

Town of Windermere

P.O. Drawer 669 Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

RESIDENTIAL PERMITTING APPROVAL PROCEDURE

1. Complete the applicable Permit Application(s).
2. Submit three (3) signed and sealed sets of plans drawn to scale meeting Florida Building Code requirements along with two (2) sets of each Product Approval Sheets, Tie Down Sheets, Truss Engineering, Florida Energy Code Calculations, etc. as may be applicable to your project.
3. Submit three (3) signed and sealed surveys drawn to scale to include:
 - a. Property lines
 - b. Rights-of-way
 3. Grades - existing and proposed (See #5 below)
 - d. Structures - existing and proposed
 - e. Driveways - existing and/or proposed
 - f. Septic and drainfield system - existing and/or proposed (Proposed septic/drainfield systems require permitting/approval from Orange County Health Department.)
 - g. Floor Area Ratio tabulation showing breakdown of areas (i.e. 1st floor, 2nd floor, accessory building, etc)
 - h. Impervious Ratio tabulation showing breakdown of areas (i.e. footprint of house, pool, pool deck, concrete and pavers, etc.)
 - i. All trees that have a DBH of 8" or more (their location, DBH, common name, estimated height) Trees proposed for removal must be identified giving reason for removal. **Tree removal requires an approved Tree Removal Permit**
4. Topographical survey ("TOPO") - Waterfront properties must locate the NHW elevation, the 100 yr flood elevation, and if applicable the seawall. All properties must show the undisturbed existing lot grade at each point of intersection of the side property lines with the front setback line. (NHW and 100 yr flood elevations as determined by FEMA Flood Insurance Study)
5. If adding 125 sq.ft. of impervious area or more, plans for compliance with the storm water drainage ordinance including the calculations for the required volume. The breakdown of **all impervious** areas must be provided. Example: Square footage of footprint of house, pool & deck, driveway, walkways, etc. The proposed pond(s) must be fully dimensioned on the site plan and/or survey.
6. Applications related to properties within these subdivisions (Sunset Bay, Windermere Reserve, Marina Bay, The Manors, Butler Bay Unit 1, or Lake Butler Estates) must be accompanied by a letter from the respective homeowners' association indicating approval.
7. Construction signs shall be permitted for up to twelve months and shall not exceed 20 square feet. All signs must be removed upon completion of construction.

The information on all surveys submitted must match.

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RESIDENTIAL ZONING REQUIREMENTS

FLOOR AREA RATIO - not to exceed 38% (See Ordinance #2007-01) A tabulation showing all floor areas must be included on the site plan. (i.e.: 1st Floor sq.ft., 2nd Floor sq. ft., Total sq.ft.)

IMPERVIOUS SURFACE RATIO (pg. VI-9)

- a. Maximum coverage 45%
- b. All buildings, accessory structures, swimming pools, patios, decks, driveways, and any other area covered with impervious materials must be included.
- c. Land area located across a street and separated from the building site shall not be included in any available land area calculation.

RIGHT-OF-WAY USE AGREEMENT - A Right of-way Use Agreement must be approved by the Town Council before installation of any items in the Town's right-of-way.

HEIGHT - 35' or 2 ½ stories, whichever is less (See Ordinance #2007-01)

SETBACKS - (all setbacks are from the property line)

- a. **Front** - minimum of 25' (Ord. #2007-08)
- b. **Rear** - minimum of 35' (Ord. #2007-08)
- c. **Side** - 12 ½% of the width of the lot with a minimum of 10' or a maximum of 15' (Width of the lot for determining the setback shall be measured at the widest portion of the structure, to include wing or other walls) (Ord. #2007-08)
- d. **Corner lot** - Contiguous corner lots have 2 options (See Ord. #2007-08)
Option A - minimum of 25' for front yard, minimum of 15' for side yard, if applicable, minimum of 35' for rear yard
Option B - minimum of 25' for front yard, except that a front yard that is contiguous with an adjacent corner lot shall have a front yard setback of 15'. The side yard setback for a side yard that is contiguous with an adjacent corner lot shall be 35'. All other side yard setbacks 12 ½% of the width of the lot with a minimum of 10' or a maximum of 15'. Garage doors for vehicle access shall be located a minimum of 25' from the property line. If applicable, minimum 35' for rear yard.

MINIMUM BUILDING SIZE (See Ordinance #2007-01)

- a. Waterfront - 1500 sq. ft.
- b. 2 bedrooms or 50 ft. Lot - 1,000 sq. ft.
- c. 3 or more bedrooms - 1500 sq. ft.

