

**TOWN OF OCEAN RIDGE, FLORIDA  
PLANNING & ZONING COMMISSION MEETING  
AGENDA**

**MAY 14, 2018**

**8:30 A.M.**

**TOWN HALL \* MEETING CHAMBERS**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

1. Approval of April 9, 2018 Minutes

**PUBLIC HEARINGS**

None

**ORDINANCE REVIEW**

None

**DISCUSSION / ACTION ITEMS**

2. Planning & Zoning Commission Meeting Schedule in May & June
3. Land Development Code Review as Directed by Town Commission

**ADJOURNMENT**

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING & ZONING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, HE/SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. PERSONS WHO NEED AN ACCOMODATION IN ORDER TO ATTEND OR PARTICIPATE IN THIS MEETING SHOULD CONTACT THE TOWN CLERK AT 561-732-2635 AT LEAST 5 DAYS PRIOR TO THE MEETING IN ORDER TO REQUEST SUCH ASSISTANCE. PLEASE TAKE NOTICE THAT ONE OR MORE TOWN COMMISSIONERS MAY BE PRESENT AT ANY BOARD OR COMMISSION MEETING OF THE TOWN OF OCEAN RIDGE.

PLANNING & ZONING MEETING MINUTES  
APRIL 9, 2018

Meeting of the Planning and Zoning Commission of the Town of Ocean Ridge held on Monday, April 9, 2018 in the Town Hall Meeting Chambers.

CALL TO ORDER

The meeting was called to order at 8:30 a.m. by Chairman Gerald Goray.

ROLL CALL

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

	<u>Present:</u>	<u>Absent:</u>	<u>Tardy:</u>
Chairman Gerald Goray	x		
Member David Hutchins	x		
Member Penny Kosinski		x	
Vice Chair Mark Marsh	x		
Member Mauro Walker	x		
Alternate Member Ric Carey	x		
Alternate Member James Leming	x		

Staff Present: Town Manager Jamie Titcomb, Town Attorney Brian Shutt, Zoning Official Manny Palacios, Town Engineer Lisa Tropepe, Police Chief Hal Hutchins, and Town Clerk Tracey Stevens.

PLEDGE OF ALLEGIANCE

Chairman Goray led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

1. Approval of the March 12, 2018 Minutes

Vice Chair Marsh noted that an amendment needs to be made on page 2 at the bottom of the page to change the word “vent locks” to “vent blocks”.

**Member Hutchins moved to adopt the March 12, 2018 minutes as amended; seconded by Member Walker. Motion carried 5-0.**

PUBLIC HEARINGS

None

ORDINANCE REVIEW

None

DISCUSSION / ACTION ITEMS

2. Concept Plan Review for 94 Island Drive South

Zoning Official Manny Palacios submitted a report to the Commission in the meeting packages, and he read his report into the record. He noted that the lot configuration issue will be addressed prior to submittal of the building permit, and if not, the building permit will be rejected and returned to the applicant.

## PLANNING & ZONING COMMISSION MEETING HELD APRIL 9, 2018

Town Engineer Lisa Tropepe stated that the replat was recorded as three reconfigured lots, and there were nine issues that needed to be addressed before unity of title would be released by the Town. She stated that we will release unity of title when the nine issues are reconstructed. The issues are the driveway, septic and drain field location, cul de sac improvements, drainage line location, etc. She stated she spoke with the applicant and it is their intent to demolish the current house, complete the off-site engineering improvements, and then the unity of title can be released by the Town. She noted that the application appears to meet the Town's zoning requirements whether the plans are based on two lots or three lots. She stated that we will need assurances from the owner that the nine issues will be resolved before the new home is constructed, and noted that the Town would never approve a permit if everything did not meet the requirements.

Member Walker asked if the new house is going to replace the old house, and Town Manager Titcomb stated that the new house is proposed for 94 Island Drive South, replacing the old house in a slightly different configuration.

