



Ocala Board of Adjustment Agenda - Final

Monday, July 15, 2024

Meeting Information

Location

Ocala City Hall
110 SE Watula Avenue
Second Floor - Council Chambers
Ocala, Florida

<https://www.ocalafl.gov/meetings>

Time

5:30 PM

Board Members:

George Carrasco
James Hartley, Chairperson
Rusty Juergens
Dustin Magamoll, Vice-Chairperson

Staff:

Jeff Shrum, AICP
Director
Growth Management Department

Aubrey Hale
Planning Director
Growth Management Department

Endira Madraveren
Chief Planning Official
Staff Liaison

Gabriela Solano
Committee Secretary

WELCOME!

We are very glad you have joined us for today's meeting. The Zoning Board of Adjustment (BOA) is a quasi-judicial board that meets once a month to hear and decide only such special exceptions, variance, and appeals of the building official, as the BOA is specifically authorized to pass upon by the terms of the code and shall decide such questions as are involved in determining whether special exceptions should be granted. It shall grant approvals with such conditions and safeguards as are appropriate under the code and shall deny when not in harmony with the purpose, intent and requirements of the code.

GENERAL RULES OF ORDER

The BOA is pleased to hear all non-repetitive comments. If you wish to appear before the BOA, please fill out an Appearance Request/Lobbyist Registration Form and give it to the BOA Recording Secretary. When the Chairman recognizes you, state your name and address and speak directly into the microphone. Persons with disabilities needing assistance to participate in any of these proceedings should contact the BOA Recording Secretary at (352) 629-8404 at least 48 hours in advance of the meeting.

APPEALS

Appeals from decisions of the BOA shall be to the Marion County Circuit Court. Any person or any board, taxpayer, department or bureau of the City aggrieved by any decision of the BOA may seek review by a court of record of such decisions in the manner provided by law. Please be advised that if any person wishes to appeal any decision made by the BOA with respect to any material considered at the above meeting, they will need a record of the proceedings, and that, for such purpose, they may need to ensure a verbatim record of the proceeding is made.

1. Call To Order

- a. Pledge
- b. Roll Call

2. Public Notice

It was acknowledged that a Public Meeting Notice was posted at City Hall (110 SE Watula Avenue, Ocala, Florida 34471) and published in the Ocala Gazette on June 28, 2024.

- a. [Ocala Gazette](#)

Attachments: [Proof Star Banner Ad BOA July 15 2024](#)

3. Approval of Minutes

[March 18, 2024 Meeting Minutes.](#)

Attachments: [3-18-24 Meeting Minutes.pdf](#)

4. Variance

- a. [Andy J. Tingue/VAR24-45701](#)

Petitioner: Andy J. Tingue

Planner: Tye Chighizola 352-401-3992

tchighizola@ocalafl.gov

A request for a variance related to Chapter 90 Flood Prevention and Protection to reduce the base flood elevation for property located at 3713 SE 8th Street (Parcel # 27711-000-00); approximately .49 acres. Due to the configuration and topography of the site, compliance with the elevation requirements of Chapter 90 would render the lot undevelopable.

Recommended Action: Approve waiver of the base flood elevation requirement.

Attachments: [Staff Report Tingue VAR24-45701](#)
[Exhibit A - 1990 Pond Expansions](#)
[Exhibit B - FEMA Map](#)
[Exhibit C Tingue Photos](#)
[Exhibit D - Elevation Certificate with photos of the new house](#)
[FloodPlainAdministratorNotice-7-10-24](#)
[VAR24-45701 Case Map](#)
[VAR24-45701 Aerial Map](#)

5. Public Comments**6. Board Comments****7. Staff Comments****8. Next Meeting: August 19, 2024****9. Adjournment**



Ocala

Legislation Text

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

File #: 2024-1733

Agenda Item #: a.

Ocala Gazette



NOTICE OF PUBLIC HEARING OCALA BOARD OF ADJUSTMENT

The Ocala Board of Adjustment will consider the following petition at its meeting on **Monday, July 15, 2024, commencing at 5:30 pm, in the City Council Chambers located on the Second Floor of City Hall at 110 SE Watula Avenue.** The meeting may be viewed live by selecting it at <https://www.ocalafl.org/meetings>.

SOUTHEAST

Petitioner: Andy J. Tingue; Case: VAR24-45701; A variance related to Chapter 90 Flood Prevention and Protection to reduce the base flood evaluation for property located at 3713 SE 8th Street (Parcel # 27711-000-00); approximately .49 acres.

JEFF SHRUM, AICP
DIRECTOR, GROWTH MANAGEMENT DEPARTMENT

The agenda and material related to items on each agenda will be available in advance online at www.ocalafl.org.

If reasonable accommodations are needed for you to participate in this meeting, contact the Growth Management Department at (352) 629-8404, 48 hours in advance, so those arrangements can be made.

Any person who decides to appeal any decision of the Ocala Board of Adjustment with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made.



Ocala

Legislation Text

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

File #: 2024-1756

Agenda Item #:

March 18, 2024 Meeting Minutes.



