

**From:** [Kyle Benda](#)  
**To:** [Robin Reinhart](#)  
**Cc:** [Pamela Hare](#); [Lisa Morgan](#)  
**Subject:** FW: LR 23-581  
**Date:** Monday, October 2, 2023 11:28:03 AM  
**Attachments:** [Supporting Doc.pdf](#)  
[LR 23-581.pdf](#)  
[image002.png](#)  
[image003.png](#)

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Hey Robin,

I'm not sure what your question is in this LR. The response to the previous response still stands: pigeon aviaries are not permitted in residential districts. However, because Mr. Crespo is applying for a reasonable accommodation from that prohibition under the Fair Housing Act.

For a claim to arise under the Fair Housing Act, a person with a disability must first ask for it. *Sherrer v. Miami-Dade Cnty.*, 2015 WL 4396784 at \*2 (S.D. Fla. 2015). The request for a special exception use permit is the best vehicle for this request for accommodation because Mr. Crespo is asking for an accommodation related to the use of his property, not necessarily the physical limitations of it.

In assessing a claim for a reasonable accommodation, the reasonableness and the necessity of the accommodation requested. *Schwarz v. City of Treasure Island*, 544 F.3d 1201, 1219-30 (11<sup>th</sup> Cir. 2008).

For reasonableness, an "[a]ccommodation is not reasonable if it either [1] imposes undue financial and administrative burdens on a grantee or [2] requires a fundamental alteration in the nature of the program." *Id.* at 1220. A modification of the zoning requirements for a piece of property is a fundamental alteration of the government program, so the question becomes whether the requested accommodation completely defeats the purpose of the zoning requirements such that it is not reasonable in light of the surrounding property.

For necessity, such accommodation should be granted only if it is necessary to afford the disabled person an equal opportunity to use and enjoy a dwelling when compared to nondisabled people. *Id.* at 1225. This equal opportunity needs to be the opportunity for a disabled person to live in a dwelling of their choice, not simply some other place in the County. *Id.* Moreover, to be necessary, "there must be a direct linkage between the proposed accommodation and the equal opportunity to be provided." *Caron Foundation of Fla., Inc. v. City of Delray Beach*, 879 F. Supp. 2d 1353, 1366 (S.D. Fla. 2012).

Please let me know if you have any other questions.

Best,



**KYLE J. BENDA**  
Assistant County Attorney  
County Attorney's Office  
[kbenda@hernandocounty.us](mailto:kbenda@hernandocounty.us)

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**NOTE:** Florida has a very broad public records law.  
Your email communications may be subject to public disclosure.

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**From:** Lisa Morgan <LMorgan@co.hernando.fl.us>  
**Sent:** Friday, September 29, 2023 12:55 PM  
**To:** Kyle Benda <KBenda@co.hernando.fl.us>  
**Cc:** Pamela Hare <PHare@co.hernando.fl.us>  
**Subject:** Re: LR 23-581

Please see attached and below.

Thank you!

Kind regards,

*Lisa Morgan*

Paralegal  
Hernando County Attorney's Office  
20 North Main Street, Suite 462  
Brooksville, FL 34601-2850  
P 352-754-4122 Ext. 20132  
F 352-754-4001  
Email: [lmorgan@co.hernando.fl.us](mailto:lmorgan@co.hernando.fl.us)



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**From:** Robin Reinhart <[RReinhart@co.hernando.fl.us](mailto:RReinhart@co.hernando.fl.us)>  
**Sent:** Friday, September 29, 2023 10:21 AM  
**To:** Lisa Morgan <[LMorgan@co.hernando.fl.us](mailto:LMorgan@co.hernando.fl.us)>; Pamela Hare <[PHare@co.hernando.fl.us](mailto:PHare@co.hernando.fl.us)>  
**Cc:** Michelle Miller <[MLMiller@co.hernando.fl.us](mailto:MLMiller@co.hernando.fl.us)>; Omar DePablo <[ODePablo@hernandocounty.us](mailto:ODePablo@hernandocounty.us)>  
**Subject:** LR2023-581

Good morning

Alejandro Crespo is requesting relief via Special Expectation use permit, for a reasonable accommodation for a service-related disability to have a pigeon aviary in an r1c zoning district.

Prior Ir 20-23-113 was for request for a legal review of the interpretation of pigeons as fowl or not and whether pigeons' aviaries should be permitted in residential areas.



**Robin Reinhart | Agenda Coordinator**

Planning Division | Development Services Department  
1653 Blaise Dr., Brooksville, FL 34601

**Phone:** (352) 754-4057 ext. 28011

**Fax:** (352) 754-4420

**Email:** [rreinhart@hernandocounty.us](mailto:rreinhart@hernandocounty.us)

**Website:** <https://www.hernandocounty.us/zoning>

Office Hours: Monday-Friday, 7:30 AM – 4:00 PM

# THE HOGAN LAW FIRM®

*We mean business<sup>SM</sup>*

August 2, 2023

Received

AUG 02 2023

Planning Department  
Hernando County, Florida

Ms. Michelle Miller  
Planning Administrator  
Planning Department  
Hernando County Board of County Commissioners  
1653 Blaise Drive  
Brooksville, Florida 34601

RE: Request for Relief is a Special Exception Use Permit for a Reasonable Accommodation for a Service Related Disability to have a pigeon aviary in an R1C Zoning District.

Dear Ms. Miller:

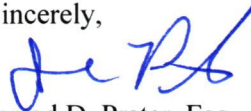
Enclosed is an application for a Special Exception Use Permit (the "Application") along with the required ancillary documentation as required by the Hernando County Board of County Commissioners (the "County") on behalf of Alejandro Crespo (the "Applicant") for property located at 12483 Covent Garden Road, Brooksville, FL 34613 (the "Property").

This Application is submitted in reference to Code Enforcement Case SMS Case No.: 418727, Hernando County, Florida vs. Alejandro Crespo (the "Code Enforcement Case"). The Code Enforcement Case is still pending and has been continued from the July 26, 2023 hearing date, while the Applicant pursues a special exception use permit to maintain a pigeon aviary within a R-1C Residential District. The Applicant keeps and maintains the pigeon aviary to house his pigeons that serve as emotional support animals to help treat his service-related handicap of Post-Traumatic Stress Disorder (PTSD).

The County's Land Development Code does not have a specific mechanism or an express written procedure to submit reasonable accommodation requests. After consulting with Kyle Benda, Assistant County Attorney, it was suggested to proceed with an Application as a Special Exception Use Permit.

Please contact our office with any questions or comments that may be necessary to submit a complete application.

Sincerely,



Jarrod D. Prater, Esq.  
Attorney-At-Law

cc: Alejandro Crespo, Applicant  
Kyle Benda, Assistant County Attorney  
Rachel Boymer, Code Enforcement Officer



**THE HOGAN LAW FIRM®**

*We mean business<sup>SM</sup>*

August 31, 2023

**SENT VIA EMAIL: [mlmiller@co.hernando.fl.us](mailto:mlmiller@co.hernando.fl.us)**

Ms. Michelle Miller  
Planning Administrator  
Planning Department  
Hernando County Board of County Commissioners  
1653 Blaise Drive  
Brooksville, Florida 34601

Received

AUG 02 2023

Planning Department  
Hernando County, Florida

RE: Request for Relief is a Special Exception Use Permit for a Reasonable Accommodation for a Service-Related Disability to have a pigeon aviary in an R1C Zoning District – Supplement to Prior Application

Dear Ms. Miller:

On August 3, 2023, we submitted an application for a Special Exception Use Permit (the "Application") along with required ancillary documentation as required by the Hernando County Board of County Commissioners (the "County") on behalf of Alejandro Crespo (the "Applicant") for property located at 12483 Convent Garden Road, Brooksville, FL 34613 (the "Property").

The Application was submitted in reference to Code Enforcement Case SMS Case No.: 4148727, Hernando County, Florida vs. Alejandro Crespo (the "Code Enforcement Case"). The Applicant through the Application has requested a special exception use permit to maintain a pigeon aviary within an R-1C Residential District. This letter serves as a supplemental to the Application regarding the lighting of the pigeon aviary and providing the Adjacent Property Ownership List (the "List") as issued by the Hernando County Property Appraiser. The List is attached to this letter.

