

Regina Dunay
Chairwoman

Chris Rader
Co-Chair

Wade Fischer
Board Member

Ben Pierce
Board Member

Marion Rayburn
Board Member

PUBLIC NOTICE
PLANNING AND ZONING BOARD MEETING – May 8, 2017

WELCOME! We are very glad you have joined us for today's Planning and Zoning meeting. The Planning and Zoning Board is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All P&Z recommendations are subject to final action by City Council. The results of today's meeting will be presented at the noted City Council meeting for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. **CAUTION:** Untimely filing by any appellant shall result in an automatic denial of the appeal.

The Planning and Zoning Board as the Local Planning Agency for the City Of Edgewood will meet at 405 Larue Avenue, Edgewood, Florida, to consider the items of business listed herein at the time and date indicated below.

Monday, May 8, 2017 at 6:30 pm

- Call To Order
- Pledge of Allegiance
- Roll Call and Determination of Quorum
- Administer Oath of Office
 - Wade Fischer
- Approval of Minutes
 - March 13, 2017– Regular P&Z Meeting
- New Business
 - 2017-VAR-01 Gibson Pickleball Court
 - Discussion of fence standards – 134-517 Location of Fences
- Comments/Announcements

FUTURE MEETINGS: (SCHEDULE CONTINGENT UPON SUBMITTAL OF ITEMS THAT REQUIRE CONSIDERATION OF THE PLANNING & ZONING BOARD AS THE LOCAL PLANNING AGENCY FOR THE CITY OF EDGEWOOD)

- June 12, 2017
- July 10, 2017

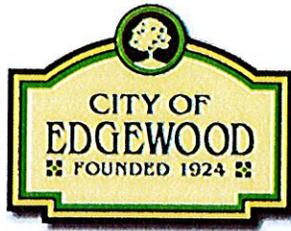
GENERAL RULES OF ORDER

The Board is pleased to hear non-repetitive comments related to business before the Board; however, a five (5) minute time limit per person has been set by the Board. Large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request Registration Form and give it to the City Clerk. When recognized, state your name and speak directly into the microphone. The City is guided by ROBERTS RULES OF ORDER in governing the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at 407-851-2920 at least 24 hours in advance of the meeting.

WE ASK THAT ALL ELECTRONIC DEVICES (IE. CELL PHONES, PAGERS) BE SILENCED DURING OUR MEETING!

Thank you for participating in your government!

APPEALS: According to Edgewood City Code Section 26-24 (2), "any person aggrieved by any recommendation of the Board acting either under its general powers or as a Board of Adjustment may file a notice of appeal to the City Council within seven (7) days after such recommendation is filed with the City Clerk.



PLANNING & ZONING BOARD DRAFT MINUTES
MARCH 13, 2017

Planning and Zoning Board Members:

Regina Dunay, Chairperson (Quorum)
Chris Rader, Board Member
Marion Rayburn, Board Member (absent)
Ben Pierce, Board Member

Staff:

Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Chris Francisco, Police Chief
Sandy Repp, Administrative Assistant

CALL TO ORDER

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m., followed by the Pledge of Allegiance. Administrative Assistant, Sandy Repp, announced that there was a quorum with Board Member Rayburn absent.

Chairwoman Dunay announced that Board Member Farmer has resigned his position due to the fact that he is relocating.

APPROVAL OF MINUTES

- February 13, 2017

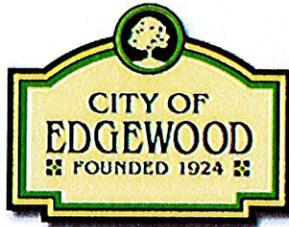
Chairwoman Dunay asked for a motion to approve minutes

Board Member Pierce made the Motion to approve the February 13, 2017 minutes as presented; seconded by Board Member Rader. The motion was unanimously approved (3/0).

NEW BUSINESS

- Orange Avenue District – City Planner Ellen Hardgrove

Chairwoman Dunay introduced City Planner Ellen Hardgrove. City Planner Hardgrove reviewed the Planning and Zoning Board's February 13, 2017 meeting regarding the intent and purpose of the proposed Orange Avenue District as well as all the uses. City Planner Hardgrove then reviewed the changes that the Board made to the Orange Avenue District overlay.



City Planner Hardgrove and Planning and Zoning Board Members continued their discussion of design standards and definitions along the Orange Avenue District. Discussion included adding definitions and modifying prohibited and acceptable uses.

City Planner Hardgrove presented and discussed her PowerPoint of “Large Building Design Standards”.

Chairwoman Dunay opened discussion among the Planning and Zoning Board Members. Discussion included new development, lawfully nonconforming structures, and adding thresholds for large buildings. Further discussion included incentives to property owners for redevelopment and broadening the code to encourage redevelopment with design standards.

Chairwoman Dunay opened discussed from the public.

The following people spoke regarding the Orange Avenue District Zoning: Sue Fulford, John Moccio, Frances Pignone and Ivan Smith.

Eric Hokanson completed a speaker form to comment on sign code and was directed by Chairwoman Dunay to attend the Sign Code Workshop on April 24, 2017.

In response to Ivan Smith, Board Member Rader said that information regarding public meetings are published in order to inform businesses about when meetings are held. Administrative Assistant Sandy Repp explained how City meetings are published.

COMMENTS/ANNOUNCEMENTS

Chairwoman Dunay asked Administrative Assistant, Sandy Repp for the next meetings who confirmed that the next possible Planning and Zoning dates would be April 10, 2017 and May 8, 2017.

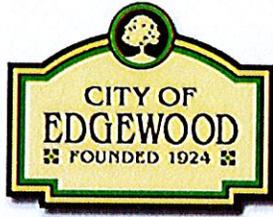
ADJOURNMENT:

With no further business or discussion, Board Member Rader made the Motion to adjourn the Planning and Zoning Board meeting, seconded by Board Member Ben Pierce; motion unanimously approved (3/0). The meeting adjourned at 9:06 p.m.

Regina Dunay, Chairwoman

ATTEST

Sandra Repp, Administrative Assistant



Memo

To: Planning and Zoning Board Members
From: Sandy Repp, Administrative Assistant
Date: May 3, 2017
Re: New Business Items

The following applications are provided in your agenda packet for your review:

1. **Variance: Gibson residence located at 5573 Jessamine Lane**
 - **2017-VAR-01 Pickleball court in front of primary residence**

The documents provided for your review are as follows:

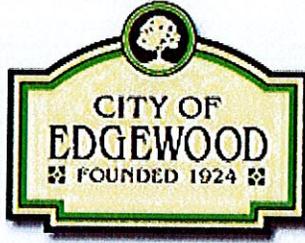
- Staff report from Ellen Hardgrove dated April 11, 2017 City of Edgewood
- Application For Variance 2017-VAR-01 to construct a pickleball court located in front of residence received March, 21, 2017
- Additional information from resident including legal description and justification for the variance for the proposed location of pickleball court.
- Copy of Orange County Building/Land Use Permit Application received March 21, 2017
- Receipts for variance application fee and pass-through fees
- Supporting documentation
 - letter from Orange County dated August 11, 1994 regarding separation of two parcels
 - plat of survey
 - Photo of proposed court location
 - Court specifications from Elite Court Construction
 - Pickleball Court layout (legal sized) – see envelope
 - Boundary survey – see envelope
 - Site Plan – see envelope

- Notice of Public Hearing dated April 25, 2017 with address and map matrix generated from Orange County Property Appraiser Website
- Sign Affidavit dated May 8, 2017

Administrative Assistant's Comments:

There were 37 letters mailed. One (1) letter was returned to City Hall as undeliverable due to vacancy. No objections or comments were received at City Hall as of the date of this memo.

- 2. Input/Recommendation on Code Section 134-517 – Location of fences**
Memo from Ellen Hardgrove regarding amendment to Code



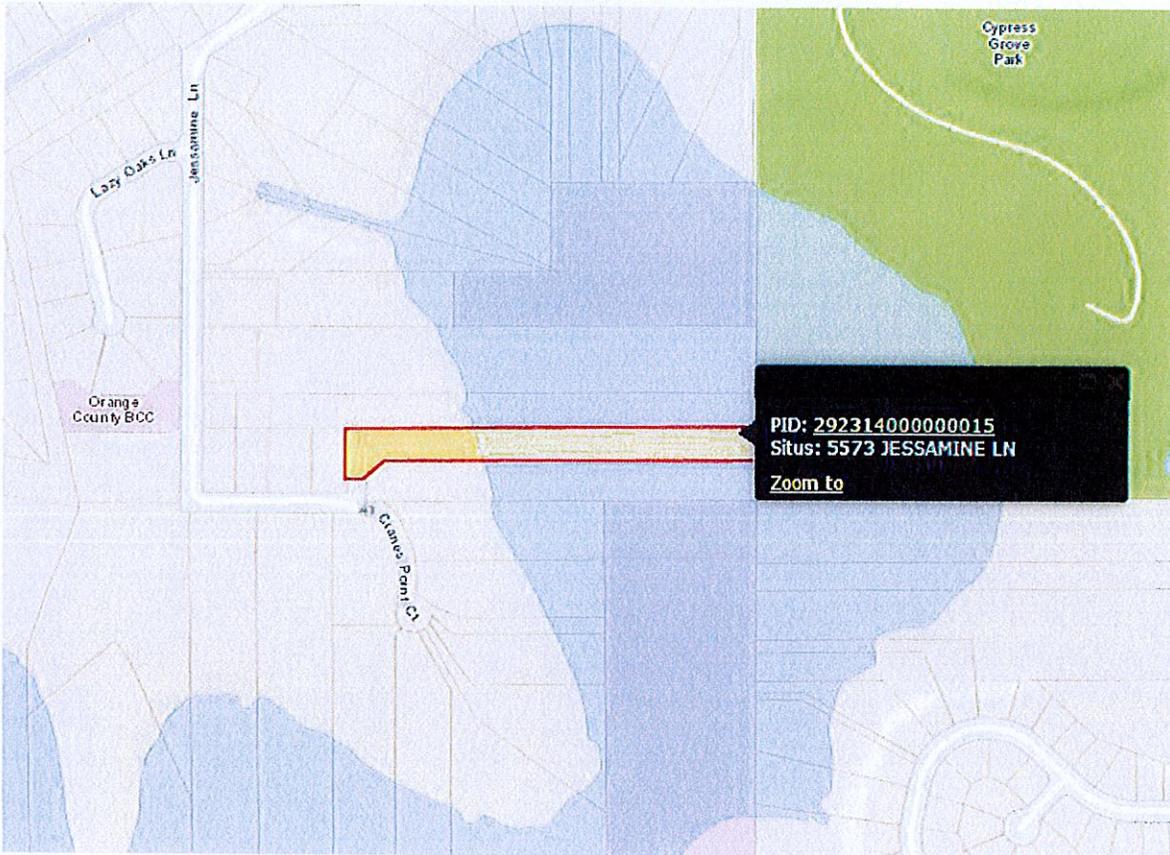
405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

To: Planning and Zoning Board
XC: Sandy Repp
Bea Meeks
Drew Smith

From: Ellen Hardgrove, AICP, City Planning Consultant

Date: April 11, 2017

Re: Variance request for accessory use at 5573 Jessamine Lane



I. Requested Action by Board:

Consideration of approval (with or without conditions) or denial of the requested variance:

- 1) Variance in Section 134-483 to allow a pickle ball/basketball court, viewed as an accessory use, in front of the house [Pertinent Code excerpts below]

Section 134-483. - Location of accessory buildings and uses in residential areas.