Ocala

Board of Adjustment

Minutes

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

Monday, March 18, 2024

5:30 PM

1. Call to Order

Present: Chairman James Hartley
William R. Futch
Rusty Juergens
George Carrasco Jr.

Absent: Vice Chair Dustin Magamoll

- a. Pledge
- b. Roll Call for Determination of a Quorum

Present: Chairman James Hartley
William R. Futch
Rusty Juergens
George Carrasco Jr.

Absent: Vice Chair Dustin Magamoll

2. Public Notice

a.

Attachments: [Final Ad BOA 03182024.pdf](#)

3. Public Comments

4. Consideration of the Minutes

a.

Attachments: [12-18-23 BOA Minutes.pdf](#)

RESULT: APPROVED

MOVER: George Carrasco, Jr.

SECONDER: Rusty Juergens

AYE: Chairman Hartley, Futch, Juergens and Carrasco

ABSENT: Vice Chair Magamoll

5. Special Exceptions

- a. G & G Holding and Trust LLC / SE23-45207

Attachments: [SE23-45207 Staff Report](#)
[G & G Holding and Trust \(Petition for Relief ADR - 70.51\)](#)
[FLUEDRA Settlement Agreement](#)

City Attorney Will Sexton provided a brief overview of the request to allow a Day Care Facility in R-2 and the Mediated Settlement Agreement between the City of Ocala and G & G Holding and Trust, LLC. During the proceeding the two parties granted were able to come to an agreement on acceptable conditions for the Special Exception.

Fred Roberts, 40 SE 11th Avenue, Ocala, FL, provided a brief overview of the results of Mediated Settlement Agreement. The hours of operation were set to 6 am and 6 pm, the dumpster will be screened from view, the trash pick up will take place after 7 am, and a fence will be installed on the north if a single-family residential dwelling is constructed.

Mr. Carrasco asked about the contact process for the FLUEDRA Special Magistrate Hearing. Mr. Roberts replied that the City sent the notice by regular mail. Mr. Robert's office sent a letter that was registered and returned. An additional letter was sent through Fedex and the letter was refused.

Mr. Hartley asked about the vacant land on the north side. Mr. Robert's replied it's a vacant wooded lot and if it's developed, a fence will be installed.

Anthony Collins, 1425 NW 16th Court, Ocala, FL, said he did not know the origin of the letter because he receives everything from the state by regular mail. Mr. Collins stated that he does not have an option to move and the daycare will increase traffic, noise, and the property values will go down.

Mr. Carrasco stated there was no excuse for Mr. Collin's not being present at the FLUEDRA Special Magistrate Hearing when everyone else was able to attend.

Mr. Collins asked if the days of operation were Monday through Friday or Sunday. Mr. Sexton replied Monday through Friday for the daycare.

Motion to approve SE23-45207 adding the days of operation 1f. and deleting 1i. condition in its entirety.

RESULT: APPROVED

MOVER: William R. Futch

SECONDER: George Carrasco, Jr.

AYE: Chairman Hartley, Futch, Juergens and Carrasco

ABSENT: Vice Chair Magamoll

b. Ashcroft Properties / SE24-45543

Attachments: [SE24-45543 Staff Report](#)
[SE24-45543 Case Map Avalon](#)
[SE24-45543 Aerial Map Avalon](#)
[SE24-45543 CONCEPT PLAN SHOWING MODIFIED BUILDINGS](#)
[APPROVAL LETTER SE19-0004 FOR REFERENCE ONLY](#)
[BACKUP SE19-0004 FOR REFERENCE ONLY](#)
[SE04-0004 BOA MINUTES 05-24-04 FOR REFERENCE ONLY](#)

Senior Planner Emily Johnson provided a brief overview of a request to allow multi-family dwellings in B-4, General Business zoning district, for property located at 3415 W. Anthony Road.

Miles Anderson, Consulting Engineers, 1515 E. Silver Springs Boulevard, Ocala, FL, said he agreed with the presentation and was available to answer any questions.

Motion to approve SE24-45543 with conditions.

RESULT: APPROVED

MOVER: George Carrasco, Jr.

SECONDER: Rusty Juergens

AYE: Chairman Hartley, Futch, Juergens and Carrasco

ABSENT: Vice Chair Magamoll

c. Creative Learning Preschool, LLC / SE24-45530

Attachments: [Staff Report](#)
[Application](#)
[Aerial Map](#)
[Case Map](#)

Planner II Breah Miller provided a brief overview of a request to allow daycare facility in M-1, Light industrial zoning district, for property located at 5285 SW 1st Lane.

Kayla Berg, 5285 SW 1st Lane, Ocala, FL, said Ms. Miller did a good job on her presentation and she is available to answer questions.

Motion to approve SE24-45530 with conditions.

RESULT: APPROVED

MOVER: William R. Futch

SECONDER: Rusty Juergens

AYE: Chairman Hartley, Futch, Juergens and Carrasco

ABSENT: Vice Chair Magamoll

6. Variances

a. 4 Sisters Land Holdings, LLC / VAR24-45542

Attachments: [Staff Report](#)
[Aerial Map](#)
[Case Map](#)
[Approved OHPAB Application](#)
[OHPAB Staff Report](#)

Ms. Miller provided a brief overview of a request to reduce the rear setback from twenty-five-feet (25') to nine-feet (9') in R-3, Multi-Family Residential zoning district, for property located at 122 SE Wenona Avenue.

