





Must be in compliance with Section 158.073(F), see attached.

**REQUIRED SUPPLEMENTAL INFORMATION - The following information is required, please make sure you check all boxes.**

**A) APPLICANT INFORMATION:**

- A completed application form, model home application checklist, Supplemental Information, and attached documentation.
- Proof of ownership, copy of the deed.
- Copy of a current certificate of competency.
- Review fee of \$500.
- If a renewal permit, verification of original approval. Renewals are required to comply with accessibility standards.
- Copy of building permit application for a model home. (Must be stamped "MODEL HOME" in red)

**\*Model Homes on three (3) or more contiguous lots require a parking lot. This is submitted under separate cover and required to go to the Site Plan Review Committee. The fee for processing Model Home Parking Lot Site Plan is \$375.00.**

**B) SITE INFORMATION:**

A site drawing is required with the submittal, drawn to scale and that clearly includes dimensions and location of:

- The model home site plan showing lot dimensions and location of proposed model.
- Designated driveway and width. (If separate parking lot, it must be submitted for Site Plan Review under separate cover.)
- The Floor Plan shall clearly show:
  - Entrance and sales area shall be handicapped accessible with an entrance door of at least 32 inches in width (a ramp may be required if needed). **MUST BE CLEARLY MARKED IN INCHES ON PLAN**
  - The bathroom shall have a clear opening of at least 29 inches in width. **MUST BE CLEARLY MARKED IN INCHES ON PLAN**

**C) REVIEW PROCESS:**

- Fill out an application for a building permit for a model home.
- Submit a completed application, checklist, attached documentation, and supplemental information.
- The clerical staff will receive it and provide you a receipt.
- A planner will be assigned the project to review. It is first reviewed for sufficiency and completeness.
- Once it is found to be in compliance, the staff will notify you and provide you with a letter you submit to the Building Department along with your 4-part Building Permit Application.
- Once the home is built, fax the Model Home Inspection Form to Planning and Zoning. A planner will inspect the site for consistency with the application materials. If the site is in compliance a Model Home Permit will be issued.
- Once inspected and approved, submit the Model Home Inspection Request Form to the Building Department. You can then proceed to obtain a Certificate Of Completion. They do not issue a Certificate of Occupancy because no one is permitted to live in the Model.

Signs are reviewed separately and shall comply with the City Sign Code, Chapter 155.05 and 155.07(D). Sign applications are available in the Building Department or the Planning and Zoning Department. The total amount of signage allowed is 16 square feet. Sign applications cannot be submitted until after receipt of a Model Home Permit and a copy of the Permit is required to be submitted with the Sign Application. A review fee of \$160.00 is required.

## CHAPTER 154. MODEL HOMES

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**ARTICLE I. GENERAL PROVISIONS**

**Sec. 154.01. Definitions.**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APPLICANT.** The contractor or qualified company submitting an application for a model home permit.

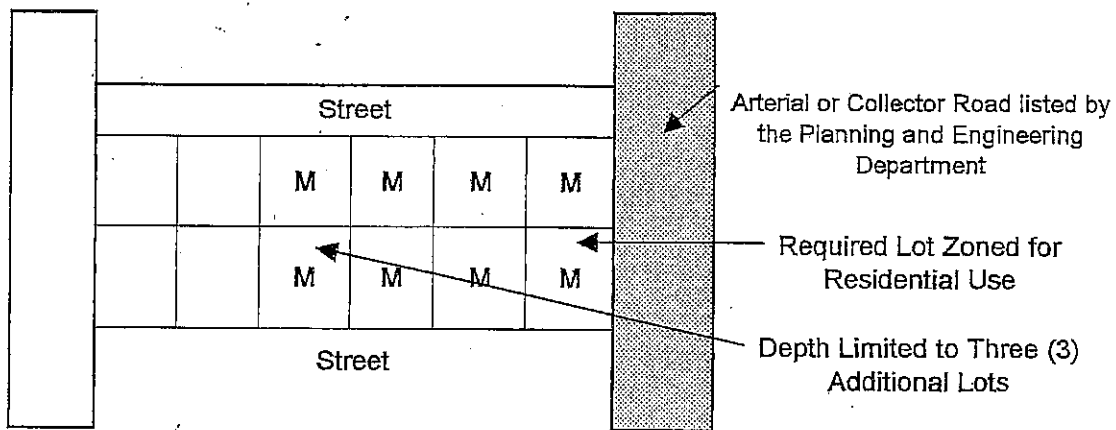
**CONTRACTOR.** Any person engaged in the business of contracting and who is currently registered with the state department of professional regulation, as a general contractor, building contractor, or residential contractor or who has a current certificate issued by the state department of professional regulation as a contractor, building contractor, or residential contractor.