As part of resolving the compliance with the Code Enforcement Case, the Applicant originally had planned to remove the electricity from the accessory structure. Thus, in the Application's narrative section, we originally indicated that no lightning would be used in the accessory structure. However, the County Inspector for the County confirmed that due to the building plans for the accessory structure contemplating the use of electricity, the electricity needed to be reinstalled. As such, the Applicant reinstalled the electricity in accordance with the building plans and the County's requirements.

No lighting has been installed that will be used on the outside of the accessory structure. The lighting currently installed is used solely on the inside of the structure and does not shine or direct lighting toward any neighboring property next to the accessory structure. The Applicant does not intend to use any special lighting for the use of the pigeon aviary, but only standard lighting within the accessory structure that one would ordinarily find in a building used within a residential area.

Please contact our office with any questions or comments that may be necessary to supplement and update the Application accordingly.

Sincerely,

*Jarrold D. Prater*

Jarrold D. Prater, Esq.  
Attorney at Law

cc: Alejandro Crespo, Application ([alejandrocrespo47@outlook.com](mailto:alejandrocrespo47@outlook.com))  
Kyle Benda, Assistant County Attorney ([kbenda@co.hernando.fl.us](mailto:kbenda@co.hernando.fl.us))  
Rebecca Boymer, Code Enforcement Officer ([RBoymer@HernandoCounty.us](mailto:RBoymer@HernandoCounty.us))

**HERNANDO COUNTY CONDITIONAL USE PERMIT  
OR SPECIAL EXCEPTION USE PERMIT PETITION**



Application request (check one):

☐ Conditional Use Permit

☒ Special Exception Use Permit

PRINT OR TYPE ALL INFORMATION

Date: August 2, 2023

File No. \_\_\_\_\_ Official Date Stamp:

SE-23-08

Received

AUG 02 2023

Planning Department  
Hernando County, Florida

**APPLICANT NAME:** Alejandro Crespo

Address: 12483 Convent Garden Road

City: Brooksville

State: Florida

Zip: 34613

Phone: (813) 435-0320

Email: alejandrocrespo47@outlook.com

Property owner's name: (if not the applicant) \_\_\_\_\_

**REPRESENTATIVE/CONTACT NAME:** Alejandro Crespo

Company Name: The Hogan Law Firm, LLC

Address: 20 S. Broad Street / PO Box 485

City: Brooksville

State: Florida

Zip: 34605

Phone: (352) 799-8423

Email: jrey@hoganlawfirm.com and/or jprater@hoganlawfirm.com

**HOME OWNERS ASSOCIATION:** ☐ Yes ☒ No (if applicable provide name) \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

**PROPERTY INFORMATION:**

1. PARCEL(S) **KEY** NUMBER(S): 726888 and 726897

2. SECTION 09, TOWNSHIP 22, RANGE 18

3. Current zoning classification: R-1C Residential

4. Desired use: Use of a 372 square foot accessory building as a pigeon aviary normally allowed in A/R Districts.

5. Size of area covered by application: 40,902 Square Feet or .939 acre (Combination of two parcels)

6. Highway and street boundaries: Covent Garden Road

7. Has a public hearing been held on this property within the past twelve months? ☐ Yes ☒ No

8. Will expert witness(es) be utilized during the public hearings? ☒ Yes ☐ No (If yes, identify on an attached list.)

9. Will additional time be required during the public hearing(s) and how much? ☐ Yes ☒ No (Time needed: \_\_\_\_\_)

**PROPERTY OWNER AFFIDAVIT**

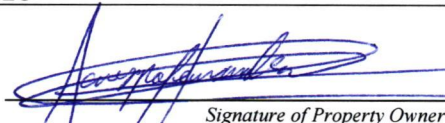
I, Alejandro Crespo, have thoroughly examined the instructions for filing this application and state and affirm that all information submitted within this petition are true and correct to the best of my knowledge and belief and are a matter of public record, and that (check one):

☐ I am the owner of the property and am making this application OR

☒ I am the owner of the property and am authorizing (applicant): Jennifer C. Rey and/or Jarrod D. Prater

and (representative, if applicable): The Hogan Law Firm, PLLC

to submit an application for the described property.

  
Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of August, 2023, by Alejandro Crespo who is personally known to me or produced FL DL as identification.

  
Signature of Notary Public

Effective Date: 11/8/16 Last Revision: 11/8/16



Notary Seal/Stamp





**Special Exception Use Permit Application Narrative**

**August 2, 2023**

Received

AUG 02 2023

Planning Department  
Hernando County, Florida

**REQUESTED ACTION:**

The applicant requests the approval of a special exception use on the subject properties zoned as R-1C residential district to allow the applicant to keep and maintain a pigeon aviary or pigeon loft on the applicant's property as emotional support animals and to participate in competitive pigeon racing. The Hernando County Land Development Code provides for pigeon aviaries within agricultural/residential districts and the request seeks an exception to allow the aviary in the currently zoned R-1C property. This is a request for a reasonable accommodation for a qualifying service-related disability pursuant to the Fair Housing Act of 1988, 42 U.S.C. §3601, and the Florida Fair Housing Act, Section 760.20, Florida Statutes. While the applicant seeks a special exception use, it recognized the any approval of such use based on a reasonable accommodation would only be applicable to the property for so long as it is owned by the applicant, and would not otherwise run with the land.

**OWNER/APPLICANT INFORMATION:**

**Property Owner(s) of Record:** Alejandro Crespo  
12483 Covent Garden Road  
Brooksville, FL 34613

**Proof of Ownership:** The following deeds of record are referenced for establishing proof of ownership: Warranty Deed at OR Book 3574, Page 728, and OR Book 4135, Page 1355.

**Applicant:** Alejandro Crespo  
12483 Covent Garden Road  
Brooksville, FL 34613

**SITE LOCATION:**

**Parcel Key No. / Parcel No.:** 726888/ R01-221-17-3340-0357-0130  
726897/ R01-221-17-3340-0357-0140

**Property Address:** 14283 Covent Garden Road and TBD Covent Garden Road, Brooksville, Hernando County, Florida 34613-3847

**Legal Description:** The full legal description for the parcels are as follows:

**Parcel Key No./ Parcel No.:** 726888/ R01-221-17-3340-0357-0130

01025784

1 of 9

Alejandro Crespo

Lot 13, Block 357, Royal Highlands Unit No. 5, according to the plat thereof, as recorded in Plat Book 12, Pages 45 through 59, inclusive, of the Public Records of Hernando County, Florida.

**Parcel Key No./ Parcel No.: 726897/ R01-221-17-3340-0357-0140**

Lot 14, Block 357, Royal Highlands Unit No. 5, as per plat thereof recorded in Plat Book 12, Pages 45 through 59, Public Records of Hernando County, Florida.



#### **SITE CHARACTERISTICS:**

**Property Size/Size of Area to Be Rezoned:** .939 +/- Acres

**Property Square Footage:** 40,902 Square Feet +/-

**Current Future Land Use Designation:** Rural

**Current Zoning:** Residential (R1C)

**Current Use:** Residential/ Vacant

01025784

2 of 9

Alejandro Crespo



**Surrounding Future Land Use Designation:**

North	Rural
East	Rural
South	Rural
West	Rural

**Surrounding Zoning:**

North	Residential
East	Residential
South	Residential
West	Residential

**Surrounding Uses:**

North	Residential
East	Residential
South	Residential/Vacant
West	Vacant

**PROJECT DESCRIPTION:**

**Building Description:** The proposed use of the subject property includes the use of an existing accessory structure that is 372 square feet to house pigeons that compete in competitive pigeon racing. The structure is 31 feet long and 12 feet wide with a slanted roof. The roof is 13 feet high at its highest point and 9 feet high at its lowest point.

**Building Setbacks:** As an accessory structure to a principal residence the setbacks are 7.5 feet from the side lot line and 15 feet from the rear lot line. It should be noted that the structure is located on the West lot line adjacent to the second parcel owned by the applicant.

**Landscape/Buffering:** There is no landscaping or buffering around the structure.

**Lighting:** The accessory structure does not contain electricity, and therefore, there is no lighting.

**Parking:** There is no parking applicable to this use, as the use is solely for the property owner who will use the existing driveway and parking in the normal course of occupancy of his residence.

**Transportation/Access:** The property is accessed from a local street that connect to Sunshine Grove Road. No additional transportation impacts are anticipated for the requested use, and no specialty vehicles are planned to be used with the aviary or racing.

