

SPECIAL MEETING AND PUBLIC HEARING OF SEPTEMBER 11, 1996

SPECIAL MEETING AND PUBLIC HEARING HELD BY THE PLANNING AND ZONING COMMISSION FOR THE TOWN OF OCEAN RIDGE, FLORIDA, TO BE HELD IN THE TOWN HALL ON WEDNESDAY, SEPT. 11, 1996, AT 8:00 A.M.

I. The meeting was called to order by Chairman Ford and roll was answered by the following:

Commissioner Gimmy	Commissioner Bingham
Commissioner Jones	Chairman Ford

III. Presentation by Urban Design Studios Re: Review of Land Development Code

Interim Town Manager Hancsak read the memo regarding the Commission's wishes that the Planning and Zoning Commission hear the ideas of Urban Design Studio (UDS).

Hank Skokowski, Urban Design Studios stated that he realized the structure of the Town was different in their degree of control and how they wanted to keep the feel of the Town. He added that he would not be suggesting the addition of new commissions for any further type of review.

Mr. Skokowski spoke of and explained the six issues that he felt they would have to deal with. The first was the building volume and bulk which deals with the size of the actual building. The second was the building massing (shape) which allows buildings of the same size to have a different look. The third is the preservation of views, breezes, and openness which is dependant upon the size and the handling of the massing. The fourth is the neighborhood compatibility which comes from the ability to guide new developments to maintain consistency. The fifth regards residential "human scale" and the sixth is applicability/enforcement.

Earl Jones questioned if the intent with these revisions was to make all homes compatible depending on the areas and characteristics. Mr. Skokowski said that he looked at the entire Town by zones, ocean frontage, number of units in area, predominant building style, roof types, character of roads, and whether they were 1 or 2 story homes and from that information he developed 4 different neighborhood types. The first neighborhood was compromised of single family, medium sized lots, open/informal landscape, and open roads. The second neighborhood is also single family with a larger lot size, and enclosed landscaping. The third neighborhood located in the RSE District were labeled with beach cottages with lot sizes ranging from 70' x 100' to 50' x 250'. The fourth neighborhood located in the RSE District comprised homes on 1 acre plus sites that were concealed spacious lots setback from the roadway with plush landscaping and walls. He further explained that this is a first cut and it may be changed.

SPECIAL MEETING AND PUBLIC HEARING OF SEPTEMBER 11, 1996

Mr. Skokowski then explained his recommendations that could amend the Land Development Code.

The first addition would be that floor areas under ceilings which are higher than 15' shall count as double. This would help to control building volume and bulk issue.

The second addition involved the massing of buildings by requiring that a second floor have a "stepback" of 4'. This would scale down the size of the building and help protect views, breezes, et cetera. The intent of this recommendation would be to guide the elevations that are visible from the street and allow the rear of the residence to be controlled by the owner.

Betty Bingham asked whether or not this could be done by area-land usage because under these restrictions a Colonial House could not be built. Mr. Skokowski replied that the Commission should be concerned with the opportunities that individuals may take advantage of. Betty Bingham asked again if this could be controlled with maximum square-footage to which Mr. Skokowski replied that that code was already in effect. Interim Town Manager Hancsak replied that the maximum was already at either 32% or 36% depending on the zoning district.

Mr. Skokowski said that the most important concern is to determine if the community want to get involved into minor controls on size and massing.

The third addition is to limit the second floor area in that it could be a maximum of 75% of the first floor which in essence would demand that there be a stepback from the first floor.

The fourth addition would be that the flat roofs not exceed 10% of the total roof area.

The fifth addition would be that the area of the roof used for a porch or deck not exceed 15% of the total roof area. Mrs. Hancsak asked if this would include a balcony and was told that a balcony is a projection out of the wall. Mrs. Hancsak delivered Mayor Bridges' concern about someone having a balcony where they may entertain to which Mr. Skokowski replied that this could be something that they could regulate if they wanted.

The sixth addition would regulate roof pitch between 4:12 and 8:12. Any roof exceeding 8:12 would be subject to neighborhood context evaluation. Mr. Skokowski explained that this would make A Frame houses unacceptable.

Betty Bingham inquired as to what difference this would make if the

SPECIAL MEETING AND PUBLIC HEARING OF SEPTEMBER 11, 1996

house was not above the maximum height. She expressed her concern over being too regulatory and not allowing property owners to build a home of their choice. Mr. Skokowski replied that the Boards must decide if they want to provide guidelines in the community and that there may have to be limits on certain freedoms to preserve the community. Ms. Bingham again expressed her feelings that she would like to limit intrusion on neighboring lots, but not intrude on taste. Mr. Skokowski pointed out that the rhythm of lots can be easily destroyed by allowing anyone to build anything that they want.