Chief Planning Official Endira Madraveren said staff realized there was misrepresentation in the staff reports. The proposed addition is 18 feet from the street side from the right of way. Planning Director Aubrey Hale said the applicant could apply for administrative variance to allow the street side setback reduction of 18-feet from the required 20-feet.

Toby Kelly, Pat Kelly Builder, 8085 NW 120th Street, Reddick, FL said he was available to answer questions.

Motion to approve VAR24-45542 with the conditions.

RESULT: APPROVED

MOVER: William R. Futch

SECONDER: George Carrasco, Jr.

AYE: Chairman Hartley, Futch, Juergens and Carrasco

ABSENT: Vice Chair Magamoll

7. Staff Comments

8. Board Comments

9. Elections

a. Chair

Mr. Futch made the motion to appoint James Hartley as Chair.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: William R. Futch

SECONDER: George Carrasco, Jr.

AYE: Chairman Hartley, Futch, Juergens and Carrasco

ABSENT: Vice Chair Magamoll

b. Vice Chair

Mr. Futch made the motion to approve Dustin Magamoll for Vice Chair.

There being no further discussion the motion carried by roll call vote.

RESULT: APPROVED

MOVER: William R. Futch

SECONDER: George Carrasco, Jr.

AYE: Chairman Hartley, Futch, Juergens and Carrasco

ABSENT: Vice Chair Magamoll

10. Next Meeting: April 15, 2024

Ms. Madraveren stated there will not be a Board of Adjustment Meeting in April.

11. Adjournment



Ocala

Legislation Text

110 SE Watula Avenue
Ocala, FL 34471

www.ocalafl.gov

File #: 2024-1732

Agenda Item #: a.

Andy J. Tingue/VAR24-45701

Petitioner: Andy J. Tingue

Planner: Tye Chighizola 352-401-3992

tchighizola@ocalafl.gov

A request for a variance related to Chapter 90 Flood Prevention and Protection to reduce the base flood elevation for property located at 3713 SE 8th Street (Parcel # 27711-000-00); approximately .49 acres. Due to the configuration and topography of the site, compliance with the elevation requirements of Chapter 90 would render the lot undevelopable.

Recommended Action: Approve waiver of the base flood elevation requirement.



Staff Report

VAR24-45701

Board of Adjustment: July 15, 2024

Petitioner: Andy J. Tingle
Property Owner: Andy J. Tingle
Project Planner: Tye Chighizola
Applicant Request: Variance to reduce the base flood elevation from 83.1 feet to 78.1 feet.

Parcel Information

Acres: ± 0.49 acres
Parcel(s) #: 27711-000-00
Location: 3713 SE 8th Street
Future Land Use: Neighborhood
Zoning District: R-1
Existing Use: Single Family Residence

Adjacent Property Information

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Neighborhood	R-1, Single Family District	Single-family residences of Virginia Heights
East	Neighborhood	R-1, Single Family District	Single-family residences of Virginia Heights
South	Neighborhood	R-1, Single Family District	Water Retention Area (WRA)
West	Neighborhood	R-1, Single Family District	WRA

Background:

The subject property is a typical neighborhood lot with 100 feet of frontage by 215 feet deep, located at 3713 SE 8th Street (Parcel # 27711-000-00). A single-family residence (approximately 63 feet wide by 41 feet deep) was constructed in 1968. The homeowner purchased the property in 2019.

The property is adjacent to two water retention areas to the west and south. In 1990, the two water retention areas were expanded as part of the widening of SE 36th Avenue. The expansion allowed for a design high water elevation of 77.51 feet based on the adopted level of service of a 100-year

24 storm (Exhibit A). In 2008, the Federal Emergency Management Agency (FEMA) study added multiple properties surrounding the retention areas into the floodplain (Exhibit B).

During a severe storm in June 2023, a tree fell on the house, causing significant damage and injuring an occupant (Exhibit C). The family had to temporarily move into an RV on the property until the house was repaired or rebuilt. In October 2023, it was determined that the house was beyond repair, and the homeowner, facing a challenging situation, submitted plans to rebuild the house with a footprint of 63 feet wide by 49 feet deep.

Due to the City's expedited review process, when the permit changed from a repair to new construction, the floodplain requirements defined in Chapter 90 (Flood Prevention and Protection) of the Code of Ordinances were not addressed. As an owner-builder, the homeowner started constructing the new home in December 2023 and completed it in June 2024. The Chief Building Official has issued a Temporary Certificate of Occupancy (CO) to allow the family to move out of the RV and into the house. At the time of application for CO it was discovered that the new structure was located in a FEMA flood hazard area. After review by the floodplain administrator, it was determined that due to the topography of the property, the adjacent properties, and the adjacent City infrastructure, compliance with the elevation requirements of Chapter 90 would not have been feasible. As defined in Subsection 90.17, a variance to reduce the base floor elevation will allow the homeowner to receive a Final Certificate of Occupancy.

