

Special Meeting of the Planning and Zoning Commission of the Town of Ocean Ridge held on Monday, October 28, 2013 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

Dr. Richard Bajakian
Gerald Goray

Chair Jim Bonfiglio

Manager Schenck and Attorney Spillias were also in the audience.

III. APPROVAL OF JUNE 17, 2013 MINUTES

Dr. Bajakian moved to adopt the June 17, 2013 minutes, seconded by Mr. Marsh.

Motion carried – yea (5).

IV. DISCUSS WHETHER THE CURRENT FLOOR AREA RATIO (FAR) REQUIREMENTS SHOULD BE ALTERED

Town Clerk Hancsak summarized her memorandum which reminded the Commission that they had briefly discussed this item in April and requested staff research other local municipal codes regarding their FAR requirements and whether garages are included. She stated she prepared a Comparison Chart of the most common district regulations. The chart reflected that Boca Raton and Highland Beach have the most liberal codes for single family dwellings (SFD) as they do not have lot coverage or FAR requirements. Palm Beach utilizes a cubic content ratio, which also includes garages. She stated that the other municipalities listed all include garages. She added that Palm Beach Shores provides for a 300 sq ft allowance for garages and a 225 sq ft allowance for a foyer entrance, similar to Ocean Ridge's 300 sq ft allowance for the 2nd floor. Manalapan and Lantana (Hypoluxo Island) limit their massing through sliding scale methods or tiered setbacks for 1st and 2nd floors.

Terry Brown, Harbour Drive South, resident for 22+ years, stated that he was also an alternate to the P & Z Commission. He stated that some of the comments he had received from other residents regarding this issue included: that changing the FAR would alter the culture/fabric of the Town, this would sacrifice the identity of the Town, there are very few towns left with modest homes, there would be less trees and green space, and the quality of life would be affected. He cited that Ocean Harbour Estates (which was approved as a Planned Residential Development) has homes with over 5,000 sq ft and it has a much different look than other SFDs. He added that owners that could prove a hardship always had the right to seek a variance from the Board of Adjustment. Dr. Bajakian clarified that the quality of life comment was actually more aesthetic than a real issue. Mr. Brown concluded by stating that he felt 36% was adequate for the FAR.

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Brandon Caldwell, 66 Spanish River Drive, stated that he has voiced his opinion for several years regarding allowing more living area for growing families. He felt the FAR was adequate but he was definitely in favor of an allowance for garage area. He cited the Delray Beach Seagate Area which provides for a 50% exemption. He stated that garage areas alone can be 500 sq ft. and mechanical equipment also takes up some of the space. He commented on the lack of construction in Town and that he felt more families would move to the area if a larger home was permitted. He also mentioned the loss of tax base revenue. Mr. Marsh commented that the Seagate Area is actually smaller lots and there is a trade off because they do not permit more developable space.

Regarding the lack of construction statement, Town Clerk Hancsak advised that there were 4 SFD applied for in 2011/12 and 4 SFD in 2012/13 and already 2 in 2013/14 in addition to the 7 Townhouse units. This did not include additions or major renovations.

Mr. Marsh questioned why this item is being revisited yet again. Chairman Bonfiglio stated that the Commission had requested it be revisited as a method of possibly increasing the tax base revenue. He stated that it was discussed approximately 10-12 years ago and then a few years ago and both times the P & Z recommended no changes and added that FAR modifications should not be the reasoning for getting a tax base increase. Mr. Marsh stated he felt the Town was blessed with larger lots than other communities and being in the profession he tries to maximize the area through creative methods. He cited that the Town already provides a 300 sq ft allowance for the 2nd floor. He felt massing is crucial and critical and this discussion should revolve around the Town as a whole.

Dr. Bajakian and Mr. Walker both commented that the lots in their areas were not exceptionally large. Dr. Bajakian also commented that the ingress for residents with larger families was being limited. He also felt the tax base would increase with an increase to the FAR. Mr. Marsh disagreed with this point stating that the home is not the primary value for the property because the lot is usually more valuable than the home.

Mr. Walker stated that there are 3 new homes in his area that were definitely limited in their building space because their pool/patio areas take up as much as 1,000 sq ft and as a result they build a 1 car garage not even utilized for its intended purpose. He questioned whether the setback requirements should be reviewed. Mr. Marsh stated that those with unique lots could be considered for a special exception.

Mr. Goray commented that he felt the 75% 2nd floor requirement limits the massing but the Town needs to provide the ability to create functional houses and not penalize families by limiting them to a 2 car garage. He stated he was in favor of leaving the setbacks and FAR but giving a credit of 50% for a garage as long as it is not converted into living space.

Dr. Bajakian questioned why limit it to non-living space and why not just increase the FAR and therefore moved to recommend increasing the FAR to 40% to allow for an increase in home size. There was no second to the motion.

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Mr. Goray moved to recommend a 50% allowance, with a cap of 300 sq ft, for garages for lots that are less than 20,000 sq ft provided they are not converted to living space. Dr. Bajakian seconded the motion.

Mr. Walker stated he felt this would provide an additional area to store bicycles and equipment. Dr. Bajakian commented that he felt this was a fair compromise.

Chairman Bonfiglio stated he was opposed to altering the code citing that he felt it has worked well. Mr. Marsh added that items such as pool/patios are a lifestyle choice and should not be a determining factor for the FAR. He too was opposed to any change.

Motion carried – Yea (Goray, Walker, Bajakian)
Nay (Marsh, Bonfiglio)

V. ADJOURNMENT

The meeting was adjourned at approximately 8:50 AM.

Chairman Bonfiglio

Attest:

Town Clerk