#### **SPECIAL EXCEPTION USE PERMIT:**

**Requested Special Exception Use Permit:** The applicant seeks approval to use an existing accessory structure as a pigeon aviary or pigeon loft. The current structure is 372 square feet and sits on one parcel that is 20,457 square feet. The applicant owns another lot that is next door to primary parcel which is also 20,457 square feet. Taking both parcels into account the building accessory sits on a total of 40,914 square feet owned by the applicant. A survey and building plans are attached hereto as *Exhibit A*. This use would only be used while applicant owns the subject property.

#### **Analysis in Support of Request:**

Pursuant to Objective 4.01(A) and Objective 4.01(B) of the Hernando County Comprehensive Plan (HCCP), certain special exception uses may be allowed within certain residential districts to meet the needs of the "various segments of the population." Strategy 4.01(A)(2), of the HCCP, provides:

*"Provide within the Residential Category on the Future Land Use Map, a range of densities, lot sizes, setbacks, and a variety of housing types in locations convenient to the needs of various segments of the population." (emphasis added)*

Furthermore, Strategy 4.01B(3) provides:

*"Hernando County should promote suitable locations for special needs populations with respect to proximity to services and computability of land uses. Housing for special needs populations will be regulated in the land development regulations as a permitted use or special exception in a variety of zoning districts throughout the County. (emphasis added)*

This special exception use request is consistent with the County's goals as outlined in the HCCP and is a request that must be granted as required by federal and state law as a reasonable accommodation under the Fair Housing Act of 1988, 42 U.S.C. §3601 and the Florida Fair Housing Act, Section 760.20, Florida Statutes.

Article IV Zoning District Regulations, Section 1. Establishment of Zoning Districts, A. Zoning District Designations, paragraph (3) of the Hernando County Land Development Code establishes the R-1C Residential District as follows:

*“This district is designed to encourage and protect low-density, single-family development and is intended to be the district most utilized for regulating future single-family development within the county.”*

The R-1C zoning district is established pursuant to Article IV Zoning District Regulations, Section 2. Residential Districts, paragraph C. R-1C Residential District of the Hernando County Land Development Code. Pursuant to Article IV, Section 13. Agricultural/ Residential Districts. Paragraph A(1)(a)(vi.) states:

*“Pigeon aviaries with a maximum of 1,500 square feet of area devoted to housing pigeons, per acre.”*

Under the Hernando County Land Development Code, Article IV, Section 13. Agricultural/ Residential Districts. Paragraph A(1)(a)(vi.), pigeon aviaries are a permitted use in all agricultural/ residential districts. The applicant is seeking to use an existing accessory structure on his property as a pigeon aviary that houses pigeons. The housing and care of pigeons serve as an “emotional support” to the applicant as part of his overall health care treatment plan for a service-related disability. Applicant has been diagnosed by a qualified health care provider with a post-traumatic stress disorder and as a result suffers from anxiety and isolation symptoms. The applicant's participation in the housing, care and racing of pigeons has mitigated various symptoms of PTSD as part of his overall treatment plan.

#### **Reasonable Accommodation**

This request for relief is not expressly provided for in the Hernando County Land Development Code. The request for relief is being sought as a reasonable accommodation for a deviation from the Hernando County Land Development Code pursuant to the Fair Housing Act of 1988, 42 U.S.C. §3601 (FHA), and the Florida Fair Housing Act, Section 760.20, Florida Statutes (FFHA). Generally, the FHA prohibits discrimination against an individual based on race, color, religion, sex, familial status, or national origin (the “Protected Groups”). Such acts of discrimination include refusing to sell or rent any dwelling, and publishing advertisements for the sale or rental of any dwelling that has a preference, limitation, or discrimination based on the Protected Groups’ immutable characteristics. *See generally* 42 U.S.C. §3604(a)(b)(c)(d).

The FHA was amended to include in the Protected Groups individuals with a “handicap.” The FHA has adopted the same definition of handicap as the Americans with Disabilities Act defining “disability.” *See* 42 U.S.C. §3602(h) and *Bradgon v. Abbott*, 524 U.S. 624, 631 (1998). The ADA has defined “disability” as “a physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as an impairment. Furthermore, a person “being regarded as having such an impairment” will be regarded with a disability if the individual has been subjected to an action prohibited under the ADA because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.” 42 U.S.C §12102.



The FHA limits the ability of local governments to impose zoning and land use restrictions against a person based on a handicap. “A refusal to make reasonable accommodations in rules, policies, practices or services, when such accommodations may be necessary to afford a person equal opportunity to use and enjoy a dwelling” is a form of discrimination. 42 U.S.C. §3604(f)(3)(B). See also *Oconomowoc Res. Prog. v. City of Milwaukee*, 300 F. 3d 775, 782 (7th Cir. 2002). Thus, the County must grant an accommodation to an individual who makes a request for the accommodation if the County’s zoning ordinance prevents the location of an animal within a specific area and the individual needs that animal to aid with their disability.

The Department of Housing and Urban Development (HUD) has defined “assistance animal” as an animal that “works, provides assistance, or performs tasks for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person’s disability.” See generally 24 C.F.R. § 100.204(b) and FHEO-2020-01, Issued January 28, 2020. See also [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/assistance\\_animals#\\_What\\_Is\\_a\\_n](https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals#_What_Is_a_n).

When a person meets the definition of a handicap and needs an assistance animal as part of their living arrangement under the FHA, the local government must provide a reasonable accommodation for a handicapped individual under federal law. When analyzing the accommodation, a federal court will look at three elements: necessity, equal opportunity of enjoyment, and reasonableness. As part of the requirements for a reasonable accommodation, federal courts will require that the requesting party show a necessity for the accommodation, “creating a causation inquiry that examines whether the requested accommodation would redress injuries that otherwise would prevent a disabled resident from enjoying the same property as a non-disabled person would.” *Hollis v. Chestnut Bend Homeowners Ass’n*, 760 F. 3d 531, 541 (6th Cir. 2014). Additionally, the requesting party must also show equal opportunity is achieved when the accommodation “ameliorates the effects of the disability such that the disabled individual can use and enjoy his residence the same as a non-disabled person.” *Id.* Courts have noted the second and first requirements usually go hand in hand. *Anderson v. City of Blue Ash*, 798 F. 3d 338, 362 (6th Cir. 2015). The final element to meet is reasonableness. To meet this standard federal courts will balance the burden imposed on a local government versus the benefits gained for disabled individuals. This balancing test is a “highly fact-specific inquiry.” Federal courts will consider a requested accommodation as reasonable unless it requires a “fundamental alteration in the nature of a program” or “imposes undue financial and administrative burdens.” *Southeastern Community College v. Davis*, 442 U.S. 397 (1979). See also *Shapiro v. Cadman Towers, Inc.*, 51 F. 3d 328, 334 (2d Cir. 1995). The accommodation must be granted if it imposes no fundamental alteration to a program or does not create an undue financial and administrative burden. *Anderson v. City of Blue Ash*, 798 F. 3d 338, 362 (6th Cir. 2015).

Florida law is also in lockstep with the federal law. The FFHA is designed to mirror and follow the federal FHA. Florida and federal courts have interpreted the FFHA in the same manner as the federal FHA.

“The Florida Fair Housing Act is the state counterpart to the federal Fair Housing Act. Like the federal statute, the Florida Fair Housing Act provides a private right of action for any person who claims to have been injured by a discriminatory housing practice. Furthermore, the Florida Fair Housing Act is patterned after the Fair Housing Act and courts have recognized that it is to be construed consistently with federal law. Accordingly, the Court’s discussion treats interchangeably the corresponding provisions of the federal and Florida fair housing statutes and case law interpreting the same.” *Noah v. Assor*, 379 F. Supp. 3d 1284, 1295-1296 (S.D. Fla. 2019). See also *Dornbach v. Hooley*, 854 So. 2d 211, 213 (Fla. 2d DCA 2002).

#### **Handicap:**

Under the definition of “handicap,” as defined by the FHA and FFHA, the applicant meets the definition of being service-related handicapped. Crespo has been diagnosed with a post-traumatic stress disorder (PTSD) resulting from his service in the United States military and overseas deployments. The Mayo Clinic has defined PTSD as a mental health condition that is triggered by a traumatic event resulting from directly experiencing the event or witnessing the event. Symptoms of PTSD may include flashbacks, nightmares, and severe anxiety, as well as uncontrollable thoughts about the event. This can result in difficulty in adjusting and coping for individuals with PTSD after experiencing a traumatic event. <https://www.mayoclinic.org/diseases-conditions/post-traumatic-stress-disorder/symptoms-causes/syc-20355967> . As provided in the Affidavit of Reasonable Accommodation and Letter from Dr. Cueva attached hereto as *Exhibits B and C*, Crespo’s PTSD is 70% service-related. Additionally, Crespo has other physical ailments from his military service that have rendered him 100% service-related handicapped. The symptoms of his PTSD have created a major impact on his life activities.