**DISPLAY.** The exhibition of an unoccupied dwelling as a sample of a contractor's product, to solicit sales, to quote construction or sales price or otherwise operate a sales office.

**MODEL HOME LOT.** A lot zoned for residential use, located adjacent to an arterial or collector roadway specifically listed by the planning and zoning department and engineering department, limited to a depth of four (4) contiguous lots from the arterial or collector roadway, with each lot under the ownership of one or more builders intending to use the lots as model home sites or ancillary parking. Provided, however, any lot located on Airoso Boulevard, Floresta Boulevard, Thornhill Boulevard east of Burman Lane, Westmoreland Boulevard, Gowin Drive and Southbend Drive shall not be considered a model home lot.

**EXAMPLE:**

Note—Actual parking and home configurations will vary.



Model Home Lot

**MODEL HOME.** An unoccupied dwelling constructed upon a model home lot zoned for residential use and located on one of four contiguous lots from the arterial or collector roadway, with each lot under the ownership of one or more builders

intending to use the lots as model home sites or ancillary parking, for display purposes, price quoting and consummation of sales contracts.

**PERMIT.** Model home permit.

**QUALIFIED COMPANY.** Any business organization engaged in the business of contracting and having a qualifying agent.

**QUALIFYING AGENT.** The contractor in whose name a business organization has obtained from the state department of professional regulation, a certificate or registration to engage in the business of contracting.

('78 Code, § 5-126; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02; Am. Ord. 03-89, passed 6-9-03; Am. Ord. 04-36, passed 3-24-04)

**Sec. 154.02. Permitted Uses; Contents.**

(a) **Use of model home.** A model home may be used by the permit holder and his agents for display purposes and sales purposes only. Price quoting may be given and sales contracts may be consummated on the premises.

(b) **Contents.** A model home may be furnished only with standard household furnishings. Office space and equipment related to the sales of model homes is permitted within the garage area or up to a maximum of four hundred (400) square feet if located outside of the garage.

('78 Code, § 5-129; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

Cross reference—Penalty, see section 154.99.

**Sec. 154.03. Prohibited Uses; Contents.**

(a) The permit holder shall not use the model home as his principal place of business.

(b) The permit holder is expressly prohibited from using the model home as a place to accept construction bids and proposals from suppliers and subcontractors, using the model home as a place to issue work orders and give instructions to suppliers and subcontractors for work under construction and from using the model home as a place from which payments are made to employees, subcontractors, or suppliers for work performed or materials supplied.

(c) A model home shall not be used for the storage of construction materials.

(d) A model home shall not be occupied as a residence.

(e) The following items shall not be permitted in or at a model home:

(1) Blue print machine.

(2) Mail receptacles.

('78 Code, § 5-130; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

Cross reference—Penalty, see section 154.99.

**Sec. 154.04. Parking, Landscaping and Accessibility.**

Off street parking, landscaping and accessibility shall be provided and designed based on the following standards:

(a) The permit holder must submit an application to the zoning administrator on standard forms as provided by the planning and zoning department.

(b) The handicapped area to be used for parking, and the area to be used for access from the parking area to the entrance shall be paved.

(c) Each model home shall include a paved driveway not less than twenty (20) feet or more than twenty-four (24) feet in width and shall be culverted through any swale or drainage structure unless noted otherwise. The secondary portion of a circular driveway shall not exceed sixteen (16) feet except as otherwise provided for in section. 158.222. Model homes with parking on separate lots are not required to have driveways to each model home.

