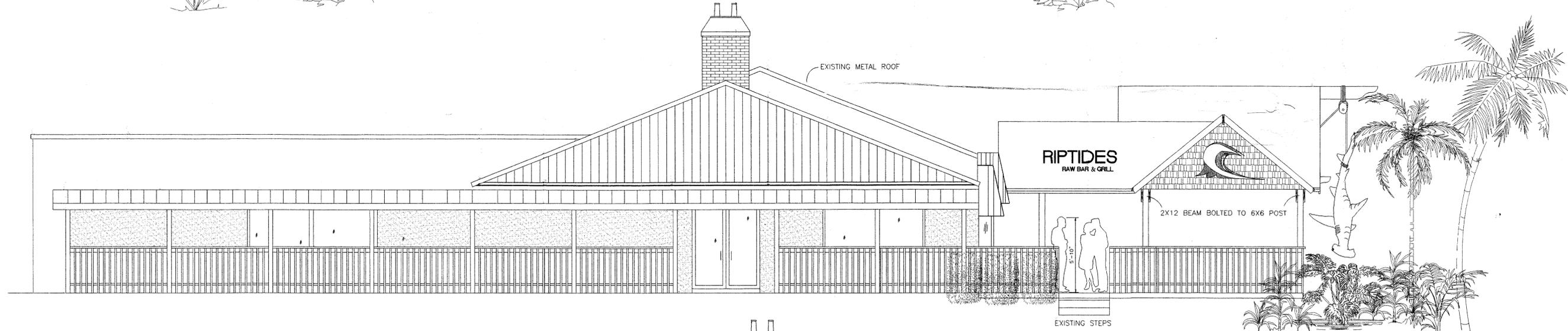
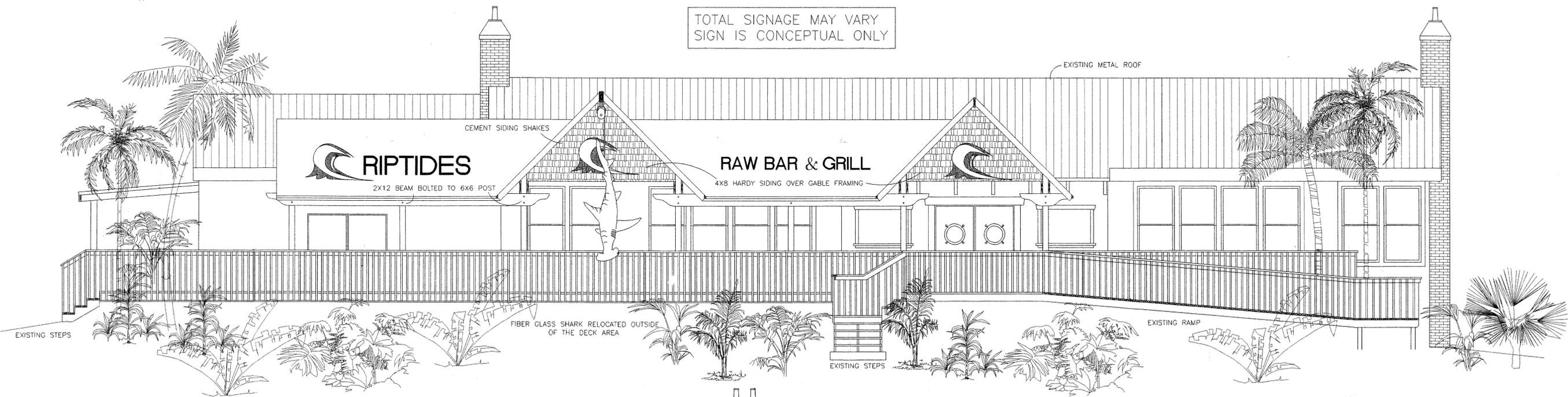
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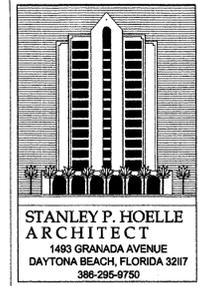
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TOTAL SIGNAGE MAY VARY
SIGN IS CONCEPTUAL ONLY



ELEVATIONS

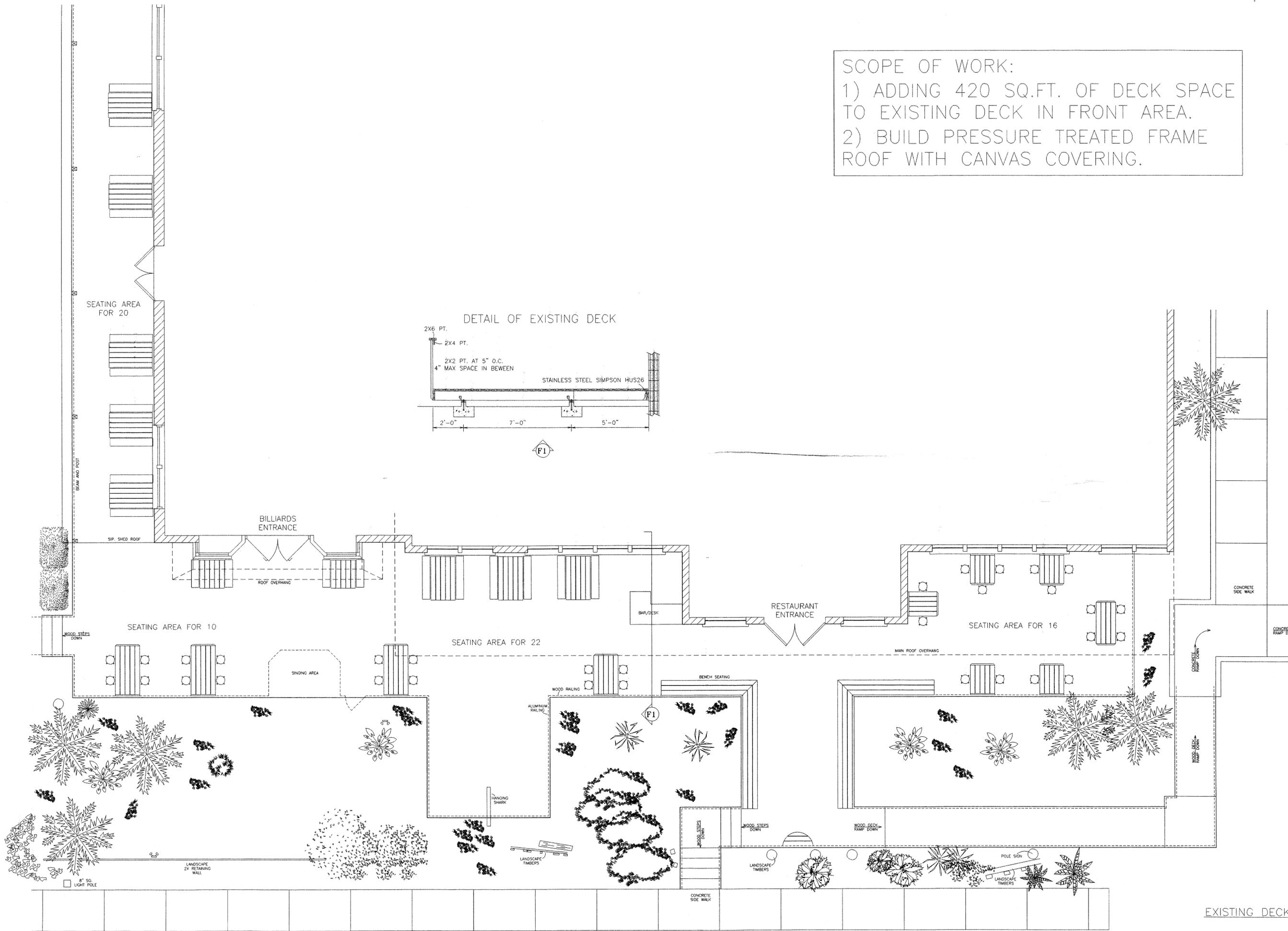


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SCOPE OF WORK:
1) ADDING 420 SQ.FT. OF DECK SPACE TO EXISTING DECK IN FRONT AREA.
2) BUILD PRESSURE TREATED FRAME ROOF WITH CANVAS COVERING.



OCEANS EAST RESORT CLUB CONDO
RIPTIDES DECK REMODEL & ADDITION
869 S. ATLANTIC AVE. ORMOND
BEACH FL.

OWNER:
BRAD HOFFMAN

PLAN DATE:
8-28-14

"PLANS CONFORM TO"
2010 FLORIDA BUILDING CODE
2008 NATIONAL ELEC CODE
ASCE 7-10 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR
ALTERATION LEVEL:
RISK CATEGORY:
WIND VELOCITY (MPH):
EXPOSURE CATEGORY:
INTERNAL PRESSURE:

STANLEY P. HOELLE
ARCH #9033

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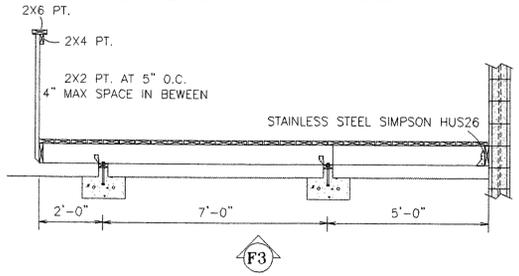
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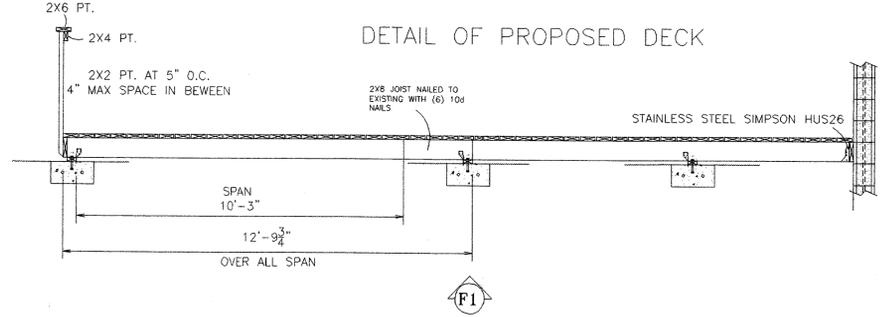
2