#### **Emotional Support Animal:**

Crespo has engaged in several treatments with the Department of Veterans Affairs (VA) for his PTSD. Dr. Cueva has indicated that the VA’s treatments have had limited success. However, to address the limitations of his treatments, Crespo has engaged in pigeon fancying or competitive pigeon racing as an additional treatment. Dr. Cueva’s letter states that the hobby is “extremely therapeutic” and “give him a purpose, serve as motivation and inspire him to interact with other people through pigeon clubs and competitive races.” Crespo’s pigeons serve as emotional support animals to alleviate his PTSD symptoms of anxiety and isolation. Prior to engaging in pigeon fancying, Crespo suffered from suicidal thoughts and alcoholic addiction. Pigeon fancying helped channel his mental health to remove his suicidal thoughts and eliminate alcohol as a coping mechanism. Crespo has indicated in his talks with Dr. Cueva that the threat of losing his pigeons has raised his anxiety and has created fear that he would return to those negative symptoms of his PTSD. Thus, the pigeons are required as an additional treatment for his PTSD and serve as emotional support animals. Dr. Cueva also confirms that the request to keep the pigeons can be treated as no different than having a dog or cat to provide comfort in their home.

#### **Necessity:**



Crespo meets the definition of “handicapped” and his pigeons meet the definition of “assistance animals.” Crespo is entitled to make a request for an accommodation from the Hernando County Land Development Code. Under the first requirement of necessity, a court will examine whether or not Crespo’s handicap is redressed by the presence of the pigeons and participating in pigeon fancying. Despite receiving the treatments from the VA, Crespo’s need for the pigeons is established by the Letter from Dr. Cueva. Dr. Cueva’s letter confirms that the treatments from the VA by themselves have had limited success. He states that “while he has engaged in treatment with the VA, he has found it very difficult to live a fulfilling life.” Pigeon fancying has helped Crespo engage in a therapeutic lifestyle that has treated his PTSD symptoms. Without the pigeons, the negative side effects of Crespo’s PTSD would rear its ugly head. As noted above, Crespo suffered from suicidal thoughts and alcoholic addiction from his PTSD. Pigeon fancying has helped alleviate the negative symptoms of his PTSD.

### **Equal Opportunity:**

Under the second requirement of equal opportunity, Crespo would need to show that the pigeons reduce his anxiety and increase his enjoyment of the Property the same as a non-disabled person could. Dr. Cueva’s letter and affidavit support this element.

### **Reasonableness:**

Finally, under the reasonableness standard, Crespo would have to show that the accommodation does not materially alter the zoning ordinance or impose an undue financial burden or administrative burden on the County. Under federal case law, the mere presence of an animal by itself is insufficient to show a material altering of the zoning ordinance. *See generally Anderson v. City of Blue Ash*, 798 F. 3d 338 (6th Cir. 2015). *See generally Smith & Lee Assocs. v. City of Taylor*, 102 F. 3d at 781, 796 (6th Cir. 1996). Federal courts will look at the specific facts of the situation to determine the reasonableness. In the present matter, the facts of the size and shape of the accessory building, the use of the pigeons in competitive racing, and the frequency of bird release demonstrate that it does not materially alter the zoning ordinance nor create an administrative burden on the County to enforce the zoning restrictions.

The use of an accessory building is permitted under the Hernando County Land Development Code, however, use as a pigeon aviary in R1C is not permitted. However, without the presence of the aviary, Crespo would not be able to actively participate in pigeon racing or pigeon clubs. The Hernando County Code permits a pigeon aviary in agricultural/ residential district provided the aviary does not exceed 1,500 square feet per acre. The accessory building here is much smaller sitting at a total of 372 square feet. Furthermore, the pigeon aviary is only 31 feet long and 12 feet wide. The pigeon roof is slanted. The roof is 13 feet high at its highest point and 9 feet high at its lowest point. The current building accessory sits on a parcel that is roughly half an acre, but the applicant also owns an additional parcel adjacent to this parcel that brings the total property to just below one full acre. A typical competitive pigeon aviary has around 150 pigeons that compete in racing. Crespo’s aviary houses 127 pigeons.

Additionally, the pigeon aviary is distinguishable from a chicken coop in several ways. Competitive racing pigeons are provided a specific organic food and dietary supplement that are



designed to eliminate the spread of germs and keep the pigeons in healthy conditions. Furthermore, the aviary is cleaned daily and any feces are removed from and disposed of with solid waste collection. The feces are placed into garbage bags and then into garbage pins that are picked up on the weekly regular schedule by the applicant's garbage disposal service to be disposed on County sanctioned landfills.

Pigeon racing is also not a year-round competitive season. The racing season usually runs from July to December. During the offseason, the pigeons are kept in the pigeon loft and are not released. The type of race distance will determine the type of training the pigeons will receive during the race season. If the race is for a period of 360 miles or greater, the pigeons will fly freely around the pigeon loft for a 45-minute period and will return to the loft at the same time. If the race ranges from 100 to 120 miles, the pigeons will be taken offsite to another location 60 to 70 miles away and released. The pigeons will return to the loft at varying times throughout the day, usually returning no later than 10:00 PM. Pigeon training is a limited technique designed to limit the impact on neighboring properties. Competitive racing pigeons are specifically trained to return to the loft from which they come, and not roost or otherwise linger in the surrounding area.

Finally, other nearby properties with similar zoning to the applicant have pigeon lofts located on them. Attached as *Exhibit D* is a map with yellow dots showing the location of other pigeon aviaries on properties designated at R-1C residential districts. The number of lofts within a one mile radius demonstrate that the existence of a loft at the applicant's property is reasonable and would not otherwise fundamentally change the zoning scheme in the area.

#### **Conclusion:**

The FHA and FFHA require that Hernando County grant a reasonable accommodation for Crespo's pigeons, despite the violation of the Hernando County Land Development Code. Crespo's PTSD meets the definition of "handicap," and the pigeons also meet the broad definition of an "assistance animal," as the pigeons serve as emotional support animals. Crespo can show that the accommodation is reasonable and necessary to redress his PTSD symptoms and that such an accommodation provides an equal opportunity to enjoy his Property. Finally, the accommodation would be reasonable as courts do not consider the presence of animals in a residential zone as a fundamental change from the zoning ordinance, and it would not impose an undue burden, due to the lack of complaints and the lack of enforcement by the County against other neighboring aviaries. We respectfully request that the applicants request for relief be granted.

Received

AUG 02 2023

**AFFIDAVIT OF REASONABLE ACCOMMODATION**

Planning Department  
Hernando County, Florida

**BEFORE ME**, the undersigned authority, personally appeared as Dr. David E. Cueva, PsyD of the Brooksville Community Based Outpatient Clinic that provides medical services to veterans for the United States Department of Veterans Affairs (VA), who being duly sworn according to the law, deposes and says:

1. Affiant is an employee and staff psychologist with the VA at the Brooksville Community Based Outpatient Clinic in Brooksville, Florida. Affiant has a caseload covering mental health disorders including Post-Traumatic Stress Disorder, Specific Phobias, marital issues, and life stage changes. Affiant's services include psychotherapy, evidence-based treatments, and structured group psychotherapy.
2. Affiant has personal knowledge of facts contained in this Affidavit including the treatment of Alejandro Crespo's ("Mr. Crespo") difficulties with military-related Post-Traumatic Stress Disorder (PTSD).
3. Affiant has personally worked with Mr. Crespo regarding the treatment of Mr. Crespo's PTSD and has determined that the PTSD is seventy percent (70%) service-connected, along with several other physical ailments rendering Mr. Crespo one hundred percent (100%) service-connected disabled.
4. Affiant has determined that Mr. Crespo suffers from anxiety symptoms related to his PTSD for many years. Though Mr. Crespo has engaged in treatment with the VA, Mr. Crespo has found it very difficult to live a fulfilling life, despite such treatments.
5. One method Mr. Crespo has engaged in to alleviate his anxiety symptoms for his PTSD is pigeon fancying. Mr. Crespo has revealed that his hobby of pigeon fancying is extremely therapeutic for him. Pigeon fancying has given him a purpose to serve as motivation to interact with other people through pigeon clubs and pigeon competitive racing.
6. Mr. Crespo's accommodation request is a necessity as Mr. Crespo's engagement with his pigeons, helps provide further treatment to alleviate the anxiety symptoms that Mr. Crespo suffers from due to his PTSD disability that the VA would not otherwise be able to provide.
7. If Mr. Crespo's accommodation request is granted it will also permit him to enjoy his home compared to a non-disabled person, as Mr. Crespo's neighbors and other neighboring properties also engage in local pigeon fancying clubs and pigeon racing in Hernando County, Florida. Mr. Crespo's interaction with his pigeons gives him a much more meaningful and fulfilling life.
8. Mr. Crespo's accommodation request is also reasonable as it can be thought of as a request for anyone who has a dog or cat that helps them feel less distressed and thus more comfortable in their home and around other people.

