

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 THURSDAY, SEPT. 19, 1996 AT 8:00 A.M.

The meeting was called to order by Vice Chairman Ford and roll call was answered by the following:

Commissioner Gimmy	Commissioner Bingham
Commissioner Jones	Vice Chairman Ford

III Approval of Sept. 11, 1996 Minutes

Betty Bingham moved to approve the minutes as submitted, seconded by Bruce Gimmy.

Motion Carried - Yea 4.

IV Continue Presentation and Discussion with Urban Design Studios Re: Review of Land Development Code

Hank Skokowski again spoke on behalf of Urban Design Studios. He stated the three major areas that needed discussed as a result of the previous meeting's concerns were the regulations, the admittance of "human scale" as a regulation, and the methodology that will be used in the adherence to "human scale."

Mr. Skokowski began the discussion with the sixth proposed regulation regarding roof pitch which was on the handout that included 12 possible regulations from the previous meeting. This regulation reads as follows: Roof pitch shall be between 4:12 and 8:12 pitch. Proposed roofs exceeding 8:12 pitch shall be subject to neighborhood context evaluation. Mr. Skokowski explained that in re-examining this regulation he felt that he would like to omit the neighborhood context evaluation. He stated that he would prefer just a minimum and maximum regulation and not to have design review that would take additional time, effort and judgment.

Earl Jones inquired if there was already a process to appeal to the Board of Adjustments. Interim Town Manager Hancsak replied that an appeal process was in the code, but that appeals are based on proving a hardship.

Earl Jones questioned how UDS arrived at the figure of 4:12 for the minimum roof pitch. Mr. Skokowski explained that it was a judgment call. He further explained that at this point there is a slope, but it is not excessive and that this would maintain the neighborhood character.

Vice Chairman Ford wanted to know if anything under 3:12 would be considered a flat roof to which Mr. Skokowski replied that it would and that it would then be subject to the 10% flat roof regulation. Mr. Skokowski explained that the 10% (or 15% in the case of having

SPECIAL MEETING AND PUBLIC HEARING ON SEPT. 19, 1996

a deck, porch, or other usable outdoor space) would include the entire roof plan view including the roof area over a garage. He further explained that the percentage could be increased to 15%, but that he felt that it should stay under 20%.

Interim Town Manager Hancsak clarified that Ordinance 489 that was recently passed by the Town Commission put the limit for flat roofs at 20%. Town Attorney Nicoletti agreed and said that it would need to be changed. Mr. Skokowski stated that he was uncomfortable with 20% in that he felt that it allowed too much flat area and felt the ordinance should be changed.

Ms. Bingham questioned if most two car garages that had flat roofs would fit under this rule. Mr. Skokowski offered his opinion that a free standing garage is more accepted to have a flat roof as opposed to one that is attached to the house and thus affects the character of the house.

Mr. Skokowski reiterated that his intent is not to impose burdens on existing homeowners although there should be a difference between a non conformity and something grandfathered. He illustrated by explaining that a house damaged by flood, fire, et cetera should be allowed to rebuild same while a house that is remodeled should not. He further stated that it is impossible to dictate good design and that he is only trying to avoid bad design.

Mr. Skokowski showed illustrations of houses with differing percentages of window coverage. Mr. Gimmy asked if the roof of the house in the illustration would fall under 8:12 pitch. Mr. Skokowski answered that it may be at 9:12 and that there may be exceptions to the 8:12 that are still of good design. He explained that the biggest factor is the amount of roof visible from the street which can be controlled by pitch. Ms. Bingham agreed that the picture showed a good balance in regards to the visible roof and that balance was the key.

Ms. Bingham commented that the Town already has regulations on setbacks and land area usage. Mr. Skokowski replied that he did not want to alter regulations regarding land area, but rather work with regulations on massing and roof slopes. He further explained that the "stepback" will be the key in areas where houses have been built to the maximum setback.