Member Walker asked if the house on 92 Island Drive South is part of the replat, and Town Manager Titcomb confirmed that it is.

Alternate Member Carey asked if we can ask for a bond for the off-site improvements, and Town Engineer Tropepe stated she could not answer that, however, the Town will not be able to issue a certificate of occupancy until all requirements have been met including the off-site improvements. Town Manager Titcomb stated that the nine issues were codified as part of the replat and the unity of title will not be released until all have been completed.

Architect for the Applicant, Rick Brautigan, stated that they did include engineering drawings with the application that shows that the engineering issues will be completed. He stated that the location of the water meter will need to be addressed by the Engineer. He also stated that the new home will be a winter wonderland for the owner of the property.

Member Walker asked if the lots are owned by the same individuals, and Mr. Brautigan confirmed.

Engineer Joe Pike, Enviro Design, displayed the drawings and explained that the lot lines were adjusted to conform to current setbacks of the town. He stated that it may be the owner's intent to sell the third lot in the future, so they went through the re-platting process with the Town. He stated that the only things that remain in question today are the locations of the homes. He stated that the existing meter does not need to be relocated anymore, as there are no immediate plans by the family to sell the third lot. The only thing they would ask is for the Board to approve the architectural elements, and then the applicant will work with Town staff, and the unity of title will be attached to the certificate of occupancy.

## PLANNING & ZONING COMMISSION MEETING HELD APRIL 9, 2018

Vice Chair Marsh asked about the septic placement. He noted that the salt conditions in this environment are terrible, and with 11 ½ bathrooms, can the septic accommodate that. Joe Pike responded that he believes it will accommodate the proposed home, and noted that they got variances from the health department on the septic due to the lot size. He stated that it is a performance-based system, and we have done several of these in the town and they are a tried and true method. Vice Chair Marsh stated that it is an extraordinary demand on the system.

Vice Chair Marsh stated that this design is an unusual accommodation for the town. He stated that nine bedrooms and a lack of a master bedroom seem unusual, and he asked the applicant what their intended use of the home will be. Mr. Brautigian stated that the Lauring family is a large, close knit family and the home was designed so that no bedroom was larger than others so there would be no fighting on who gets which bedroom.

James Lauring, 94 Island Drive South, brother of the applicant John Lauring, stated his father is 92 years old and has 5 children, with each having his/her own 4-5 children. He noted that they come down to Ocean Ridge as a family in the winter, and they all wanted their own bedroom and bathroom units.

Member Hutchins asked if there is a possibility of 30 people being in the home at once, and also asked about the two car garage and where everyone would park. Mr. Lauring stated that they usually don't have more than two cars and there will be no staff.

Member Walker asked about the garage doors and stated there may not be enough room to walk around the cars in the garage. He also asked if there would be enough space in the common areas to accommodate such a large family, and Mr. Lauring responded that the family will be coming down several times a year and will not spend much time in the home, as they will be spending time outdoors. He stated there is adequate space for everyone in the home.

Member Walker asked if there is enough driveway area for more cars, and Mr. Brautigian stated they could fit 2-3 more cars in the driveway.

Vice Chair Marsh asked about the minimum floor elevation, and Zoning Official Palacios responded that he has already talked to the Architect about the requirements and it will meet those requirements.

Vice Chair Marsh stated that it will be a challenge to retain the water on the property. Town Engineer Tropepe stated that it will be a complex set of plans to review, and she stated that the drainage system should be in an exfiltration system. She stated that the health department will need to approve the plans or the town will not even be able to move forward.

Vice Chair Marsh state that the lot is starting off higher than the adjacent properties and will be going higher, so he is concerned about that in regards to the drainage.