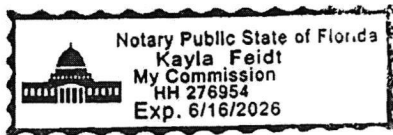
**FURTHER AFFIANT SAYETH NOT.**

Dated: 07/24/2023

David E. Cueva  
Dr. David E. Cueva, PsyD  
Brooksville Community Based  
Outpatient Clinic  
U.S. Department of Veterans Affairs

STATE OF FLORIDA  
COUNTY OF HERNANDO

The foregoing instrument was sworn to and subscribed hereto before me by means of ☐ physical presence or ☐ online notarization this 24<sup>th</sup> day of July, 2023 by Dr. David E. Cueva, PsyD. He/she is ☐ personally known to me or ☒ has produced FL Drivers License as identification.



Kayla Feidt  
Notary Public State of Florida  
Print Name: Kayla Feidt  
My Commission Expires 6/16/2026



Received  
AUG 02 2023  
Planning Department  
Hernando County, Florida

## **Veterans Health Administration**

*Department of Veterans Affairs*

**James A. Haley Medical Center (VAMC)**

**Brooksville Community Based Outpatient Clinic (CBOC)**

**14540 Cortez Blvd, Suite 108, Brooksville, FL 34613, 352-597-8287**

Department of Planning and Zoning

Code Enforcement

789 Providence Blvd, Brooksville, FL 34601

352-754-4056

April 6, 2023

To whom it may concern,

I am writing on behalf of Mr. Alejandro Crespo in support of his request for Reasonable Accommodations regarding his pigeons. I am a staff psychologist with the Department of Veterans Affairs (VA) at the Brooksville Community Based Outpatient Clinic in Florida. I have worked with Mr. Crespo related to his difficulties with military-related Post-Traumatic Stress Disorder (PTSD). In addition, Mr. Crespo is service connected for PTSD (70%) and he has a number of other physical issues totaling him 100% service connected disabled.

Mr. Crespo has suffered from anxiety related to his PTSD for many years and while he has engaged in treatment with the VA he has found it very difficult to live a fulfilling life. He has talked about the hobby of being a pigeon fancier as extremely therapeutic for him. His pigeons give him a purpose, serve as motivation and inspire him to interact with other people through pigeon clubs and competitive races. This request for Reasonable Accommodations is appropriate and can be thought of as a request for anyone who has a dog or cat that help them feel less distress and thus more comfortable in their home and around other people.

In closing, I have full confidence that Mr. Crespo will continue in his treatment. Granting his Reasonable Accommodation will only help him in his overall recovery. He lives a much more meaning and fulfilling life with the pigeons in his life. If I can be of any help, please feel free to contact me.

Sincerely,

David E. Cueva, PsyD

Staff Psychologist – Program Manager

James A. Haley Medical Center (VAMC)

Brooksville Community Based Outpatient Clinic (CBOC)

14540 Cortez Blvd, Suite 103

Brooksville, FL 34613

david.cueva@va.gov

352-597-8287 x4153

AS BUILT ACCESSORY  
STRUCTURE FOR:

MR. ALEJANDRO CRESPO  
12483 CONVENT GARDEN RD.  
SPRING HILL, FL 34613

THE CONTRACT DOCUMENTS

The contract documents consist of the Owner-Contractor Agreement, these Conditions, the drawings, specifications, and all Addenda issued prior to and all Modifications issued after execution of the Contract.

CHANGE ORDERS: A written order by the Contractor signed by the Owner and the Architect, issued after execution of the Contract, authorizing a change in the Work or an adjustment in the Contract Sum or the Contract Time.

THE WORK: The Work comprises the completed construction required by the Contract Documents and includes all labor necessary to produce such construction, and all materials and equipment incorporated or to be incorporated in such construction.

ARCHITECT: The Architect will be the Owner's representative during construction and until final payment is received. The Architect will be responsible for the coordination of all construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work. The Architect shall at all times have access to the Work wherever it is in preparation and progress.

The Architect will review and approve or take other appropriate action upon Contractor's submittals such as Shop Drawings, Product Data and Samples. The Architect's approval of such submittals shall not constitute approval of an assembly of which the item is a component.

Upon authorization by the Owner additional compensation, the Architect will render extensive Construction Administration as described in the AIA Standard Documents.

OWNER

The term Owner means the Owner or his authorized representative. The Owner shall furnish all surveys describing the physical characteristics, legal limitations and easements of the property and shall be responsible for obtaining all necessary permits and pay for necessary approvals, easements, assessments and charges required for the construction.

The Owner, upon written order, may stop the work and contract the remaining work with another entity deciding through a Change Order the cost of correcting any deficiency, including compensation for the Architect's additional services made necessary by such default, neglect or failure.

CONTRACTOR

The Contractor shall carefully study and compare the Contract Documents and shall at all times be responsible for the coordination of all construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work. The Contractor shall be responsible for obtaining all necessary permits and pay for necessary approvals, easements, assessments and charges required for the construction. Unless otherwise provided in the Contract Documents, the Contractor shall provide and pay for all labor, materials, equipment, tools, constructing equipment and machinery, water, heat, utilities, transportation, and other facilities and services necessary for the proper execution and completion of the Work.

The Contractor shall maintain at the site for the Owner one record copy of all Drawings, Specifications, Addenda, Change Orders and other Modifications, in good order and marked to show all changes. The Contractor shall be responsible for the coordination of all construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work. The Contractor shall be responsible for obtaining all necessary permits and pay for necessary approvals, easements, assessments and charges required for the construction.

SUBCONTRACTORS

A subcontractor is a person or entity who has a direct contract with the Contractor to perform any of the Work at the site. The Contractor shall furnish to the Owner and the Architect in writing the names of the persons or entities (including those who are to furnish materials or equipment fabricated to a special design) proposed for each of the principal portions of the Work. The Owner reserves the right to perform work related to the Project with his own forces, and to award separate contracts in connection with other portions of the Project.

ARBITRATION

All claims, disputes and other matters in question between the Contractor and the Owner relating to the work shall be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association.

SUBSTANTIAL COMPLETION

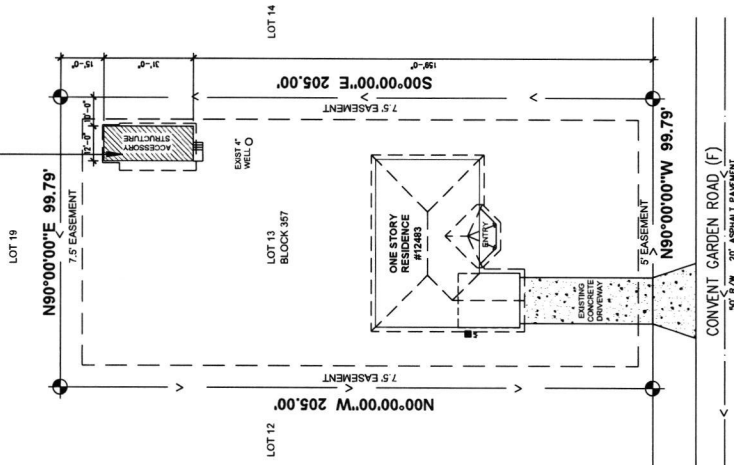
The Date of Substantial Completion of the Work is the Date certified by the Architect when construction is sufficiently complete, so the Owner can occupy or utilize the Work.

