

PLANNING & ZONING MEETING MINUTES
JULY 8, 2019

Meeting of the Planning and Zoning Commission of the Town of Ocean Ridge held on Monday, July 8, 2019 in the Town Hall Meeting Chambers.

CALL TO ORDER (00:20)

The meeting was called to order at 8:00 a.m. by Chairman Goray.

ROLL CALL (00:23)

Deputy Town Clerk Karla Armstrong led the roll call, which was answered by the following:

| | |
|--------------------------------|---------|
| Chairman Gerald Goray | Present |
| Member Ric Carey | Present |
| Member David Hutchins | Present |
| Member Penny Kosinski | Absent |
| Vice Chair Mark Marsh | Present |
| Alternate Member Neil Hennigan | Present |
| Alternate Member James Leming | Absent |

Let the record show that Member Kosinski and Alternate Member Leming were absent with notice.

Staff Present: Town Attorney Brian Shutt, Building and Public Works Director Wayne Cameron, Acting Town Manager Tracey Stevens, Deputy Town Clerk Karla Armstrong, and Building Clerk Lisa Burns.

PLEDGE OF ALLEGIANCE (00:42)

Chairman Goray led the Pledge of Allegiance.

COMMISSIONERS COMMENTS (01:00)

Member Hutchins mentioned that at previous meetings, the Board began the discussion of regulating the demolition process. He directed staff to look into what other Town's use to control the demolition procedure. He suggested a process that would require residents to have a permit for a new home before demolishing the existing structure, and in case of a market crash giving a grace period for the new construction to commence.

Alternate Member Hennigan asked for further information on the ability to enforce a completion time on building permits. Acting Town Manager Stevens informed that staff vacations have slowed down the ability to obtain all information. She further stated that once all staff is back that discussions will resume regarding demolition, sheds, synthetic turf, and other subjects.

Chairman Goray acknowledged the presence of Bruce Gimmy, Chair of the Board of Adjustment, a former Commissioner, P&Z Member, and P&Z Chairman, and thanked him for his service to the Town. Vice-Chair Marsh concurred.

APPROVAL OF THE MINUTES (04:40)

1. Approval of June 17, 2019 Minutes

Member Marsh noted that conversations were not fully explained in the minutes because of summarization, and clarified that on page 5, the text should read "life safety code," not "health safety code."

Member Marsh stated that there should be more mentions in the minutes of the Board aiming to either approve or defer applications to a future meeting, and not deny any.

Member Hutchins stated that the sentence at the bottom of page 5 should be re-phrased to clarify Chairman Goray's statement. Chairman Goray clarified that he implied that due to the 15-foot setback from the property line, it would be hard to accommodate a 20-foot setback for the exhaust of the generator on homes that only have 15 feet.

Member Carey moved to adopt the June 17, 2019 minutes as amended; seconded by Member Hutchins. Motion carried 5-0.

DISCUSSION / ACTION ITEMS

2. Concept Plan Review – 6260 N Ocean Blvd (07:55)

Town Attorney Shutt explained that this is a quasi-judicial hearing, and asked if any of the members had any ex-parte communications with the applicant, builder or owner. There was none. Those that wished to give testimony for all items were sworn in by Deputy Town Clerk Armstrong.

Staff Report: Building and Public Works Director Cameron stated that the applicant for 6260 N. Ocean Blvd is proposing the demolition of the existing structure to be replaced by a 4,300 square foot home consisting of 5 bedrooms, a library, and 6.5 bathrooms. The home also includes a cabana area with a rear guest parking area. The percentages, FAR, and data calculations were all reviewed, and staff had no legal objections except requesting that the guest parking in the rear be 10 feet from the property line, and maintaining the landscaping between the property and the adjacent property.

Mark Humley, the Architect, introduced the property owners, Robert & Allison Adams, and also introduced his business partner. He thanked Building and Public Works Director Cameron, Building Clerk Burns, and Deputy Town Clerk Armstrong for guidance on the process. He further thanked the board members for their consideration. Mr. Humley, the architect, gave a project summary in which he explained that there is an existing structure that is scheduled to be demolished and replaced with a new residential single-family home that will consist of 5 bedrooms where the cabana counts as an additional bedroom and 6.5 bathrooms. It will be a two-story, 4,300 square foot home. The location of the property is south of Ocean Ridge Town Hall on A1A. Mr. Humley mentioned that the existing home does not comply with the current zoning code, but the new home will ensure compliance with all zoning regulations. He further mentioned that the home used to be hidden due to the overgrown vegetation. The plantings have since been removed, and an application has been submitted for a construction fence for screening and to provide protection from access. Mr. Humley noted that the 10-foot rear setback for rear guest parking, along with the screening in the rear were added to the revised site plans. The first floor plan shows the 2- car garage, the cabana, one bedroom, and a great room.

