

PLANNING & ZONING COMMISSION MEETING MINUTES
JUNE 21, 2021

Meeting Minutes of the Planning and Zoning Commission of the Town of Ocean Ridge held on Monday, June 21, 2021 in the Town Hall Meeting Chambers.

CALL TO ORDER

The meeting was called to order at 8:00 a.m. by Chair Marsh.

ROLL CALL

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

Chair Mark Marsh	Present
Vice Chair Ric Carey	Absent
Member Neil Hennigan	Present
Member David Hutchins	Present
Member Penny Kosinski	Present
Alternate Member Brit Flanagan	Absent

Staff Present: Attorney Torcivia on behalf of Town Attorney Goddeau, Building Official Guy, Town Manager Stevens, and Town Clerk Armstrong.

PLEDGE OF ALLEGIANCE

Chair Marsh led the Pledge of Allegiance.

PUBLIC COMMENT

There was none.

APPROVAL OF MINUTES

1. Approval of Minutes of the May 17 2021 Minutes

Chair Marsh pointed out the grammatical errors on P. 2 and P. 3 of the minutes.

Member Kosinski moved to approve the minutes of May 17, 2021 as amended; seconded by Member Hutchins. Motion Carried 4-0.

DISCUSSION / ACTION ITEMS

2. Quasi-Judicial Hearing: Development Plan Review for 3 Inlet Cay Drive

Chair Marsh explained that this is a quasi-judicial hearing. Town Clerk Armstrong asked if any of the board members had any ex-parte communications with the applicant, owner or builder. All Planning & Zoning Commissioners responded that they had not. Those that wished to give testimony for 3 Inlet Cay Drive were sworn in by the Town Clerk.

Town Planner O’Gorman introduced the project by noting that the project will be a new two-story single family home that will consist of 4 bedrooms, an office, and 4.5 bathrooms. Chair Marsh asked Town Planner O’Gorman if the comments stricken within his report meant that they were addressed, to which Town Planner O’Gorman confirmed that if comment is stricken, then it has been addressed. Building Official Guy stated that there is no issue with the application at this stage, but further review will be done once a building permit application is submitted. Representative Tara Bamber for the Town Engineer stated that all drainage comments are outlined in her report in the package and those comments can be answered at the building permit stage.

Rick Bremer, 1600 S. Dixie Hwy, Suite 400 in Boca Raton, presented the project by noting that the proposed home will be a two-story transitional modern home consisting of 4 bedrooms, 4.5 bathrooms, and two car garage. He provided the dimensions and setbacks of the primary and accessory structures as shown on the site plan. He discussed the elevation of the home and provided details of the home as shown on the rendering.

Member Hutchins asked for the height of the retaining walls, to which Louis Vlahos, Landscape Architect, explained that they will be doing a gradual decrease on the property so that the edge of the property is not at an incline and so that the retaining walls will not be too high. Member Hennigan asked for clarification, and Mr. Vlahos explained the gradual decrease will start from stepping out of the back door.

Chair Marsh explained the style of the home and noted that the hybrid style approach is the reason why the Town should allow more flat roofs. Chair Marsh complemented the architect on trying to work with two opposite styles, and asked about the wood planking in the design. Mr. Bremer, design architect, explained that he added the wood because of the feel and it complements the colors of the home. Chair Marsh noted that the tone of the home is dark, to which Mr. Bremer explained that only a portion is grey and the rest is white. Mr. Bremer explained that most of the home may look grey because of the shadow in the rendering.

Chair Marsh stated that the garage element seems to be out of proportion, and Mr. Bremer noted what the intentions were and why he proposed it the way he did. Chair Marsh suggested to the applicant to lower the tie beam and roof line of the garage element.

Louis Vlahos, Landscape Architect, informed that there is no landscaping on site and all the landscaping will be newly installed. He provided the tree schedule as shown on the landscaping plan. Member Hutchins asked for further information about the ficus green island, to which Mr. Vlahos informed that the ficus green will stay small unlike other invasive ficuses. Member Kosinski asked for more information on the hedge, and Mr. Vlahos stated that the proposed plan to serve as hedge is better to maintain than other plants. Chair Marsh suggested for the applicant to add an additional shade tree to the front of the yard, and Mr. Vlahos stated that the proposed tree in the front yard can become a large tree, but he can look into placing a larger tree in the front. Chair Marsh and Mr. Vlahos discussed the different types of trees that can be considered. Member Hennigan concurred with Chair Marsh about a shade tree in the front yard.

Chair Marsh called for public comment.

Alfred Kern, 4 Inlet Cay Drive, voiced his concern about the buffer going in adjacent to his property and asked to work with the landscape architect. Mr. Vlahos explained the buffer and that it would not effect his property. Chair Marsh asked Mr. Vlahos to reach out to the Mr. Kern after the meeting to further discuss the issues, to which Mr. Vlahos stated that he will have the general contractor reach out.

Member Hutchins asked Chair Marsh whether lowering the garage roof element would create an inconsistency in the design, and Chair Marsh stated that it will not as it will actually help the design.

Based on the competent, substantial evidence, and testimony presented:

Member Kosinski moved to approve the Development Plan Review for 3 Inlet Cay Drive as submitted with the conditions established by staff in the staff reports and with the suggestions to lower the tie beam and roof line of the garage element, to install a larger shade tree in the front yard, and for the applicant to meet with the neighbor to accommodate their concerns with the buffer; seconded by Member Hennigan. Motion carried 4-0.

Chair Marsh thanked Attorney Torcivia for being at the meeting on behalf of Town Attorney Goddeau.