**FLOOD ZONE INFORMATION**  
COMMUNITY: HERNANDO COUNTY 12010  
MAP PANEL NO. 12053001560  
FLOOD DATE: 02/02/2012  
FLOOD DATE: 1

**LEGEND**

- PROPERTY LINE
- DRAINAGE FLOW
- FENCE
- EXIST. DM WALL
- (P)= PLAT
- (M)= MEASURED
- (D)= DESCRIPTION
- (C)= CALCULATED

PERMIT FOR  
ACCESSORY STRUCTURE  
372 S.F.



NOTE:  
THERE ARE NO PERMIT FEATURES ON  
ADJACENT PROPERTIES AND ACROSS THE STREET  
THAT MAY AFFECT ON-SITE SEWAGE TREATMENT  
AND DISPOSAL SYSTEM INSTALLATION.

SITE PLAN  
SCALE 1"=20'-0"

FLORIDA BUILDING CODE 7TH EDITION 2020

INDEX TO DRAWINGS

- A-1 Site Plan
- S-1 Fixtures & Foundation Plan
- A-2 Floor Plan
- S-2 Sections & Details Plan
- A-3 Elevations & Roof Plan
- S-3 Notes & Details Plan
- E-1 Electrical Plan
- S-4 Flashing Details Plan

ZONING LEGEND

ZONING DISTRICT	R 1C	SEMI-DETACHED	REAR	REAR	REAR	REAR	REAR	REAR	REAR
PARCEL KEY	00726888	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
NET LAND AREA	20,437 S.F.	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
LOT COVERAGE	2,810 S.F.	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
BUILDING COVERAGE	745 S.F.	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
DRIVEWAY & CONCRETE	18,600 S.F. (17.7%)	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
PERVIOUS AREA	3,935 S.F. (17.7%)	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
IMPERVIOUS AREA	3,935 S.F. (17.7%)	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
TOTAL	3,935 S.F.	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
NEW ACCESSORY STRUCTURE	372 S.F.	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"
TOTAL BUILDING COVERED	2,810 S.F.	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"	20'-0"

LEGAL DESCRIPTION

LOTS 17 AND 18, BLOCK 6, MAP OF HILLSBOROUGH HEIGHTS SOUTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10 AT PAGE 28 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA

THIS PERMIT UNDER FBC 2020, 7th EDITION

TYPE OF CONSTRUCTION: V  
OCCUPANCY CLASSIFICATION: GROUP R-3  
HEIGHT OF BUILDING: 13'-4"  
No. OF STORIES: ONE(1)  
AREA PER FLOOR (SF): 372 S.F.

Received

AUG 02 2023

Planning Department  
Hernando County, Florida



**LUISA ALONSO & ASSOCIATES, LLC.**  
LIC. No. CGC1513685  
1024 W HILLSBOROUGH AVE, TAMPA, FL 33603  
Ph: (813)-735-8396  
e-mail: lalassociates@yahoo.com

SEAL OF THE ARCHITECT  
No. 56198  
STATE OF FLORIDA  
PROFESSIONAL ARCHITECT

DRAWING NO. 1  
DATE: 02/27/2012

MR. ALEJANDRO CRESPO

01-27-23

A-1

Job No. 023-003

FAILURE OF THE CONTRACTOR TO VERIFY ANY CONDITIONS PRIOR TO COMMENCEMENT AND TO REPORT IN WRITING TO THE A/E ANY DISCREPANCIES OR ERRORS ON THE CONTRACT DOCUMENTS SHALL NOT BE A JUSTIFICATION FOR ERRORS TO THE CONTRACT DOCUMENTS.

[illegible]

**METAL AND WIRE MESH:**  
WIRE LATH FOR PLASTER APPLICATIONS SHALL BE NOT LESS THAN 1/8" W/60 MESH LATH OR 1/4" U.S./70 TO WITH SUPPORTS @ 24" O.C. MAXIMUM, ALL METAL LATH SHALL BE GALVANIZED.

**STUCCO ON METAL LATH:**  
STUCCO SHALL BE APPLIED IN 3-COAT FOR A THICKNESS OF 3/4" OVER GALVANIZED, APPROVED METAL LATH, ON 15 LBS. ROOFING FELT, ON 3/4" PLYWOOD, ON WOOD OR METAL STUDS @ 16" O.C.

[illegible]

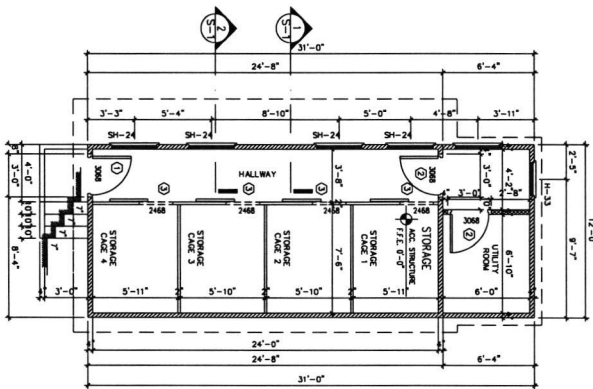
STUD STUDS SUPPORTING WALL HANG PLUMBING FIXTURES SHALL BE LOCATED AT LEAST 24" FROM STUD CENTERLINE. STUDS SHALL BE RIGIDLY CONNECTED TOP AND BOTTOM TO 8064 "X 6" AND SHALL BE 24" O. C.

WOOD BLOCKING SECURELY ATTACHED TO NOT LESS THAN TWO STUDS SHALL BE PROVIDED FOR EACH PLUMBING FIXTURE. BLOCKING SHALL BE NOT LESS THAN 2" X 6" 20 GAUGE. 24" O. C.

[illegible]

**CONDENSATE LINES AND ROOF DOWNSPOUTS**  
CONDENSATE LINES AND ROOF DOWNSPOUTS SHALL DISCHARGE AT LEAST 1 FOOT (305 MM) AWAY FROM THE STRUCTURE SURFACEL, MEANS BY UNDERGROUND PIPING, TAIL EXTENSIONS, OR SPLASH BLOCKS.

EXIST. RESIDENCE LIVING SPACE	1955 S.F.
EXIST. RESIDENCE NO LIVING SPACE	483 S.F.
NEW ACCESSORY STRUCTURE	372 S.F.
<b>TOTAL BUILDING COVERED:</b>	<b>2,810 S.F.</b>

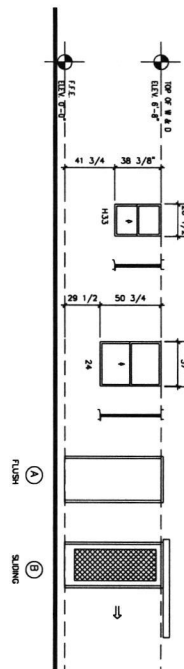


**FLOOR PLAN**  
**SCALE 1/4"=1'-0"**

ROOM FINISH SCHEDULE							
AREA	FLOOR	BASE	WALL	CEILING	HEIGHT	MEANS/COST	REMARKS
STORAGE	TILE	—	OPSPUM	OPSPUM	7'-4"	—	

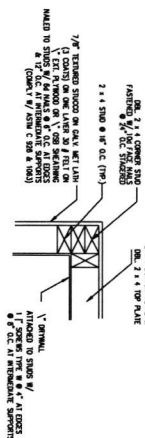
DOOR SCHEDULE										FRAME		REMARKS
NO.	OPENING	WIDTH	HEIGHT	TH	TYPE	MAT.	THRESH.	HDBRM	GLAZING	DET.	MAT.	
1	3'-0"	2'-6"	8'-0"	1 1/2"	A	WOOD GLASS	WOOD	WOOD	WOOD	WOOD	WOOD	WPC/ALUM
2	3'-0"	2'-6"	8'-0"	1 1/2"	A	WOOD GLASS	WOOD	WOOD	WOOD	WOOD	WOOD	WPC/ALUM
3	2'-6"	2'-6"	8'-0"	1 1/2"	A	WOOD GLASS	WOOD	WOOD	WOOD	WOOD	WOOD	WPC/ALUM

SINGLE HUNG



## CORNER WALL

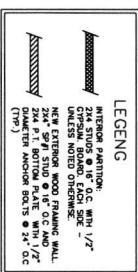
SCALE: 1-1/2"=1'-0"