The new house's elevation is slightly higher than the old house's, at a base floor elevation of 79.1, but below the required base flood elevation of 83.1. The home must be at a base flood elevation of 84.1 to meet the requirements of Chapter 90. The old and new elevations of the house are consistent with the elevations of the surrounding residential properties.

Chapter 90 Code Requirements

Variance Standards - Subsections 90.17 (a), (c), (g and (h):

(a) General. The board of adjustment shall hear and decide on requests for variances from the strict application of this chapter. Pursuant to FS § 553.73(5), the board of adjustment shall hear and decide on requests for variances from the strict application of the flood-resistant construction requirements of the Florida Building Code.

(c) Limitations on authority to grant variances. The board of adjustment shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in subsection (g) below, the conditions of issuance set forth in subsection (h) of this section, and the comments and recommendations of the floodplain administrator and the city building official. The Board of Adjustment has the right to attach such conditions as it deems necessary to further the purposes and objectives of this chapter.

(g) Considerations for issuance of variances. In reviewing requests for variances, the board of adjustment shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this chapter, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
 - (2) The danger to life and property due to flooding or erosion damage.
 - (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
 - (4) The importance of the services provided by the proposed development to the City.
 - (5) The availability of alternate locations for the proposed development that are subject to a lower risk of flooding or erosion.
 - (6) The compatibility of the proposed development with existing and anticipated development.
 - (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area.
 - (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles.
 - (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.
- (h) Conditions for issuance of variances. Variances shall be issued only upon:
- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this chapter or the required elevation standards.
 - (2) Determination by the board of adjustment that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute a hardship.
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Public Records of Marion County in such a manner that it appears in the chain of title of the affected parcel of land; and
 - (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the floodplain administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of

insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

Staff Analysis

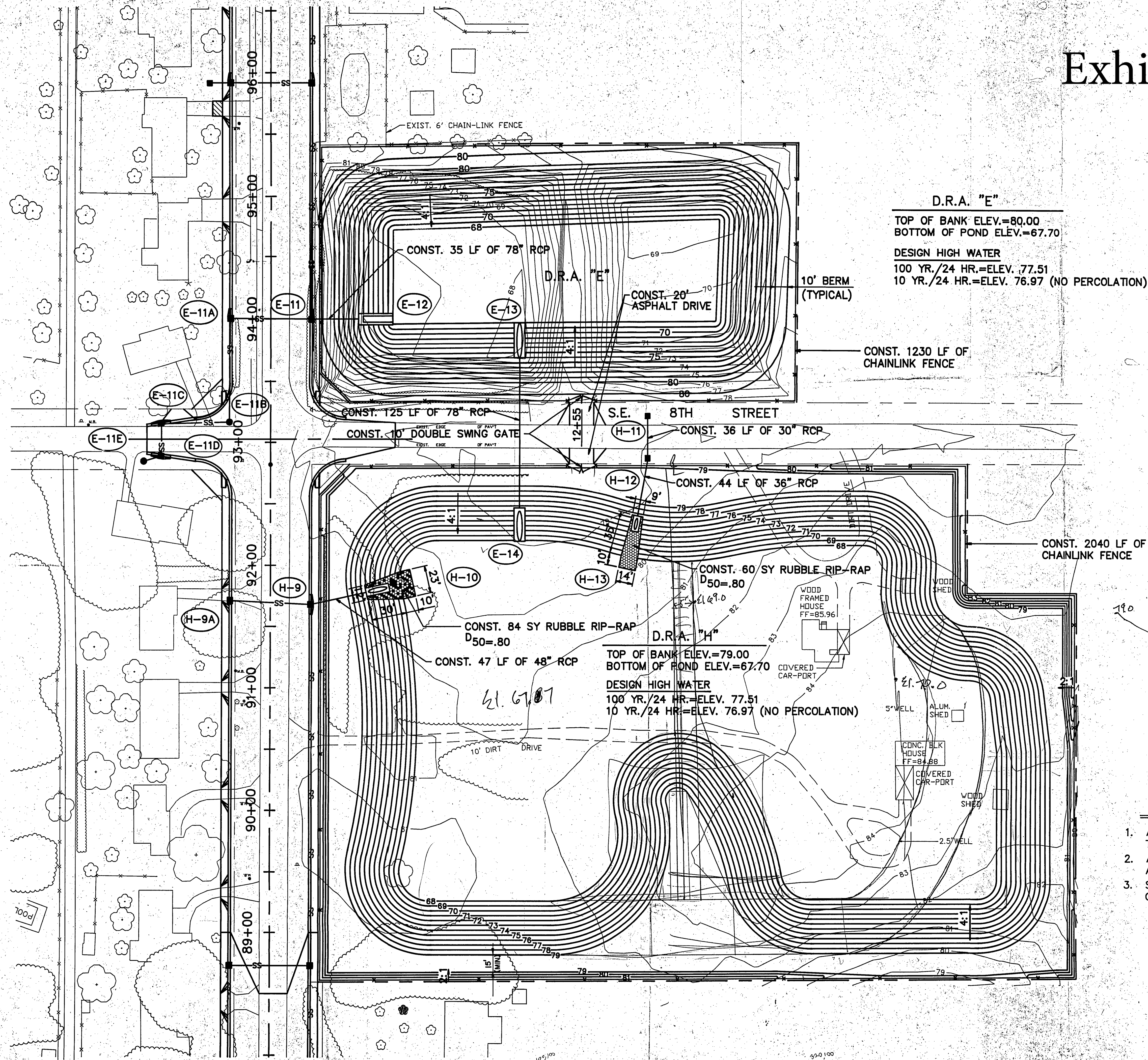
Approval of the variance with conditions is recommended to allow the reduction of the base flood elevation from 83.1 feet to 78.1 feet pursuant to Subsection 90.17 (a), (c), (g), and (h) of the Ocala Code of Ordinances. The staff's analysis for a recommendation to approve a variance is based on the following:

