

Special Meeting of the Planning and Zoning Commission of the Town of Ocean Ridge held on Friday, November 20, 2009 in the Town Hall Meeting Chambers.

The meeting was called to order at 8:00 AM by Chair Jim Bonfiglio and roll call was answered by the following:

Mark Marsh  
Mauro Walker

Ward Northrup  
Chair Jim Bonfiglio

Gerald Goray was absent with notice.

### III. APPROVAL OF APRIL 20, 2009 MINUTES

Mr. Walker moved to adopt the April 20, 2009 minutes, seconded by Mr. Marsh.  
Motion carried – yea (4).

### IV. FURTHER DISCUSSION INVOLVING ZONING CODES AND SECTIONS THAT RELATE TO THE FLAT 75% SECOND FLOOR RULE AND FLOOR AREA RATIO

Clerk Hanscak explained that at conclusion of the April meeting they had requested that a review be done of zoning guidelines of other municipalities. Hard copies of a few of the smaller municipalities related to the FAR and 75% second floor rule had been provided for their review along with a computer disc of code information from Gainesville, Sarasota and Delray Beach to review their “Green” initiatives

Mark Marsh stated that it appeared that our zoning code is similar to the other smaller adjacent municipalities.

Brandon Caldwell, 66 Spanish River Drive, asked if other towns used a different method for measuring FAR. He requested to allow additional interior space if all other criteria were met such as set back’s and lot coverage when building his new home. He also felt that there was confusion because the Florida Building Code counted space from the interior of the exterior wall for calculations of FAR, and that he was losing 1000 sq ft, because of his use of energy efficient material.

Mauro Walker stated that he felt that 36% maximum floor area was generous in comparison to other municipalities. It is possible to increase the square footage by building a 2-story home also. Clerk Hanscak stated that since the FAR had been adopted as part of the Code there had been little or no confusion with other architects or builders.

Atty. Spillias stated that Ocean Ridge had been consistent with the definition of FAR and zoning approval. He commented that the issue was whether to continue the utilization of FAR or contemplate changing the code with the aspect that if the lot coverage is met it may not matter what is inside. He added that if the Commission had no desire to do away with the FAR then recommend no changes.

Mark Marsh stated that he was not in favor of changing the FAR. H stated homes are designed by mass and would have more sympathy for an existing structure to change than for a new home on a vacant lot.

Chairman Bonfiglio stated that he was also not in favor of changing the Code in regards to the FAR.

It was discussed that other municipalities use Cubic Content rather than FAR however this creates the wedding cake design. Some towns also have different setback requirements for 2<sup>nd</sup> Floors, or have more control as to where the 75% is placed on the 2<sup>nd</sup> Floor to avoid the box style.

Atty. Spillias stated that no matter how the Code is written architects will push the envelope or find various ways of designing with the same results.

Mark Marsh noted that Delray has a new overlay section named “Seagate”. He suggested that this be reviewed. It is for smaller lots which would apply to those in Ocean Ridge. It was designed by Urban Design Kilday Studios. He stated that Palm Beach is not happy using the Cubic Content, and are finding it very challenging, and may contemplate changing it.

Mark Marsh motioned to keep the current FAR at 36%. Seconded by Mauro Walker.

Motion Carried – yea (4).

Mauro Walker motioned to defer the discussion of the 75% rule, until they could review the Delray Beach overlay information, before making a final recommendation to the Commission. Seconded by Ward Northrup.

Motion Carried – yea (4).

## V. DISCUSS “GOING GREEN” INFORMATION AND POSSIBLE INCENTIVES

Mark Marsh felt that the Green Initiative was a great program but cumbersome and more bureaucratic. He stated that the disc had a lot of information to review. He stated that that if a builder could design with sustainable materials it could be a good thing. Most of the information was designed towards government buildings, and he was unsure if the end results would justify, as some towns have committees and manpower.

Mark Marsh excused himself from the meeting at 8:53a.m.

Atty. Spillias stated that Erin Deady was present to provide information concerning available grants for Federal, State, and County Levels for government buildings.

Atty. Deady stated that the Florida Building Code is amended every 3 years, and their minimum standard for efficiency is changing. Stimulus monies are available at State and

County Levels. The State Grants are for developing building codes and energy audits, and the County will soon be opening grant cycles for small governments. Grant applications are due January and February, and range from \$250,000 to \$3 million. Ocean Ridge can apply for grant monies and in turn set up local grants for going green, the grant also allows for 10% administrative fees. Grants can be given to homeowners for insulation, windows, solar roofing and water heaters. For the next meeting, she would provide the FBC Coalition Residential Green Building Standards for their review.

Ward Northrup stated that Grants can be difficult to obtain and time consuming, and therefore costly. It was discussed that they can be difficult; however 10% administrative costs are allowed to help fund the assistance needed.

Manager Schenck stated that someone was coming to look at Townhall for solar energy. He noted that the new building had already utilized a lot of energy efficient equipment and materials. At the time of the budget the purchase of Hybrids for the police department was also discussed but it was found that it would not be very energy efficient in a small town. It was also determined that it would not be cost effective because of the additional retrofit required for lighting, laptops, and cages needed for a smaller car. A smaller car also makes it difficult for officers to get in/out of with their equipment and in transporting criminals.

Ward Northrup mentioned that solar panels are not always aesthetically pleasing. Atty. Deady stated that solar panels have changed a lot in design. She also noted that HB697 prohibits government from restricting clotheslines for aesthetic reasons.

Mauro Walker moved to recommend that Erin Deady create a proposal of requirements needed for a Grant proposal to be funded out of the Special Legal Account. Seconded by Ward Northrup.

Motion Carried – yea (3).

## VI. ADJOURNMENT

The meeting was adjourned at approximately 9:25 AM.

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Chairman Bonfiglio

Attest:

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Town Clerk