**~~3. Quasi-Judicial Hearing: Development Plan Review Amendment for 95 Island Drive South~~
*Application was withdrawn***

4. Discussion Regarding Flat Roofs

Town Manager Stevens stated that the Town Commission has granted the request for the Planning and Zoning Commission to look into changing the roof code to allow flat roofs. She asked the Commission to provide direction to staff.

Town Clerk Armstrong read into record Vice Chair Carey's email discussing the flat roof. Vice Chair Carey voiced his support for amending the code to allow for flat roof with the following conditions: the building height to remain the same, parapet to extend around and fully conceal all roof top equipment, no roof top equipment to be allowed on a one story home, and that recreational living/ spaces are not allowed on the roof.

Member Kosinski asked for a history of why the Town decided on the required pitch, to which Chair Marsh explained that the pitch makes the home look more residential and it was an informal policy in coastal communities. Member Hennigan asked if the pitch was important because many of the homes use to be one story, and Chair Marsh affirmed. Member Hutchins provided a brief recollection of the possible reason why flat roofs were banned.

Member Kosinski stated that she is in favor of allowing flat roofs with restrictions because today there is better technology and products for flat roofs. Chair Marsh stated that the board needs to consider flat roofs because there has been a massing issue with the transitional designs, and Town Manager Stevens added that flat roofs will reduce cost to the homeowner. Member Hennigan noted that all equipment should be allowed on the roof except for generators.

Member Kosinski asked staff for their opinion, and Building Official Guy stated that if equipment would be allowed on a roof, then the owner would need a means of access to the roof. Chair Marsh clarified that if a person could obtain access to the equipment with a ladder or a crane, then they do not need that access to the roof. He asked Building Official Guy to double check if he is correct. Building Official Guy stated that generator is considered equipment, and Chair Marsh stated that generator is not considered essential and it would be better to not have it on the roof. Member Hutchins asked why generators would not be allowed on the roof, and Chair Marsh stated that generators create sounds that will be hard to silence from that high and would bother the neighbors.

PLANNING & ZONING COMMISSION MEETING HELD JUNE 21, 2021

All members are in favor of allowing flat roofs with the parameters provided in Vice Chair Carey's email.

Chair Marsh requested that Town Planner O'Gorman research what other municipalities have regarding flat roofs. Member Hutchins stated that staff should research whether access will be needed. Member Kosinski stated that flat roofs should be allowed in order to let homeowners design their homes the way they want to.

Town Clerk Armstrong asked whether they are considering complete flat roofs or increasing the percentage of allowable flat roof, and Chair Marsh responded that they would like to allow complete flat roofs.

Chair Marsh stated that this item should be discussed at the joint workshop between the Town Commission and Planning and Zoning Commission, to which Town Manager Stevens informed that it will set for October, but the Town Clerk will follow up with an official date. Town Clerk Armstrong asked the Commission if they would like to continue the discussions on flat roofs prior to the Joint Workshop. Chair Marsh responded that he would like to continue the flat roof discussion after staff does more research. He asked Town Planner O'Gorman to look at ordinances from coastal communities in regards to flat roofs.

Chair Marsh called for public comment.

Renee Alonso, 421 24th Street, West Palm Beach and applicant for withdrawn application for 95 Island Drive, advocated for allowing flat roofs within Ocean Ridge. He explained his concern that the owner at 95 Island Drive will have drainage issues with a pitch roof. He asked the board to provide support for his future variance request, to which Attorney Torcivia stated that the Board cannot pre-commit to a variance request. Town Manager Stevens stated the applicant would have to prove a hardship to obtain a variance. Mr. Alonso and the Commission discussed the drainage impacts on the approved design versus the proposed design for the roof. Member Kosinski asked if the height of the home will be lower with a flat roof, to which Mr. Alonso responded that it would not. Town Clerk Armstrong reminded Mr. Alonso that the Board of Adjustment reviews variances not the Planning and Zoning Commission, and that he has the option to revise the permit later when the Town changes their code to allow flat roofs. Chair Marsh stated that he would not like for the board to hear a variance request like the one proposed or approve it. He stated that the Town is trying to move in the direction of allowing flat roof, but that there is still lots to research and consider before enacting it. Mr. Alonso stated that flat roofs are part of the design today and reiterated his support for allowing flat roof. Member Hutchins asked the Board and staff to prioritize this matter and continue to move at a fast pace. Mr. Alonso confirmed that he will go for the variance.

There is consensus to have staff research flat roof ordinances in other municipalities.

COMMISSIONERS COMMENTS

Member Hennigan stated that homes are starting to look like carbon copy of each other and he is not in favor of that. Member Hutchins stated that it is up to homeowners' personal opinions. Chair Marsh mentioned that applicants have the right to design the home the way they want to, but that

PLANNING & ZONING COMMISSION MEETING HELD JUNE 21, 2021

the Planning and Zoning Commission should encourage applicants to add their personal style to the home to which Member Kosinski concurred.

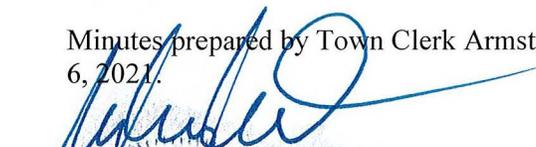
Chair Marsh agreed to be the liaison for the Planning and Zoning Commission on the July 6, 2021 meeting.

Member Kosinski moved to adjourn meeting; seconded by Member Hennigan. Motion carried 4-0.

ADJOURNMENT

Meeting adjourned at 9:10 a.m.

Minutes prepared by Town Clerk Armstrong, and adopted by the Planning & Zoning Commission on July 6, 2021.



Mark Marsh, Chair

Attest:



Karla Armstrong, Town Clerk