(c) No detached accessory building shall be located in front of the principal building.

Accessory buildings and uses means a subordinate and incidental use to the principal use. The principal use must be in existence before an accessory building or use may be constructed or utilized.

- 2) Variance in Section 134-517 to allow the construction of a fence up to 10 feet in height [Pertinent Code excerpt below]

Sec. 134-517. - Location of fences.

Fences or walls beyond the front building line shall be limited to a maximum height of four feet. A fence or wall shall be limited to a maximum height of eight feet in the rear and side yards.

Per Section 134-104 (3)b. of the City's Code, approval of the requested variances requires the board to find:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. That the special conditions and circumstances do not result from the actions of the applicant.
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

II. Relevant Facts

Owner: Mark and Melissa Gibson

Property Address: 5573 Jessamine Lane

Tax Parcel #: 4-23-29-0000-00-015

Parcel Size: 2.4 acres; the property was split into two parcels in 1994 prior to annexation into the City of Edgewood

Zoning: R1AA, surrounded by R1AA

Existing Land Use: Single family residence on a lakefront lot

III. Site Plan Showing Proposed Pickle Ball Court Location on the Lot

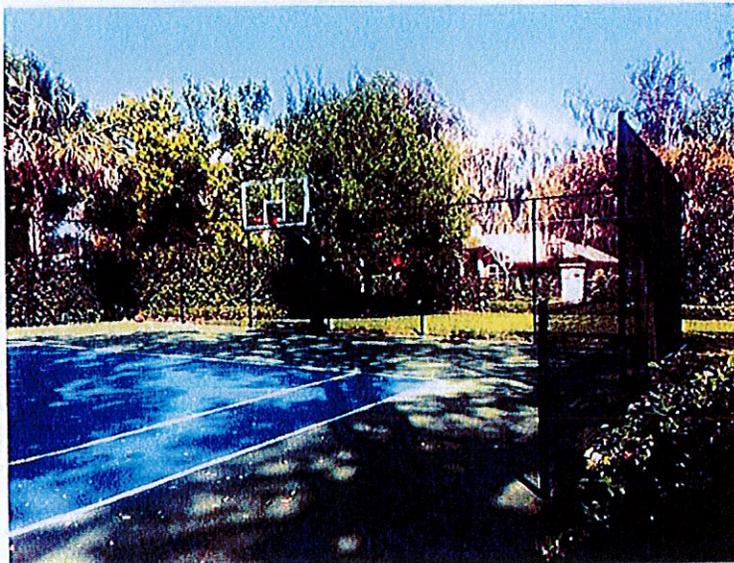
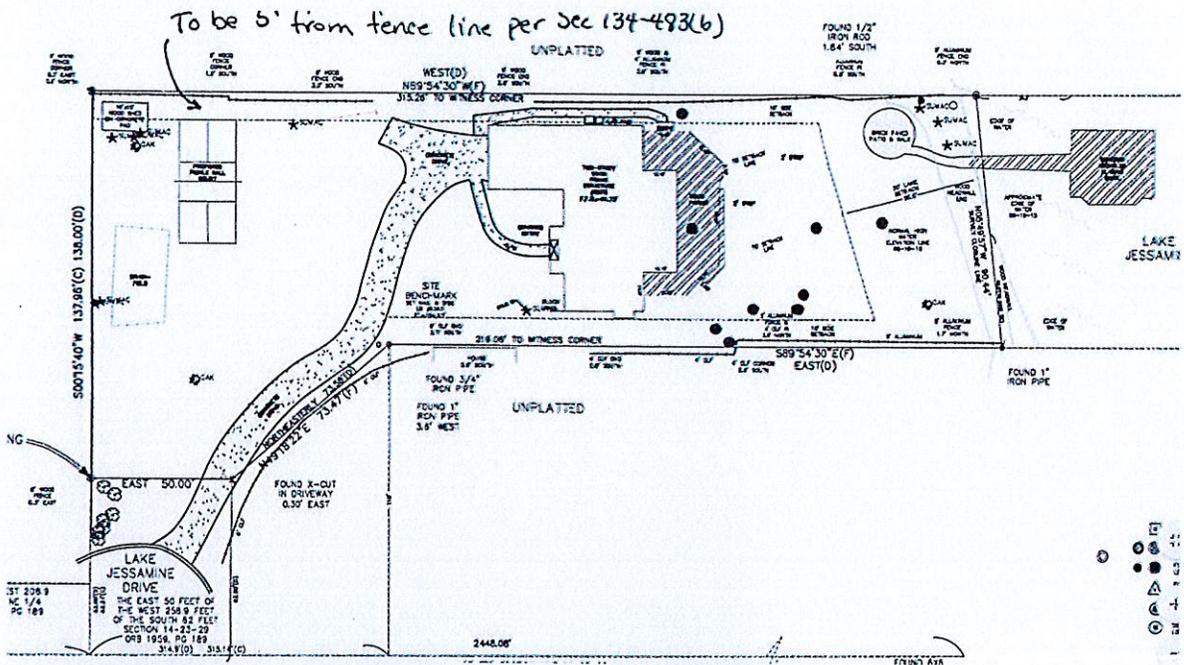
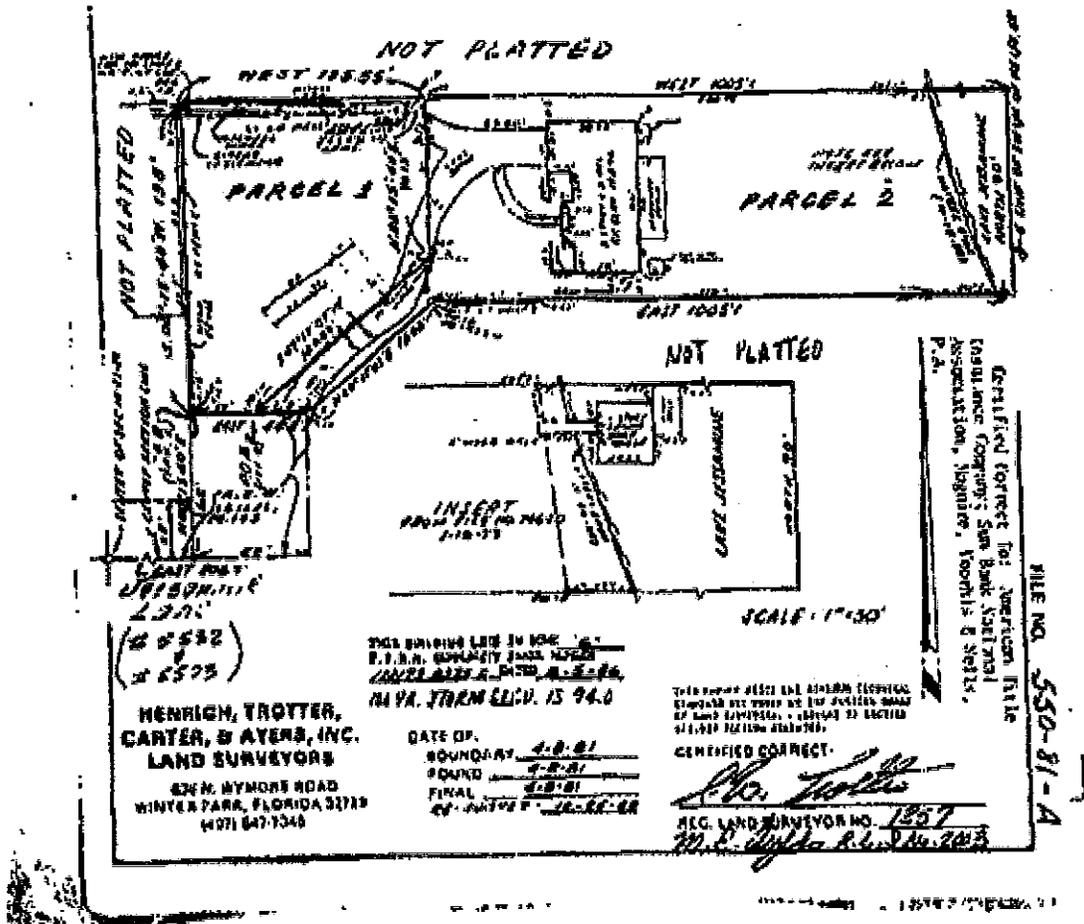


Illustration of a Pickle Ball Court with Fence

IV. Parcel History

Although this property is under one Orange County Property Appraiser tax parcel number, Orange County approved splitting the property into two parcels in 1994, as shown below.



The house, which was constructed in 1979 is on the portion of the property shown above as "Parcel 2", the lakefront portion of the tax parcel. What is shown above as "Parcel 1" is undeveloped. Whether the property is viewed as one parcel or two, approval of a variance is necessary for the applicant to build the proposed fenced pickle ball court.

If viewed as one parcel, the proposed accessory use would be built in front of the principal building structure which is contrary to Code Section 134-483; Code Section 134-483 states "No detached accessory building shall be located in front of the principal building. In this scenario, the 10 feet high fence would be built outside of what has been determined to be the "side yard." [Due to the property's configuration if viewed as one parcel, it has been determined that the property has three sides, one front (along Jessamine Lane), and one rear (lakefront).] Code Section 134-517 states "a fence or wall shall be limited to a maximum height of eight feet in the rear and side yards." R1AA's minimum side yard is 10 feet; thus with the proposed fence being placed outside the "side yard," a fence variance would not be necessary if viewed as one parcel.

If the property is viewed as two parcels, an accessory use is being proposed to be constructed prior to the principal structure's construction and the fence exceeds the 8 feet maximum in what would be the rear yard. Two variances would be needed. Code Sec. 134-483 states "No accessory building may be constructed prior to construction of the principal building" and again, Code Section 134-517 states "a fence or wall shall be limited to a maximum height of eight feet in the rear and side yards."

V. Staff Findings/Recommendation

Per Section 134-104 (3)b. of the City's Code, there are six criteria for approving a variance as listed below.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. That the special conditions and circumstances do not result from the actions of the applicant.
3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.
4. That literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Viewing the property as two lots for the purpose of approval of a variance is not supported by Staff; i.e., approval of a variance to construct an accessory use prior to the construction of a principal building. The six criteria cannot be met.

- Special conditions do not exist to allow a recreation court to precede construction of a house on Parcel 1;
- Building the court prior to the house would be the choice of the owner;
- Approval would confer a special privilege to the owner; and,
- Denial of the variance would not deprive the owner of rights enjoyed by others on similar zoned lots.
- A reasonable use of Parcel 1 exists without a variance.

Furthermore, a variance for a 10 feet high fence in the rear yard would be needed if only Parcel 1 was considered.

IF the property was viewed as one parcel, the six variance approval criteria can be met. Per code, variances can be approved where there are practical difficulties in complying with Code requirements.

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

The property (Parcels 1 and 2) is of atypical configuration to take advantage of the lake frontage. The placement of the existing house is similar to other houses on the west side of Lake Jessamine. Because of the lot configuration and the house placement there is limited area in the rear of the house for an accessory use such as pickle ball/basketball court.



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

The configuration of the lot and placement of the house predate the current owner. The house was situated on the lot in 1979. The applicant purchased the property in 1999.

- 3. That approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.**

Several other recreation courts on lakefront lots in the city have been allowed to be constructed in front of the principal structure.

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

Such is true. (see 3.)

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

The variance would be necessary if a recreation court is to be constructed on this property without demolition of the house.