EXISTING DECK

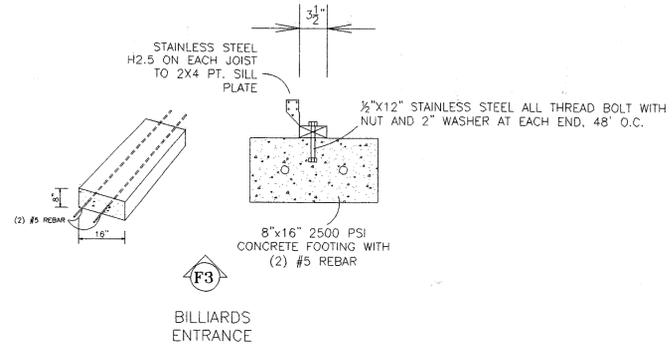
DETAIL OF EXISTING DECK



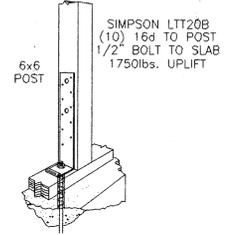
DETAIL OF PROPOSED DECK



DETAIL OF GRADE BEAM/JOIST SILL

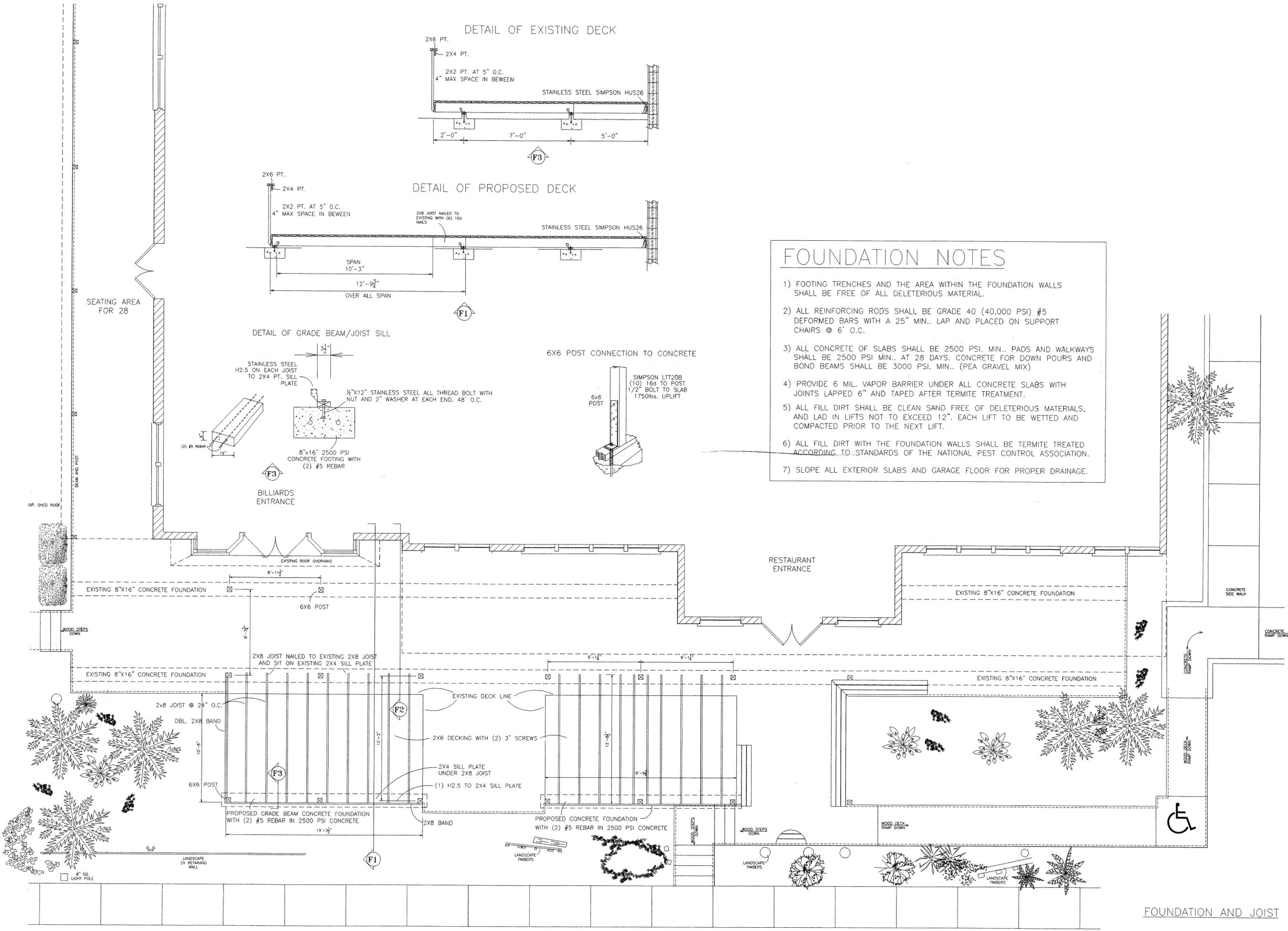


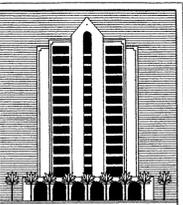
6x6 POST CONNECTION TO CONCRETE



FOUNDATION NOTES

- 1) FOOTING TRENCHES AND THE AREA WITHIN THE FOUNDATION WALLS SHALL BE FREE OF ALL DELETERIOUS MATERIAL.
- 2) ALL REINFORCING RODS SHALL BE GRADE 40 (40,000 PSI) #5 DEFORMED BARS WITH A 25" MIN.. LAP AND PLACED ON SUPPORT CHAIRS @ 6" O.C.
- 3) ALL CONCRETE OF SLABS SHALL BE 2500 PSI. MIN.. PADS AND WALKWAYS SHALL BE 2500 PSI MIN.. AT 28 DAYS. CONCRETE FOR DOWN POURS AND BOND BEAMS SHALL BE 3000 PSI. MIN.. (PEA GRAVEL MIX)
- 4) PROVIDE 6 MIL. VAPOR BARRIER UNDER ALL CONCRETE SLABS WITH JOINTS LAPPED 6" AND TAPED AFTER TERMITE TREATMENT.
- 5) ALL FILL DIRT SHALL BE CLEAN SAND FREE OF DELETERIOUS MATERIALS, AND LAD IN LIFTS NOT TO EXCEED 12". EACH LIFT TO BE WETTED AND COMPACTED PRIOR TO THE NEXT LIFT.
- 6) ALL FILL DIRT WITH THE FOUNDATION WALLS SHALL BE TERMITE TREATED ACCORDING TO STANDARDS OF THE NATIONAL PEST CONTROL ASSOCIATION.
- 7) SLOPE ALL EXTERIOR SLABS AND GARAGE FLOOR FOR PROPER DRAINAGE.





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OCEAN EAST RESORT CLUB CONDO
 DECK REMODEL & ADDITION
 869 S. ATLANTIC AVE. ORMOND BEACH FL.
RIPTIDES
 RAW BAR & GRILL

OWNER:
 OCEAN EAST BAR OWNER:
 BRAD HOFFMAN

PLAN DATE:
 8-28-14

"PLANS CONFORM TO"
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STANLEY P. HOELLE
 ARCH #9033

LOT:

1" = 1 FOOT

PAGE:

4

ELECTRICAL SYMBOLS

SYMBOL	DEFINITION	NOTES	SYMBOL	DEFINITION	NOTES
⊕	110V OUTLET		⊕	2' LIGHT STRIP	
⊕	110V OUTLET	1/2 OF OUTLET WIRED TO SWITCH	⊕	4' LIGHT STRIP	
⊕GFCI	110V OUTLET	EQUIPPED WITH GROUND FAULT INTERRUPTER	⊕	FLOURESCENT LIGHT	
⊕AFCI	110V OUTLET	EQUIPPED WITH ARC FAULT INTERRUPTER	⊕	TANKLESS W/H	
⊕	220V OUTLET		⊕	PANEL	
⊕	SWITCH		⊕	METER	
⊕ ₃	SWITCH	3-WAY	⊕	SMOKE DETECTOR	
⊕ ₄	SWITCH	4-WAY	⊕	TELEVISION	
⊕	WALL MOUNTED LIGHT		⊕	PHONE	
⊕	CEILING LIGHT		⊕	CEILING FAN WITH LIGHT	
⊕	VAPOR PROOF LIGHT		⊕	CEILING FAN	
⊕	RECESSED CAN		⊕	MISTING FAN	
⊕	VENT. FAN				
⊕	FLOOD LAMP(S)				
⊕	ILLUMINATED EXIT SIGN WITH BATTERY BACKUP				
⊕	EXIT SIGN WITH BATTERY BACKUP				

ALL LUMBER TO BE OF PRESSURE TREATED #2 PINE OR BETTER
 ALL METAL CONNECTORS TO BE STAINLESS STEEL

TOTAL DECK SQ. FT. 2595
 TOTAL DECK SQ. FT. ADDED 408

ELECTRICAL NOTES:
 PLANS SHALL COMPLY WITH SECTION 72-921, THRU 50-241, OF THE VOLUSIA COUNTY CODE OF ORDINANCES, LIGHTING STANDARDS IN REFERENCE TO SEA TURTLES.

CEMENT SIDING NAILING
 1. CEMENT BOARD SIDING BLIND NAILED TO EVERY STUD WITH:
 (1) PNEUMATIC SIDING NAIL (SHANK 0.221" HOT DIPPED GALV. X 2" LONG) OR
 (1) 11GALV. ROOFING NAIL (0.121" SHANK X 1 1/4" LONG
 2. TRIM NAILED EVERY 12" WITH
 (1) HOT DIP GALV. PNEUMATIC NAIL, COUNTER SET AND CAULKED (3" X .120 RING SHANK NAILS)
 * IF A FACE NAIL IS NEEDED ON THE SIDING THE NAIL MUST BE COUNTER SET AND CAULKED.

GUARDRAIL NOTE
 ALL PORCHES, BALCONIES, RAISED FLOOR SURFACES OF LANDINGS LOCATED MORE THEN 30" ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDRAILS OF A MIN. OF 36" HIGH AND STRONG ENOUGH TO SUPPORT 200-lb. OF FORCE IN ANY DIRECTION 4" MAX. SPINDLE SPACING

NORTH

ELECTRICAL & SMOKE DETECTOR NOTES:

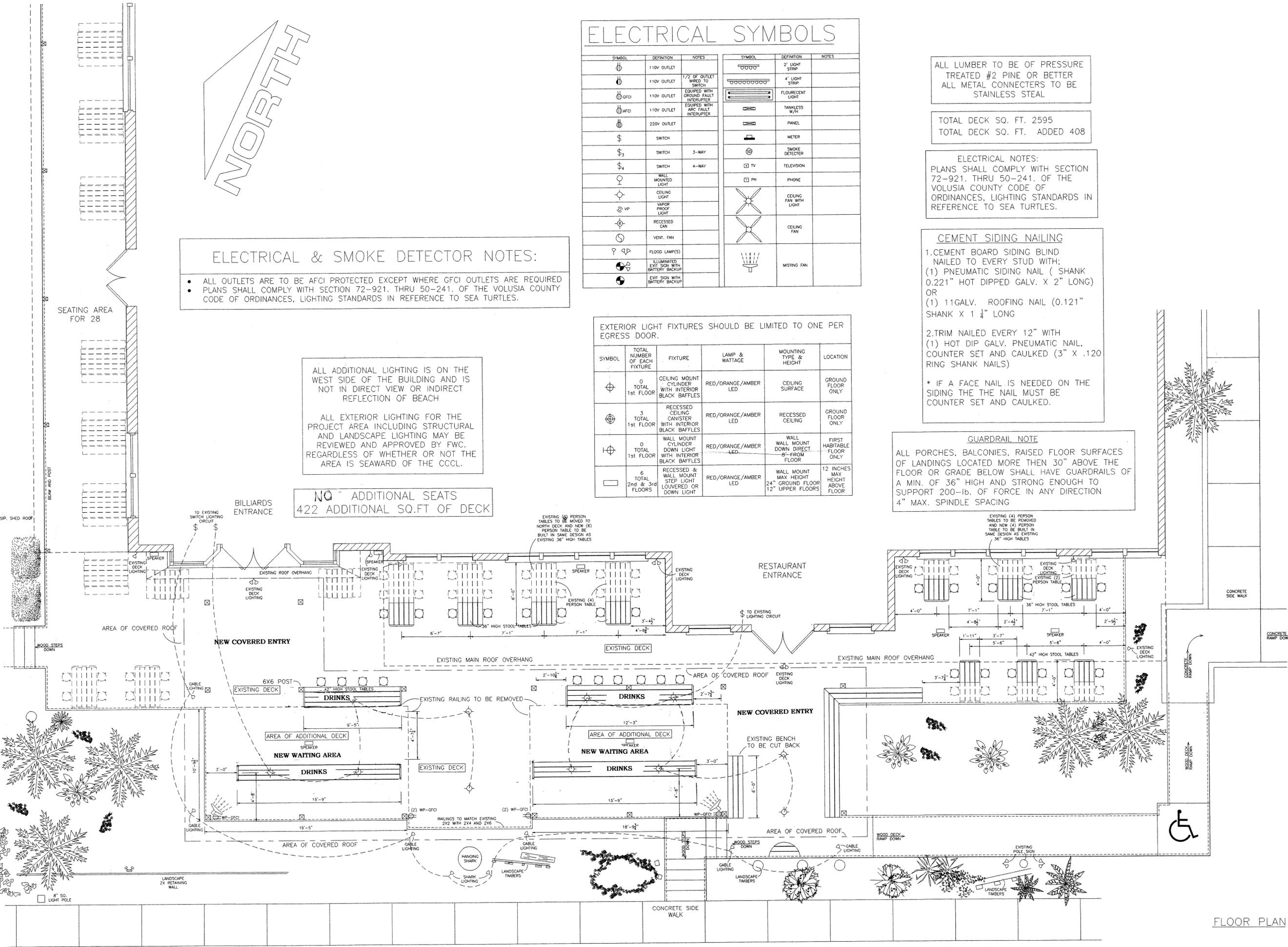
- ALL OUTLETS ARE TO BE AFCI PROTECTED EXCEPT WHERE GFCI OUTLETS ARE REQUIRED
- PLANS SHALL COMPLY WITH SECTION 72-921, THRU 50-241, OF THE VOLUSIA COUNTY CODE OF ORDINANCES, LIGHTING STANDARDS IN REFERENCE TO SEA TURTLES.

EXTERIOR LIGHT FIXTURES SHOULD BE LIMITED TO ONE PER EGRESS DOOR.

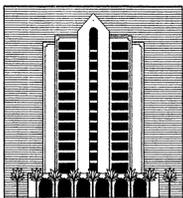
SYMBOL	TOTAL NUMBER OF EACH FIXTURE	FIXTURE	LAMP & WATTAGE	MOUNTING TYPE & HEIGHT	LOCATION
⊕	0 TOTAL 1st FLOOR	CEILING MOUNT CYLINDER WITH INTERIOR BLACK BAFFLES	RED/ORANGE/AMBER LED	CEILING SURFACE	GROUND FLOOR ONLY
⊕	3 TOTAL 1st FLOOR	RECESSED CEILING CANISTER WITH INTERIOR BLACK BAFFLES	RED/ORANGE/AMBER LED	RECESSED CEILING	GROUND FLOOR ONLY
⊕	0 TOTAL 1st FLOOR	WALL MOUNT CYLINDER DOWN LIGHT WITH INTERIOR BLACK BAFFLES	RED/ORANGE/AMBER LED	WALL MOUNT DOWN DIRECT 8" FROM FLOOR	FIRST HABITABLE FLOOR ONLY
⊕	6 TOTAL 2nd & 3rd FLOORS	RECESSED & WALL MOUNT STEP DOWN LIGHT	RED/ORANGE/AMBER LED	WALL MOUNT MAX HEIGHT 24" GROUND FLOOR 12" UPPER FLOORS	12 INCHES MAX HEIGHT ABOVE FLOOR

ALL ADDITIONAL LIGHTING IS ON THE WEST SIDE OF THE BUILDING AND IS NOT IN DIRECT VIEW OR INDIRECT REFLECTION OF BEACH
 ALL EXTERIOR LIGHTING FOR THE PROJECT AREA INCLUDING STRUCTURAL AND LANDSCAPE LIGHTING MAY BE REVIEWED AND APPROVED BY FWC. REGARDLESS OF WHETHER OR NOT THE AREA IS SEAWARD OF THE CCCL.