(d) The number of contiguous lots shall not exceed four (4) from the arterial. For three (3) or more contiguous model homes under the same ownership or application, a separate lot shall be used for parking. This parking area shall include a designated paved handicapped parking space and sign that meets accessibility design standards. Unpaved parking areas may be requested. Spaces not paved shall be provided with a stabilized base and may be surfaced with compacted stone or other approved method. The unpaved portion of

the parking shall be considered impervious area and the applicant shall maintain surfaced areas.

- (e) Designated parking areas of three or more spaces or on separate lots shall include landscaping along the perimeter next to residential streets and adjacent to residential lots. This shall include a continuous hedge along the exterior of the parking area with shrubs that are at least twenty-four (24) inches in height at the time of planting. Parking areas on separate lots shall also include eight (8) trees along the perimeter of the parking area. Landscaping shall comply with the approved list of landscape material as provided for in Chapter 153, City Landscaping Code.

- (f) Except for those model homes built in conjunction with an independent building housing a separate sales office consistent with the Florida Accessibility Code and The Americans with Disabilities Accessibility Implementation Act, all model homes shall be designed so that the entrance and the sales area are handicapped accessible. A ramp will be required if needed and the entrance door shall be at least thirty-two (32) inches in width. The model shall also provide one (1) bathroom doorway that has a clear opening of at least twenty-nine (29) inches in width. Accessibility requirements shall be designed as consistent with the Florida Accessibility Code and the Americans With Disabilities Accessibility Implementation Act.

- (g) An amended site plan will be required when on site improvements or additional model homes are proposed in connection with an existing model home.

('78 Code, § 5-137; Ord. 85-16, passed 3-26-85; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02; Am. Ord. 03-89, passed 6-9-03; Am. Ord. 06-33, § 1, passed 4-10-06)

Note—Formerly § 154.05.

### Sec. 154.05. Hours of Operation.

The model home may only be open to the public between the hours of 9:00 a.m. and 6:00 p.m. on all days of the week.

('78 Code, § 5-133; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

Note—Formerly § 154.06.

Cross reference—Penalty, see section 154.99.

### Sec. 154.06. Model Home Signs.

Model home signs shall be consistent with the adopted sign code, Chapter 155 of the City Code of Ordinances, and all pertinent sections including sections 155.05, and 155.07(D) related to certain prohibited and permitted signs. Sign permits are processed separately from the model home permit through the building department.

(Am. Ord. 02-82, passed 8-12-02)

### Secs. 154.07—154.19. Reserved.

## ARTICLE II. PERMITS

### Sec. 154.20. Model Home Permit; Eligibility.

No model home permit may be issued except as otherwise provided in section 154.25 unless the applicant therefor has proved compliance with the following conditions:

- (a) The applicant must be a contractor or qualified company.
- (b) The applicant or qualifying company must be the owner or lessee of the property upon which the model home is to be built.
- (c) The dwelling for which the model home permit is sought must be constructed upon a building permit reflecting the applicant as the contractor therefor.
- (d) The property must be zoned for single-family residential use. However, model home sales centers in PUD's are allowed. Model homes in PUDs are subject to review as a commercial site plan but need not be constructed to commercial building standards.

- (e) Model home permits shall not be issued in areas designated for conversion from single-family residential as identified in the adopted Zoning Conversion Area Manual. However, model home sales centers in ROI land use areas with compatible office zoning that comply with all site plan, office building design and land development regulations are permitted in those areas.
- ('78 Code, § 5-127; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 96-65, passed 8-12-96; Am. Ord. 02-82, passed 8-12-02; Am. Ord. 03-89, passed 6-9-03)

Cross reference—Penalty, see section 154.99.

#### Sec. 154.21. Application for Permit.

- (a) Except as otherwise provided in section 154.25, the application for the model home permit must be filed with the zoning administrator, and the site inspected and plan approved prior to issuance of the certificate of occupancy for the dwelling for which the permit is sought.
- (b) The application for permit shall contain:
- (1) The name of the applicant.
  - (2) The registration or certificate number of the applicant or, if the applicant is a qualified company, the registration or certificate number of the qualifying agent.
  - (3) The legal description of the property upon which the model home will be located and the parking lot if applicable.
  - (4) Proof that the applicant or qualifying company is the owner of the property upon which the model home will be located.
  - (5) A copy of the current certificate of competency issued by city to the applicant allowing the applicant to engage in the business of contracting.
  - (6) A site drawing that includes dimensions of the location of the model home site, designated office/sales area location within the home, parking, access or sidewalk areas and landscape design.