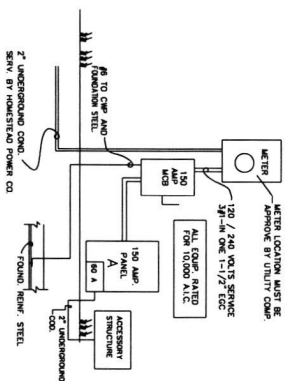
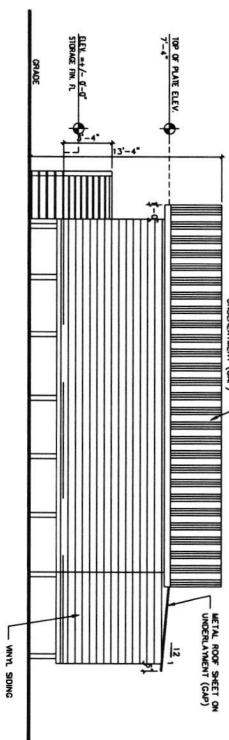
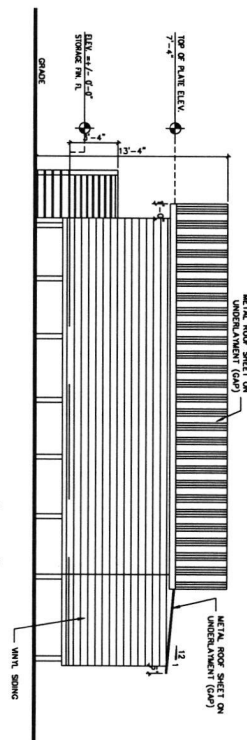
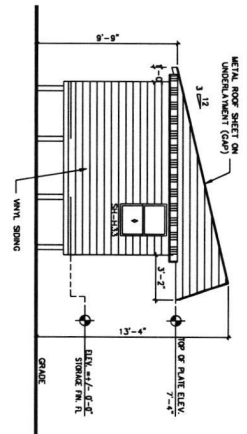
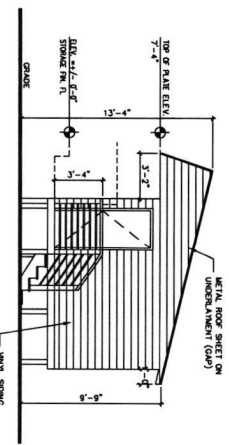
Received

AUG 02 2023

Planning Department  
Hernando County, Florida

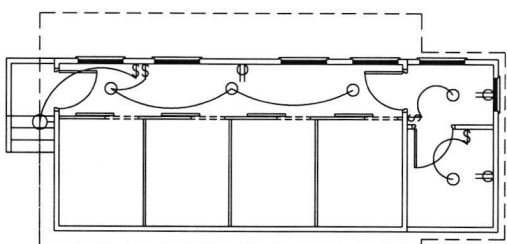






SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
○	WALL MOUNTED	○	ASSIGNED RECEPTACLE
○	CEILING RECESSED	○	TRIPPER RECEPTACLE
○	FLUORESCENT LAMP	○	DATA RECEPTACLE - 8" A.F.F.
○	2 X 4 LAMIN FLUORESCENT LIGHT	○	DATA FLOOR RECEPTACLE
○	1 X 4 FLUORESCENT STRIP	○	DISCONNECT
○	CEILING FAN WITH LIGHT	○	APPROX. BOX
○	SWITCH	○	EMERGENCY LIGHT
○	3-WAY SWITCH	○	ED LIGHT
○	TELEPHONE JACK	○	ALARM PANEL (BY OTHERS)
○	EXHAUST FAN / WALL	○	ROOF VENT
○	EXHAUST FAN / CEILING	○	CARBON MONOXIDE DETECTOR
○	INTERCOM BASE	○	PULL STATION
○	INTERCOM (VENERY LOCATION)	○	HORN & STROBE
○	TEL. ANTENNA OUTLET AT 8" A.F.F.	○	COAXIAL CABLE

- GENERAL NOTES:**
1. ALL WORK SHALL COMPLY WITH THE LATEST EDITION ON THE BUILDING CODE (NBC) & THE FLORIDA BUILDING CODE (FBC).
  2. ALL CABLE SHALL BE COPPER UNLESS OTHERWISE NOTED AND APPROVED.
  3. ALL WIRING SHALL BE IN RACEWAY.
  4. OUTDOOR UNDERGROUND CONDUITS SHALL BE SCHEDULE 40 PVC UNDER PAVED AREAS.
  5. CONTRACTOR SHALL FURNISH ALL LABOR MATERIALS AND EQUIPMENT FOR THE INSTALLATION OF THE ELECTRICAL SYSTEM.
  6. ELECTRICAL DRAWINGS AND SPECIFICATIONS SHALL BE THE BASIS FOR ALL WORK.
  7. ELECT. CONTRACTOR TO PROVIDE CARRY CONDUITS AS REQD.
  8. ALL LIGHT FIXTURES AND FANS TO BE SELECTED BY OWNER AND INSTALLED BY CONTRACTOR UNLESS OTHERWISE NOTED.
  9. ALL WIRING HANDWORK SHALL BE BY CONTRACTOR.
- SMOKE DETECTORS:**
1. CONNECT SMOKE DETECTOR TO ON SWITCH LIGHT CIRCUIT OR SMOKE DETECTOR CIRCUIT.
  2. SMOKE DETECTOR SHALL BE INTERLOCKED WITH SMOKE DETECTOR CIRCUIT.
  3. SMOKE DETECTOR SHALL BE 5'-0" AWAY FROM A/C DISCONNECT.
  4. SMOKE DETECTOR SHALL BE 5'-0" AWAY FROM A/C DISCONNECT.
  5. SMOKE DETECTOR SHALL BE 5'-0" AWAY FROM A/C DISCONNECT.
- LEGEND:**
- - A/C CIRCUIT
  - - BATHROOMS
  - - KITCHENS



ELECTRICAL PLAN  
SCALE: 1/4" = 1'-0"



FLORIDA BUILDING CODE 7TH EDITION (2020)

<b>AS BUILT ACCESSORY STRUCTURE FOR:</b> <b>MR. ALEJANDRO CRESPO</b> 12483 CONVENT GARDEN RD. SPRING HILL, FL 34613 OWNER: MR. ALEJANDRO CRESPO      PHONE: (813)-XXX-XXXX	RICHTER ENGINEERING, INC. CA 9336 MARK V. RICHTER, P.E. FLPE 06196 2007 W. REYNOLDS ST. PLANT CITY, FL 33563 PH: (813)-754-4148    FX: (813)-752-4512 REVISED:	CONSULTANTS REG'D. DISCIPLINE DRAWN TEL. No.	LUISA ALONSO & ASSOCIATES, LLC. LIC. No. CGC1513685 1024 W HILLSBOROUGH AVE, TAMPA, FL 33603 Ph: (813) 735-8398 e-mail: laalassociates@yahoo.com	
	JOB No. 023-003 A-3 01-27-23	DATE OF ISSUE: 01-27-23	DATE OF REVIEW: 01-27-23	DATE OF APPROVAL: 01-27-23



STRUCTURAL MEMBERS, WALLS AND NON STRUCTURAL, THICK SHEET CONSTRUCTION.

TEMPERATURE RATING OF ALL BUILDING COMPONENTS DURING CONSTRUCTION IS THE RESPONSIBILITY OF THE ARCHITECT. THE ARCHITECT SHOULD SPECIFY THE MINIMUM TEMPERATURES OF ALL ITS COMPONENTS, WHICH SHOULD REMAIN IN PLACE AS LONG AS NECESSARY FOR THE SAFE AND ACCEPTABLE INSTALLATION OF THE FLOOR.

PERMANENT AND LATENT DRAINAGE OF ROOFS IS TO BE INSTALLED AS SHOWN ON DRAWINGS. THESE DRAINS, RESISTANCE AND LATENT DRAINAGE IS TO BE RESTORATION TO EXISTING LATENT DRAINAGE BY SLOD ADJUSTMENT TO DR DRAINS OR BY ADDING NEW DRAINS TO EXISTING DRAINS.

PERMANENT DRAINAGE OF ROOFS IS TO BE RESTORATION TO EXISTING LATENT DRAINAGE BY SLOD ADJUSTMENT TO DR DRAINS OR BY ADDING NEW DRAINS TO EXISTING DRAINS.