NO ADDITIONAL SEATS
422 ADDITIONAL SQ.FT OF DECK



FLOOR PLAN



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ASCE 7-10 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR
ALTERATION LEVEL:
RISK CATEGORY:
WIND VELOCITY (MPH):
EXPOSURE CATEGORY:
INTERNAL PRESSURE:

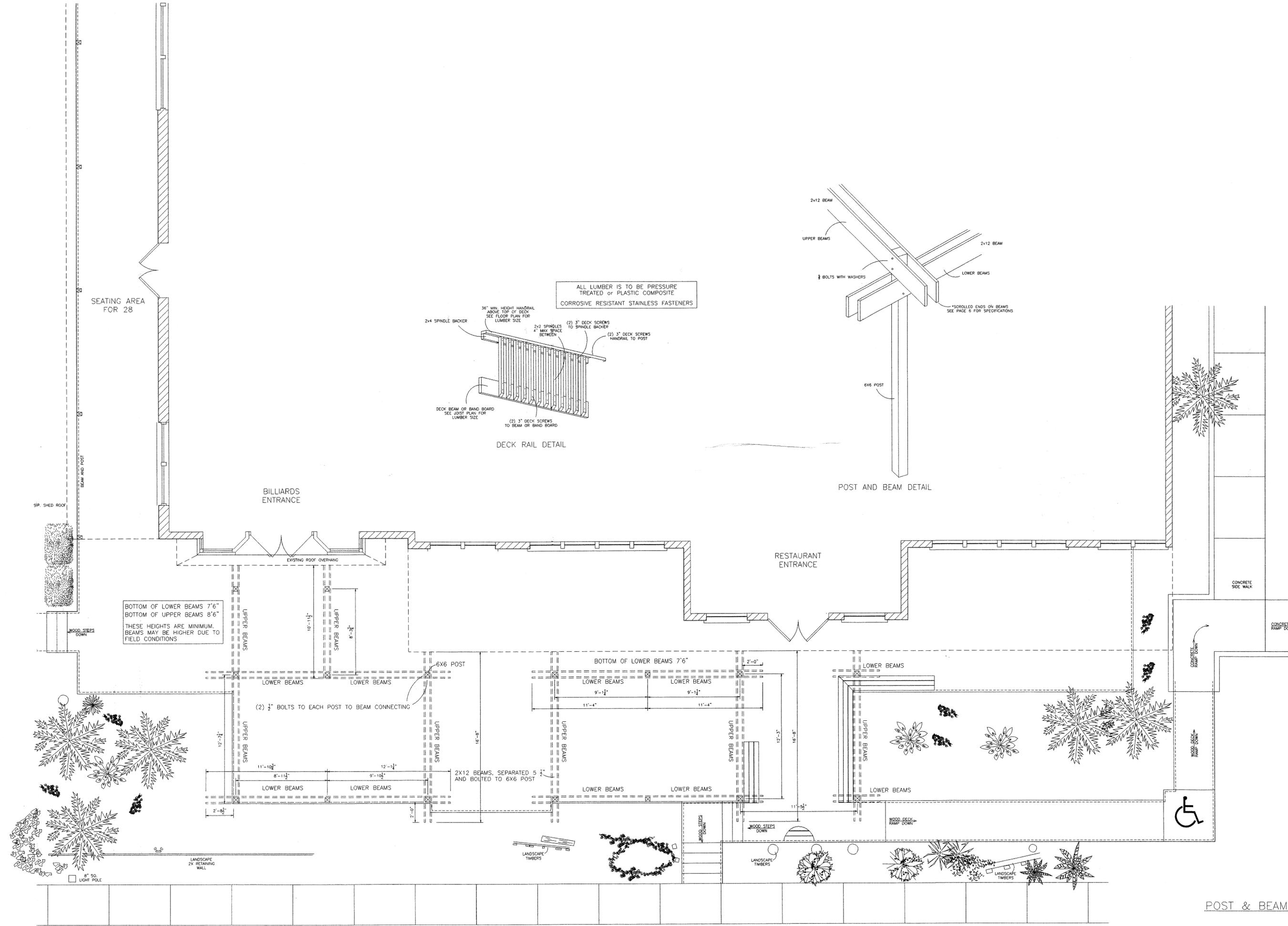
STANLEY P. HOELLE
ARCH #9033

LOT:

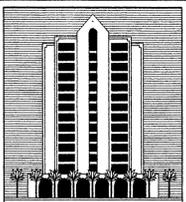
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POST & BEAMS



**STANLEY P. HOELLE
ARCHITECT**
1483 GRANADA AVENUE
DAYTONA BEACH, FLORIDA 32117
386-295-0750

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ALL CONTRACTORS & SUB-CONTRACTORS PLEASE CHECK & TRY TO HELP RESOLVE ANY POSSIBLE PROBLEMS OR ERRORS ON THESE PLANS & ARE TO INFORM THE BUILDER AND DESIGNER BEFORE CONSTRUCTION.

OCEAN EAST RESORT CLUB CONDO
DECK REMODEL & ADDITION
869 S. ATLANTIC AVE. ORMOND
BEACH FL.



OWNER:
OCEAN EAST
BAR OWNER:
BRAD HOFFMAN

PLAN DATE:

8-28-14

"PLANS CONFORM TO"
2010 FLORIDA BUILDING CODE
2008 NATIONAL ELEC CODE
ASCE 7-10 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR
ALTERATION LEVEL:
RISK CATEGORY:
WIND VELOCITY (MPH):
EXPOSURE CATEGORY:
INTERNAL PRESSURE:

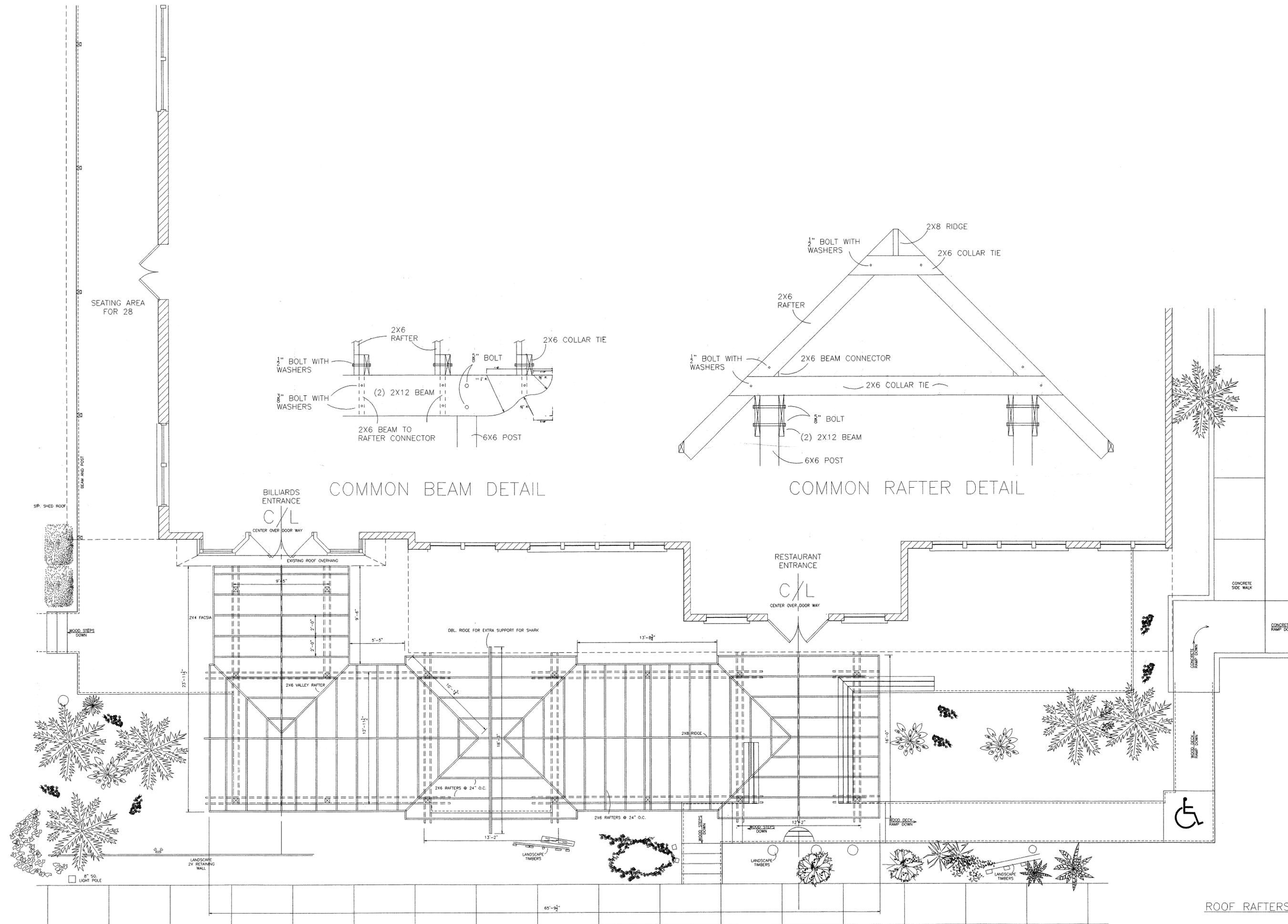
Stanley P. Hoelle
STANLEY P. HOELLE
ARCH #9033

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6



ROOF RAFTERS

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: September 22, 2014

SUBJECT: 1190 North US Highway 1, Energizer-Playtex
Manufacturing

APPLICANT: Mischelle Romesberg, Energizer-Playtex
Manufacturing

FILE NUMBER: V2014-128

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

This is a request from Mischelle Romesberg, Playtex Manufacturing, for a variance at 1190 North US Highway 1 to allow a new construction of a tank farm and covered loading dock. The property at 1190 North US Highway 1 is zoned I-1 (Light Industrial). Section 2-32(B)(9)(b) of the Land Development Code requires a 20' rear yard setback. The applicant is requesting to allow a 20' rear yard variance to install a tank farm and loading dock abutting the Railroad Street right-of-way, an unimproved 50' right-of-way. The resulting rear yard setback for the tank farm and loading dock structures is proposed at 0'.

BACKGROUND:

The property is designated as "Light Industrial/Utilities" on the City's Future Land Use Map (FLUM) and is zoned I-1 (Light Industrial) on the City's Official Zoning Map. The property is the former Hawaiian Tropic use that is now the Energizer-Playtex Manufacturing use. The surrounding uses, land use, and zoning designations are as follows:

	Current Land Uses	Future Land Use Designation	Zoning
North	Vacant land	"Industrial/Utilities"	I-1 (Light Industrial)
South	Single family house and vacant	VC "Industrial"	VC I-1 (Industrial)
East	Vacant and industrial uses	VC "Industrial" and "Commercial"	VC I-1 (Industrial) VC B-4 (Commercial)
West	Across Railroad Street and Railroad ROW Bear Creek	"Medium Density Residential"	T-1 (Manufacture/Mobile Home Community)

Site aerial:



Source: Bing maps

Area where variance is sought:



The property at 1190 North US Highway 1 was constructed in 1973 per the Volusia County Property Appraiser's office. The site was formerly the Hawaiian Tropic building that is recently used by Energizer and Playtex for manufacturing. The property is located north of Wall Street and east of the Railroad Street right-of-way. Railroad Street is a 50' right-of-way that is not improved. The Energizer-Playtex Manufacturing Corporation is interested in vacating the Railroad Street right-of-way of 50' and are working to apply for this vacation of the roadway. In order to apply, the Energizer-Playtex Manufacturing Corporation would need the abutting property owner, FEC Railroad to be a part of the application to accept the 25' of the vacated right-of-way. It has been difficult to coordinate with the FEC Railroad and the vacation of the Railroad street right-of-way may take a significant period of time to complete.

On August 6, 2014, the Board of Adjustment and Appeals approved a variance on the subject property to allow the construction of a building (25' by 16') over two steam generators on an existing hard surface area at a setback of 9.45' abutting the Railroad Street right-of-way, requiring a variance of 10.55' to the required 20' rear yard setback. The applicant approached Planning staff a few weeks after the August variance to

discuss additional building improvements related to the manufacturing process occurring at 1190 North US Highway 1.

ANALYSIS:

The property at 1190 North US Highway 1 is zoned I-1 (Light Industrial). Section 2-32(B)(9)(b) of the Land Development Code requires a 20' rear yard setback. The applicant is requesting to allow a 20' rear yard variance to install a tank farm and loading dock abutting the Railroad Street right-of-way, an unimproved 50' right-of-way. The resulting rear yard setback for the tank farm and loading dock structures is proposed at 0'. The rear property line for the property is marked by the 10' chain link fence. The property at 1190 North US Highway 1 is a manufacturing use and the rear of the building has many improvements that aid in the manufacturing of raw good into finished products. The rear of the building abuts a 50' unimproved (not open to the public) right-of-way that abuts the FEC Railroad. There are no residential uses immediately abutting the property. The closest residential use is the Bear Creek development.

CONCLUSION:

Chapter 1, Article II, Section 1-16.D.2, of the Land Development Code states, "The Board of Adjustment and Appeals shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved and are not the result of the actions of the applicant. If the basis for the request is the unique quality of the site, the Board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the Board shall base its findings on the cumulative effect of granting the variance to all who may apply."

Potential Alternatives, Waterfront Setback Encroachment:

1. Grant the applicant's request for a 20' variance for the hard roof structures with a resulting 0' setback from the required 20' rear yard setback.
2. Deny the request.

The Board must consider the following criteria established in Chapter 1, Article II, Section 1-16.D.4, of the Land Development Code for the variance application:

1. **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.**

Argument for the variance: The setback of the existing building prevents the necessary additions to allow the manufacturing uses to continue and expand. The property abuts an unopened 50' right-of-way.

Argument against the variance: The applicant should seek a right-of-way vacation to gain the additional land area for improvements. Staff and the applicant have discussed this option and there are factors, such as the FEC

Railroad acceptance of half the vacated right-of-way, which are outside the control of the applicant.

2. **The special conditions and circumstances do not result from the actions of the applicant.**

Argument for the variance: The special conditions and circumstances are not the actions of the applicant. The applicant did not plat the lot or construct the location of the building.

Argument against the variance: None. The current property owners did not construct the building and are attempting to modernize the manufacturing use of the building.

3. **Literal interpretation of the provisions of these zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant.**

Argument for the variance: The Energizer-Playtex Manufacturing facility is unique in its operation and has existing infrastructure that cannot be easily altered. Applying the I-1 zoning setback regulations would significantly impact the business operations of the manufacturing facility and other locations would pose a traffic safety issue in the loading and unloading of trucks.