- (7) Registration and administrative review fee.

('78 Code, § 5-128; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

#### Sec. 154.22. Registration and Administrative Review Fee.

A fee shall be established by the planning and zoning department as a part of their development review fee structure as prescribed for issuance of a model home permit pursuant to section 154.02. ('78 Code, § 7-2; Ord. 76-39, passed 10-26-76; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

#### Sec. 154.23. Duration and Renewal.

A model home permit shall be issued for a period of one hundred twenty (120) months. Renewal of the model home permit may be permitted through application for a new permit. The removal and replacement of a house on an existing approved model home site shall require a new application for a model home permit. ('78 Code, § 5-132(a); Ord. 84-70, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

#### Sec. 154.24. Expiration.

(a) *Sale.* The model home permit shall automatically expire upon the sale or transfer of the model home, provided, however, that, if ownership of the model home is transferred to a qualified company, the model home permit may be transferred to the new owner. In the event the model home is sold and the permit holder leases the model home from the purchaser, the permit holder may continue to operate the model home for the remainder of the permitted term, provided the permit holder is otherwise in compliance with this chapter.

(b) *Automatic expiration.* If the qualified company is not the original permit holder and the qualifying agent resigns or otherwise ceases to serve as the qualifying agent, the permit shall automatically expire and shall not be renewed. ('78 Code, §§ 5-132(c)—(e); Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

**Sec. 154.25. Transition Schedule.**

The provisions of this section apply only to those model homes with valid permits on the effective date of this chapter. The intention of this transition schedule is to protect those model home permit holders who have made substantial investment in reliance on the predecessor model home ordinance.

- (a) Renewal. Model home permits issued prior to the effective date of this chapter may obtain renewal thereof as follows:
- (1) Application for renewal must be made prior to the expiration of the existing permit.
  - (2) The applicant must be a contractor or qualified company.
  - (3) The applicant must be the owner of the property upon which the model home is built or have been the owner at the time the model home was built and have a lease on the property from its present owner.
  - (4) The dwelling for which the permit renewal is sought must have been constructed upon a building permit reflecting the applicant as the contractor therefor. Only the contractor or original owner that originally built the model home may obtain a renewal of the model home permit.
  - (5) The applicant shall otherwise provide the information required of applications for new permits.
  - (6) Model homes shall be eligible for renewal under the provision of this section per the following criteria:
    - a. Existing model homes located adjacent or contiguous to collector or arterial roads may qualify for renewal of no more than ten (10) years total from the date of the first permit unless the request includes replacing the house.
    - b. Existing model home permits on local streets may qualify for renewal for a total of five (5)

years from the date of the first permit and are not renewable after that time at those locations.

- c. In order to receive an extension of a permit for an existing model home, the applicant shall demonstrate that the model home is in compliance with the handicapped accessibility standards of this ordinance.
- d. Applications for new homes including those that replace the house will require compliance with all provisions of this code.

(b) [Reserved.]

('78 Code, § 5-134; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

**Sec. 154.26. Appeal.**

In the event the zoning administrator denies the application for a permit or a renewal thereof, the applicant shall have a right of appeal to the city council. The city council shall review the application together with any additional information provided by the applicant and may, in its discretion, direct the zoning administrator to issue the permit or renewal.

('78 Code, § 5-135; Ord. 84-80, passed 8-14-82; Am. Ord. 91-74, passed 11-25-91; Am. Ord. 02-82, passed 8-12-02)

**Secs. 154.27—154.34. Reserved.****ARTICLE III. ENFORCEMENT****Sec. 154.35. Violation and Enforcement Procedures.**

Violations of this chapter shall be cited by the code enforcement division pursuant to procedures set forth in sections 32.21 through 32.25.

('78 Code, § 5-136; Ord. 84-80, passed 8-14-84; Am. Ord. 91-74, passed 11-25-91)

**Sec. 154.99. Penalty.**

Any owner or lessee failing to comply with any part of this chapter shall, upon conviction, be punished as provided for in section 32.23.  
('78 Code, § 5-138; Ord. 85-16, passed 3-26-85; Am. Ord. 91-74, passed 11-25-91)