6. That approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

With a condition that lighting of the court is prohibited to ensure compatibility with adjacent property owners, the proposed accessory structure placed in front of the principal structure would be in harmony and not be injurious to the neighborhood or the public welfare. The proposed location of the court on the lot, due to the lot's configuration, will appear to be in the rear yard when viewed from adjacent properties and out of view when seen from the road.

Staff Recommendation

Approval of a variance to build a pickle ball/basketball court as shown on the submitted site plan in front of the principal structure subject to the following conditions.

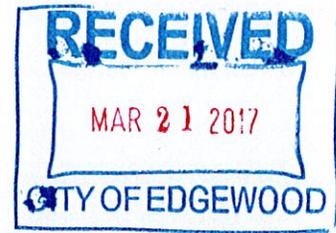
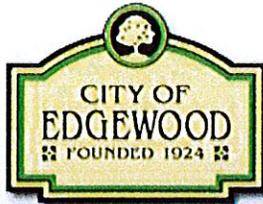
Condition #1: Prior to permitting of the pickle ball/basketball court the owner shall cause to be recorded in the public records a binding lot agreement, tying the two parcels approved by Orange County into one development lot.

Condition #2: Lighting of the court shall be prohibited.

Condition #3: Fences located in the side setback (north side of lot) shall be limited to 8 feet in height.

ESH

2017-VAR-01



APPLICATION FOR VARIANCE

Reference: City of Edgewood Code of Ordinances, Section 126-588

REQUIRED FEE: \$350 RESIDENTIAL \$750 COMMERCIAL

(+Applicable Pass-Through Fees - Ordinance 2013-01)

Please note this fee is non-refundable

PLANNING AND ZONING MEETING DATE:	5/8/2017
CITY COUNCIL MEETING DATE:	6/20/2017

IMPORTANT: A COMPLETE application with all required attachments and ten (10) copies must be submitted to the City Clerk 7 days before the next Planning & Zoning meetings. No application shall be deemed accepted unless it is complete and paid for.

Notarized letter of authorization from Owner MUST be submitted if application is filed by anyone other than property owner.

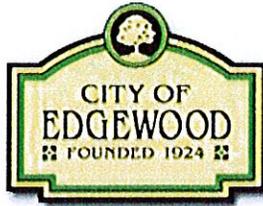
Please type or print. Complete carefully, answering each question and attaching all necessary documentation and additional pages as necessary.

Applicant's Name:	Melissa L. Gibson	Owner's Name:	Mark I & Melissa L. Gibson
Address:	5573 Jessamine Ln, 32839	Address:	Same
Phone Number:	(407) 928-9175 (cell)	Phone Number:	(407) 854-9730 (hm)
Fax:		Fax:	
Email:	Melissa mgibso13@gmail.com	Email:	Mark mgibson5@hotmail.com
Legal Description:	see attached Additional Information		
Zoned:	R-1AA		
Location:	Reference attached Legal Description & Orange Co. Property		
Tract Size:	Appraiser		
City section of the Zoning Code from which Special Exception is requested:	Sec 134-483		
Request:	Construct Pickleball Court in front yard.*		
Existing on Site:	Site is currently vacant.		

The applicant hereby states that this request for Variance does not violate any deed restrictions on the property. Application must be signed by the legal owner, not agent, unless copy of power of attorney is attached.

* A basketball goal will also be included inside the court. Page 2 of 4

405 Larue Avenue, Edgewood, Florida, 32809-3406
Phone: 407-851-2920 / Fax: 407-851-7361
www.edgewood-fl.gov



To justify this variance, applicant must demonstrate the following:

1. That special condition and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or building in the same zoning classification
2. the special conditions and circumstances do not result from the action of the applicant
3. literal interpretation or enforcement of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification under the terms of the Ordinance
4. the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible for the regulation at issue
5. the variance sought will not authorize or extend any non-conforming use or other non-conformity with respect to the land or structures in questions
6. the granting of the variance will be in harmony with the general intent and purpose of this Ordinance, will not be injurious to the area involved, or surrounding properties, and will not authorize a use of the property not permitted by its zoning classification
7. the variance sought will be consistent with the Edgewood Comprehensive Plan

Applicant must agree that:

1. In granting any variance, the City may prescribe appropriate conditions and safeguards in conformity with the Ordinances, and any regulations enacted under its authority. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of Edgewood ordinances.

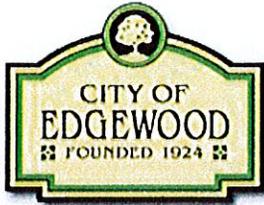
AGREE: Melissa Gibson DISAGREE:

2. The variance recommended by the Planning and Zoning Board and approved by the City Council shall expire in 12 months in accordance with Chapter 134-104 (3) (e).

AGREE: Melissa Gibson DISAGREE:

The applicant hereby states that the above request for Variance does not violate any deed restrictions on the property.

Applicant's Signature:	<u>Melissa Gibson</u>	Date:	<u>3/20/17</u>
Applicant's Printed Name:	<u>Melissa Gibson</u>		
Owner's Signature:	<u>Melissa Gibson</u>	Date:	<u>3/20/17</u>
Owner's Printed Name:	<u>Melissa Gibson</u>		



Please submit your completed application to City Hall via email at bmeeks@edgewood-fl.gov or srepp@edgewood-fl.gov, via facsimile to 407-851-7361, or hand deliver to City Hall located at 405 Larue Ave. For additional questions, please contact City Hall at 407-851-2920.

Office Use Only:	
Received Date	3/21/2017
Received By:	JJ Kemp
Forwarded To:	Eileen Hadgrove - 3/22/2017
Notes:	

Revised 06/13/2016

Page 4 of 4

ADDITIONAL INFORMATION:

Legal Description:

FROM THE CENTER OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA: RUN EAST ALONG THE CENTER SECTION LINE OF SAID SECTION 14, A DISTANCE OF 208.9 FEET; RUN THENCE N00°15'40" EAST, A DISTANCE OF 62 FEET FOR A POINT OF BEGINNING; RUN THENCE EAST 50 FEET; RUN THENCE NORTHEASTERLY 73.58 FEET TO A POINT 314.9 FEET EAST AND 110 FEET NORTH 00°15'40" EAST FROM THE CENTER OF SAID SECTION 14; THENCE EAST TO THE EAST LINE OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 14; THENCE NORTH 90 FEET; THENCE WEST TO A POINT 138 FEET NORTH 00°15'40" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 00°15'40" WEST 138 FEET TO THE POINT OF BEGINNING.

As provided by the city of Edgewood, the following section of the code addresses the proposed pickle ball court (a detached structure):

Sec. 134-483. - Location of accessory buildings and uses in residential areas.

(a)

When an accessory building is attached to a principal structure by a breezeway, passage or otherwise, it shall become a part of the principal building and shall be subject to the required setbacks of the principal building.

(b)

A detached accessory building, including garage apartments, shall not be located closer than five feet to a lot line, nor closer than six feet to any other accessory building on the same lot.

(c)

No detached accessory building shall be located in front of the principal building.

Pursuant to the Edgewood Application for Variance, justification for the variance is demonstrated as follows:

- 1 Our lot is comprised of 2 separate buildable parcels. Reference attached letter from Orange County dated, August 11, 1994. Our home is situated on Parcel 2 and Parcel 1 is the proposed site for the pickle ball court. There is not sufficient space behind the house on Parcel 2 between the high water mark and the house to construct the proposed court.
- 2 There are no special conditions or circumstances which were created by the applicant.
- 3 There is not sufficient space to construct the pickle ball court other than the proposed vacant location. As proposed on back side of Parcel 1 (furthest point from Jessamine Lane), the court would sit in the front of our home on Parcel 2. The proposed court will be 5' from the northern property line as permitted by Sec 134-483(b).
- 4 If authorized, the proposed pickle ball court will be constructed within the approved setbacks as provided and will be constructed in a manner consistent with Edgewood and Orange County code requirements. Reference attached contract with Elite Court Construction for construction product detail. (Note, this is the same company who constructed the Baker Tennis Court at 5566 Jessamine Lane.) There would be NO lighting at the court. There will also be a basketball goal constructed on the south side of the court. Specifications for the goal are also detailed in the contract with Elite Court Construction.
- 5 The proposed variance would not authorize or extend any other non-conforming use of the property.
- 6 The proposed variance and construction of a pickle ball court would not be injurious to the area involved nor to the surrounding properties. The court will be for the personal use of our family and is appropriate for a property zoned R1-AA.

7 The proposed variance is consistent with the Edgewood Comprehensive Plan.

Attachments:

Orange County letter dated August 11, 1994 (2 pgs)

Certified / Stamped Survey dated 3/15/17

Photo of parcel 1 taken from Jessamine Lane

Contract w/ Elite Court Construction with detailed project specifications

3/18/17



Orange County Division of Building Safety
201 South Rosalind Avenue

Reply To: Post Office Box 2687 • Orlando, Florida 32802-2687
Phone: 407-836-5550 • Fax 407-836-5492 • Inspections ONLY: 407-836-2825
www.ocfl.net/building

2 / 21 / 17
Date
Building Permit Number

APPLICATION FOR BUILDING/LAND USE PERMIT*

* All Applications Must Comply with Concurrency Requirements

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

PLEASE PRINT:

The undersigned hereby applies for a permit to make building improvements as indicated below on property.

Project Address: 5573 Jessamine Lane

Suite/Unit #: _____ Bldg #: _____ City: Edgewood Zip Code: 32839

Subdivision Name: N/A

Parcel ID Number: Section 14 Township 23 Range 29 Subdivision _____ Block _____ Lot _____
(15 Digit Parcel Number)

Owner Name: Mark I. and Melissa L. Gibson Phone No.: (407) 928 - 9175

Owner Address: 5573 Jessamine Lane City: Edgewood State: FL Zip Code: 32839

Tenant Name: N/A Phone No.: () -

Nature of Business: N/A

Architect Name: N/A License No.: _____ Phone No.: () -

Civil Engineer Name: N/A License No.: _____ Phone No.: () -

Nature of Proposed Improvements: Construct pickleball court

Demolition Permit #: _____ Site Work Permit #: _____

Property on Sewer or Septic

Permit valuation greater than \$2500 requires a notarized Page 2, and Notice of Commencement prior to the first inspection.

Is Notice of Commencement Recorded? Yes No

If there were comments on this project, how would you like to receive them?

Pick them up E-Mail (Customer shall access Web Page)

Is proposed work in response to a Notice of Code Violation written by an Orange County Inspector? Yes No

Is proposed work in response to an unsafe abatement notice? Yes No

Has project had a pre-review? Yes No If Yes, Commercial Plans Examiner(s): _____

Is building fire sprinklered? Yes No

Required work: Plumbing Electrical Mechanical Gas Roofing None

Alterations Only:

Is this a new tenant? Yes No If yes, state previous use: _____

Intended use of space: _____

List use of adjoining tenant space(s): Side: _____ Above: _____

Rear: _____ Side: _____ Below: _____

Total Job Valuation: \$29,350.00

I hereby make Application for Permit as outlined above, and if same is granted I agree to conform to all Division of Building Safety Regulations and County Ordinances regulating same and in accordance with plans submitted. The issuance of this permit does not grant permission to violate any applicable Orange County and/or State of Florida codes and/or ordinances. I hereby certify that the above is true and correct to the best of my knowledge.