Bruce Gimmy inquired as to why the limits on flat roofs was left out of the current code to which Town Attorney Nicoletti replied that the staff tried to be compatible with the code requirements of the County and to remove things that were unique to Ocean Ridge. He further explained that the reason these revisions have surfaced is because the Commission has observed recent buildings within the Town that may not be desirable to the community.

The seventh addition required that any lands east of the coastal construction line not be counted in the calculation of the maximum lot size to which Mrs. Hancsak replied that this is already in the code.

The eighth addition involves "human scale" elevation which Mr. Skokowski stated that he would explain in detail later.

The ninth addition dictates that if the rebuilding or remodeling of a house is more than 50%, then the whole house (including the existing areas) must conform to the code. Vice Chairman Ford asked Mr. Nicoletti if the Town code provided 50% substantial. Mr. Nicoletti replied that they were and that the State of Florida's emphasis is to conform to the code.

Betty Bingham inquired about property owners who may have left up the walls in an existing home, but gutted everything else. Mr. Skokowski replied that there is an article about substantial improvement in that if a \$300,000 home does \$165,000 in remodeling, it is counted as over 50%. Mr. Skokowski further explained that a remodel could not bring back items such as a flat roof that may have been grandfathered in before.

Mr. Nicoletti explained that a non-conformity in our code referred to properties required to amortize out and that a grandfathered structure is a non-conformity that can remain in its current state. He cited Sec 26-221 that states that something grandfathered that needs to be rebuilt due to flood, fire, et cetera can be rebuilt same, but must conform to the codes at the time that it was originally built.

SPECIAL MEETING AND PUBLIC HEARING OF SEPTEMBER 11, 1996

The tenth addition would be that windows and doors could not exceed 40% coverage of any building wall elevation visible from any public roadway. Mr. Skokowski stated that he would explain this further when he goes into detail about "human scale."

The eleventh addition would prohibit solid, unarticulated walls.

At approximately 9:00 AM, Mr. Jones had to leave due to a prior commitment.

Mr. Skokowski stated that the twelfth addition was one that the Town Commission strongly requested that Multi Family homes conform the same as Single Family homes in the area of "human scale." Interim Town Manager Hancsak clarified that Single Family Homes in the RMM District would still be addressed in the code.

Mr. Skokowski repeated what he had explained to the Town Commission at a Special Meeting on August 28, 1996 about the concept of "human scale." He stated that "human scale" involved the windows, doors, and archways in relation to the size of the human body. He used the example that a house that is of Monumental Scale has window glass that goes from floor to ceiling. He further explained that two houses of same floor area that are of different scale (one being monumental and one being human) could have a whole different feel. He also explained that this would not dictate the taste or the facade of the home.

Mr. Skokowski showed illustrations of what a house with 30% window and door coverage looked like as opposed to one that had 60%. He explained that while the houses were the same size, they had a totally different feel about them.

Mr. Skokowski explained that Land Development Regulations could have a "human scale" regulation and that the process could through administrative approval by the Town Manager or his/her designate by reviewing the plans to see whether or not it follows "human scale." He also explained that normally following a rejection at this stage the Architect would scale down the plans or if the dispute was large enough, an appeal could be taken to the Town Commission.

Bruce Gimmy inquired as to whether or not they have done this anywhere besides Gulf Stream to which Mr. Skokowski replied that this practice is not very common, but it can be done. Mr. Gimmy questioned the defensibility in court. Mr. Skokowski explained that if the community goes through a rational process as they are now doing, then the community can legally protect the existing character. Mr. Nicoletti added that this regulation falls under the power of the municipality

SPECIAL MEETING AND PUBLIC HEARING OF SEPTEMBER 11, 1996

and that as long as it can be shown that there was a study of the community standards and needs and that it has the support of the community, there will be no problem. Mr. Nicoletti agreed that with this addition it would be more defensible than what the Town code currently has.

Mr. Skokowski suggested that the Commission review these guidelines to determine if they are reasonable, and think about the aspect of human scale and if there are enough guidelines to let people know what the intent is.

Betty Bingham wanted to know whether or not there was a formula to use that would make the doors and windows be in proportion to the house. Vice Chairman Ford replied that the "human scale" and percentage of windows and doors dictates that.