1. The homeowner was impacted by a catastrophic event that caused injuries and displacement to the family. The homeowner hoped to repair the home, but the damage was too severe after months of evaluations by the insurance company.
2. The existing infrastructure (driveways, water/sewer, stormwater, and electric) supported rebuilding the house in the same footprint. Therefore, replacing the house in the exact location did not impact city services.
3. The homeowner had limitations concerning the timing and funding available to replace the house. Any changes to the house's location would have caused significant financial increases, such as design and site work.
4. The neighborhood's adjacent properties are at the same elevation as Tingle House. Increasing the height by five feet would be cost-prohibited and could cause runoff issues to the adjoining properties.
5. The variance granting will not increase the property or neighborhood's flooding potential or create a nuisance to the adjacent properties. Over the years, no significant flooding has occurred along SE 8th Street.
6. The City may consider a long-term solution to expand the existing water retention facilities and submit a Letter of Map Amendment (LOMA) to remove the properties from the floodplain. Currently, the City is making similar changes to the water retention area in Fisher Park.
7. The City Engineer and Chief Building Official have reviewed the variance request for consistency with Chapter 90 and the Florida Building Code.

Staff Recommendation: Approval with Conditions

1. A Certificate of Occupancy must be issued within 60 days of the Board of Adjustment's approval, or this Variance will expire.
2. Add a slab for the air conditioning system.
3. Applicant must comply with the recording requirements of 90.17 (h) (3) & (4)