PLEASE PRINT: (Check one) Owner: Contractor:

Name of License Holder/Agent: Melissa Gibson

Contractor License Number (if applicable): N/A

Contact Phone Number: (407) 928 - 9175 E-Mail Address: mgibso13@gmail.com

Authorized Signature: *Melissa Gibson*

Para más información en español, por favor llame al Departamento de Building Safety al número 407-836-5550.

Permit Number

Permit Application Information - Page Two

Permit Number

Owner's Name Mark I. and Melissa L. Gibson

Owner's Address 5573 Jessamine Lane

Fee Simple Titleholder's Name (If other than owner's) _____

Fee Simple Titleholder's Address (If other than owner's) _____

City Edgewood State FL Zip Code 32839

Contractor's Name Elite Court Construction, Inc.

Contractor's Address 853 Mimosa Trail

City Oviedo State Florida Zip Code 32765

Job Name Gibson Pickleball Court

Job Address 5573 Jessamine Lane SUITE/UNIT _____

City Edgewood State Florida Zip Code 32839

Bonding Company Name N/A

Bonding Company Address N/A

City _____ State _____ Zip Code _____

Architect/Engineer's Name N/A

Architect/Engineer's Address N/A

Mortgage Lender's Name N/A

Mortgage Lender's Address N/A

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL, PLUMBING, GAS, MECHANICAL, ROOFING, SIGNS, POOLS, ETC.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: Your failure to record a Notice of Commencement may result in your paying twice for improvements to your property. A Notice of Commencement must be recorded and posted on the job site before the first inspection. If you intend to obtain financing, consult with your lender or an attorney before recording your Notice of Commencement.

Owner Signature Melissa L. Gibson

The foregoing instrument was acknowledged before me this 02/22/17 by Melissa Gibson who is personally known to me and who produced FL DL as identification and who did not take an oath.

Contractor Signature Josh DeBoto

The foregoing instrument was acknowledged before me this 02/21/17 by Josh DeBoto who is personally known to me and who produced _____ as identification and who did not take an oath.

Notary as to Owner Dejan Ondelj

Commission No. FF 999694

State of FL, County of Orange

My Commission expires: June 7, 2020

(SEAL)

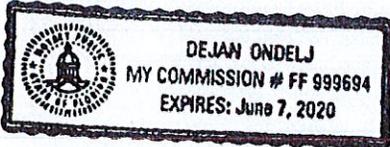
Notary as to Contractor M. Grimsley

Commission No. FF989029

State of FL, County of Seminole

My Commission expires: May 4, 2020

(SEAL)



Para más información en español, por favor llame al Departamento de Building Safety al número 407-836-5550.

Customer Name: Mark I Gibson
Customer ID: Mark I Gibson

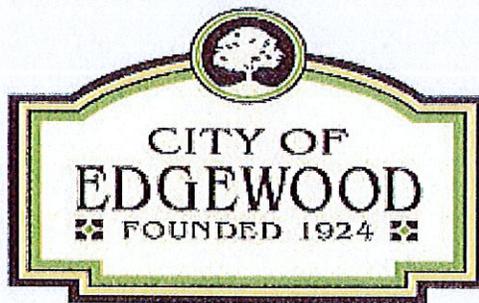
Receipt Number: 322400-01
Date: 3/21/17
Reference: 7295

<u>ITEM / INVOICE</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
	Variance application fee - pickleball court application			350.00

Payment Method: Check

XXXX

Subtotal: 350.00
Sales Tax: 0.00
350.00



405 Larue Avenue
Edgewood, FL 32809

Customer Name: Mark I Gibson
Customer ID: Mark I Gibson

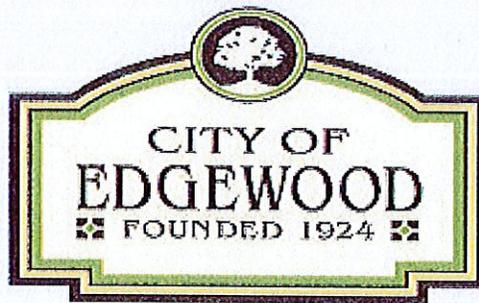
Receipt Number: 349000-01
Date: 3/21/17
Reference: 7296

<u>ITEM / INVOICE</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
	pass thru fees deposit for variance application -			1,000.00

Payment Method: Check

XXXX

Subtotal: 1,000.00
Sales Tax: 0.00
1,000.00



405 Larue Avenue
Edgewood, FL 32809

JL. Claire

Orange County



Zoning Department
Melvin Pittman, Manager
201 South Rosalind Avenue, 1st Floor
Reply To: Post Office Box 2687
Orlando, Florida 32802-2687
Telephone (407) 836-5525
FAX (407) 836-2899

August 11, 1994

Mr. Dalos J. Thomas
5573 Jessamine Lane
Orlando, FL 32839

Re: Property as Legally Described on Attached Exhibit "A"

Dear Mr. Thomas:

This is in response to your letter dated August 8, 1994, requesting information on the attached legally described property.

The subject property is currently zoned R-1AA (Single Family Dwelling District). The Orange County Comprehensive Policy Plan's Future Land Use Map designates this property for Low Density Residential (maximum density of four (4) dwelling units per acre) use. The property's zoning is consistent with the Comprehensive Policy Plan's Future Land Use Map.

In 1978, the property was divided into two separate parcels. Currently, a house exists on Parcel 2 and Parcel 1 is vacant. A house would be permitted on Parcel 1 in the future provided all appropriate development standards are met.

Please be advised that any new development proposed on the subject property is subject to meeting the County's Concurrency Management System requirements (Chapter 30, Article XII, Orange County Code) as well as all other applicable federal, state, and local government regulations and policies. For information regarding concurrency requirements, please contact the Planning Department at 407/836-5600.

I trust this information will be helpful to you. If you have any additional questions, please contact Helen Rutherford at 407/836-5525 or feel free to visit this office.

Sincerely,

Joanne N. McMurray
Joanne N. McMurray,
Assistant Zoning Manager

jnac/hr/lmc

Enclosure:

- 1. Legal Description of the Property

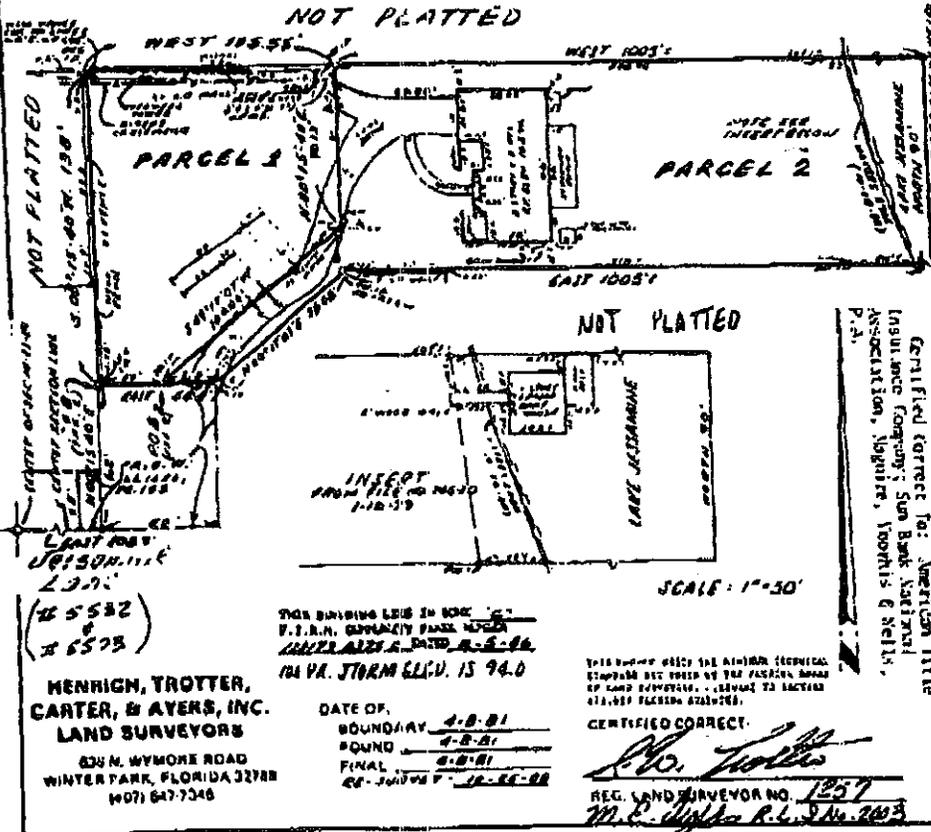
c: Melvin Pittman, Manager, Zoning Department

PLAT OF SURVEY DELOS J. THOMAS

PARCEL 1 From the center of Section 14, Township 23 South, Range 29 East, Orange County, Florida, run East along the center section line of said Section 14 a distance of 208.9 feet; run thence N.00°15'40"E. a distance of 62 feet for a point of beginning; run thence East 27 feet; run thence Northeastly 104.05 feet to a point 314.9 feet East; and 179.87 feet N.00°15'40"E. from the center of said Section 14; thence N.00°15'40"E. 70.13 feet; thence West 105.55 feet; thence S.00°15'40"W. 138 feet to the Point of Beginning.

PARCEL 2 From the center of Section 14, Township 23 South, Range 29 East, Orange County, Florida, run East along the center section line of said Section 14 a distance of 208.9 feet; thence run N.00°15'40"E. a distance of 62 feet; run thence East 27 feet for a point of beginning; thence continue East 23 feet; run thence Northeastly 73.58 feet to a point 314.9 feet East and 110 feet N.00°15'40"E. from the center of said Section 14; thence East to the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 14; thence North 90 feet; thence West to a point 75.18 feet East and 138 feet N.00°15'40"E. from the point of beginning; thence N.00°15'40"W. 70.13 feet; thence S.49°17'01"W. 104.05 feet to the Point of Beginning.

PARCELS 1 & 2 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
From the center of Section 14, Township 23 South, Range 29 East, Orange County Florida; run East along the center section line of said Section 14, a distance of 208.9 feet; run thence N.00°15'40"E. a distance of 62.00 feet for a point of beginning; run thence East 50.00 feet; run thence Northeastly 73.58 feet to a point 314.9 feet East and 110.00 feet North 00°15'40"E. from the center of said Section 14; thence East to the East line of the Southwest 1/4 of the Northeast 1/4 of Section 14; thence North 90.00 feet; thence West to a point 138.00 feet North 00°15'40"E. from the Point of Beginning; thence S.00°15'40"W. 138.00 feet to the Point of Beginning.