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The second floor shows the additional 3 bedrooms. He noted that the plans comply, and ensured that there was a sufficient level of ornamentation to the project.

Vice Chair Marsh commended the applicant on the presentation and the well-balanced design. He further asked the applicant if there was any consideration to flip the home design. Mr. Humley stated that there was no consideration as the main goal is to also utilize the alleyway for servicing the septic tank, and using it for guest parking. Vice Chair Marsh reiterated the home was a well-balanced design between contemporary and traditional. He noted his concern over the landscaping and suggested adding more canopy trees to mitigate the presence of A1A. He indicated for the applicant to re-review the landscaping plan, and welcomed the new homeowners to the Town.

Alternate Member Hennigan asked if a demolition plan was submitted for the property. Mr. Humley responded that there is no demolition plan as it will be part of the new home construction package. Alternate Member Hennigan noted that all vegetation was removed, and inquired if there is a Town code where it lists which trees must be retained when doing demolition. Vice Chair Marsh stated that a demolition permit allows for all to be removed except in the cases where there are historic trees, or in the case where the homeowner wants to retain mature valuable landscaping. Alternate Member Hennigan noted the replacement trees added once the job is complete wouldn't be to the maturing state of the pre-existing trees. Vice Chair Marsh stated that for trees to remain, they would have to be relocated during the construction process. Alternate Member Hennigan noted that other municipalities, such as Gulfstream, require particular types of trees or maturity of trees to be retained. Vice Chair Marsh stated that it could only be required to be retained if the tree is listed as historic. Alternate Member Hennigan suggested possibly adding a landscaping plan to the demolition plan to advocate for trees that should be retained. Building and Public Works Director Cameron stated that Town Engineer Tropepe reviewed the site, and determined the vegetation that could be removed without permitting. He also noted that the original intentions of the homeowners were to reside in the existing structure, but then the homeowners decided to build a new structure instead. Member Hutchins stated in some cases trees had been preserved in demolition jobs at the discretion of the homeowners; however, the construction process may be complicated if all trees needed to be retained. Vice Chair Marsh stated that all members encourage the retention of trees, but it cannot be enforced. Acting Town Manager Stevens informed the Commission that staff does review landscaping at the demolition process, and codes can be reviewed for possible strengthening.

Alternate Member Hennigan asked to be educated on the permitted use of the alleyways in Ocean Ridge because the property in question allows a guest parking space to be accessed through the alleyway. Building and Public Works Director Cameron stated that the parking requirements are fulfilled in the front of the property, and the space in the back is additional parking space. He further noted that the alleyway is a right-of-way that is available to the public for the use of ingress and egress. Police Chief Hutchins stated that in this particular case that alleyway had been traditionally used for ingress and egress for those particular homes. The Town has previously allowed driveways and parking spots on that alleyway. Mr. Humley stated that the garage of the current home could only

be accessed through the alleyway. Vice Chair Marsh concurred with Chief Hutchins that it has been precedent to use the alleyway, and stated that the Town had approved projects which allowed homes to build their garage onto the alleyway in recent years.

Member Hutchins concurred with Vice Chair Marsh regarding the landscaping and further stated that Magnolias are untidy trees as they lose many leaves and flowers. Vice Chair Marsh stated that the applicant should aim to add more canopy and shade trees.

Member Carey asked about the box next to the library on the drawing. Mr. Humley responded that it is an uncovered flat patio area. Member Carey noted that the structure is close to the rear elevation of the neighboring property, and he further welcomed the Adams family to the community. Member Carey asked if the existing wooden fence on the south elevation would be replaced. Mr. Humley stated that they would review the fence, and discussions will be held with the homeowners. Member Carey asked for clarification on the front door scheme, and Mr. Humley stated that the drawn architectural elevation would be the most current to show the exact design of the front door. Member Carey clarified that the balcony area is there for decoration, and is not functional in which Mr. Humley concurred. Member Carey asked if it would be a large window behind the balcony, and Mr. Humley agreed. Member Carey asked about the shutter being shown on the elevation, and Mr. Humley responded that it is a window screen with a shutter above.

Chairman Goray thanked the applicant on the good presentation and stated the home compliments the community.

Public Comment: Betty Bingham, 1 E. Ocean Ave, mentioned that alleyways are her passion, and explained that the alleyway in question had been traditionally used as entrances for the homes which chauffeurs used in order to enter the garages of the properties. She further stated that in the 1970's, one of the neighboring properties brought in rocks which affected the elevations and caused flooding.

Vice Chair Marsh moved to recommend that this application proceed to the building permit process subject to landscape plan resubmittal; seconded by Member Hutchins. Motion carried 4-0.