Exhibit A

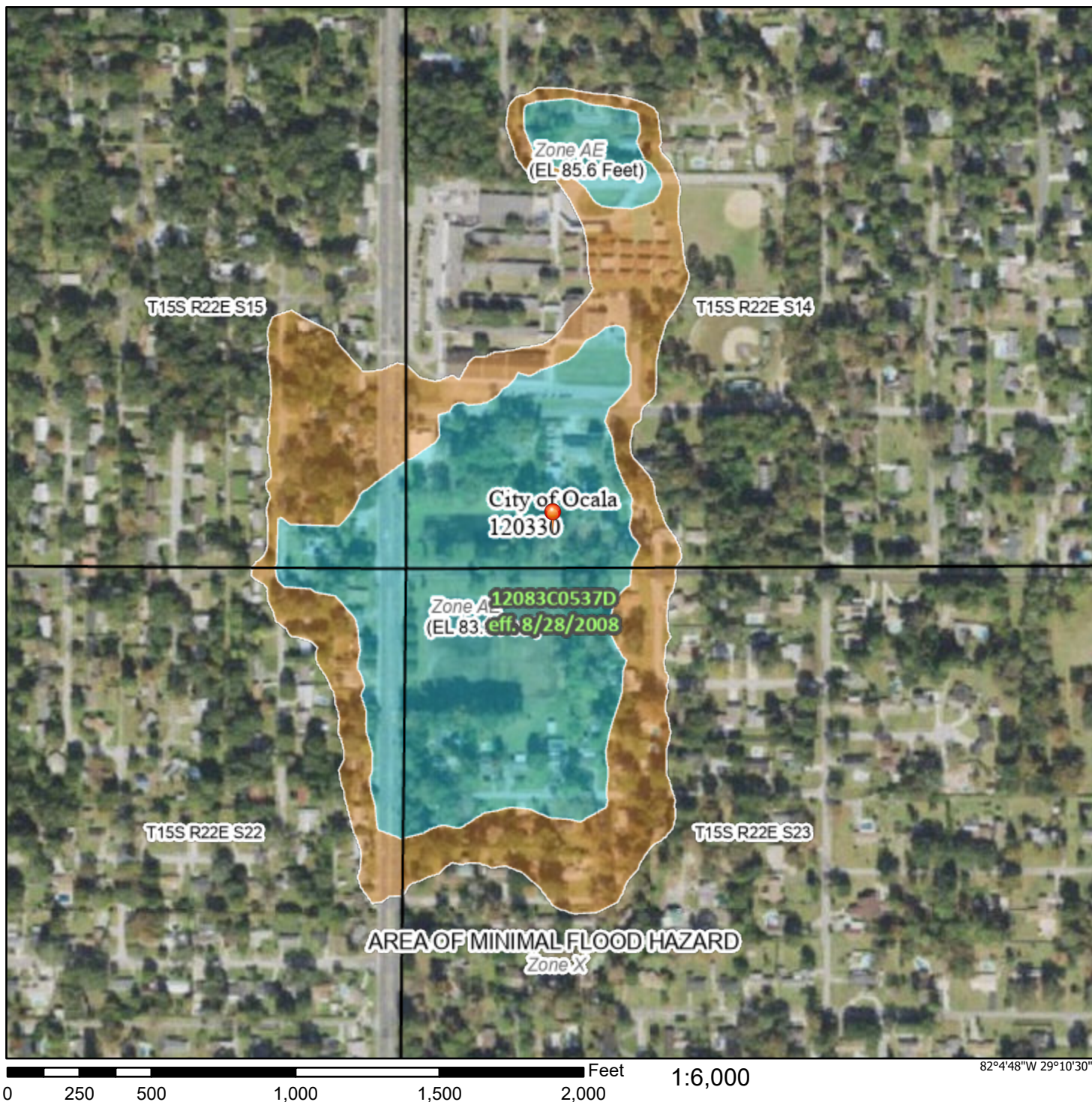


NOTES:

1. ALL EXIST. FENCE WITHIN RETENTION AREAS TO BE REMOVED.
2. ALL EXIST. WELLS SHALL BE ABANDONED IN ACCORDANCE WITH F.A.C. CHAPTER 40 C-3.
3. SOD ALL SLOPES OF D.R.A. SEED AND MULCH ALL OTHER AREAS WITHIN THE D.R.A. EXCLUDING BOTTOM.

DATE	REVISIONS	MADE BY	DESIGNED RSL/KCK	DRAWN ABP	CHECKED RSC	APPROVED JTB	SMITH & GILLESPIE ENGINEERS, INC. JACKSONVILLE, FLORIDA	36TH AVENUE WIDENING AND RECONSTRUCTION OCALA, FLORIDA	DRAINAGE RETENTION AREA "E" AND "H" GRADING PLAN	SCALE 1"=40' DATE JUNE 1990 FILE NO.	DRWG. NO. 88
8806-01-01											

Exhibit B



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/9/2024 at 12:11 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Exhibit C



Exhibit D

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB Control No. 1660-0008
Expiration Date: 06/30/2026

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>ANDY TINGUE</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>3713 SE 8TH STREET</u>	Company NAIC Number: _____
City: <u>OCALA</u> State: <u>FL</u> ZIP Code: <u>34471</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>PARCEL # 27711-000-00. WEST 1/2 OF LOT 28, VIRGINIA HEIGHTS, PLAT BOOK D, PAGE 102</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>RESIDENTIAL</u>	
A5. Latitude/Longitude: Lat. <u>29°10'45"</u> Long. <u>82°05'06"</u> Horiz. Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84	
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: <u>1A</u>	
A8. For a building with a crawlspace or enclosure(s):	
a) Square footage of crawlspace or enclosure(s): <u>N/A</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: _____	
d) Total net open area of non-engineered flood openings in A8.c: <u>N/A</u> sq. in.	
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>N/A</u> sq. ft.	
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>N/A</u> sq. ft.	
A9. For a building with an attached garage:	
a) Square footage of attached garage: <u>N/A</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: _____	
d) Total net open area of non-engineered flood openings in A9.c: <u>N/A</u> sq. in.	
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>N/A</u> sq. ft.	
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>N/A</u> sq. ft.	
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION	
B1.a. NFIP Community Name: <u>CITY OF OCALA</u>	B1.b. NFIP Community Identification Number: <u>120330</u>
B2. County Name: <u>MARION</u>	B3. State: <u>FL</u> B4. Map/Panel No.: <u>12083C0537</u> B5. Suffix: <u>D</u>
B6. FIRM Index Date: <u>08/28/2008</u>	B7. FIRM Panel Effective/Revised Date: <u>08/28/2008</u>
B8. Flood Zone(s): <u>AE</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>83.1</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other: _____	
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____	
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA	
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

3713 SE 8TH STREET

City: Ocala

State: FL

ZIP Code: 34471

FOR INSURANCE COMPANY USE

Policy Number:

Company NAIC Number:

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: A 427

Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other:

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used?

☐ Yes ☒ No

If Yes, describe the source of the conversion factor in the Section D Comments area.

Check the measurement used:

a) Top of bottom floor (including basement, crawlspace, or enclosure floor): 79.1 ☒ feet ☐ meters

b) Top of the next higher floor (see Instructions): N/A ☐ feet ☐ meters

c) Bottom of the lowest horizontal structural member (see Instructions): N/A ☐ feet ☐ meters

d) Attached garage (top of slab): N/A ☐ feet ☐ meters

e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area): 77.7 ☒ feet ☐ meters

f) Lowest Adjacent Grade (LAG) next to building: ☐ Natural ☒ Finished 77.5 ☒ feet ☐ meters

g) Highest Adjacent Grade (HAG) next to building: ☐ Natural ☐ Finished 78.2 ☒ feet ☐ meters

h) Finished LAG at lowest elevation of attached deck or stairs, including structural support: 77.7 ☒ feet ☐ meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

☒ Check here if attachments and describe in the Comments area.