PLANNING & ZONING COMMISSION MEETING HELD APRIL 9, 2018

Public Comment: Zoanne Hennigan, 91 Island Drive South, stated she is an affected party to the changes to 94 Island Drive South, and questions the history in which 92 Island Drive South was used for a rehabilitation house, as there were a variety of issues that were presented. She stated that the number of inhabitants created an issue with the septic and drainage systems. She noted that building a house at that square footage with small bedrooms is terrifying to her as a homeowner. To her, it looks like a prime area for a development we do not want to encourage and she is extremely concerned. Vice Chair Marsh stated that the concern is shared, however we have on the record the intended use of the home by the owners.

Member Carey stated he would echo the comments of Mrs. Hennigan. The design is conducive to AirBNB Use, etc. Member Hutchins asked if the Town Commission would address those issues, and Town Attorney Shutt responded that they would, and the only action this Board can take is a recommendation to the Zoning Official on the concept plan review elements.

Member Walker stated that he is concerned about the flooding in the area, and Vice Chair Marsh stated that the discharge from the artificially high lot needs to be addressed by the Engineer. He stated that apart from the plat issues, there are things that need to be addressed, however, the Board's job is to look at the design.

On another topic, Vice Chair Marsh asked Zoning Official Palacios where we are on the Eleuthera Drive project, and Zoning Official Palacios stated that he has not seen any plans yet, and is not aware of a submittal.

Town Attorney Shutt stated that the concerns on flooding and drainage will be relayed to the Zoning Official and Town Engineer based on the comments received by the Board, and the Zoning Official and Town Engineer will take those comments into consideration to the extent possible.

Member Carey stated that no master bedroom is not conducive to normal residential use.

**Vice Chair Marsh moved to accept the project in terms of architectural design and style with concerns on potential use of the facility based on an unusual design and floor plan to be relayed to the Zoning Official, and all onsite and offsite drainage and engineering to be addressed before unity of title will be released by the Town; seconded by Member Walker. Motion carried 5-0.**

ADJOURNMENT

**Vice Chair Marsh moved to adjourn at 9:19 a.m.; seconded by Member Walker. Motion carried 5-0.**

PLANNING & ZONING COMMISSION MEETING HELD APRIL 9, 2018

Minutes adopted by the Planning & Zoning Commission at its meeting on \_\_\_\_\_.

\_\_\_\_\_  
Chairman Gerald Goray

Attest:

\_\_\_\_\_  
Tracey L. Stevens, CMC, Town Clerk

**Agenda: May 14, 2018**  
**Memo: Item #2**

**Town of Ocean Ridge, Florida**  
**Planning & Zoning Commission**  
**Agenda Memorandum**  
**Office of the Town Clerk**

**Subject: Meeting Schedule**

Planning & Zoning Commission Members:

The Planning & Zoning Commission typically meets on the second Monday of the month. However, we are currently unable to staff the June 11<sup>th</sup> meeting due to conflicts in our scheduling.

Also, at the May Town Commission meeting, the Town Commission strongly suggested that the Planning & Zoning Commission review the land development code as quickly as possible so that we may lift the proposed moratorium ordinance sooner than expected. Staff also recommends that the Planning & Zoning Commission add one to two additional meetings to the May meeting schedule so we may forward proposed ordinances to the Town Commission expeditiously.

**Staff recommends the following:**

1. Change the June meeting date to June 18<sup>th</sup>.
2. Add one to two extra meetings to the May meeting schedule, and possibly an additional meeting to the June meeting schedule.

**Date: May 14, 2018**  
**To: Planning & Zoning Board Commissioners**  
**From: Jamie Titcomb, Town Manager**  
**Re: Ocean Ridge Proposed Temporary Moratorium and LDR Code Revisions**

---

Town of Ocean Ridge Planning & Zoning Discussions on LDR Code Updates

At its May 7<sup>th</sup> Regular Town Commission Meeting (RTCM), the Town Commission extensively discussed and referred matters for discussion and resolve to the Town's Planning and Zoning Commission for their May 14<sup>th</sup> scheduled meeting.