Argument against the variance: The applicant should re-align the operations of the manufacturing facility to have the required improvements comply with the I-1 zoning district setbacks or apply for the Railroad Street right-of-way vacation to obtain additional land area.

4. **No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

Argument for the variance: The applicant has studied a variety of alternatives and the variance application was submitted based on the belief that the location of the tanks and loading docks was the safest for the manufacturing operations of the facility. Within the application, the applicant details other alternatives and why they would not be feasible.

Argument against the variance: None.

5. **The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.**

Argument for the variance: The variance is not sought solely to reduce the cost of the construction of the project.

Argument against the variance: None. The variance is not sought to reduce the construction cost of the project.

6. **The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.**

Argument for the variance: The request will not increase congestion, fire danger or public hazards.

Argument against the variance: None. The variance will not create any hazards to the public.

7. **The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.**

Argument for the variance: The proposed variance is in harmony of the use of the area and the characteristics of the manufacturing facility. Other similar accessory use encroachments exists and have not negatively impacted surrounding properties. The closest development, Bear Creek, is buffered by the FEC Railroad and the Railroad Street ROW.

Argument against the variance: The variance will not diminish property values or negatively impact adjoining properties.

8. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district.**

Argument for the variance: The purpose of the variance process is to confer rights that are denied to a particular applicant because of a special condition or unique circumstance for their property. Denial would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the zoning regulations.

Argument against the variance: None.

RECOMMENDATION:

It is recommended that the Board of Adjustment and Appeals **APPROVE** a variance to allow a 20' rear yard variance to install a tank farm and loading dock abutting the Railroad Street right-of-way, an unimproved 50' right-of-way. The resulting rear yard setback for the tank farm and loading dock structures is proposed at 0' at 1190 North US Highway 1.

Exhibits:

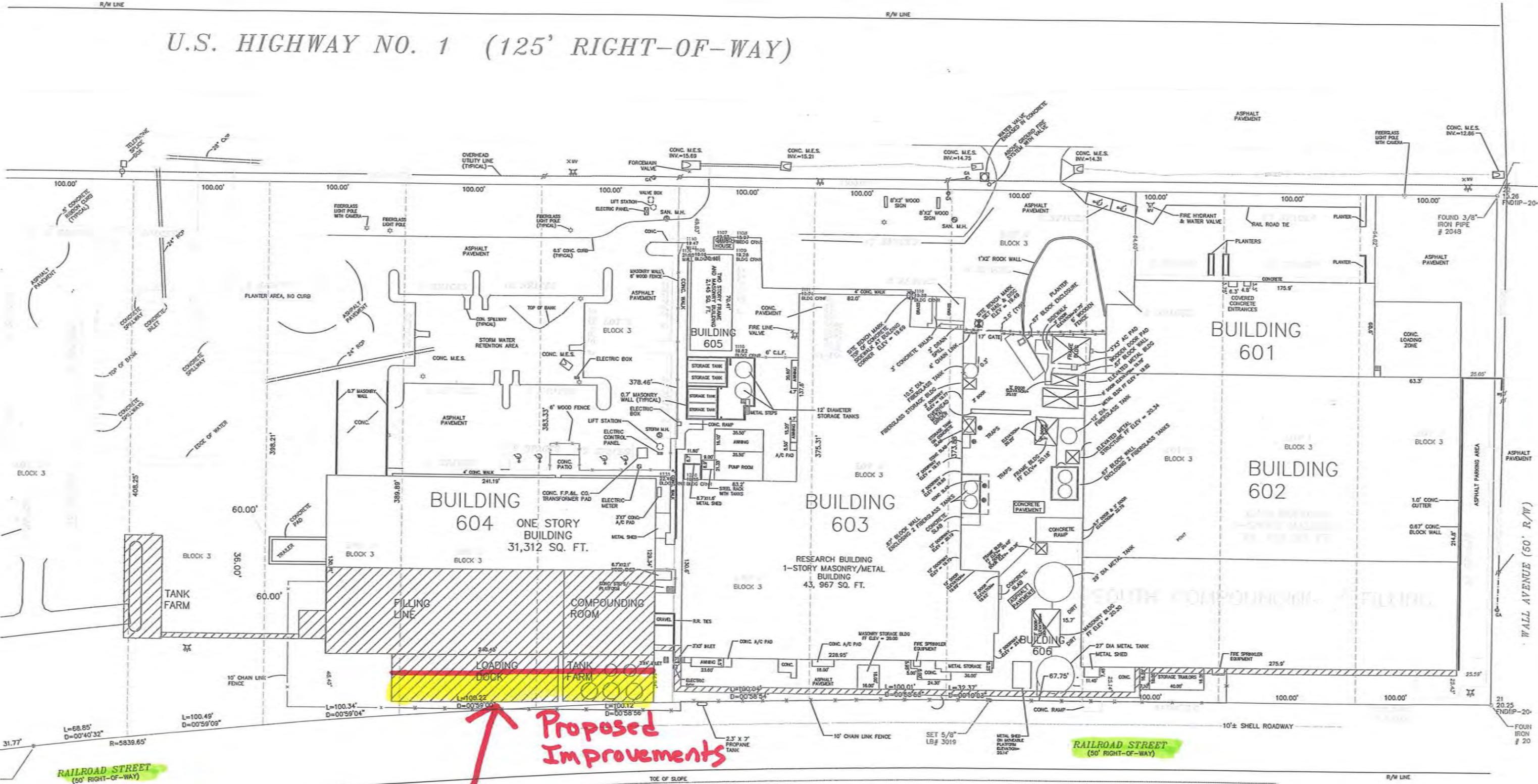
- A: Variance Exhibit
- B: Maps and pictures
- C: Variance application

Exhibit A

Variance Exhibit

Proposed plot plan 1190 N US Highway 1

U.S. HIGHWAY NO. 1 (125' RIGHT-OF-WAY)



Proposed Improvements

Required setback = 20'
Proposed setback = 0'
Variance required = 20'

Exhibit B

Maps and pictures

1190 N US Highway 1 location map



Address Points

 Traffic Signals

 Airport and Railroad

— AIRPORT

—+ RAILROAD

City Streets

— DIRT

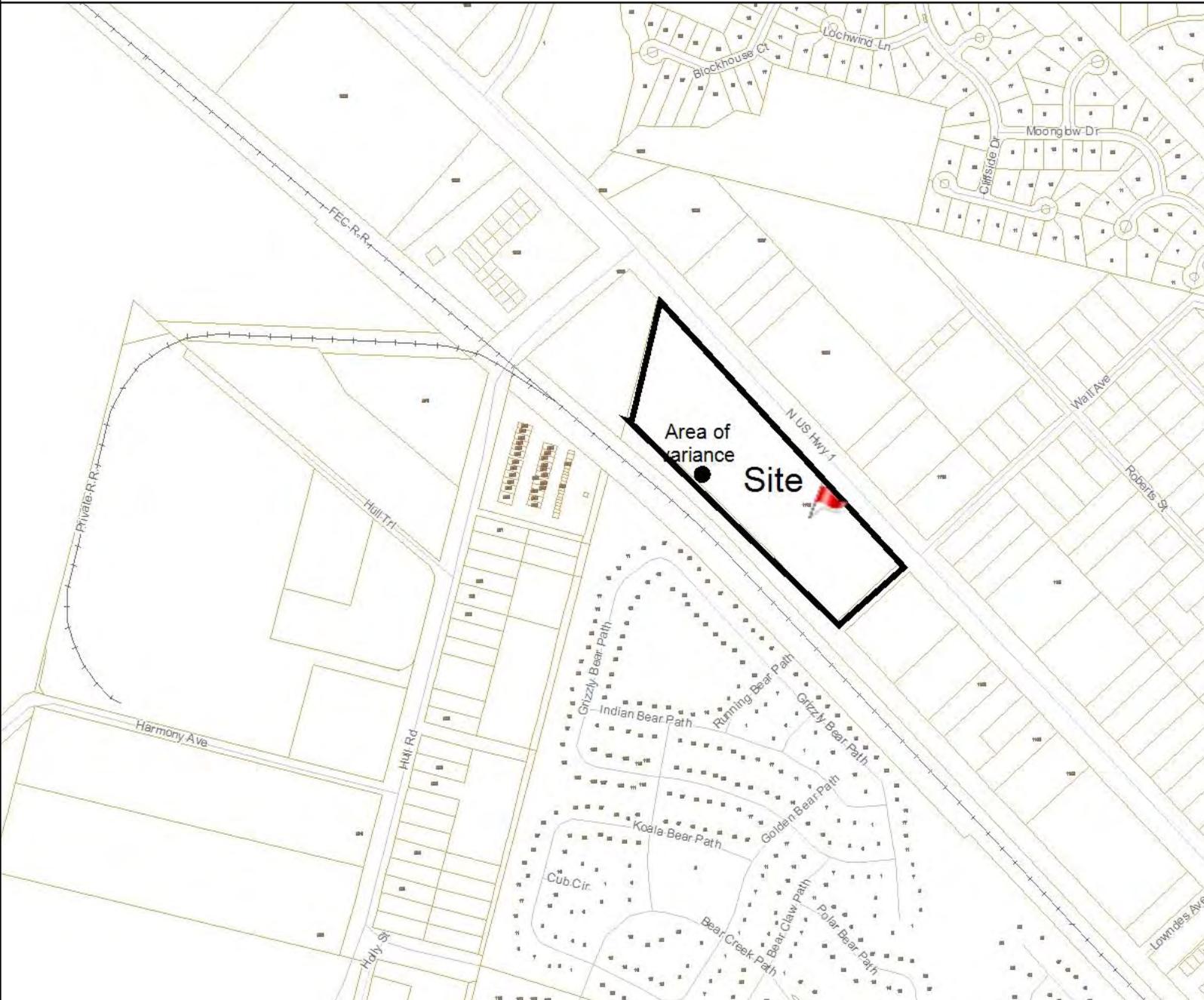
— MAJOR

— PAVED

 Water Features

 Property Lines

599 ft



GIS data is provided on an "as is" basis. The accuracy or reliability of the data is not guaranteed or warranted in any way. The City of Ormond Beach specifically disclaims any warranty either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance of the data is with the end user. In no event will the City, its staff or it's representatives be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the City has been advised of the possibility of such damages.