Mr. Jones remarked that houses on smaller lots do not fit into the descriptions of neighborhoods 1-4 and that the regulations that have been suggested would greatly limit the amount of building for these property owners. Mr. Nicoletti stated that it may be necessary to rezone the South end from RMM to RSF. Mr. Skokowski noted that this

SPECIAL MEETING AND PUBLIC HEARING ON SEPT. 19, 1996

would then be a fifth neighborhood type.

Mr. Gimmy inquired as to whether or not a Gambrel roof would be permitted to which Mr. Skokowski replied that the slope of that particular type of roof would be too great and therefore would be prohibited.

Mr. Skokowski showed a picture of a house from Florida Builder magazine considered of "monumental scale." He stated that some people feel that such a house reflects their wealth and that the Town must decide whether or not this type of house would flow with the current neighborhood.

Mr. Skokowski suggested that the Commission look at the proposed regulations. Vice Chairman Ford read the first regulation which states: Floor area under ceilings which are higher than 15' shall count as double. Mr. Skokowski explained that this is an interior measure and that only the parts of a room with a ceiling height of over 15' would be counted and not necessarily the whole room. Mr. Gimmy commented that he liked this regulation. The other members concurred.

Vice Chairman Ford read the second regulation which requires second floor "stepbacks" of 4'. Mr. Jones expressed his concern that many houses with small lots currently do not meet this requirement. He suggested that smaller lots be allowed to build a vertical wall that is 4' inside the required setback and that the third proposed regulation (the maximum second floor area be based on a percentage of the first floor area) be adjusted to accommodate this change. Mr. Gimmy commented that this would limit building a concrete house and that he felt the Town did not want to discourage that.

Mr. Skokowski stated that he would reevaluate #2 by looking at the different neighborhood types and attempt to not make it all inclusive.

Mr. Nicoletti suggested that he consider #2 in that it include one or more walls.

Ms. Bingham suggested that the setback be increased if someone wanted a sheer wall.

Vice Chairman Ford read the fourth proposed change which limits flat roofs (pitch less than 4:12) to a maximum of 10% of the total roof area. Mr. Gimmy questioned why 10% as opposed to 20%. Mr. Skokowski replied that 20% would not be out of range, but that anything greater than 20% would make him feel uncomfortable. Vice Chairman Ford suggested that the percentage be changed to 15% and that the minimum pitch allowed be 3:12 to which all the Board Members agreed.

SPECIAL MEETING AND PUBLIC HEARING ON SEPT. 19, 1996

Vice Chairman Ford also suggested increasing the percentage of the fifth regulation which limits the use of a flat roof as deck, porch, or other usable outdoor space from 15% of the total roof area to 20%. All the Board Members agreed.

Regarding the sixth regulation (stated previously), Ms. Bingham stated that she was concerned that the pitch of a roof affects how rainfall pours onto a lawn. The proposed change to this regulation states that the roof pitch could be between 3:12 and 8:12 and up to 12:12 with certain limitations.

Vice Chairman Ford commented that proposed regulation #7 which states that any lands east of the coastal construction line shall not be counted in the calculation of the maximum lot size was already in effect.

The eighth proposed regulation regarding the element of "human scale" previously discussed was determined favorable by everyone. Interim Town Manager Hancsak asked Mr. Nicoletti who an appeal would be brought to. Mr. Nicoletti replied that an appeal of an administrative decision would go before the Board of Adjustments.

There was a question about the ninth proposed regulation which states that any "substantial improvement" as defined in Article VIII; Sec. 26-121, shall result in 100% conformity of the structure. Mr. Jones felt that it should state the difference between a voluntary improvement as opposed to one made necessary because of an Act of God. It was decided that the Board would discuss this at the next meeting due to conflicting sections in the code concerning rebuilding a grandfathered structure.

Vice Chairman Ford read the tenth proposed regulation which would limit the window and door coverage of any building wall elevation visible from any public roadway to 40%. Mr. Gimmy questioned the applicability of this to houses that face the Ocean from the back where there is a public roadway. It was decided that the regulation be kept at 40% and that a variance could be sought for anything exceeding this regulation.