- [illegible]

ALL TRUSS DESIGN AND FABRICATION SHALL CONFORM WITH THE APPLICABLE PROVISIONS OF THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION, PUBLISHED BY THE NATIONAL WOOD PRESERVATION ASSOCIATION, AND THE DESIGN OF THE BRASS PLATE INSTALLED.

SUBMIT SHOP DRAWINGS FOR ALL WOOD STRUCTURAL MEMBERS AND CONNECTIONS TO THE ENGINEER FOR REVIEW PRIOR TO FABRICATION.

ALL TRUSS SIZES, CONNECTIONS, FRAMING PLANS SHALL BE SHOWN ON STRUCTURAL DRAWINGS SHALL BE PROVIDED BY THE FABRICATOR AND DETAILED ON HIS SHOP DRAWINGS.

ALL MATERIALS AND ALL CONNECTIONS ARE SUBJECT TO THE APPROVAL OF THE STRUCTURAL ENGINEER.

- [illegible]

COOL. UNFIREWORKS SHOULD BE MADE BY A QUALIFIED OR TRAINED GUNNERS. ALL HOLE DIAMETERS SHOULD BE 1/8" BIGGER THAN THE DIAMETER OF THE REINFORCING STEEL (STEEL ROD). THE DEPTH OF THE HOLES ARE TO BE A MINIMUM OF 5'. UNLESS OTHERWISE NOTED IN THESE PLANS OR UNLESS OTHERWISE INSTRUCTED BY THE MANUFACTURER'S RECOMMENDATIONS.

QUAL. FOR SUBSTITUTION, SUBMIT TO ARCHITECT / ENGINEER FOR REVIEW AND HIS APPROVAL.

ITEM NO.	CAT. NO.	QTY OF ASSEMBLIES	UNIT#	LOAD	REMARKS
①	ME18H	12-104, 101-1/2, 7-1450 #			SEE DETAIL
②	W1818	14-100, 101-1/2, 7-1450 #		1000	SEE DETAIL
③	W1830	10-100, 101-1/2, 7-1450 #		995 #	SEE DETAIL
④	W1810	8-104, 11" V		905 #	SEE DETAIL
⑤	L1818	12-104, 101-1/2, 7-1450 #			SEE DETAIL
⑥	L1810	10-100, 11" V		1235	FLY 901.34
⑦	L1825	4-114 ELMCH		1000	SEE DETAIL
⑧	BC1	3-164 ELMCH		980	FLY 862.00
⑨	BC104+4	10-100, 101-1/2, 7-1450 #		1000	FLY 862.00
⑩	BC2	12-164		2200	FLY 866.00
				2000	SEE DETAIL

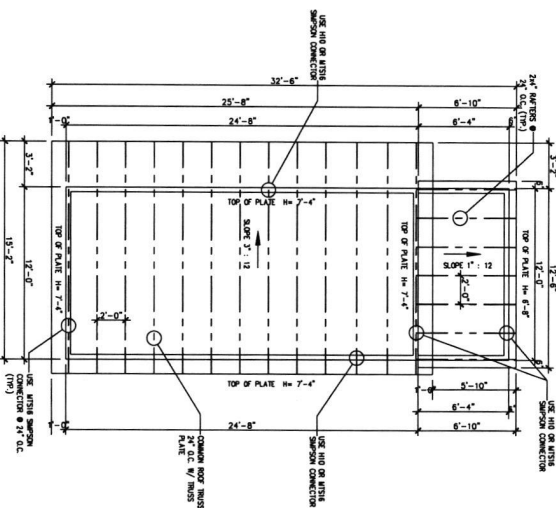
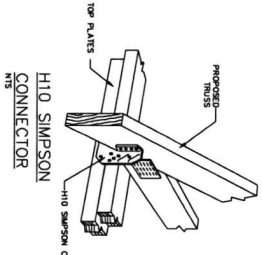
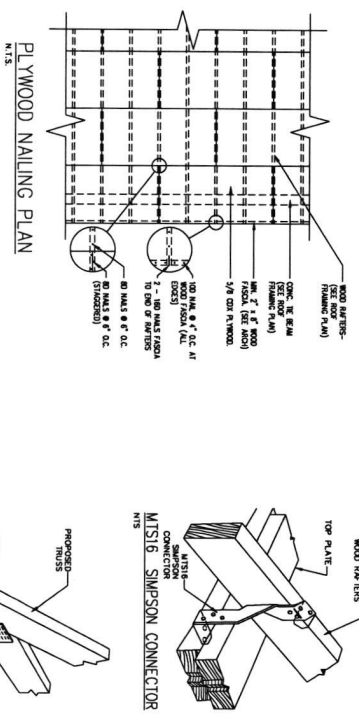
VELOCITY (ultimate) ----- 150MPa  
CATEGORY -----

[illegible][illegible]

HEIGHT AND EXPOSURE ADJUSTMENT COEFFICIENTS FOR WALE RISK (2)		
FROM WALE RISK (2.0)		
MEAN ROOF HEIGHT (FT)	EXPOSURE B	EXPOSURE C
15	1.00	1.21
20	1.00	1.29
25	1.00	1.35
30	1.00	1.40
35	1.03	1.45

COMPUTED AVERAGE SOUND PRESSURE			
(150 MHz, 3 SEC DWT, MIN 21/72 FREQ, RESPONSE B, IMPEDANCE FACTOR = 1)			
	(PWS)		
EFFECTIVE WIND AREA	ROOF	WALL	
EFFECTIVE WIND AREA (97)	(COP = +/- .10)	(COP = +/- .10)	
10	37.0	-47.3	40.5
20	36.0	-63.3	38.7
30	34.6	-62.3	38.2
40	34.6	-63.7	34.4
100	33.6	-60.3	34.4
500			30.2

NOTES: 1) FOR EFFECTIVE AREA OR PRESS BETWEEN THESE GIVEN  
VALUES, INTERPOLATE LINEARLY. 2) FOR EFFECTIVE AREA, USE THE  
LOAD ASSOCIATED WITH THE CLOSEST EFFECTIVE AREA.  
3) WIND VALUES SHALL BE ADJUSTED FOR HEIGHT AND EXPOSURE  
BY THE FOLLOWING PER ADJUSTMENT COEFFICIENTS IN TABLE 1503.10.2)  
4) WIND SPEED SHALL BE ADJUSTED FOR EXPOSURE BY THE FOLLOWING  
PER ADJUSTMENT COEFFICIENTS IN TABLE 1503.10.2)  
5) PLUS AND MINUS SIGN SHOWS PRESSURE ACTING TOWARD  
AND AWAY FROM THE BUILDING SURFACES.



ROOF FRAMING PLAN  
SCALE 1/4"=1'-0"

**LUISA ALONSO & ASSOCIATES, LLC**  
LIC. No. CGC1513685  
**1024 W HILLSBOROUGH AVE, TAMPA, FL 33603**  
Ph: (813) 735-8398  
e-mail: laalassociates@yahoo.com

RICHTER ENGINEERING, INC. CA 9556	CONSULTANTS	REG.NO.	DISCIPLINE	DRAWN	TEL-N.
MARK V. RICHTER, PE. FLPE 56196	N/A	N/A	CIVIL	N/A	N/A
2907 W REYNOLDS ST.	N/A	N/A	STRUCTURE	N/A	N/A
PLANT CITY, FL 33563	N/A	N/A	MECHANICAL	N/A	N/A
PH: (813)-754-6148 FX: (813)-752-6512	N/A	N/A	ELECTRICAL	N/A	N/A
REVISIONS	N/A	N/A	LANDSCAPE	N/A	N/A

AS BUILT ACCESSOEY STRUCTURE FOR:  
MR. ALEJANDRO CRESPO  
12483 CONVENT GARDEN RD.  
SPRING HILL, FL 34613



THE HOGAN LAW FIRM®

*We mean business<sup>SM</sup>*

August 3, 2023

Omar DePablo  
Hernando Co Planning Department  
6153 Blaise Dr  
Brooksville, FL 34601

Received

AUG 02 2023

Planning Department  
Hernando County, Florida

Re: Alejandro Crespo

Please see the enclosed check for payment of the Special Exception Use Permit.  
If you have any questions, please contact the office.

Sincerely,



Christie Williams  
Office | Marketing Manager  
Hogan Law Firm  
(352) 799-8423 Office  
(352) 540-7494 Direct  
(352) 737-2782 Cell  
Christie@HoganLawFirm.com