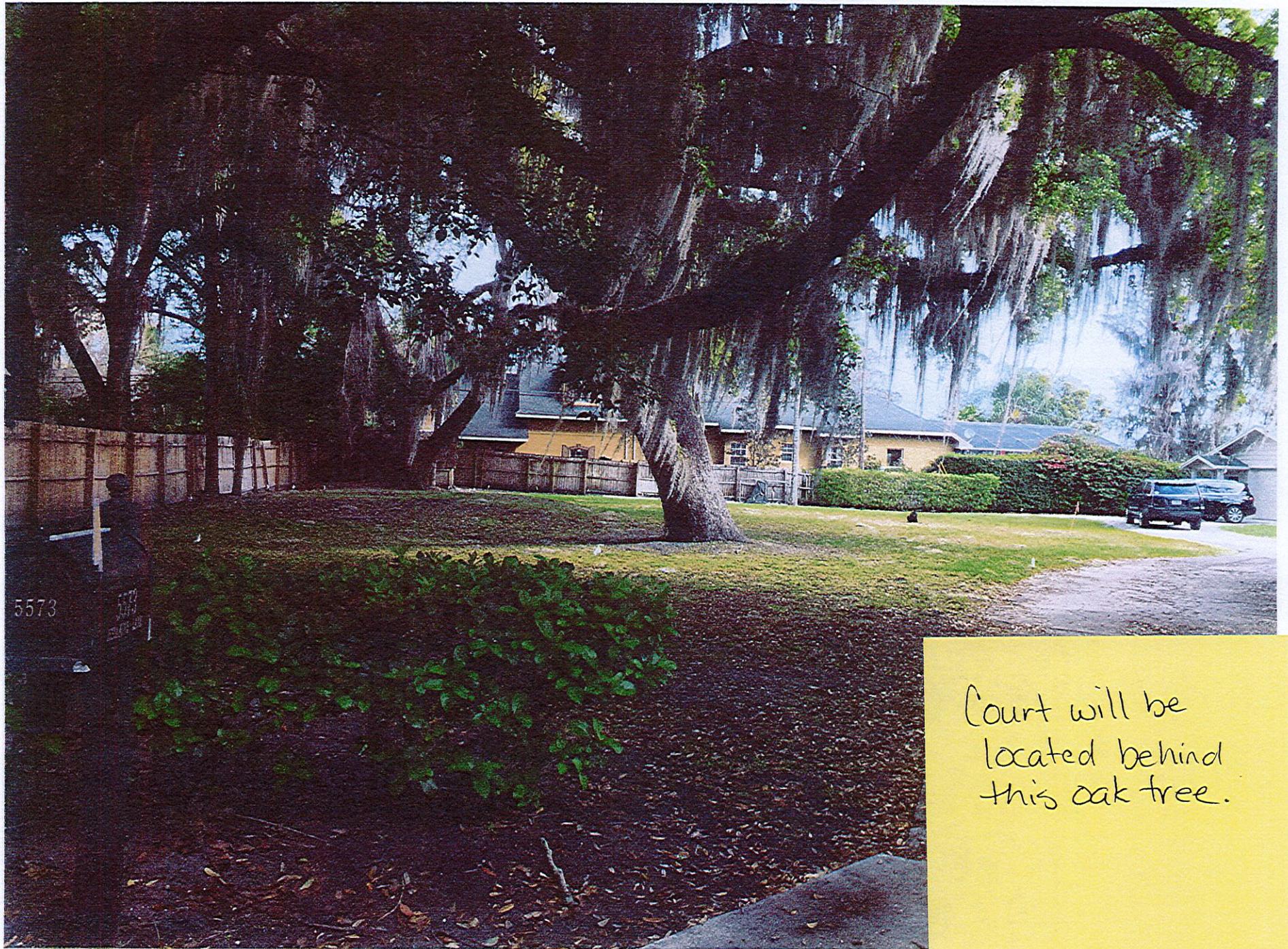
25582
25578
**MENRICH, TROTTER,
CARTER, & AYERS, INC.**
LAND SURVEYORS
630 N. WYMORE ROAD
WINTER PARK, FLORIDA 32788
(407) 847-7348

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE F.T.S.M. ACT AND THE FLORIDA SURVEYING ACT, AS AMENDED.
DATE OF SURVEY 4-8-81
BOUNDARY FOUND 4-8-81
FINAL 6-8-81
DATE OF PLAT 12-22-81
BY VA. J. TROMBLY, IS 94.0

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE F.T.S.M. ACT AND THE FLORIDA SURVEYING ACT, AS AMENDED.
CERTIFIED CORRECT.
Delos J. Thomas
REG. LAND SURVEYOR NO. 1257
M. E. Dwyer R.L.S. No. 2003

FILE NO. 550-81-A

Gilson - 5573 Jessamine Lane, Edgewood, FL



Court will be
located behind
this oak tree.



853 Mimosa Trail, Oviedo, FL

32765

PH: 321-765-7901 Fax: 855-301-9751

January 18, 2017

Attn: Melissa Gibson

Re: Pickleball Court Construction 30X60 (5573 Jessamine Lane)

Elite Court Construction Inc. proposes to construct one pickleball court (30' X 60' paved area) according to the following specifications:

LIMEROCK:

Six inches of crushed concrete base shall be deposited and graded. The base shall be graded to slope in one direction. The base shall be compacted to 95%.

ASPHALT:

Hot mix shall be laid to give 1.5" compacted thickness using Type III virgin asphalt that shall be compacted by a 3-ton static roller giving equivalent compaction.

SURFACING:

Asphalt surface shall be sound, smooth and free from oily materials. The entire surface shall be machine sanded to remove minor elevations or imperfections. The court shall be flooded and all areas holding water shall be patched to 1/16" tolerance after draining. One coat of Sportmaster acrylic resurfacer shall be squeegeed over the entire surface. Five coats of the CushionMaster II shall be applied over the entire surface. Two coats of the CushionMaster I shall be applied over the entire surface. Two coats of CushionMaster color shall be squeegeed over the entire surface (owner's choice of color). Pickleball court shall be striped per USAPA standards.

NETS & POSTS:

PVC sleeves for the pickleball net posts shall be installed before surfacing the courts. PVC sleeves shall be set in 2' X 2' X 2' of concrete. Net posts shall be 2 7/8" OD, galvanized, schedule 40 with external wind up crank wheel (black or green). Nets shall be 3.5 regulation pickleball nets.

PROPOSAL PRICE: 20,250.00

Schedule of Payments:

- 30% upon completion of limerock
- 20% upon completion of paving
- 50% upon completion of surfacing and installation of equipment

ADDITIONAL OPTIONS:

Please mark all that apply

FENCING:

LCX with polyester powder coating (black or green). All terminals and line posts shall be 2 1/2" OD with a weight of .740 lbs. per linear foot. All terminals shall be braced at 90 degrees using the top rail material.

FABRIC: (10' and 4' fencing)

120' of fabric shall be 10' high. 60' of fabric shall be 4' high. All will be 9 gauge, 1 3/4 mesh, hot dipped galvanized with black or green vinyl coating. All fabric shall be knuckled at top and bottom. All corner and gate terminals shall be banded off with 1" tension bands. Fabric shall be leveled and tied in at 16" intervals with 9-gauge steel or aluminum tie wraps. Nine-gauge tension wire shall be stretched in at the bottom of the fabric and hog-ringed into the fabric at 4' intervals.

GATES AND TERMINALS:

One gate included in base price. All gates shall be made from the same materials as the top rail (1 3/8). Gates shall be welded or sleeved per corrosion conditions of the area. Gate shall be 3 1/2' by 4' with a brace around the perimeter of the 1 3/4 mesh. A fork-type gate latch shall be installed with each gate.

30
Price: 5,350.00

BASKETBALL GOAL:

FIRST TEAM SPORTS, INC

Force Pro Basketball Goal – Product Specifications

1. VERTICAL POLE - Vertical post shall be constructed of steel with a black powdercoat finish. The vertical post shall be 5" square tubing with a 3/16" wall thickness. A 3/8" thick baseplate and 4 support gussets shall be welded at the bottom of the vertical pole to allow the unit to be installed via an anchoring system.
2. EXTENSION ARM - Main (adjustable) extension arm tube shall be constructed of dual 1 1/2" x 3" (11 ga.) tubing, single strut extension arm designs shall not be considered equal. Extension shall allow for a minimum 48" from front of post to face of backboard at any given playing height. The height adjustment crank cylinder shall have a minimum 2000# capacity rating and be located no higher than 3 1/2' from ground level so as to make adjustment possible by all ages. Pole structure design shall allow for rim height to be adjusted infinitely from 10' down to 6 1/2'. Adjustment mechanism shall include an optional locking device to control unwanted adjustment. A spring-loaded backup safety device shall be included to minimize the amount of effort required to adjust the goal height when raising or lowering the unit. Pole design shall permit the rim to be mounted directly to the extension arm through the backboard so as to reduce stress on the backboard when player hangs on the rim. An easy-to-read height adjustment label shall register rim height.
3. BACKBOARD - Constructed of 3/8" thick tempered glass with bright white fire impregnated ceramic screening. The framework shall be constructed from clear anodized aluminum "F" type extrusions. Overall backboard size shall be approximately 60" wide and 36" high.
4. RIM - Flexible type so as to absorb the stress of player contact. The rim shall be of institutional quality with an official 5/8" diameter ring. Ring opening diameter shall be the standard 18" I.D. Rim shall have an orange powder coated finish. Heavy-duty nylon net shall be provided.
5. WARRANTY - Pole, backboard, and standard rim shall carry Lifetime Superior Warranty. Entire system weight shall be approximately 365#.



FIRST TEAM SPORTS, INC.
902 COREY ROAD
HUTCHINSON, KS 67501
TOLL FREE: 888-884-6677

Price: 3,265.00 per goal

FIRST TEAM SPORTS, INC

Titan Arena Basketball Goal – Product Specifications

1. VERTICAL POLE – Vertical post shall be constructed of steel with a black powdercoat finish. The vertical post shall be 6" square tubing with a 3/16" wall thickness. A 3/8" thick baseplate and 4 support gussets shall be welded at the bottom of the vertical pole to allow the unit to be installed via an anchoring system.
2. EXTENSION ARM - Main (adjustable) extension arm tube shall be constructed of dual 2" x 4" (11 ga.) tubing, single strut extension arm designs shall not be considered equal. Extension shall allow for a minimum 48" from front of post to face of backboard at any given playing height. The height adjustment crank cylinder shall have a minimum 11,000# capacity rating and be located no higher than 4' from ground level so as to make adjustment possible by all ages. Pole structure design shall allow for rim height to be adjusted infinitely from 10' down to 5 1/2'. Adjustment mechanism shall include an optional locking device to control unwanted adjustment. A spring loaded backup safety device shall be included to minimize the amount of effort required to adjust the goal height when raising or lowering the unit. Pole design shall permit the rim to be mounted directly to the extension arm through the backboard so as to reduce stress on the backboard when player hangs on the rim. An easy-to-read height adjustment label shall register rim height.
3. BACKBOARD – Constructed of 1/2" thick tempered glass with bright white fire impregnated ceramic screening. The framework shall be constructed from clear anodized aluminum "F" type extrusions. Overall backboard size shall be approximately 72" wide and 42" high.
4. RIM - Flexible type so as to absorb the stress of player contact. The rim shall be of institutional quality with an official 5/8" diameter ring. Ring opening diameter shall be the standard 18" I.D. Rim shall have an orange powder coated finish. Heavy-duty nylon net shall be provided.
5. WARRANTY - Pole, backboard, and standard rim shall carry a Lifetime Superior Warranty. Entire system weight shall be approximately 450#.



FIRST TEAM SPORTS, INC.
902 COREY ROAD
HUTCHINSON, KS 67501
TOLL FREE: 888-884-6677

Price: 3,750.00 per goal

FIRST TEAM SPORTS, INC

Stainless Olympian Supreme Basketball Goal – Product Specifications

1. VERTICAL POLE – Vertical post shall be constructed of 304 stainless steel with a black powdercoat finish. The vertical post shall be 6"x8" rectangular tubing with a 1/4" wall thickness. A 3/8" thick baseplate and 4 support gussets shall be welded at the bottom of the vertical pole to allow the unit to be installed via an anchoring system.
2. EXTENSION ARM - Main (adjustable) extension arm tube shall be constructed of dual 2" x 4" (11 ga.) 304 stainless steel tubing. Extension shall allow for a minimum 48" from front of post to face of backboard at any given playing height. The height adjustment crank cylinder shall have a minimum 11,000# capacity rating and be located no higher than 4' from ground level so as to make adjustment possible by all ages. Pole structure design shall allow for rim height to be adjusted infinitely from 10' down to 6 1/2'. Adjustment mechanism shall include an optional locking device to control unwanted adjustment. A spring loaded backup safety device shall be included to minimize the amount of effort required to adjust the goal height when raising or lowering the unit. Pole design shall permit the rim to be mounted directly to the extension arm through the backboard

so as to reduce stress on the backboard when player hangs on the rim. An easy-to-read height adjustment label shall register rim height.