1190 N US Highway 1



Covered
loading
docks

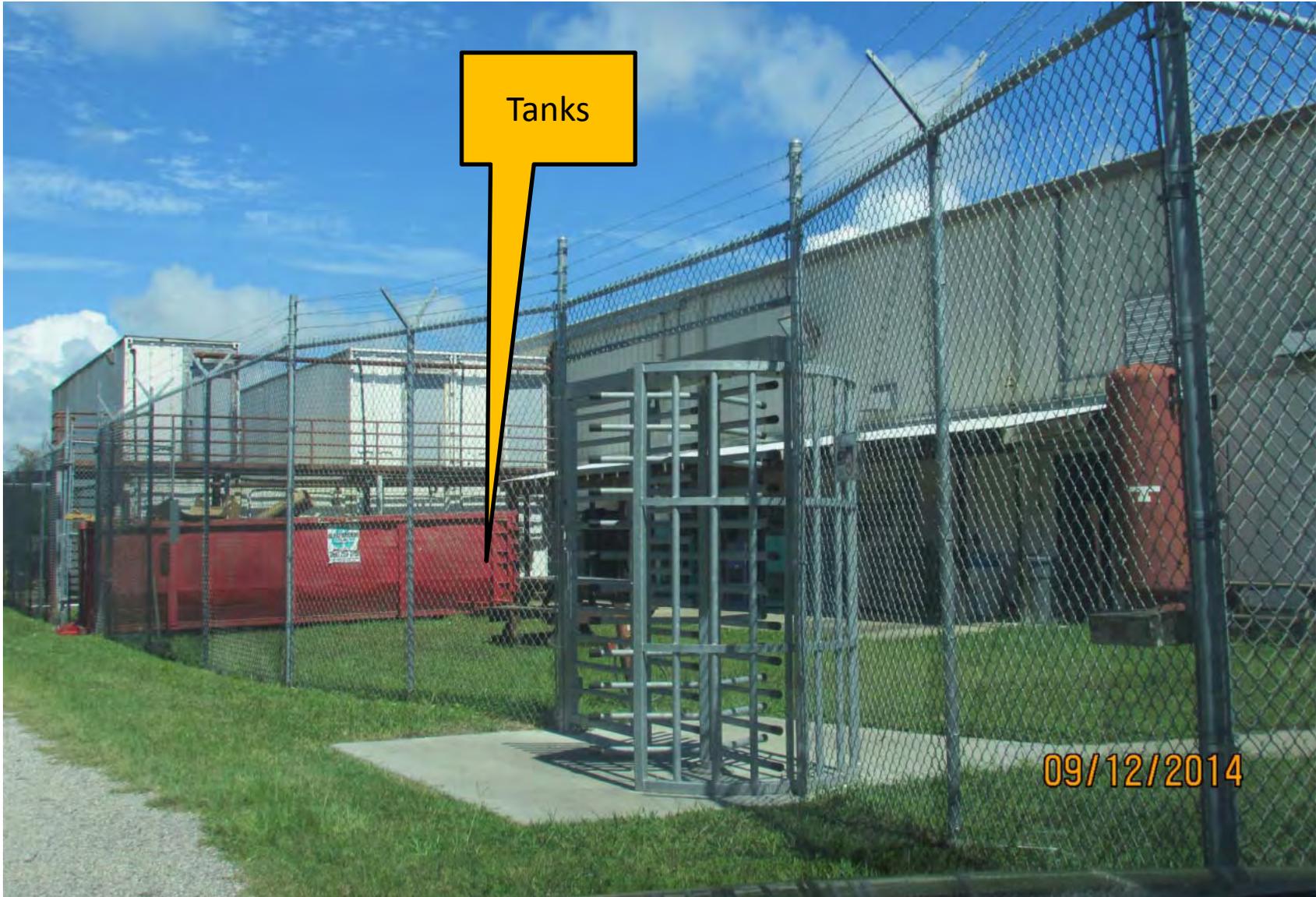


09/12/2014



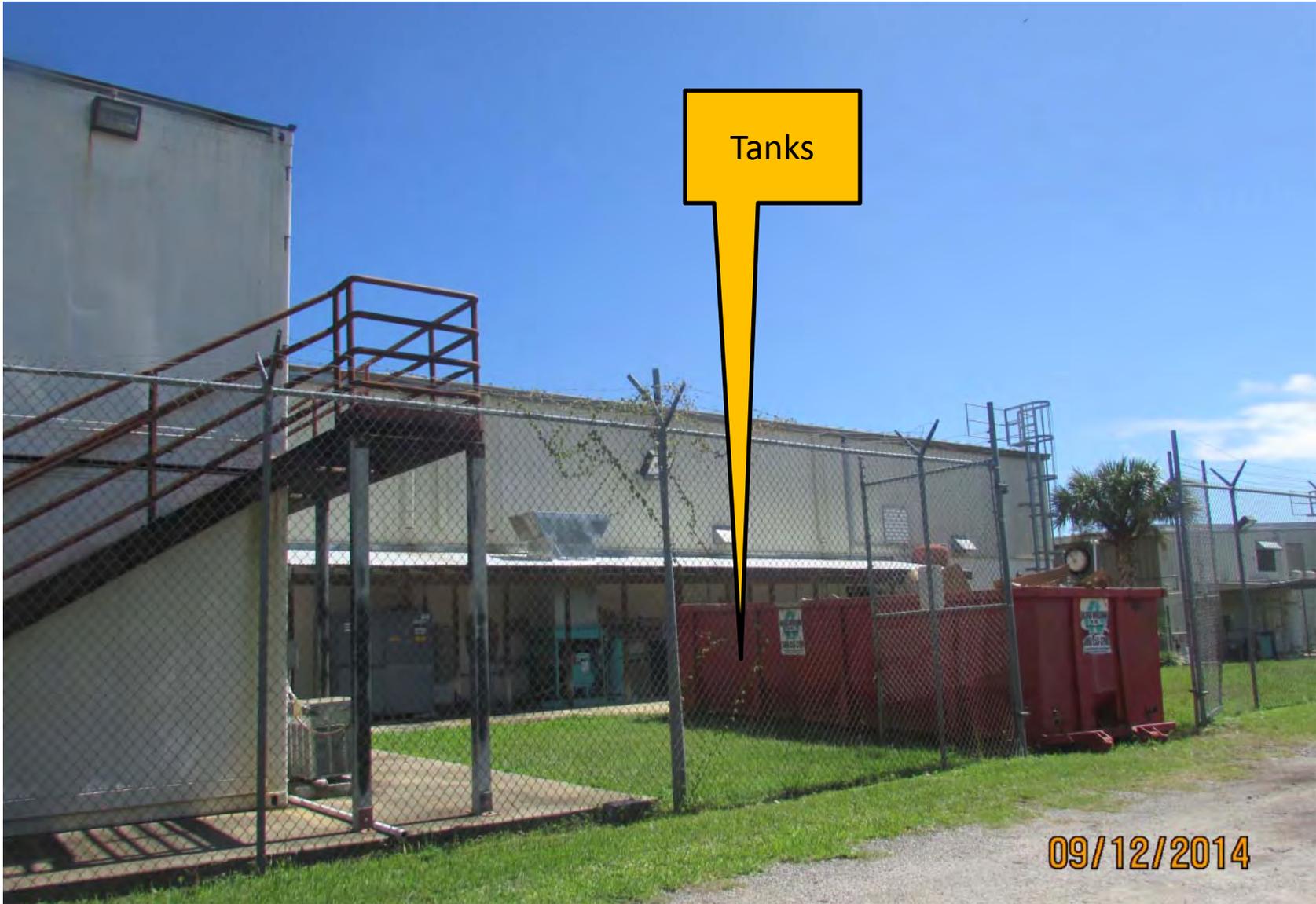
Covered
loading
docks

09/12/2014



Tanks

09/12/2014



Tanks

09/12/2014

Exhibit C

Variance Application



CITY OF ORMOND BEACH

Planning Department
22 South Beach Street, Ormond Beach, FL 32174
Tel: (386) 676-3238

www.ormondbeach.org comdev@ormondbeach.org

REC'D SEP 05 2014 *xy* v3.2013

VARIANCE - APPLICATION

For Planning Department Use

Application Number

Date Submitted

09/04/2014

APPLICATION TYPE AND FEES

	Application	Advertising Deposit for Advisory Board	Advertising Deposit for Commission	Total*
<input checked="" type="checkbox"/> Residential or Commercial	350	350	N/A	700
<input type="checkbox"/> After the Fact Residential or Commercial	700	350	N/A	1050

*The total is calculated as the Application plus approximate Advisory Board and Commission Public Notification Fees. Depending on the actual costs, Staff shall refund any remaining balance or require additional payment.

APPLICANT INFORMATION

This application is being submitted by Property Owner Agent, on behalf of Property Owner**

Name

Full Address

Telephone Email

* If this application is being submitted by a person other than the property owner, please provide the following Property Owner Information as well as a notarized letter designating you as agent.

PROPERTY OWNER INFORMATION***

Name

Full Address

Telephone Email

***If the property owner does not reside on the property for which the application refers, please provide the following Property Details.

PROPERTY DETAILS

Full Address

Parcel ID Number

Legal Description

REQUEST

For the Board of Adjustment and Appeals to grant a variance, there must be special conditions or circumstances existing which are peculiar to a particular piece of land, structure or building. The variance should not request special privilege denied to other lands, buildings or structures, and must prove deprivation of rights commonly enjoyed by other property owners in the subject property area that results in an unnecessary hardship. The request should be the minimum possible to make reasonable use of the land and, if granted, should not be injurious to the area or materially diminish the value of the surrounding properties, alter the essential characteristics of the neighborhood or otherwise be detrimental to the public welfare or create a public nuisance. A purely financial hardship does not, except under extreme circumstances, constitute sufficient grounds for hardship.

Request:

We request a variance on the property setback requirements, on the west edge of the property, for a 0 foot setback. See attached plot plan for additional information.

ABUTTING PROPERTY OWNERS

Please provide abutting property owner signatures or provide letters indicating position toward the request.

Signature	Street Address	For	Against
<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

CRITERIA: CONFORMING

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

1. 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:

This location is a manufacturing facility; this property is adjacent to a 50 foot railroad right of way. It does not impact any residential or commercial property otherwise.

2. The special conditions and circumstances do not result from the actions of the applicant:

This is the optimum location for the structures and tank farm. Other considerations with explanations are detailed in later sections of this application. The tanks are needed for receipt of bulk material and collection of a by product material produced during cleaning. Significant negative business limitations will be imposed if this variance is not approved.

3. Literal interpretation of the provisions of these zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant:

See condition 2 above.

4. No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure:

Alternatives have been considered:

1) Locations for the tank farm also considered were in the north area of the plant property and in an existing containment area that has two raw material tanks and had previously contained other tanks.

a) North area of the plant would significantly limit future expansion opportunities and plant growth.

b) Existing raw material tank area located in the center, east side of the plant has room for more tanks. However, this location poses a large safety risk. The high risk is for vehicular accident and is due to no pull over area tank trucks need to stop on US Highway 1 while getting access to the plant then backing into position for delivery.

2) Piping for utilities to the north area are needed.

a) The alternative is to attach pipes to existing infrastructure. This is a safety issue as the infrastructure was not designed to hold the load. b) Another option is to pipe through the plant. The better manufacturing practice is to pipe utilities externally.

5. The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship:

Playtex is seeking abandonment of the right of way from the railroad. This is a parallel path action due to timing. It is believed based on historical response time and progress to date, that the abandonment completion will not meet the needed improvement timing, putting the project approval and thus completion at great risk.

6. The proposed variance will not substantially increase congestion on surrounding streets, or the danger of fire or other hazard to the public:

All of the proposed structure will be on existing property, so it will not increase congestion.

7. The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site:

No significant property value impact, etc. is known based on approval of the variance.

8. Granting this variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district:

No special privileges are known.

CRITERIA: NONCONFORMING

Section 1-16.D.4 of the Land Development Code establishes separate criteria for the expansion of an existing nonconforming structure or portion of that structure. The Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 6 criteria. Additional pages, photographs, surveys, plot plans or any other materials may be attached as exhibits.

1. The property where the structure is located meets the minimum lot area standard for the zoning district, as specified in Chapter 2, Article II:

[Empty text box for response to criterion 1]

2. There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure:

[Empty text box for response to criterion 2]

3. The proposed expansion will be consistent with the use of the structure and surrounding structures, given the use is permitted by right, conditional use or special exception in the zoning district within which the structure is located:

[Empty text box for response to criterion 3]

4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:

[Empty rectangular box for response to question 4]

5. The proposed expansion is in scale with adjacent buildings:

[Empty rectangular box for response to question 5]

6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:

[Empty rectangular box for response to question 6]

CERTIFICATION

By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled hearing.

Signature: *Mischelle Boneberg*

STATE OF FLORIDA
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 4th day of September, 2018, by Mischelle Boneberg as Operations Tech Leader (title*) for Plaster Mfg. Inc. (name of corporation*), who () provided _____ as identification, or () who is personally known to me.

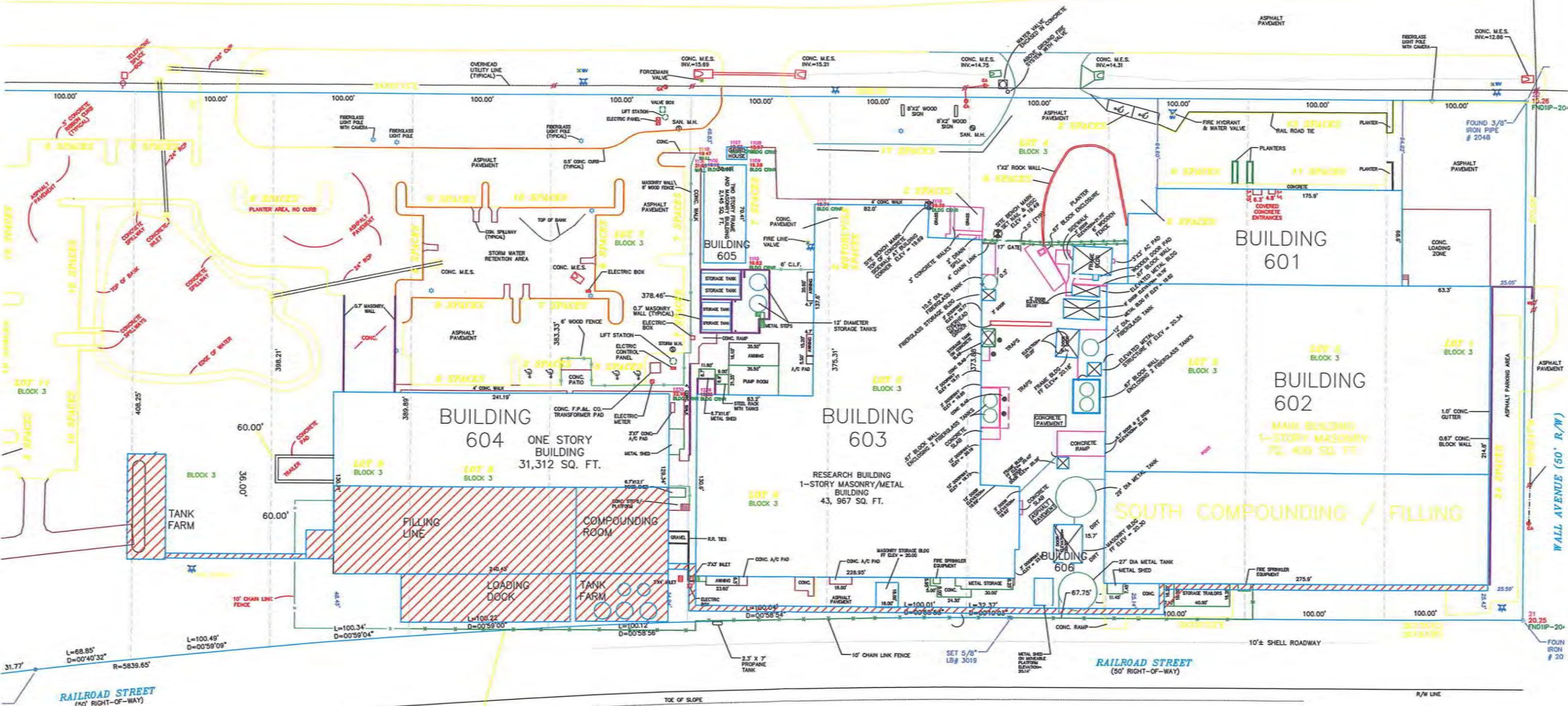


RONNIE NEAL
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF149832
Expires 8/11/2018

Ronnie Neal
Notary Public, State of Florida
My Commission Expires:

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.