WATERFRONT PROPERTIES

- a. **Setback** - All structures must be at least 50' from the NHW elevation (pg. V-65)
- b. **Septic System Setback** - minimum of 150' from NHW elevation (pg. III-12)
- c. **Elevation** -Finished Floor Elevation no lower than 104' MSL on Lake Down and its canals, Lake Butler , and Wauseon Bay. Finished Floor Elevation no lower than 105' MSL on Lake Bessie. (pg. V-65)

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WATERFRONT PROPERTIES (cont.)

- d. **Fill**- No fill below the 101' MSL. (pg. 176) No fill below the 100 yr. flood elevation without proper compensatory storage. (pg. V-65)
- e. **Silt Screen**- required before lot clearing and construction (pg. V-27)

ACCESSORY APARTMENTS (pg. VII-7)

- a. No more than one permitted on any residential lot.
- b. Must be located within the principal structure.
- c. Cannot be connected only by a breeze way, roofed passage, or similar structure. (i.e., Must have common wall.)
- d. Maximum 25% of the gross floor area of the principal structure.

ACCESSORY BUILDINGS (pg. III-13; pg. VII-3)

- a. Not permitted before a main structure.
- b. Not allowed in the front yard.
- c. **Setback** - Minimum of 10' from the side and rear property lines (pg. III-13)

ACCESSORY EQUIPMENT (pg. III-13) (for example a/c units, pool equipment, etc.)

- a. NOT ALLOWED IN THE FRONT YARD.
- b. **Setback** - Minimum of 5' from the side property line
- c. MUST be screened from view.

GUEST HOUSE - (pg. III-13)

- a. Permitted on lots exceeding 21,785 sq.ft.
- b. Must be in the rear yard
- c. Minimum of 10' to a side property line
- d. Minimum of 20' to any main or accessory building
- e. Minimum of 25' to the rear property line
- f. No wider than 50% of the lot where located
- g. Cannot exceed 45% of the total square footage of the primary structure.

BOATHOUSE (pg. III-13; pg. VII-10)

- a. **Setback** - Minimum 16' from side property lines
- b. **Height** - Maximum of 13' above the NHW elevation
- c. Requires an Orange County Environmental permit before zoning approval.

POOL (pg. VII-6)

- a. Permitted in side and rear yards.
- b. Minimum of 10' to a side or rear property line. (Includes pool deck and screen enclosure)
- c. Minimum of 50' to the NHW elevation on waterfront properties.
- d. Must have a screen enclosure or be completely enclosed with a minimum 5' height fence (to include the waterfront). The enclosure or fence requires a separate permit approval.

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FENCE OR WALL (Ord. #2010-09)

- a. Maximum 4' height within the portion of the parcel between the right-of-way and building.
(Corner lots have 2 front yards)
- b. Maximum 6' height in a side or rear yard.
- c. Maximum 2' height in the vision triangle on corner lots.

TREE REMOVAL (pg. V-8)

- a. A permit is required for all trees with a DBH of 8" or more
- b. The permit must be approved by the Town before removal

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STORM WATER DRAINAGE ORDINANCE

Additional storm water requirements were determined to be necessary within the Town for new, enlarged or expanded structures. Changes where less than 125 square feet of impervious area are increased are exempt from these additional requirements (permit still required) for the initial change made upon a property but owners shall be required to comply for any subsequent changes.

These additional requirements provide for retention of the runoff from the developed state generated by the first inch of rainfall. Retention ponds, filtered recharge wells, grassed swales along street right-of-ways (and in hardship cases, with special approval, in unpaved street right-of-ways), natural ponding areas, or grading and retention so that waters are not moved to the adjoining property and special attention must be paid to the prevention of runoff into canals and lakes by devices that are above the recorded high water levels experienced on the water body.

1. The owner shall provide a survey or certified engineering drawing indicating the elevation of improvements, adjacent streets, canals and lakes with the direction of flow of rain-water, any grading or fill information, the types of soil and if less than three feet, the depth to the water table. Elevations above 100 feet MSL shall be shown in one-foot increments.
2. The owner will indicate on the survey or drawing his proposed means for handling the storm water runoff and provide a narrative description as to his methods and quantities of water being retained. No work will be commenced until approval by the Town. Computations shall be included.
3. Upon Completion of construction on the property, a letter from a civil engineer, landscape architect, surveyor or architect, registered in the State of Florida, shall be submitted to the Town indicating that the storm water retention improvements have been completed and that they comply with the applicable ordinances of the Town. Upon arrival by the Town, Orange County will be notified that a Certificate of Occupancy may be issued. Where compliance with the above has not been completed and property is occupied, the Town Manager is directed to file a complaint with the Code Enforcement Board.
4. Upon completion of the certification required in paragraph 3 above, no changes will be made to the storm water retention improvements in any way, without resubmission of a request as required by paragraph 1 and 2 above and subsequent re-certification.