Mr. Skokowski explained that they wanted to provide guidelines as clear as they could, but that in the area of "human scale" is more difficult. He further explained that the regulations can still be abused in that someone could put in a very large front door and have small windows. He believed that the Town does not want to be at a level that precludes that and that the next level would be at regulating door size if the Town wanted to proceed that far.

Vice Chairman Ford asked at what point do home builders come in with the plans. Interim Town Manager Hancsak replied that architects/home owners come in first to obtain a copy of the zoning regulations and that they usually are aware to do this.

The Commission agreed on 8AM on Sept. 19 for the next meeting.

IV Discuss Amendments to Chapter 14 - Buildings and
 Building regulations by establishing a new
Article V, Building Standards; to be entitled
"Minimum Property Standards," to include a
definitions section; maintenance and appearance
standards, provisions for unsafe dwelling units, and
other structures; allocation of maintenance
responsibilities, enforcement and inspections (In
Ordinance Draft Form)

Town Attorney Nicoletti advised that he has distributed a draft of the above referenced item for review by the Commission.

Bruce Gimmy stated that his only problem was with page 8, #2 in that he wanted to change the words "uniform colors" to either harmonious or compatible. Town Attorney Nicoletti suggested that they keep uniform and add harmonious. He explained that to him uniform meant

that the house could not be striped or polka dotted.

Betty Bingham mentioned that she had a problem with the weathering of roofs in that Cypress roofs have that weathered look and that some people prefer it that way. Mr. Nicoletti replied that the Town Commission did not like mildew or discoloration from foliage and they found that to be objectionable. Comm Bingham stated that she did not want the Code enforcement to be too strict because the code enforcers can be very obtrusive. Vice Chairman Ford suggested including excessive deterioration to which Mr. Nicoletti proposed showing 25%. Mr. Nicoletti added that he interpreted weathering to be more like oxidation and not the natural appearance of the wood.

Regarding page 8, #1, Bruce Gimmy suggested taking out deterioration and weathering. Mr. Nicoletti replied that deterioration is a key word and he thought discoloring to be more like stains (e.g. from zinc in the water). Mr. Gimmy stated that he would definitely want to get rid of weathering as everything else is covered in #2.

Mr. Nicoletti noted that he liked adding harmonious to paragraph 2.

Bruce Gimmy asked what turf blocks are as stated in #3. Mr. Nicoletti explained that they are opens grids to put plugs of grass in that can be driven over.

Betty Bingham noted that she had a problem with the section on driveways (page 8, #3). She stated that a gravel driveway allows for a runoff of rain rather than an accumulation. Chairman Ford added that he believed a gravel driveway to be more aesthetically pleasing than concrete and that the percolation of a gravel driveway is important in that it allows one to hear someone in their driveway. Mr. Nicoletti noted that he would need to rewrite this section to include the maintenance of a gravel driveway.

Regarding pg 9, Section B, Vice Chairman Ford questioned whether a separate paragraph could be made for discoloration due to mildew, zinc, or graffiti. Mr. Nicoletti replied that they would have to decide what the percentage would be and suggested that it would have to be a smaller percentage for this Town.

Betty Bingham stated that she had a concern with what one person vs. another may see as objectionable as to what is discolored. Mr. Nicoletti explained that there would always be an appeal process and suggested that there could be a threshold put on this such as 5%. Mr. Gimmy stated that he thought 25% was fair. Mr. Gimmy added that he would change where it says "one principle color" unless architectural features can be considered.

Mr. Nicoletti asked as to whether or not the Commission wanted to

SPECIAL MEETING AND PUBLIC HEARING OF SEPTEMBER 11, 1996

leave the percentage at 25 to which Chairman Ford stated that he wanted to put mildew and discoloration at a smaller percentage. Mr. Nicoletti suggested that they review this more closely next week.

Regarding page 9, section C, Ms. Bingham asked about clothes lines and compost heaps. Mr. Nicoletti said that clothes lines should not be visible from the street and that he can add compost heaps.

Betty Bingham asked about the uncultivated growth in that it leads to a question of interpretation. Chairman Ford stated that he believed it to mean weeds. Mr. Nicoletti explained that some people have uncultivated growth that looks nice and suggested that they may want to deal with this as a percentage also. Chairman Ford suggested changing uncultivated growth to maintained weed free.

V Adjournment

At this point it was determined that Bruce Gimmy and Betty Bingham had to leave the meeting. There not being a quorum, the meeting was adjourned at 10:05 AM. The next meeting was scheduled for 8:00 AM on Sept. 19, 1996.

Chairman Ford

Commissioner Bingham

Commissioner Gimmy

Commissioner Jones

Attest by:

Town Clerk