U.S. HIGHWAY NO. 1 (125' RIGHT-OF-WAY)



RAILROAD STREET
(50' RIGHT-OF-WAY)

RAILROAD STREET
(50' RIGHT-OF-WAY)

WALL AVENUE (50' R/W)

TOE OF SLOPE

R/W LINE

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: September 22, 2104

SUBJECT: LDC Amendment, Pool Screen Enclosure Amendments

APPLICANT: Administrative

NUMBER: LDC 2014-134

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

This is an administrative request to amend Chapter 2, District and General Regulations, Article III, General Regulations of the Land Development Code to amend the pool screen enclosure setbacks based upon a request from the Board of Adjustment and Appeals. The amendments propose to:

1. Reduce the required rear and side yard pool screen enclosure setbacks from 10' (rear) and 7.5' (side) to 5' for both rear and side yard setbacks; and
2. Allow pools constructed prior to December 16, 2014, which are closer than 5' to the rear or side interior property line, with or without a screen enclosure, to construct or re-construct a pool screen enclosure within the proposed required 5' setback.

BACKGROUND:

Pools and pool screen enclosures are regulated by Sections 2-50 (x) and (aa) of the Land Development Code. At the September 3, 2014, Board of Adjustment and Appeals meeting there was a variance case where a homeowner sought to enclose an existing pool that was within the pool screen enclosure setback. The Board of Adjustment and Appeals has reviewed several variance applications where homeowners are attempting to enclose existing pools, but the pool exists within the 10' setback established for pool screen enclosures.

During the September 3, 2014 meeting Board of Adjustment and Appeals members requested that staff investigate and prepare amendments that would allow the setbacks for pools without screen enclosures and pools with screen enclosure to be the same setback. Additionally, the Board expressed interest in allowing homeowners to construct pool screen enclosures over existing pools or re-construct pool screen enclosures in the same footprint even if they exist closer to the setback than allowed by the Land Development Code regulations.

ANALYSIS:

Section 2-50(x) provides the existing pool setback regulations as follows:

1. Front yard. Pools cannot be within the front yard setback, typically 25' to 30' in most residential zoning districts.
2. Side corner yard. Pools cannot be within the side corner setback, typically 20' in most residential zoning districts.
3. Rear yard:
 - a. No screen enclosure
 1. Edge of water shall not be closer than 7.5'.
 2. Edge of deck shall not be closer than 5'.
 - b. Screen Enclosure
 1. Shall not be closer than 10'.
 2. Where there is common area or conservation area of 10' or greater, the screen enclosure setback is 5'.
4. Interior side yard:
 - c. No screen enclosure
 1. Edge of water shall not be closer than 7.5'.
 2. Edge of deck shall not be closer than 5'.
 - d. Screen Enclosure
 1. Shall not be closer than 7.5'.

The proposed Land Development Code amendment is as follows (strike through is deleted text and underlined text is added text):

Section 2-50(x)

(x) Pools. In addition to the requirements of this article, swimming pools, whether public or private, shall comply with chapter 3, articles I and II of this Code, the state building code, all applicable regulations of the state department of health and rehabilitative services and other state agencies, and to the following:

(1) Setbacks.

- a. Front yard. Swimming pools or appurtenances thereto shall be prohibited in any required principal front yard building setback.
- b. Side corner yard. Swimming pools or appurtenances thereto shall be prohibited in any required side yard building setback.
- c. Rear yard and interior side yards.
 1. No screen enclosure. ~~The edge of water for swimming pools with no screen enclosure shall not be closer than seven and one-half feet (7½') from the rear property line.~~ The edge of deck for swimming pools with no screen enclosure

shall not be closer than five feet (5') from rear or interior side yard property line.

2. Screen enclosure. Screen enclosures for pools shall not be closer than ~~ten~~ five feet (~~10~~ 5') from the rear or interior side yard property line. ~~Screen pool enclosures shall be located no closer than five feet (5') from the rear property line of a single family residence in situations where the rear yard abuts a dedicated open space in private ownership, a conservation easement held in private ownership or common area owned by a homeowners' association measuring a distance of at least ten feet (10') from the closest point to the rear property line.~~
3. Pools constructed prior to December 16, 2014 which are closer than 5' to the rear or side interior property line, with or without a screen enclosure, shall be permitted to construct or re-construct a pool screen enclosure within the 5' setback. The pool screen enclosure shall not be constructed any closer than the existing pool or screen enclosure setback.

~~d. Interior side yard.~~

1. ~~The edge of water for swimming pools with no screen enclosure shall not be closer than seven and one half feet (7½') from the required interior side yard property line. The edge of deck for swimming pools with no screen enclosure shall not be closer than five feet (5') from the required interior side yard property line.~~
2. ~~Screen pool enclosures shall be located no closer than seven and one half feet (7½') from the required interior side yard property line.~~

(2) Location in relationship to the principal structure. *No change to existing text.*

(3) Waterfront lots. On waterfront lots (excluding oceanfront), pools and screen enclosures shall be set back ten feet (10') from the rear lot line except that where the rear yard requirement is greater than thirty feet (30), one (1) additional foot of setback for each two (2) feet of required rear yard in excess of thirty feet (30') is required. There shall be a minimum of fifteen feet (15') from edge of deck to normal water line. *No change to existing text.*

(4) Oceanfront lots. Patios, sun decks or pools shall be allowed with the following requirements:

- a. The edge of water for swimming pools shall not be closer than ten feet (10') from the seawall.
- b. Pools shall be prohibited in the front yard or side corner setback.
- c. Patios and sun decks shall not be closer than ten feet (10') to either side property line.
- d. Other than railings of open design, no enclosure or covering shall be allowed.
- e. Any structure proposed seaward of the coastal construction control line shall comply with F.S. ch. 161, and the permitting requirements of the state department of environmental protection.

- f. All such development shall be consistent with chapter 3, article II of this Code.
No change to existing text.

Section 2-50(aa)

(aa) Screen porches/enclosures.

- (1) Location. In all residential districts, screen enclosures (e.g., entirely enclosed with screening) may be located to within ten feet (10') of the rear lot line; provided, however, side yard setbacks for screen enclosures shall be the same as for the principal building and provided further that no screen enclosure shall be permitted to encroach into any easement, dedicated space or right-of-way, or into any required waterfront or oceanfront yard or other shoreline setback provided under chapter 3, article II of this Code. ~~Screen pool enclosures shall be located no closer than five feet (5') from the rear property line of a single family residence in situations where the rear yard abuts a dedicated open space in private ownership, a conservation easement held in private ownership or common area owned by a homeowners' association measuring a distance of a least ten feet (10') from the closest point to the rear property line.~~ Pool screen enclosures shall be regulated by Section 2-50(x) of this Code.
- (2) Townhouse/multifamily. For residential developments other than detached single-family subdivisions, the location of screen porches (e.g., screened on the sides but having an impervious roof) shall be identified on the plat or site plan.
- (3) Existing developments. Where screen porches are not indicated on an approved site or development plan for uses requiring such approvals, application for screen porches shall be as follows:
- a. The homeowners' association shall submit a request to amend the development order. Such request shall include a drawing clearly illustrating the location of all possible screen porches and stating the types of construction materials that may be used, and any necessary amendments to the declaration of covenants and restrictions.
 - b. The city commission may reduce the setback requirement for screen porches, provided:
 1. The distance the screen porch would infringe on the setback would be the minimum necessary;
 2. The addition of the screen porch will not have a detrimental effect on surrounding properties; and
 3. The twenty-foot (20') minimum distance between buildings is maintained.
 - c. The city commission may require additional landscaping and/or fencing if necessary to negate the impact of the screen porch.

- d. In addition to the drawing required by subsection (aa)(3)a of this section, the homeowners' association shall submit a legal opinion from its attorney that the request was duly approved and executed by the association and that the request is not in conflict with any deed restrictions or covenants applicable to the development.
- e. Following approval of the amended development order by the city commission, an individual unit owner may request a building permit from the chief building official, provided that such request is consistent with the conditions of the amended development order.

A summary of the amendments are as follows:

1. Maintains that pools are not allowed in the front or side corner yard setbacks.
2. Deletes the requirement for the edge of water for swimming pools which requires a 2.5' deck around the pool. While staff believes that having a deck around all sides of the pool is preferable for maintenance of the pool, there may be instances where a homeowner desires less than a 2.5' deck area to make a pool fit into their property. Deleting this requirement allows the homeowner and pool contractor to decide the deck area around the pool.
3. Maintains a 5' edge of deck setback for pools with no screen enclosure in the rear and interior side yards.
4. Reduces the pool screen enclosure setback from 10' to 5' in the rear yard where no conservation or homeowner association tracts exist. This allows lots that are platted back to back to have a 5' pool screen enclosure setback.
5. Reduces the pool screen enclosure setback from 7.5' to 5' in the interior side yard.
6. Allows pools constructed prior to December 16, 2014 which are closer than 5' to the rear or side interior property line, with or without a screen enclosure, to be permitted to construct or re-construct a pool screen enclosure within the 5' setback. This regulation would assist with older constructed pools, of which many were annexed from Volusia County, that have been built within the pool setbacks standards established by the Land Development Code.
7. Waterfront lots – no changes proposed: if the zoning district rear setback is 30' or less, than the pool screen enclosure setback remains at 10'. If the zoning district rear setback is more than 30', a calculated setback is required that is designed to move the screen enclosure away from the water to provide view corridors of the waterfront.
8. Oceanfront lots – no changes proposed. Pool screen enclosures are prohibited.

9. Amends Section 2-50(aa) to refer all pool screen enclosure setback standards to Section 2-50(X) to maintain only one section with the screen enclosure setback standards.
10. The proposed amendment takes away an adjacent property owner's right to object to a screen enclosure that they view as too close to the property line. If the amendment is adopted, the impacted property owner who could at least go the BOAA under the existing regulation would not have that venue any longer.

CONCLUSION:

There are certain criteria that must be evaluated before adoption of an amendment according to the Land Development Code (LDC); the Planning Board must consider the following criteria when making their recommendation.

- 1. The proposed development conforms to the standards and requirements of this Code and will not create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.**

Staff cannot find any direct evidence of why the pool screen enclosure setbacks were established at 10' and a pool with no screen enclosure had a 5' setback. It is presumed that the regulation sought to provide additional setback for the vertical screen enclosure structure. The difference in the setbacks has led to confusion and frustration among homeowners. A homeowner can construct a pool at a 5' edge of deck setback. When they apply to construct a pool screen enclosure over the permitted pool, the homeowner is denied because it does not meet the 10' pool screen enclosure setback.

In staff's research, there are multiple other jurisdictions that allow a 5' pool screen enclosure setback. It is not expected that the proposed Land Development Code amendments would create undue crowding beyond the conditions normally permitted in the zoning district, or adversely affect the public health, safety, welfare or quality of life.

- 2. The proposed development is consistent with the Comprehensive Plan.**

The proposed Land Development Code amendments are consistent with the Comprehensive Plan. Objective 2.1 of the Future Land Use Element of the Comprehensive Plan discussed the need to update Land Development Code regulations.

- 3. The proposed development will not adversely impact environmentally sensitive lands or natural resources, including but not limited to waterbodies, wetlands, xeric communities, wildlife habitats, endangered or threatened plants and animal species or species of special concern, wellfields, and individual wells.**

The proposed Land Development Code amendments will not have an adverse impact on environmentally sensitive lands.

- 4. The proposed use will not substantially or permanently depreciate the value of surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare, or visual impacts on the neighborhood and adjoining properties.**

The proposed amendments would allow a vertical structure, the pool screen enclosure, closer to the property line than the current regulatory standards. There are two positions that could be argued in response to this criterion. The first position is that the proposed Land Development Code amendments will have no adverse effect on surrounding property; create a nuisance; or deprive adjoining properties of adequate light and air; create excessive noise, odor, glare or visual impacts on adjoining properties. The impacts of noise of a swimming pool exist with or without the screen enclosure. Additionally, the lesser setback requirements would have no visual impacts to abutting property owner. The second position is that the amendments should not be approved based on the fact that a vertical structure, the pool screen enclosure, is proposed to be closer to the property line than is no allowed on back to back lots.

- 5. There are adequate public facilities to serve the development, including but not limited to roads, sidewalks, bike paths, potable water, wastewater treatment, drainage, fire and police safety, parks and recreation facilities, schools, and playgrounds.**

The proposed Land Development Code amendments are not applicable to public facilities.

- 6. Ingress and egress to the property and traffic patterns are designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe. This finding shall be based on a traffic report where available, prepared by a qualified traffic consultant, engineer or planner which details the anticipated or projected effect of the project on adjacent roads and the impact on public safety.**

There is no development proposed for the amendments. The application pertains to a Land Development Code amendment.

- 7. The proposed development is functional in the use of space and aesthetically acceptable.**

There is no development proposed for the amendments. The application pertains to a Land Development Code amendment.

8. The proposed development provides for the safety of occupants and visitors.

There is no development proposed for the amendments. The application pertains to a Land Development Code amendment.

9. The proposed use of materials and architectural features will not adversely impact the neighborhood and aesthetics of the area.

There is no development proposed for the amendments. The application pertains to a Land Development Code amendment.

10. The testimony provided at public hearings.

There has not been a public hearing at this time. The comments from the Planning Board meeting will be incorporated into the City Commission packet.

RECOMMENDATION:

It is expected that this Land Development Code amendment would be reviewed by the Planning Board on October 9, 2014. It is requested that the Board of Adjustment and Appeals provide any input and/or amendments on the proposed amendments.

Attachment A

Proposed Land Development Code Amendments – Pool Screen Enclosures

Section 2-50(x)

(x) Pools. In addition to the requirements of this article, swimming pools, whether public or private, shall comply with chapter 3, articles I and II of this Code, the state building code, all applicable regulations of the state department of health and rehabilitative services and other state agencies, and to the following:

(1) Setbacks.

- a. Front yard. Swimming pools or appurtenances thereto shall be prohibited in any required principal front yard building setback.
- b. Side corner yard. Swimming pools or appurtenances thereto shall be prohibited in any required side yard building setback.
- c. Rear yard and interior side yards.