Member Carey listed his concerns over staff review, and his first concern was over the platted 20-foot setback in the rear of the property that was shown on the survey. He noted that the proposed plans showed that there would be an encroachment on to the platted setback. Town Attorney Shutt stated that the plat, along with restrictions, would have to be reviewed. Member Carey noted that his second concern is over the front setback of the property even though they comply with the 25-foot setback. He stated that the garage portion of the property would be closer to A1A than any other structure on A1A. He noted that the code for front setbacks might have to be reviewed for properties on A1A. Member Carey voiced his third concern over the library being used as a possible bedroom. Building and Public Works Director Cameron stated that the home has four-bedrooms, but he counted the library as an additional bedroom which made it a five-

bedroom home for calculation purposes. Member Carey clarified that his memo stated that the cabana was being counted as the additional bedroom not the library. Building and Public Works Director Cameron stated that the cabana was not counted as a bedroom as there is no closet in the cabana. Member Carey asked that staff have a second review and ensure parking spaces are accurate for the amount of possible bedrooms. Building and Public Works Director Cameron stated that staff would re-review. Member Carey noted that the usage of the alleyways should not be encouraged in the future as there is a blind intersection. He further asked for staff to encourage the contractor to move the sidewalk west after construction has been completed. Building and Public Works Director Cameron stated that any repairs or movement of the sidewalk would have to be approved by the Department of Transportation (DOT). Member Carey asked if the property will have a swale and a trench drain placed on site. Building and Public Works Director Cameron stated that there would be a swale and trench drain on-site.

Chairman Goray welcomed the homeowners to Town.

The quasi-judicial portion of the meeting was closed for 6260 N Ocean Blvd.

Vice Chair Marsh asked if staff had any questions about the procedure for the upcoming Development Plan Review Meeting. Building and Public Works Director Cameron asked if the board members had any additional suggestions or recommendations for staff to incorporate what they would like to review. Vice Chair Marsh stated that setbacks have to be examined more carefully as well as the engineering portion, and any issues should be discussed at pre-submittal. Building and Public Works Director Cameron stated that engineering does not review at this stage of the plan submittal, but consideration is for it to go through an engineering review in the future. Vice Chair Marsh noted that engineering is critical, and that landscaping also needs to be reviewed. He stated that there needs to be a more comprehensive submittal and review process. Member Hutchins suggested having a workshop to discuss the procedure and changes needed for the Developmental Plan Review. Vice Chair Marsh suggested that each board member discuss with staff individually instead about any concerns and suggestions due to time constraints. Chairman Goray stated that a couple of meetings would be needed to see what changes would need to be made to the process. Vice Chair Marsh asked how far in advance the applicant needs to submit their applications to get reviewed. Building and Public Works Director Cameron stated that the application has to be submitted 45 days prior to the P&Z meeting, and then staff will review, issue comments, and allow the applicant time to address comments. He further stated that there is much communication back and forth to ensure the plans are suitable to be brought before the Board. Vice Chair Marsh stated that most municipalities allow two weeks for board members to review. Building and Public Works Director Cameron stated that the timeline would have to be revised and the deadline changed to 60 days. Acting Town Manager Stevens stated that two weeks in advance of the meeting for package delivery would disrupt the schedule for Town Commission Packages. She suggested a week in advance. Member Carey noted that during a workweek, it is hard to review. There was discussion about possibly moving the meeting dates to accommodate an earlier package submittal. Chairman Goray thanked the Board for the discussions.

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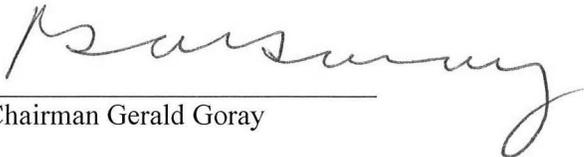
Acting Town Manager Stevens noted that the cost of the application might need to be changed if the Town Engineer will also be reviewing the applications going for Development Plan Review as she is being paid to only review plans at the building permit submittal stage. Vice Chair Marsh asked what the cost of the application is, and Acting Town Manager Stevens stated that the cost is \$1,500. Building and Public Works Director Cameron noted that moving forward, civil engineering plans will be required. Alternate Member Hennigan recommended that the landscaping architect be present at the meetings. Vice Chair Marsh stated that it should be voluntary at the first meeting unless the application is deferred and further information needed from the landscaping architect.

Vice Chair Marsh moved to adjourn the meeting; seconded by Member Hutchins. Motion carried 4-0.

ADJOURNMENT

Meeting adjourned at 8:54 a.m.

Minutes prepared by Deputy Town Clerk Armstrong, and adopted by the Planning & Zoning Commission on August 12, 2019.



Chairman Gerald Goray

Attest:



Tracey L. Stevens, MMC, Town Clerk