3. BACKBOARD - Constructed of 1/2" thick acrylic with bright white screening. The framework shall be constructed from clear anodized aluminum "F" type extrusions. Overall backboard size shall be approximately 72" wide and 42" high.

4. RIM - Flexible type so as to absorb the stress of player contact. The rim shall be of institutional quality with an official 5/8" diameter ring. Ring opening diameter shall be the standard 18" I.D. Rim shall have an orange powder coated finish. Heavy-duty nylon net shall be provided.

5. WARRANTY - Pole, backboard, and standard rim shall carry a Lifetime Superior Warranty. Entire system weight shall be approximately 606#.



FIRST TEAM SPORTS, INC.
902 COREY ROAD
HUTCHINSON, KS 67501
TOLL FREE: 888-884-6677

____ Price: 4,635.00 per goal

OWNERS OBLIGATION TO CONTRACTOR (ELITE COURT CONSTRUCTION):

1. Provision of an access road to court site adequate for support of limerock, and asphalt trucks and other necessary construction equipment.
2. Provision of water at court site for base construction, flooding of courts, and mixing with the surfacing materials. Owner to pay for water meter if necessary.
3. Provide site plans and legal description required by county or local building regulations. All zoning laws are to be followed and variances, if necessary, obtained prior to obtaining permit. Elite Court Construction shall obtain the permit and the owner shall pay for said permitting.
4. Shall indicate all underground plumbing, electrical, irrigation, etc. which may be in construction or access area.
5. Owner shall construct all retaining walls, curbs, drainage conduits, alterations or additions to stated specifications.
6. If owner requires initiation of contract despite inadequate site preparation and/or inadequate access, Elite Courts shall back charge \$150.00 per hour for extra work/or down time due to above.
7. Adequate drainage in the area of the court shall be required previous to initiation of contract so that the integrity of the limerock shall not be impaired by water backing onto or filtering under the court area.
8. The landscaping of the area around the court shall be done immediately upon completion of the asphalt to reduce risk of erosion. Elite Courts shall not be responsible for reattachment of the same or straightening of fence due to the action of the wind on same. It is suggested that 45 degree braces be attached to fence posts which are most susceptible to strong winds.
9. Grass and any excess dirt will be stripped and put in a pile near the site. If we need to take off site there will be a charge of 200.00 per load.
10. If any fill dirt is needed on site there will be additional charges of 325.00 per load.
11. Owner shall review and approve the layout provided by Elite Court Construction, prior to commencement of project.

WARRANTY:

A handwritten signature or set of initials, possibly 'JD', written in dark ink.

Elite Court Construction Inc. guarantees workmanship and materials for one year upon completion.

CONDITION OF SALE:

The purchaser and Seller or its assigns agree to the purchase and sale of before described property on the following conditions:

- 1) That Purchaser will pay to Seller or its assigns the Total Contract Price in accordance with the terms set forth.
- 2) That if the Seller performs reasonable workmanship and if the Purchaser shall default in the payment of any installment or violate any of the provisions of this Contract, the Seller, or its assigns, shall have the right to declare due the whole amount unpaid. Three days' notice will be given to the Purchaser, by the Seller, to pay the whole amount unpaid. If the whole amount unpaid is still unpaid after three days, the Seller shall demand legal process, liability for trespass or damages, and without prejudice to other action, enter the premises where said property may be repossess and remove same.
- 3) That there are no agreements or warranties in connection with this transaction which are not expressly set forth in this Contract.
- 4) Buyer hereby assigns without recourse Elite Court Construction Inc. the right and interests of the material and equipment in the above Contract and in the property described therein until paid in full.

IN WITNESS WHERE OF, the parties here to have executed this Contract by their proper officers or duly authorized agents on the day and year first above written.

The parties agree that in the event that payment is not made as provided herein, Contractor may terminate this contract, refuse to complete any work remaining pursuant to the contract, and any alternate proposals, amendments, changes, or modifications thereto, and sue for the payment due, plus any work performed by contractor up until the date of termination, including a reasonable profit and overhead, court costs, attorney's fees (including attorney's fees incurred in arbitration and administrative proceedings and all state and federal actions and appeals), and interest at the rate of 1½% per month, 18% per year.

In the event of litigation of this contract, venue of same shall lie in Orange County, Florida and the prevailing party shall be entitled to an award of reasonable attorney's fees and costs from the non-prevailing party. Insurance Certificates and Licenses Provided upon Request *any changes or additions to standard coverage at additional cost.

New Total Proposal Price (including any additional options):

_____ \$29,350.— *JK*

COLOR SELECTION: _____

Accepted By: *[Signature]*

 Print Name: Mark I. Gibson
 Print Title: Homeowner

Date Signed:

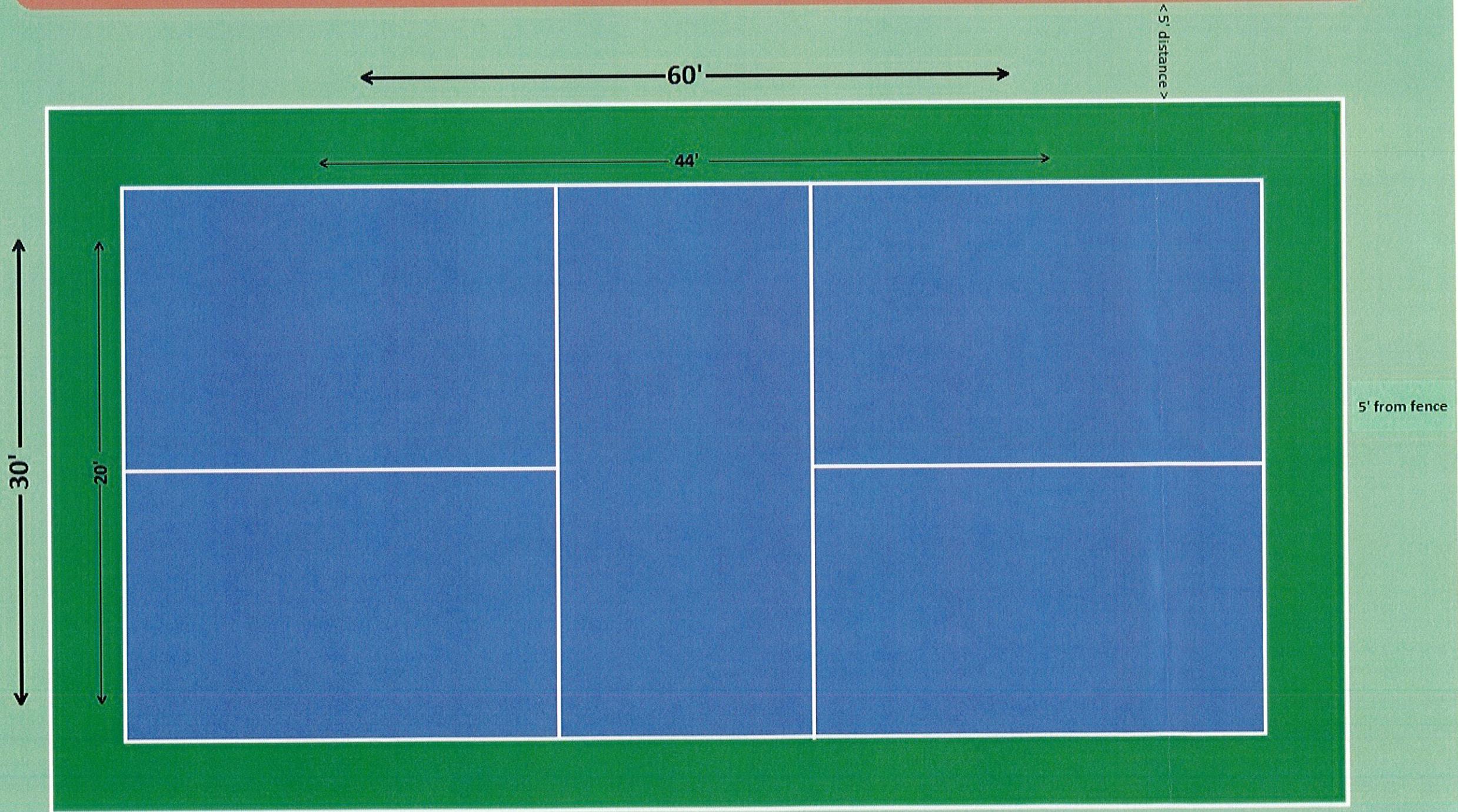
2/10/2017

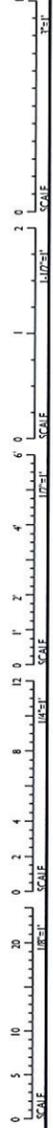
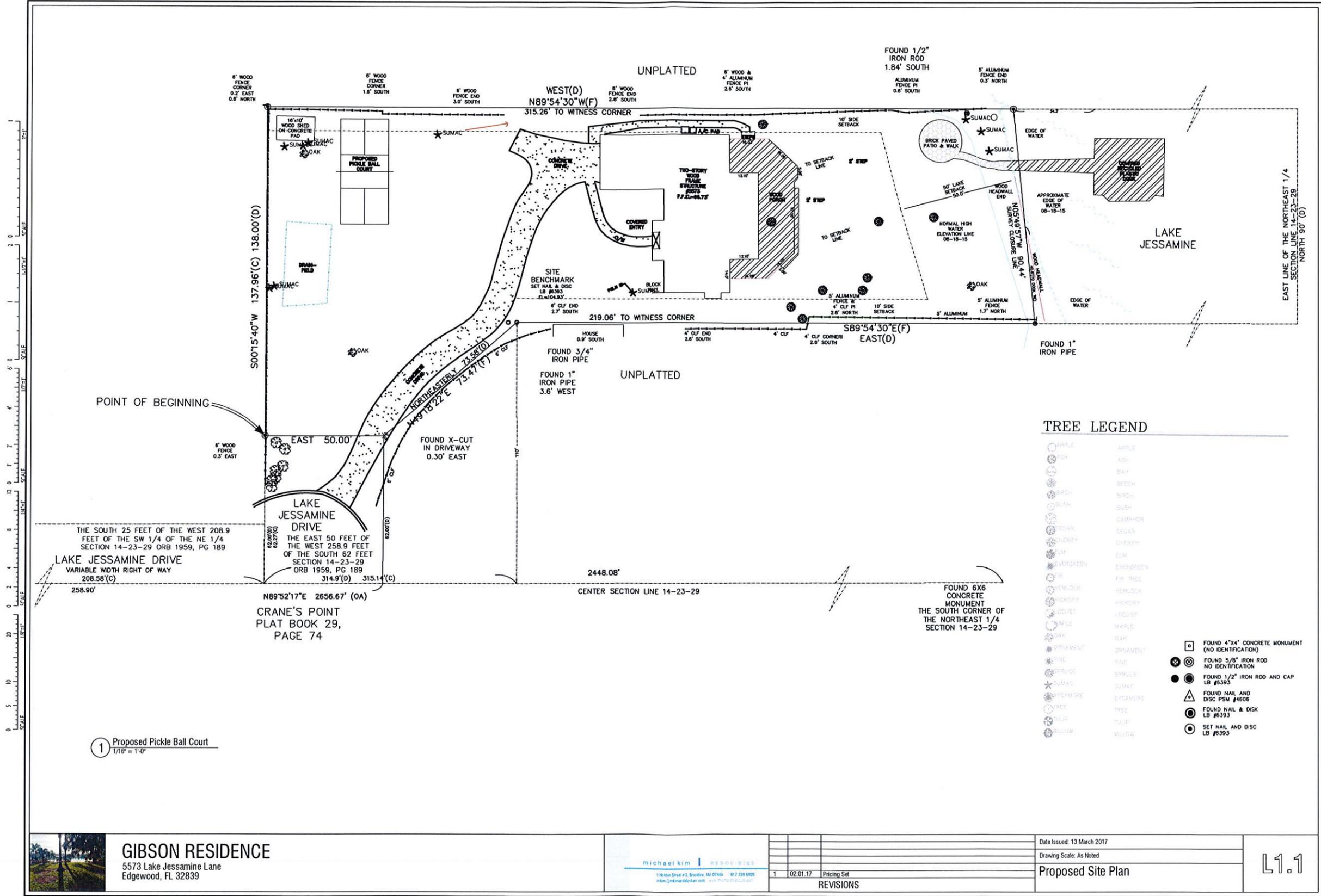
Contractor: _____