1. ~~No screen enclosure. The edge of water for swimming pools with no screen enclosure shall not be closer than seven and one half feet (7½') from the rear property line.~~ The edge of deck for swimming pools with no screen enclosure shall not be closer than five feet (5') from rear or interior side yard property line.
2. Screen enclosure. Screen enclosures for pools shall not be closer than ~~ten~~ five feet (~~10~~ 5') from the rear or interior side yard property line. ~~Screen pool enclosures shall be located no closer than five feet (5') from the rear property line of a single family residence in situations where the rear yard abuts a dedicated open space in private ownership, a conservation easement held in private ownership or common area owned by a homeowners' association measuring a distance of at least ten feet (10') from the closest point to the rear property line.~~
3. Pools constructed prior to December 16, 2014 which are closer than 5' to the rear or side interior property line, with or without a screen enclosure, shall be permitted to construct or reconstruct a pool screen enclosure within the 5' setback. The pool screen enclosure shall not be constructed any closer than the existing pool or screen enclosure setback.

~~d. Interior side yard.~~

1. ~~The edge of water for swimming pools with no screen enclosure shall not be closer than seven and one half feet (7½') from the required interior side yard property line. The edge of deck for swimming pools with no screen enclosure shall not be closer than five feet (5') from the required interior side yard property line.~~
2. ~~Screen pool enclosures shall be located no closer than seven and one half feet (7½') from the required interior side yard property line.~~

(2) Location in relationship to the principal structure. *No change to existing text.*

- (3) Waterfront lots. On waterfront lots (excluding oceanfront), pools and screen enclosures shall be set back ten feet (10') from the rear lot line except that where the rear yard requirement is greater than thirty feet (30), one (1) additional foot of setback for each two (2) feet of required rear yard in excess of thirty feet (30') is required. There shall be a minimum of fifteen feet (15') from edge of deck to normal water line. *No change to existing text.*
- (4) Oceanfront lots. Patios, sun decks or pools shall be allowed with the following requirements:
- a. The edge of water for swimming pools shall not be closer than ten feet (10') from the seawall.
 - b. Pools shall be prohibited in the front yard or side corner setback.
 - c. Patios and sun decks shall not be closer than ten feet (10') to either side property line.
 - d. Other than railings of open design, no enclosure or covering shall be allowed.
 - e. Any structure proposed seaward of the coastal construction control line shall comply with F.S. ch. 161, and the permitting requirements of the state department of environmental protection.
 - f. All such development shall be consistent with chapter 3, article II of this Code. *No change to existing text.*

Section 2-50(aa)

(aa) Screen porches/enclosures.

- (1) Location. In all residential districts, screen enclosures (e.g., entirely enclosed with screening) may be located to within ten feet (10') of the rear lot line; provided, however, side yard setbacks for screen enclosures shall be the same as for the principal building and provided further that no screen enclosure shall be permitted to encroach into any easement, dedicated space or right-of-way, or into any required waterfront or oceanfront yard or other shoreline setback provided under chapter 3, article II of this Code. ~~Screen pool enclosures shall be located no closer than five feet (5') from the rear property line of a single family residence in situations where the rear yard abuts a dedicated open space in private ownership, a conservation easement held in private ownership or common area owned by a homeowners' association measuring a distance of a least ten feet (10') from the closest point to the rear property line.~~ Pool screen enclosures shall be regulated by Section 2-50(x) of this Code.
- (2) Townhouse/multifamily. For residential developments other than detached single-family subdivisions, the location of screen porches (e.g., screened on the sides but having an impervious roof) shall be identified on the plat or site plan.
- (3) Existing developments. Where screen porches are not indicated on an approved site or development plan for uses requiring such approvals, application for screen porches shall be as follows:
- a. The homeowners' association shall submit a request to amend the development order. Such request shall include a drawing clearly illustrating the location of all possible screen porches and stating the types of construction materials that may be used, and any necessary amendments to the declaration of covenants and restrictions.

- b. The city commission may reduce the setback requirement for screen porches, provided:
 - 1. The distance the screen porch would infringe on the setback would be the minimum necessary;
 - 2. The addition of the screen porch will not have a detrimental effect on surrounding properties; and
 - 3. The twenty-foot (20') minimum distance between buildings is maintained.
- c. The city commission may require additional landscaping and/or fencing if necessary to negate the impact of the screen porch.
- d. In addition to the drawing required by subsection (aa)(3)a of this section, the homeowners' association shall submit a legal opinion from its attorney that the request was duly approved and executed by the association and that the request is not in conflict with any deed restrictions or covenants applicable to the development.
- e. Following approval of the amended development order by the city commission, an individual unit owner may request a building permit from the chief building official, provided that such request is consistent with the conditions of the amended development order.

CITY OF ORMOND BEACH
FLORIDA

PLANNING

MEMORANDUM

TO: Board of Adjustment and Appeals Members
FROM: Steven Spraker, AICP, Senior Planner
DATE: September 22, 2014
SUBJECT: Update on variance cases

Attached is an updated variance case list for your information. If there are any questions, I can be contacted at 676.3341 or by e-mail at Steven.Spraker@ormondbeach.org. Thank you.

Variance Summary - updated 09.22.2014

Case Number	Address	Board Action	Hearing Date	Date Signed	Expiration Date	Permit		CO/CC Issued	Questys		Variance Request								
						Date Issued	Number		Prepped	In	Request	Yard	Required	Setback Requested	Setback Granted	Variance Granted	Book	Page	
Fiscal Year 2013-2014																			
14	113	12 Tanglewood Circle	Approved	09.03.14	09.12.14	09.0.15	None					Pool Screen Enclosure	Rear and Side	10', 7.5'	1.9', 2.5'	1.9', 2.5'	8.1', 5'		
14	106	1190 N. US HWY 1	Approved	08.06.14	08.13.14	08.06.15	None					New Boilers	Rear	20'	9.45'	9.45'	10.55'	7029	3995
14	91	11 Kingsbridge Crossing Drive	Denied	07.09.14	07.011.14	07.09.15	None	14-4166				Hard Roof Screen Porch	Waterfront	30'	14'	14'	16'	7010	3193
14	84	707 S. Atlantic Avenue	Approved	06.04.14	06.06.14	06.04.15	Not Approved	14-5922				Balconies Addition	Front	30'	12.75'	12.75'	17.25'	6998	2658
												Balconies Addition	Side	25'	2.1'	2.1'	22.9'		
14	66	341 Forest Hills Boulevard	Approved	04.02.14	04.23.14	04.02.15	08.07.14	14-5086		Yes	Yes	Building Addition	Side	8'	7'	7'	1'	6982	1480
												Sidewalk	Side	5'	1'	1'	4'		
14	65	200 Neptune Avenue	Approved	04.02.14	04.23.14	04.02.15	07.24.14	14-2540		Yes	Yes	Building Addition	Rear	20'	16.8'	16.8'	3.2'	6982	1476
14	60	224 Arlington Way	Approved	04.02.14	04.23.14	04.02.15	None			Yes	Yes	Building Addition	Front	20'	19.7'	19.7'	5.3'	6982	1485
												Building Addition	Side	8', total 20'	5', combined 11.1'	5', combined 11.1'	3', combined 8.9'		
14	17	31 Amsden Road	Approved	12.04.13	12.11.13	12.11.14	02.04.14	14-1944		Yes	Yes	Fence height	Front	3'	6'	6'	3'	6942	2486
14	13	51 Ocean Shore Boulevard	Approved	12.04.13	12.11.13	12.11.14	None			Yes	Yes	new house - side yard	Side yard	12', combined 20'	5' combined 13'	5' combined 13'	5' combined 13'	6942	2491
												new house - height	Height	30'	35.2'	35.2'	5.2'		
13	125	11 Bridget Terrace	Approved	11.06.13	11.06.13	11.06.14	12.10.13	14-1211	02.24.14	Yes	Yes	Pool Screen Enclosure	Rear	10'	4.16'	4.16'	5.84		
Fiscal Year 2012-2013																			
13	77	711 South Atlantic Avenue	Approved	07.31.13	08.08.13	07.31.13	10.18.13	13-5733	11.27.13	Yes	Yes	Porte cochere	Front	30'	10'	20'	20'	6895	1455
13	72	141 Cardinal Avenue	Approved	07.31.13	08.09.13	07.31.13	Lot split approved 08.19.13, no building permit needed for split			Yes	Yes	Lot Width	Lot Width	100'	91'	91'	9'	6895	1450
											Lot split	Side	20'	9.98' & 17.98'	9.98' & 17.98'	10.02' & 2.02'			
13	45	7 Oriole Circle A	Approved	03.06.13	03.21.13	03.06.14	11.12.13	14-722	03.17.14	Yes	Yes	Addition	Rear	20'	0'	0'	20'	6840	3259
												Addition	Side	20'	5'	5'	15'		
13	43	272 Putnam Avenue	Approved	03.06.13	03.21.13	03.06.14	02.01.13 (project under construction when variance applied for)	13-1229	09.18.13	Yes	Yes	House addition/remodel	Waterfront yard	30'	15'	15'	15'	6840	3263
13	37	1387 West Granada Boulevard	Approved	02.06.13	02.19.13	02.06.14	04.26.13	13-2955	08.27.13	Yes	Yes	new building	Side	20'	10'	10'	10'	6827	3618
												Parking	Parking	10 spaces	9 spaces	9 spaces	1 space		

Case Number	Address	Board Action	Hearing Date	Date Signed	Expiration Date	Permit		CO/CC Issued	Questys		Variance Request								
						Date Issued	Number		Prepped	In	Request	Yard	Required	Setback Requested	Setback Granted	Variance Granted	Book	Page	
Fiscal Year 2012-2013 (continued)																			
13	17	1520 West Granada Boulevard	Approved	12.05.12	12.05.12	12.05.13	02.13.13	12-4877	04.24.13	Yes	Yes	Replace gas canopy	Front	40'	0'	0'	40'	6793	2418
13	14	305 Thackery Road	Approved	12.05.12	12.05.12	12.05.13	12.11.12	13-57	01.24.13	Yes	Yes	Screen Room	Rear	20	9'	9'	11'	6793	2414
12	139	21 Ocean Shore Boulevard	Approved	11.07.12	11.14.12	11.28.13	03.11.13	13-1819	10.07.13	Yes	Yes	Building	Front	30'	14.5'	14.5'	15.5'	6787	4162
12	135	394 Idlewood Drive	Approved	10.10.12	10.11.12	10.19.13	Expired	Expired	Expired	Yes	Yes	Building Addition	Rear	25'	19.5'	19.5'	5.5'	6772	4117
												Screen Room	Rear	25'	22.60'	22.60'	2.4'		
												Porch Overhang	Side Corner	20'	12'	12'	8'		
Fiscal Year 2011-2012																			
12	129	200 John Anderson Drive	Approved	09.13.12	09.20.12	09.28.13	07.11.13	13-4376	Under Construction	Yes	Yes	Building Addition	Waterfront	71.4'	52.61'	52.61'	18.79	6763	3447
12	121	10 Oriole Circle B	Approved	08.01.12	08.15.12	08.01.13	10.30.12	13-215	12.28.12	Yes	Yes	Building Addition	Front	25'	8.5'	8.5'	16.5'	6748	3992
12	96	121 East Granada Boulevard	Approved	06.27.12	07.03.12	06.27.13	06.27.13	13-4279	Expired	Yes	Yes	Building Addition	Rear	30'	22.75'	22.75'	7.25'	6731	2552
												Side	10'	6.2'	6.2'	3.8'			
												Side landscape	6'	0'	0'	6'			
12	79	90 Raintree Lane	Denied	05.02.12	05.09.12	Denied	Denied	Denied	Denied	Yes	Yes	Pool and deck	Waterfront (pool)	54.17'	2.9'	Denied	Denied	6712	2143
												Deck	5'	2.9'	Denied	Denied			
12	77	176 Woodland Avenue	Approved	05.02.12	05.09.12	05.02.13	07.18.12	12-3851	08.21.12	Yes	Yes	Pool Screen Enclosure	Rear	10'	1.58'	1.58'	8.42'	6712	2138
												Side	7.5'	1.75'	1.75'	5.75'			
12	64	325 South Atlantic Avenue	Approved (4-1)	03.07.12	03.14.12	03.07.13	Demo issued 03.04.13	Demo 13-1963	Expired	Yes	Yes	Accessory dwelling	Front	30'	15'	15'	15'	6693	2326
												New house	Sides	min 8' total 20'	7' north, 7' south, 14' combined	7' north, 7' south, 14' combined	5' north, 1' south, 6' combined		
12	58	26 Chippingwood Lane	Approved	03.07.12	03.14.12	03.07.13	12.19.12	13-1121	01.11.13	Yes	Yes	Sun room addition	Rear	25'	15.44'	15.44'	9.56'	6693	2331
12	21	739 Alazcar	Approved	01.04.12	01.06.12	01.04.13	03.16.12	12-2049	05.02.12	Yes	Yes	Garage Addition	Sides	min 8' total 20'	5.68', 14.63' combined	5.68', 14.63' combined	2.32', 5.37' combined	6670	1156
Fiscal Year 2010-2011																			
11	103	831 East Lindenwood Circle	Denied (3-2)	09.07.11	09.16.11	NA	Denied	Denied	Denied	Yes	Yes	Playhouse	Side	7.5'	3'	7.5' required	Denied	6635	444
11	100	198 South Atlantic Avenue	Approved	09.07.11	09.16.11	09.07.12	12.15.11	12-823	02.20.12	Yes	Yes	Addition	Side	10'	1.3'	1.3'	8.7'	6635	448
11	94	103 Oceanshore Boulevard	Approved	08.08.11	08.08.11	08.08.12	04.03.11	12-1853	12.21.12	Yes	Yes	Porch Addition	Oceanfront Yard	39.70'	32.68'	32.68'	7.02'	6620	3583
11	86	530 South Atlantic Avenue	Approved	07.06.11	07.14.11	07.06.12	08.29.11	11-4155	10.12.11	Yes	Yes	Enclose car wash	Rear	20'	5.1'	5.1'	14.9'	6612	2303
11	66	604 South Ridgewood Avenue	Approved	05.04.11	05.13.11	05.04.12	08.05.11	11-4336	09.01.11	Yes	Yes	Garage Addition	Side	8'	5.88'	5.88'	2.12'	6594	2080
11	8	46 Bluebird Lane	Approved	01.12.11	01.20.11	01.12.12	03.18.11	11-2263	No final	Yes	Yes	Screen Porch	Rear	25'	20'	20'	5'	6559	2682
11	5	301 Oak Drive	Approved	01.12.11	01.20.11	01.12.12	02.11.11	11-257	02.09.12	Yes	Yes	Addition	Side Corner	20'	16'	16'	4'	6559	2687
Fiscal Year 2009-2010																			
10	146	44 South Halifax Drive	Approved	12.01.10	01.20.11	12.01.10	01.02.11	11-1212	01.13.11	Yes	Yes	Shade Structure	Rear - Commercial	20'	15'	5'	15'	6559	2677
10	140	141 Country Club	Approved	10.06.10	10.25.10	10.06.11	11.10.11	10-3972	11.18.10	Yes	Yes	Pool Screen Enclosure	Rear -Pool	10'	5'	5'	5'	6532	361
												Side -Pool	7.5'	5'	5'	2.5'			