Certifier's Name: FULTON V. CLINKSCALES, JR. License Number: 4986

Title: PROFESSIONAL SURVEYOR AND MAPPER

Company Name: FREELAND-CLINKSCALES AND ASSOC. OF N.C.

Address: 1220 HUFFSTETLER DRIVE, UNIT 201

City: EUSTIS State: FL ZIP Code: 32726

Telephone: (352) 250-5266 Ext.: Email: SURVEYQUOTEFCAGMAIL.COM

Signature: J.V. Clink Scales Date: 06/04/2024



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):
LOWEST MACHINERY SERVING THE RESIDENCE IS AN AIR CONDITIONING UNIT. DATA SHEET FOR BENCHMARK A 427 IS ATTACHED TO THIS ELEVATION CERTIFICATE.

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

3713 SE 8TH STREET

City: Ocala

State: FL

ZIP Code: 34471

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1–E5. For Items E1–E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (C2.b in applicable Building Diagram) of the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E3. Attached garage (top of slab) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

☐ Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: _____ Ext.: _____ Email: _____

Signature: _____ Date: _____

Comments:

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

3713 SE 8TH STREET

City: OCALA

State: FL

ZIP Code: 34471

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.a. ☐ A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E5 is completed for a building located in Zone AO.
- G2.b. ☐ A local official completed Section H for insurance purposes.
- G3. ☐ In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.
- G4. ☐ The following information (Items G5–G11) is provided for community floodplain management purposes.
- G5. Permit Number: _____ G6. Date Permit Issued: _____
- G7. Date Certificate of Compliance/Occupancy Issued: _____
- G8. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement
- G9.a. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters Datum: _____
- G9.b. Elevation of bottom of as-built lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____
- G10.a. BFE (or depth in Zone AO) of flooding at the building site: _____ ☐ feet ☐ meters Datum: _____
- G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____
- G11. Variance issued? ☐ Yes ☐ No If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: _____ Title: _____

NFIP Community Name: _____

Telephone: _____ Ext.: _____ Email: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 3713 SE 8TH STREET	FOR INSURANCE COMPANY USE
City: <u>OCALA</u> State: <u>FL</u> ZIP Code: <u>34471</u>	Policy Number: _____ Company NAIC Number: _____

SECTION H – BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). **Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.**

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) **For Building Diagrams 1A, 1B, 3, and 5–8.** Top of bottom _____ ☐ feet ☐ meters ☐ above the LAG floor (include above-grade floors only for buildings with crawlspaces or enclosure floors) is:

b) **For Building Diagrams 2A, 2B, 4, and 6–9.** Top of next _____ ☐ feet ☐ meters ☐ above the LAG higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is:

H2. Is **all** Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?

☐ Yes ☐ No

SECTION I – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* **Note:** If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

☐ Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: _____ Ext.: _____ Email: _____

Signature: _____ Date: _____

Comments:

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11
BUILDING PHOTOGRAPHS
 See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
 3713 SE 8TH STREET

City: OCALA State: FL ZIP Code: 34471

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo One

Photo One Caption: **FRONT VIEW**

Clear Photo One



Photo Two

Photo Two Caption: **REAR VIEW**

Clear Photo Two

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11
BUILDING PHOTOGRAPHS

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
3713 SE 8TH STREET

City: **OCALA** State: **FL** ZIP Code: **34471**

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo Three

Photo Three Caption: **SIDE VIEW**

Clear Photo Three



Photo Four

Photo Four Caption: **SIDE AND A/C VIEW**

Clear Photo Four



July 10, 2024

Andy J. Tingle
3713 SE 8th Street
Ocala FL 34471

RE: **Notice to Applicant** - Board of Adjustment Variance Request, VAR24-45701, a variance to allow construction of the lowest floor of a new building below the required elevation.

The construction of the new residential structure located at 3713 SE 8th Street, Ocala Florida, (Parcel # 27711-000-00), is within an area designated by FEMA as a flood hazard area with a base flood elevation of 83.1. The new residential structure has a finished floor elevation of the lowest floor of 79.1, 4 feet below the base flood elevation. Construction below the base flood elevation increases risks to life and property, and the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of insurance coverage).

Sincerely,

A handwritten signature in black ink that reads "Sean Lanier".