Date Signed:

Elite Court Construction

Septic Tank/Drain Field





1 Proposed Pickle Ball Court
1/16" = 1'-0"

TREE LEGEND

	APPLE
	ASH
	BAY
	BEECH
	BIRCH
	BUSH
	CAMP-OR
	CEDAR
	CHERRY
	ELM
	EVERGREEN
	FIR TREE
	HEMLOCK
	HICKORY
	LOCUST
	MAPLE
	OAK
	ORNAVENT
	PINE
	SPRUCE
	SYCAMORE
	TREE
	TUPELO
	WILLOW

	FOUND 4"x4" CONCRETE MONUMENT (NO IDENTIFICATION)
	FOUND 5/8" IRON ROD NO IDENTIFICATION
	FOUND 1/2" IRON ROD AND CAP LB #393
	FOUND NAIL AND DISC PSM #4606
	FOUND NAIL & DISK LB #393
	SET NAIL AND DISC LB #393



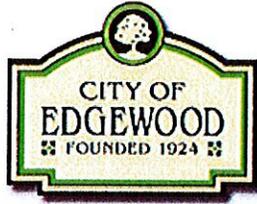
GIBSON RESIDENCE
5573 Lake Jessamine Lane
Edgewood, FL 32839

michael kim | ASSOC. S.I.C.S.
1 Nolan Street #3, Brookline, MA 02445 | 617.738.9105
m.kim@kimkim.com | www.kimkim.com

NO.	DATE	DESCRIPTION
1	02.01.17	Pricing Set
REVISIONS		

Date Issued: 13 March 2017
Drawing Scale: As Noted
Proposed Site Plan

L1.1



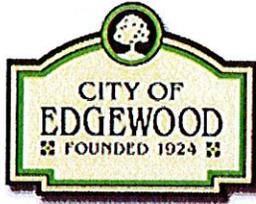
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that at its Planning & Zoning meeting on **Monday May 8, 2017**, the Planning and Zoning Board of the City of Edgewood, will consider **Variance Application No. 2017-01** to allow the construction of a proposed pickleball court in front of the principal building (house), located at 5573 Jessamine Court which is currently in R-1AA zoning district (City of Edgewood Resolution 2005-R002 City Code of Ordinances, Reference Section 134-104 [Variance]). The application was submitted by Melissa and Mark Gibson. The meeting will be held in the Council Chambers of City Hall, 405 Larue Avenue, Edgewood, Florida beginning at **6:30 p.m.** or as soon as possible thereafter.

The Planning and Zoning Board's recommendation will be forwarded to City Council on Tuesday, June 20, 2017 at 6:30 p.m. for final action.

The subject property for special exception is legally described as BEG 208.9 FT E & 62 FT N OF FT N OF POB S 138 FT TO POB IN SEC 14-23-29





Interested parties may attend this meeting and be heard with respect to this Variance application. In addition, the application(s) may be inspected by the public at the City Clerk's Office, 405 Larue Avenue, Edgewood, Florida. You may reach City Hall at 407-851-2920; City Hall is open Monday – Thursday 8 a.m. to 4 p.m. and Friday 8 a.m. to noon. Should you have any questions or concerns please do not hesitate to come to City Hall to review the file.

This matter is subject to quasi-judicial rules of procedure. Interested parties should limit contact with the Planning and Zoning Board and City Council on this topic to properly noticed hearings or to written communication to the City Clerk's Office.

Any person aggrieved by a recommendation of the Planning and Zoning Board may file a notice of appeal to the City Council within seven days after such recommendation is filed with the city clerk.

The City of Edgewood desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26, Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request that the physically handicapped person desires to attend the meeting to the City Clerk's Office.

This public hearing may be continued to a future date or dates. Any interested party is advised that the date, time, and place of any continuation shall be announced during the public hearing and that no further notices regarding this matter will be published.

Should you desire additional information, regarding this application, please feel free to contact the City Clerk's Office at 407-851-2920, or e-mail at bmeeks@edgewood-fl.gov.

Bea L. Meeks, City Clerk
Dated: April 25, 2017

You may either mail in your comments and concerns on the space provided below or submit directly to City Hall. Please see above our hours of operation. We thank you for your participation.