Case Number	Address	Board Action	Hearing Date	Date Signed	Expiration Date	Permit		CO/CC Issued	Questys		Variance Request								
						Date Issued	Number		Prepped	In	Request	Yard	Required	Setback Requested	Setback Granted	Variance Granted	Book	Page	
Fiscal Year 2009-2010 (continued)																			
10	116	232 South Beach Street	Approved	07.07.10	07.14.10	07.07.11	10.25.10	10-4573	01.04.11	Yes	Yes	Dock	North Side	25'	17'	17'	8'	6496	4080
												South Side	25'	20'	20'	5'			
10	104	175 B Cardinal Drive	Approved	06.02.10	06.11.10	06.02.11	09.15.10	10-4595	03.23.11	Yes	Yes	Addition	Side Yard	20'	8'	8'	12'	6485	3724
10	103	175 A Cardinal Drive	Approved	06.02.10	06.11.10	06.02.11	09.15.10	10-4594	03.23.11	Yes	Yes	Addition	Side yard	20'	12.83'	12.83'	7.17'	6485	3720
10	83	16 Rio Pinar Trail	Approved	04.07.10	04.08.10	04.07.11	05.10.10	10-2527	05.11.10	Yes	Yes	Driveway	Driveway	40'	22'	22'	18'	6464	4760
10	75	116 Wildwood Avenue	Approved	04.07.10	04.08.10	04.07.11	08.20.10	10-4302	11.30.11	Yes	Yes	Addition	Rear Yard	25'	17.7'	17.7'	7.3'	6464	4756
10	72	494 Riverside Drive	Approved	04.07.10	04.08.10	04.07.11	05.11.10	10-1446	12.01.10	Yes	Yes	Addition	Waterfront Yard	47.5'	32.3'	32.3'	15.2'	6464	4752
10	64	559 Sandy Oaks Boulevard	Approved	03.02.10	03.03.10	03.02.11	07.20.10	10-3567	09.14.10	Yes	Yes	Addition	Rear Yard	20'	16'	16'	4'	6458	3139
10	59	901 North Beach Street	Approved	02.03.10	02.05.10	02.03.11	03.11.10	10-1111	09.12.11	Yes	Yes	Rear yard addition	Waterfront Yard	118'	81'	81'	37'	6445	2286
10	53	469 Druid Circle	Approved	02.03.10	02.05.10	02.03.11	03.24.10	10-1818	04.19.10	Yes	Yes	Screen room (hard roof)	Rear	25'	17'	17'	8'	6445	2277
10	43	Gaff's Sign (663 South Nova Road)	Approved	01.06.10	01.12.10	01.06.11	05.04.10	10-2521	06.10.10	Yes	Yes	Re-establish non-conforming sign	Sign square footage (S.F.)	28 S.F.	32 S.F.	32 S.F.	32 S.F.	6438	1687
													Setback	5'	1'	1'	1'		
													Reader Board color	white	yellow	yellow	yellow		
													% of reader board	50%	over 50%	over 50%	50%		
10	28	5 S YONGE ST - TEXACO	Approved	01.06.10	01.12.10	NA	Taking occurred			Yes	Yes		Landscape buffer	20%	1' to 10'	1' to 10'	10' to 19'	6438	1681
9	28000004	63 Carriage Creek	No variance required																
9	28000003	36 Twelve Oaks Trail	Approved	10.07.09	10.15.09	10.07.09	Expired	Expired	Expired	Yes	Yes	Rear yard Addition	Waterfront rear yard	62.5'	25.98'	30.99'	31.51'	6410	1906
Fiscal Year 2008-2009																			
9	28000002	5 Creeksbridge Court	Approved (3 requests), Denied (1 request)	06.03.09	06.23.09	06.03.10	06.03.10	10-3244	06.29.11	Yes	Yes	Front Yard addition	Front	20'	5.62'	5.62'	14.38'	6368	1872
												North Side Yard	Side	7.5'	0.59'	0.59'	6.91'		
												Rear yard addition	Rear	20'	10.29'	10.29'	9.71'		
												South Side Yard	Side	7.5'	1.32'	Denied	Denied		
9	28000001	587 North Beach Street	No variance required																
8	28000012	485 South Atlantic Avenue	Approved	03.11.09	03.13.09	Completed	04.23.09	9-1165	08.25.09	Yes	Yes	Canopy Encroachment	Front	30'	8'	8'	22'	6333	4821
8	28000011	75 Melrose Avenue	Denied	11.05.08	11.19.08	Denied	NA	NA	NA	Yes	Yes	Detached Garage	Rear	20'	10'	Denied	Denied	6298	4642
Fiscal Year 2007-2008																			
8	28000010	139 South Atlantic Avenue	Approved	09.03.08	09.10.08	Expired	10.10.08	08-4452	Expired	Yes	Yes	Building Addition	Side	8'	6.08'	6.08'	1.92'	6277	4337
8	28000009	2001 North Beach Street	Denied	08.06.08	08.22.08	Denied	NA	NA	NA	Yes	Yes	Building Addition	Side	8'	7.56'	7.56'	Denied	6270	3176
8	28000008	16 Reflection Village	Approved	08.06.08	08.22.08	NA	08.18.08	8-4393	08.27.08	Yes	Yes	Generator Placement	Side	7.5'	5.0'	5.0'	2.5'	6270	3179
8	28000007	2 Springwood Trail	Approved	06.04.08	06.10.08	NA	02.04.09	8-4360	05.06.09	Yes	Yes	Pool Screen Enclosure	Side Corner	20'	17'	17'	3'		
													Rear (pool screen)	5'	0'	0'	5'		
8	28000006	171 Rosewood Avenue	Approved	06.04.08	06.09.08	NA	07.22.08	8-2264	07.23.08	Yes	Yes	Carport	Side Street Corner	20	15.65'	15.65'	4.35'		

Case Number	Address	Board Action	Hearing Date	Date Signed	Expiration Date	Permit		CO/CC Issued	Questys		Variance Request								
						Date Issued	Number		Prepped	In	Request	Yard	Required	Setback Requested	Setback Granted	Variance Granted	Book	Page	
Fiscal Year 2007-2008 (continued)																			
8	28000005	25 Pine Valley Circle	Approved	05.07.08	05.07.08	NA	11.14.08	9-580	09.08.09	Yes	Yes	Building Addition	Rear	25'	15.25'	15.25'	9.75'	6231	4257
8	28000003	41 Herringbone Way	Withdrawn																
8	28000002	1245 West Granada Boulevard	Approved	05.07.08	05.07.08	Expired				Yes	Yes	Building addition	Side	20'	14'	14'	6'	6231	4261
8	28000001	11 Raintree Court	Approved	04.02.08	04.09.08	NA	10.03.08	8-4340	04.23.09	Yes	Yes	Building Addition	Front	20'	10.93'	10.93'	9.07'	6219	2389
													Rear	20'	14.90'	14.90'	5.10'		
													Side	7.5'	0.55'		0' - 34' from property line		
7	1224	229 Ann Rustin Drive	Denied	02.06.08	02.14.08	Denied	07.25.08	7-3834	07.28.08	Yes	Yes	After the fact - rear	Rear	25'	5'	Denied	Denied	6195	2175
7	1219	6 Old Canyon Way	Approved	12.05.07	12.12.07	NA	02.11.08	8-1404	07.14.08	Yes	Yes	Rear lanai	Rear	20'	12'	12'	8'	6171	1581
7	1218	5 Prairieview Lane	Approved	12.05.07	12.12.07	NA	02.27.08	8-1810	04.25.08	Yes	Yes	Pool Screen Enclosure	Rear	10'	3'	3'	7'	6171	1585
7	1213	6 Saddlers Run	Approved	11.07.07	11.20.07	NA	06.19.08	8-1508	01.06.09	Yes	Yes	Rear addition	Rear	20'	14.17'	14.17'	5.83'	6162	2061
7	1210	107 Driftwood Avenue	Approved	11.07.07	11.20.07	NA	12.07.07	8-642	06.04.08	Yes	Yes	Garage Addition	Front	30'	28.3'	28.3'	1.7'	6162	2065
7	1203	154 Warwick Avenue	Approved	10.03.07	10.08.07	NA	04.23.08	08-2432	06.04.10	Yes	Yes	Two-story Addition	Side	8'	4.06'	4.06'	3.94'	6167	1591
Fiscal Year 2006-2007																			
7	1188	335 S. Atlantic Avenue	Approved	09.05.07	09.13.07	NA	02.15.08	8-1379	09.25.08	Yes	Yes	Detached Garage & Accessory Apt.	Front	30'	15'	15'	15'	6127	772
													Side	8'	4.8'	4.8'	3.2'		
7	1187	24 Queen Ann Court	Approved	09.05.07	09.13.07	Expired	09.08.08	8-4322	No Inspections - Expired	Yes	Yes	Pool Enclosure	Pool screen enclosure	10'	5'	5'	5'	6127	777
7	1182	116 Hilldale Avenue	Approved	08.01.07	08.07.07	Expired	11.13.07	8-388	No Inspections - Expired	Yes	Yes	Porch addition	Front	30'	22'	22'	8'	6111	4480
7	1179	93 Warwick Avenue	Denied	08.01.07	08.07.07	Denied	08.31.07	7-4317	Demo	Yes	Yes	Addition- After the fact	Rear	25'	8'	Denied	Denied	6111	4484
7	1173	749 B Flamingo Drive	Approved	07.11.07	07.18.07	NA	08.07.07	7-2806	09.25.07	Yes	Yes	Screen Room	Rear	25'	15'	15'	10'	6098	4223
7	1151	44 Briggs Drive	Approved	04.11.07	04.23.07	Constructed	05.29.07	6-5192	07.24.07	Yes	Yes	Dock	Setback	25'	10'	10'	15'	6050	690
													Dock Width	8.6'	19' wide	19' wide	10.4' width		
7	1145	907 N. Halifax Drive	Approved	02.07.07	02.20.07	Constructed	03.20.07	7-2003	07.25.07	Yes	Yes	In ground pool	Front	30'	10'	10'	20'	6014	1220
7	186	227 Putnam Avenue	Approved	02.07.07	02.20.07	Constructed	06.29.07	7-3422	05.08.08	Yes	Yes	Garage	Front	25'	18.46'	18.46'	6.54'	6014	1216
7	185	75 Wye Drive	Approved	01.07.07	01.31.07	Constructed	03.06.07	7-1651	07.31.07	Yes	Yes	Addition	Rear	25'	19'	19'	6'	6004	3693
7	173	559 Cameo Drive	Denied	02.07.07	02.20.07	Denied	NA	NA	NA	Yes	Yes	Addition	Rear	20'	5'	Denied	Denied		
6	165	403 Idlewood Drive	Approved	11.01.06	11.01.06	Constructed	03.12.07	6-3772	03.03.08	Yes	Yes	New house	Front	30'	24'	24'	6'	5959	2474
6	163	750 West Granada Blvd.	Denied	11.01.06	11.01.06	Denied	NA	NA	NA	Yes	Yes	Addition	Side	20'	10'	Denied	Denied	5959	2461
6	162	171 Country Club Drive	Approved	11.01.06	11.01.06	Constructed	05.25.07	7-2811	03.13.08	Yes	Yes	Garage	Front	30'	20'8"	20'8"	9'4"	5959	2469
6	161	153 Arroyo Parkway	Approved	11.01.06	11.01.06	Expired	None	None	Expired	Yes	Yes	Addition	Rear	25'	16'	16'	9'	5959	2463
													Side	20'	17'	17'	3'		
6	160	116 Fairview Avenue	Approved	11.01.06	11.01.06	Constructed	04.03.07	7-1316	08.24.07	Yes	Yes	New House	Rear	25'	16'	16'	9'	5959	2466

OVERALL VARIANCE SUMMARY

Summary	Total Cases	Approved	Denied	Expired	Completed	Open	Approval %
Fiscal Year 2013-2014	10	9	1	0	1	8	90%
Fiscal Year 2012-2013	9	9	0	1	8	0	100%
Fiscal Year 2011-2012	8	7	1	2	4	1	88%
Fiscal Year 2010-2011	7	6	1	0	5	1	86%
Fiscal Year 2009-2010	14	14	0	1	13	0	100%
Fiscal Year 2008-2009	3	2	1	0	2	0	67%
Fiscal Year 2007-2008	14	12	2	1	11	0	86%
Fiscal Year 2006-2007	15	12	3	3	9	0	80%
TOTALS	80	71	9	8	53	10	88.75%