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STORM WATER USE RATIONAL RUNOFF FORMULA

$$Q = C I A$$

Q = Required retention volume

C = Weight or runoff coefficient determined as follows:

Paved area square feet - divided by -
Total site area square feet - times - 0.9 - plus -

Unpaved area square feet - divided by -
Total site area square feet - times - 0.3

I = Rainfall = 1" divided by 12" = 0.083 feet

A = Area of site in square feet

To estimate retention provided:

1. Estimate surface area of top of retention.
2. Estimate surface area of bottom of retention.
3. Average these two and multiply by depth. This gives retention provided which should be at least as much as that required above. This method is for quick check calculation and constants may vary with specific site soils and slope conditions. More complex computation may be required for site design.

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Floor Area Ratio Formula

Floor area: The sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior surface of the walls. Basement areas or other below grade floor areas shall be excluded from the calculation of floor area when more than one-half of that basement or floor height is below the average elevation at the front setback (as described in “Building Height,” Ord. #2007-01). The area of stairways, elevators, multi-story rooms or atriums shall be counted on each floor level and included in the calculation of floor area. The area contained within garages, carports, screened or roofed porches and balconies shall be included in the calculation of floor area. The floor area of a single family building shall further include the area of atriums and volume ceiling spaces on each floor when the interior floor to ceiling height of such rooms exceeds 17 ½ feet.

Formula:

Square Footage of Total Floor Area divided by Square Footage of Total Lot equals Percentage of Floor Area Ratio

$$\frac{\text{Sq. Ft. of House}}{\text{Sq. Ft. of Lot}} = \text{Floor Area Ratio}$$

Impervious Coverage Formula

Impervious Surface: A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, semi-impervious surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots and other similar structures.

Formula:

Square Footage of Total Impervious Area divided by Square Footage of Total Lot equals Percentage of Impervious Coverage

$$\frac{\text{Sq. Ft. of Impervious Area}}{\text{Sq. Ft. of Lot}} = \text{Impervious Ratio}$$

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After Zoning Approval

Permit # _____

Address _____ Improvement _____

A **zoning hold / stormwater hold** is in effect until the following items are submitted and approved by the Town.

- _____ **No construction activity before 7:00 a.m. or after 7:00 p.m., Monday - Saturday**
- _____ **Town Property** - All damage has been repaired (i.e., sidewalks, grasses, etc.)
- _____ **Foundation Survey** - A certified foundation survey applicable to the construction and/or alteration of every building shall be approved by the Town prior to the start of any permanent vertical construction other than the building foundation. (To verify finished floor elevation and setbacks.)
- _____ **Final Survey** - Showing all improvements including Stormwater Retention
- _____ **Water Retention** - Must be completed and a letter confirming completion submitted by a licensed architect, engineer or surveyor. An inspection by the Town will be made prior to releasing the zoning hold.
- _____ **Compensatory Storage** - Must be provided and verified by a licensed architect, engineer or surveyor. An inspection by the Town will be made prior to releasing the zoning hold.
- _____ **Pools require a screen enclosure or a 5' permanent fence that completely encloses the pool.** The screen enclosure or fence must be inspected by the Town before the zoning hold will be released. **Pool equipment must be screened from view.**
- _____ **Accessory Equipment** - must be at least 5' from property line and screened from view (i.e., ac units, generators, pool equipment, etc.)
- _____ **Fence** - An inspection by the Town with property owners' approval to go on their property.
- _____ **Elevation Certificate Required** - Must be submitted for all Flood Plain Permits.
- _____ **Approved Right-of-Way Use Agreement** - Right-of-Way Use Agreement must be approved by Town Council before installation of items in the Town's Right-of-Way
- _____ **Culvert Required for Driveway Access** - Coordinate with Public Works Director Craig McNeal cell 321-299-2410 office 407-876-1960

Received By:

Signature _____

Printed name _____

Date _____