MALOY JOHN RICK
MALOY MARCIA A
5307 JESSAMINE LN
ORLANDO, FL. 32839

MITCHELL ROBERT D SR
5300 JESSAMINE LN
ORLANDO, FL. 32839

LAMBERT SHANNON
5583 JESSAMINE LN
ORLANDO, FL. 32839

CONFIDENTIAL
CONFIDENTIAL
CONFIDENTIAL

POWELL NEIL G
5315 JESSAMINE LN
ORLANDO, FL. 32839

VINOLI PROPERTIES LLC
PO BOX 560926
ORLANDO, FL. 32856

ORANGE COUNTY BCC
C/O REAL ESTATE MNGT DEPT | PO BO:
ORLANDO, FL. 32802

BARNER BRETT L
BARNER PATRICIA M
5101 CRANES POINT CT
ORLANDO, FL. 32839

IRWIN FAMILY REVOCABLE TRUST
C/O DANN D IRWIN TRUSTEE | 5158 CR/
ORLANDO, FL. 32839

WILLIS DAVID C
WILLIS JUDI J
5157 CRANES POINT CT
ORLANDO, FL. 32839

PARTAIN VIRGINIA R TR
PARTAIN JONATHAN O TR
5434 LAZY OAKS LN
ORLANDO, FL. 32839

MERENDA STEVEN R
MERENDA AMY M
5515 JESSAMINE LN
ORLANDO, FL. 32839

ORANGE COUNTY BCC
C/O REAL ESTATE MNGT DEPT | PO BO:
ORLANDO, FL. 32802

COUNIHAN OLIVIA Z
PO BOX 590116
ORLANDO, FL. 32859

EDWARDS CLAUDE R JR
293 EVANSDALE RD
LAKE MARY, FL. 32746

GIBSON MARK I
GIBSON MELISSA L
5573 JESSAMINE LN
ORLANDO, FL. 32839

HURST JAMES F II
HURST LISA
PO BOX 593776
ORLANDO, FL. 32859

JOHNSON ROBERT A
JOHNSON CATHERINE A
PO BOX 560907
ORLANDO, FL. 32856

CUNNINGHAM THOMAS D
CUNNINGHAM JENNIFER
5403 JESSAMINE LN
ORLANDO, FL. 32839

LAYLAND LENNY L
LAYLAND WENDY W
300 N RONALD REAGAN BLVD STE 203
LONGWOOD, FL. 32750

ORANGE COUNTY BCC
C/O REAL ESTATE MNGT DEPT | PO BO:
ORLANDO, FL. 32802

AUSTIN MARK
AUSTIN GRANT
406 COURTLEA CREEK DR
WINTER GARDEN, FL. 34787

BAKER JEFF
BAKER HAYLEY
5515 JESSAMINE LN
ORLANDO, FL. 32839

CONFIDENTIAL
CONFIDENTIAL
CONFIDENTIAL

VINOLI PROPERTIES LLC
PO BOX 560926
ORLANDO, FL. 32856

TEAGUE MICHAEL A
TEAGUE PAIGE A
5553 JESSAMINE LN
ORLANDO, FL. 32839

PULLUM HARRY G SR
PULLUM NANCY
5550 JESSAMINE LN
ORLANDO, FL. 32839

HOWARD PEGGY T TR
HOWARD ROBERT M JR TR
5554 JESSAMINE LN
ORLANDO, FL. 32839

HARRIS VALERIE L
5561 JESSAMINE LN
ORLANDO, FL. 32839

MCCOMAS FRANK
MCCOMAS MARJORIE
209 PLANTATION CIR S
PONTE VEDRA BEACH, FL. 32082

ONDICH JANET L
1162 CHARMING ST
MAITLAND, FL. 32751

CITRUS REAL ESTATE HOLDINGS LLC
1109 W CHURCH ST
ORLANDO, FL. 32805

CRANES POINT HOMEOWNERS ASSN II
5157 CRANES POINT CT
EDGEWOOD, FL. 32839

PAUL R WILLIAMSON REVOCABLE TRUS
C/O PAUL R WILLIAMSON TRUSTEE | 51
ORLANDO, FL. 32839

ACCOLA KEVIN D
ACCOLA CAROLYN A
5143 CRANES POINT CT
ORLANDO, FL. 32839

KATZMAN SCOTT S
677 HERMITAGE CIR
PALM BEACH GARDENS, FL. 33410

BURNETT CLAY M
BURNETT ANGELA R
5115 CRANES POINT CT
ORLANDO, FL. 32839

BEEMER C BRITT
BEEMER JAN C
5100 CRANES POINT CT
ORLANDO, FL. 32839

BURKE BONNIE S
5569 JESSAMINE LN
ORLANDO, FL. 32839

Revised labels

www.family.com

IRWIN FAMILY REVOCABLE TRUST
C/O DANN D IRWIN TRUSTEE
5158 CRANES POINT CT
ORLANDO, FL 32839

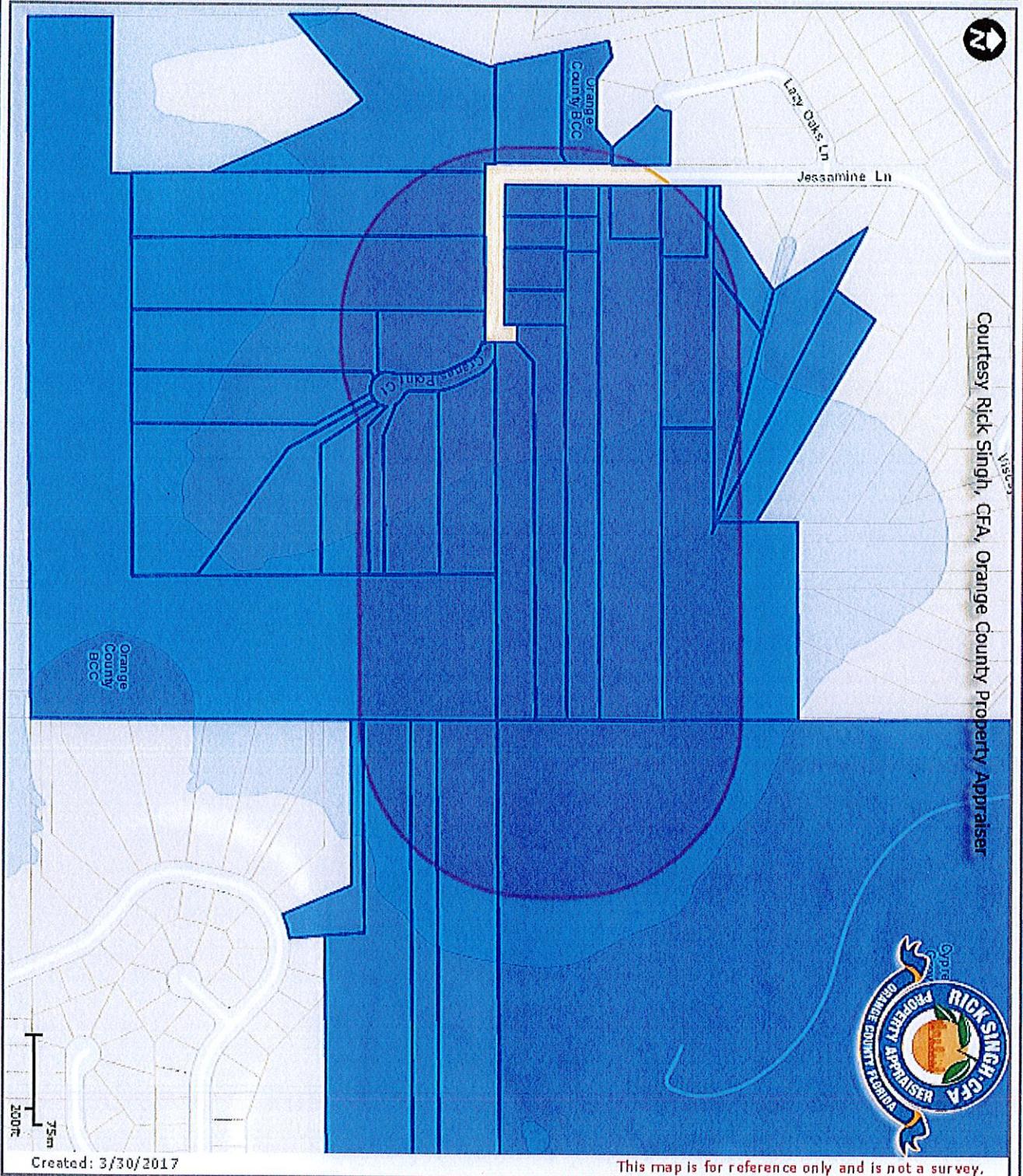
ORANGE COUNTY BCC
C/O REAL ESTATE MGT DEPT
PO BOX 1393
ORLANDO, FL 32802

Repliez la pochette afin de révéler la signature

Paul R Williamson Revocable Trust
C/O Paul R Williamson Trustee
5130 Cranes Point Ct
Orlando, FL 32839-2009

Sens de

- Florida Turnpike
- Interstate 4
- Toll Road
- Major Roads
- Public Roads
- Gated Roads
- Road Under Construction
- Proposed Road
- US Road
- State Road
- County Road
- Toll Ramp
- Interstate Ramp
- One Way
- Brick Road
- Rail Road
- Proposed SunRail
- Block Line
- Lot Line
- Residential
- Agriculture
- Commercial/Institutional/Governmental/Misc
- Commercial/Industrial/Vacant Land
- Hydro
- Waste Land
- Agricultural Curtilage
- County Boundary
- Parks
- Golf Course
- Lakes and Rivers
- Building
- Power Plant



Courtesy Rick Singh, CFA, Orange County Property Appraiser



This map is for reference only and is not a survey.

Created: 3/30/2017

Application: 2017-VAR-01
 Owner/Applicant Name: Mark and Melissa Gibson
 Public Hearing Date: Monday, May 8, 2017

This affidavit is to be presented at the public hearing before the Planning and Zoning Board.

SIGN AFFIDAVIT

STATE OF FLORIDA
 ORANGE COUNTY

Before me, the undersigned authority, personally appeared Melissa Gibson to me well known and known to me to be the person described in and who executed the foregoing affidavit, after being first duly sworn, says:

1. That the affiant posted the notice provided by the City of Edgewood, which contains the time and dated of the public hearings involved (i.e. Planning and Zoning Board and/or City Council).
2. That said posted notice also contained the relevant facts pertaining to the application.
3. That said notice was posted was posted in a conspicuous and easily visible place on the subject property not less than ten days prior to the date of public hearing. Date posted: 4/25/2017.
4. That the affiant understands that this affidavit is intended to be submitted as a prerequisite for a public hearing, and as such will be officially filed with the City of Edgewood, Florida.

Melissa Gibson
 Signature of owner or authorized representative

Sworn to and subscribed before me this 25 day of April, 2017

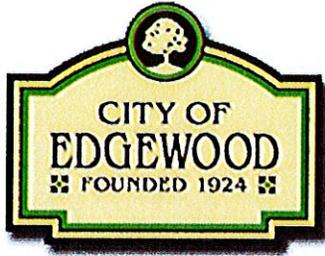
Sandra J. Repp
 Print, type, or stamp commissioned name of Notary Public



Notary Public, State of Florida

~~Personally Known~~ OR Produced Identification
 Type of I.D. Produced _____

State of FL County of Orange
 Subscribed and sworn to (or affirmed) before me on this 25 day of April, 2017 by _____
 proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.
 Notary Signature Sandra J. Repp



405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

To: Planning and Zoning Board
XC: Sandy Repp
Bea Meeks

From: Ellen Hardgrove, AICP, City Planning Consultant
Drew Smith, City Attorney

Date: April 12, 2017

Re: Input/Recommendation on Code Section 134-517 – Location of Fences

On multiple occasions, staff has debated the intent of Section 134-517. Staff is seeking input from the Planning and Zoning Board on an amendment to this Code section to provide clarity of intent.

Sec. 134-517. - Location of fences.

In any residential district, no closed fence or wall shall be erected or maintained within 20 feet from a corner intersection of street right-of-way. Fences or walls beyond the front building line shall be limited to a maximum height of four feet. A fence or wall shall be limited to a maximum height of eight feet in the rear and side yards. In any residential district, all chainlink fences shall be installed with the pointed ends to the ground. No electrically charged wire fence shall be erected in any residential district. No barbed wire fence shall be erected in any residential district, except for security of public utilities, provided such use is limited to three strands, a minimum of six feet above the ground. Barbed wire may be used on security fences erected in any commercial or industrial district provided such use is limited to three strands, a minimum of six feet above the ground.

1) Does it pertain to both fences in residential and commercial/industrial districts? Staff interpretation is yes. For clarity, it would be better written if the residential and commercial standards were in separate paragraphs. Suggested re-wording

For all property, fences or walls beyond the front building line shall be limited to a maximum height of four feet. A fence or wall shall be limited to a maximum height of eight feet in the rear and side yards. No closed fence or wall shall be erected or maintained within 20 feet from a corner intersection of street right-of-way.

For residential zoned property, the following additional standards shall apply.

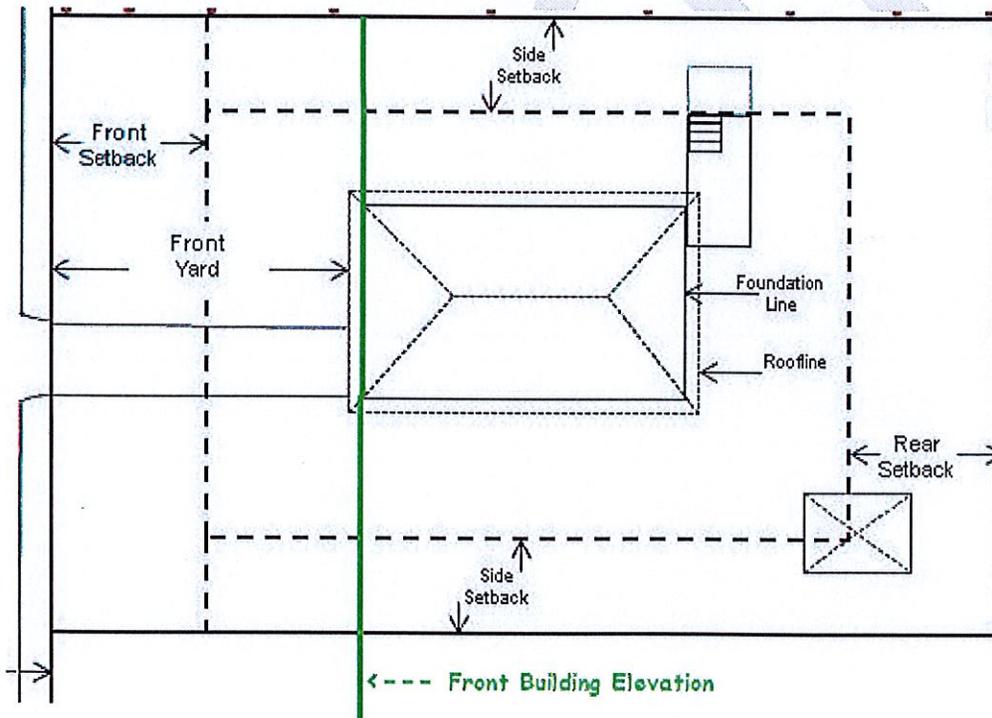
- All chainlink fences shall be installed with the pointed ends to the ground.
- No electrically charged wire fence shall be erected.
- No barbed wire fence shall be erected except for security of public utilities, provided such use is limited to three strands and a minimum of six feet above the ground.

Barbed wire may be used on security fences erected in any commercial or industrial district provided such use is limited to three strands and a minimum of six feet above the ground.

2) What does the term “front building line” mean? It is not defined in the code. Is front building line equivalent to the minimum front yard setback line? Or, is front building line equivalent to an imaginary line extending out from the front elevation of the primary site building? Application to residential and nonresidential

Option 1: For all property, fences or walls located within the established minimum building front setback shall be limited to a maximum height of four feet.

Option 2: For all property, fences located in the front yard, that area between the front lot line and the front elevation of the principal structure onsite, shall be limited to a maximum height of four feet.



3) Similarly, how should the terms rear and side yards be applied, only as the minimum or as the site is developed? “A fence or wall shall be limited to a maximum height of eight feet in the rear and side yards.” Code defines each as follows.

Yard, rear, means a yard extending across the rear of a lot between the side lot line, and being a minimum horizontal distance between the rear of the principal building or any projections thereof other than the projections of uncovered steps, uncovered balconies, or uncovered porches, and the rear lot line. On all corner lots, the rear yard shall be at the opposite end of the lot from the front yard.

Yard, side, means a yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereof.

Option 1: For all property, a fence or wall located within a minimum side or rear setback shall be limited to a maximum height of eight feet.

Option 2: For all property, a fence or wall shall be limited to a maximum height of eight feet between an imaginary line extending from the front building elevation toward the side lot lines and the rear property line.

Option 3: Fences and walls shall be limited to a maximum height of 8 feet, except between the front property line and an imaginary line extending from the front building elevation toward the side lot lines, where the height shall be limited to four feet.

4) IF option 1 is chosen in questions 2) and/or 3) above, does a maximum height in all districts need to be established within the "building envelope?"

DRAFT