Sean Lanier, P.E.
Floodplain Administrator
City Engineer/Director
Engineering & Water Resources Department

CASE MAP

BOA Meeting: July 15, 2024

Case Number:

VAR24-45701

Parcel:

27711-000-00

Property Size:

Approximately 0.49 acres

Land Use Designation:

Neighborhood

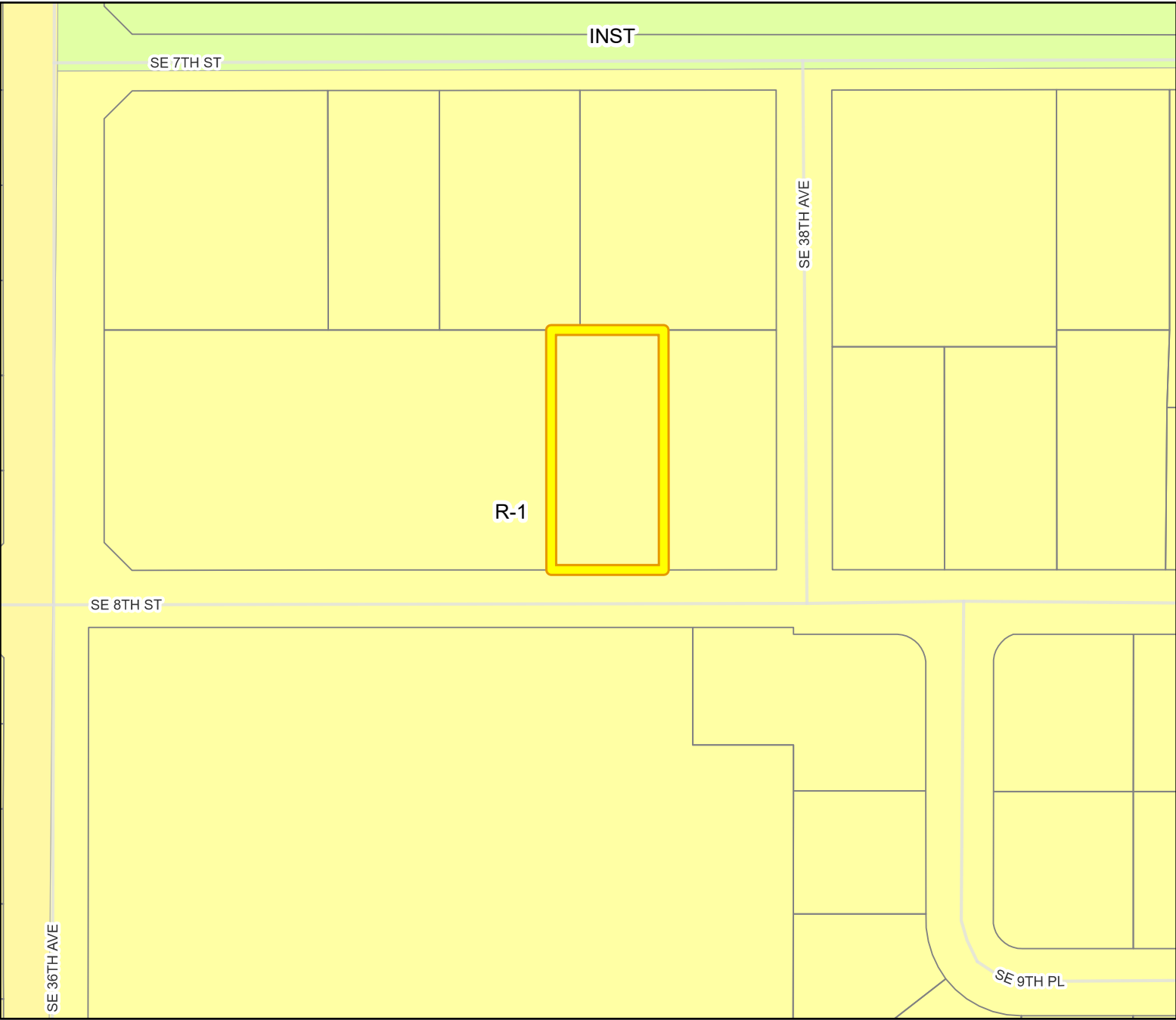
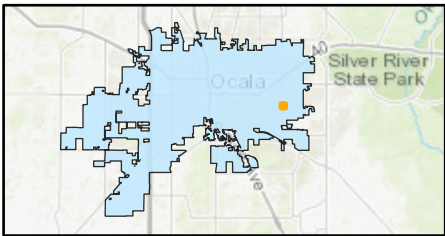
Zoning:

R-1, Single Family Residential

Proposal:

A request concerning Chapter 90 Flood Prevention and Protection to reduce the base flood elevation from 83.1 feet to 78.1 feet

Location Map



- Subject Property
- R-1:Single Family Residential
- Parcels
- R-1A:Single Family Residential
- INST:Institutional



AERIAL MAP

BOA Meeting: July 15, 2024

Case Number: VAR24-45701

Parcel: 27711-000-00

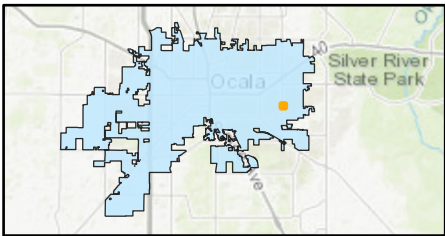
Property Size: Approximately 0.49 acres

Land Use Designation: Neighborhood

Zoning: R-1, Single Family Residential

Proposal: A request concerning Chapter 90 Flood Prevention and Protection to reduce the base flood elevation from 83.1 feet to 78.1 feet

Location Map



 Subject Property

 Parcels