Vice Chairman Ford read the eleventh proposed regulation which states that solid, unarticulated walls be prohibited. Mr. Jones asked for a clarification on the meaning of unarticulated to which Mr. Skokowski told him that it is a flat area with no windows. Mr. Skokowski further explained that a wall could conform through banding or by adding any other architectural feature. Ms. Bingham asked if this dealt with any walls or just ones on the house to which Mr. Skokowski explained that it only dealt with ones on the house. It was decided to add

SPECIAL MEETING AND PUBLIC HEARING ON SEPT. 19, 1996

"as visible from a public roadway" to this regulation.

All Board Members agreed that the twelfth proposed regulation which dictates that multi-family structures also follow "human scale" guidelines was good.

Mr. Jones suggested that a thirteenth regulation be made that includes the exceptions for Neighborhood #5.

It was decided that the next meeting would be held on Monday, October 7th at 8:00 AM.

There was a 15 minute break at which time Mr. Gimmy had to excuse himself due to a prior engagement.

V Continue discussion Re: 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, provision for unsafe dwelling units, and other structures; allocation of maintenance responsibilities, enforcement and inspections (In ordinance draft form)

Town Attorney Nicoletti provided the Board with a revised draft ordinance which incorporated the changes that were suggested at the previous meeting.

Ms. Bingham again stated her concern over the section regarding mildew in that she does not find mildew on roofs to be offensive. Mr. Nicoletti stated that the Town Commission felt otherwise in that this was something that they wanted to cure.

Mr. Jones suggested that the wording be changed to include severe mildew so that the violation would not occur at the first hint of green on a roof. Mr. Nicoletti stated that the key was deterioration. It was decided to change the wording from "void of any evidence of deterioration, mildew, oxidation or weather or water staining" to "void of substantial evidence (included but not limited to) of deterioration, mildew,..."

There was a discussion following concerning the gravel driveways. Mr. Jones noted that the best gravel driveways that he has observed are ones with a cement apron near the street. It was decided not to make any changes to this section.

SPECIAL MEETING AND PUBLIC HEARING ON SEPT. 19, 1996

Ms. Bingham stated that she had a difficulty with section 2 on page 12 which concerned the necessity of having draperies, shades or other materials on all windows. It was decided to delete this section altogether.

Ms. Bingham questioned section 5 on pg 12 in that she wanted to know what rodents and vermin included. It was decided to delete rodents and vermin and add mice.

Ms. Bingham expressed her concern over section 4 pg 16 in that she believed this to be moving towards a Code Enforcement Officer who may over-regulate in order to justify their position. Interim Town Manager Hancsak stated that Public Safety Officers currently locate Code violations and Mr. Nicoletti added that he did not foresee any changes to the current system.

VI Discuss amendments to the landscaping code

Mr. Jones stated that he had a problem with this regulation in that he believed it to be telling individual homeowners what they could plant. Mr. Nicoletti advised that the landscaping code does 2 major things. The first is that it manages the landscaping of parking areas (which is already in effect). The second is landscaping on homes that would deal with all new properties and all redevelopment.

Mr. Nicoletti stated that the Board would need to decide if they want to apply Xeriscape to SF homes. Mr. Jones again expressed his concern over the possibility that the individual homeowner would have to have certain types of landscaping each time he/she wanted to make a change. It was decided that the Xeriscape would not apply to SF homes or duplexes.

Ms. Bingham expressed her concern over the incentives that she believed were being offered for the planting of Palm Trees and a regulation on how many trees must be in an area. It was decided to discuss the landscaping in further detail at the next meeting with the newest changes incorporated.

VII Adjournment

The meeting was adjourned at approximately 11:10 AM.

SPECIAL MEETING AND PUBLIC HEARING ON SEPT. 19, 1996

Vice Chairman Ford

Commissioner Gimmy

Commissioner Bingham

Attest By:

Commissioner Jones

Town Clerk