They directed the Planning & Zoning Commission to expeditiously review the land development code to address proposed homes that would meet zoning but have an excessive number of bedrooms, bathrooms and other features that might fit an extraordinary amount of people in one home, ingress and egress for an extraordinary amount of people in one home, burden on septic tanks, requiring a larger drain field, number of bedrooms vs. number of parking spaces available on the lot, impervious vs. pervious land, in order to make sure proposed homes provide for sufficient health and safety requirements for residents of that home and also the neighbors in respect to health, safety and welfare from potential impacts to adjacent properties in the subdivision, public infrastructure and environmental factors.

Staff recommends the P&Z Commission discuss and direct town staff to prepare specific LDR Ordinance modifications to benefit the Town of Ocean Ridge overall that troubleshoot in matters of concern toward overbuilding and incompatibilities in neighborhoods potentially impacted by unconventional metrics or exceptions in town and health codes.

**Note: If you have a Town Code book, please bring it to the meeting.**

**ORDINANCE NO. 630**

**AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, PROVIDING FOR THE IMPOSITION OF A TEMPORARY MORATORIUM ON THE PROCESSING OF APPLICATIONS AND ISSUANCE OF BUILDING PERMITS FOR NEW CONSTRUCTION OR CONSTRUCTION THAT EXCEEDS FIFTY PERCENT OF THE COST OF THE EXISTING STRUCTURE OR INCREASES THE SIZE OF THE EXISTING STRUCTURE BY MORE THAN FIFTY PERCENT FOR PROPERTIES LOCATED IN THE TOWN'S RSF ZONING DISTRICT; PROVIDING FOR A NINE (9) MONTH TERM TO BE EXTENDED IF NECESSARY BY THE TOWN COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Ocean Ridge, Florida (the "Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town has found that there is a need to revise code standards relating to the development or the redevelopment of properties located within the RSF Zoning District; and

**WHEREAS**, the proposed building and zoning review should encompass, but not be limited to, building size, amount of bedrooms and bathrooms as this relates to the size of the drain field as well as egress issues and required onsite parking spaces, and relationship of the building to the site and to the neighborhood; and,

**WHEREAS**, the Town staff is in the process of evaluating development and compatibility standards in the RSF Zoning District and intends to present to the Town Commission a proposed ordinance or ordinances amending the Town's land development code for the purpose of updating said standards specifically as they relate to unconventional structures and compatibility, and the development of zoning standards that will enhance the single family residential zoning scheme in the RSF Zoning District; and

**WHEREAS**, the Town wishes to place the public and all parties on notice that it is considering such amendments and is hereby creating a temporary moratorium on the acceptance and processing of applications for development orders and building permits and issuance of development orders and/or building permits concerning properties located within the RSF Zoning District for new construction and for construction on the structure that exceeds fifty percent of the cost of the existing structure or fifty percent of the size of the existing structure; and

**WHEREAS**, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing Whereas clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**Section 2.** The Town Commission of the T o w n o f O c e a n R i d g e has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida and Chapter 166, Florida Statutes.

**Section 3.** Unless otherwise specifically provided for in this Ordinance, the Town hereby places a temporary moratorium (suspension) on the acceptance, processing and consideration of all applications for development and building permits as well as the issuance of development orders and building permits for new construction and construction on the structure exceeding fifty percent of the cost of the existing structure or exceeding fifty percent of the size of the existing structure for all properties located within the RSF Zoning District. The cost of the existing structure shall be that amount as stated on the Palm Beach County Property Appraiser's website for improvement market value or based on an appraisal, performed by a licensed/certified real estate appraiser, provided by the property owner. The moratorium shall be from the effective date of this Ordinance until March 4, 2019, unless terminated earlier by the Town Commission.

**Section 4.** In the event applications for development and/or building permits are submitted that do not involve an unconventional structure or a compatibility issue regarding impacts on drain fields, egress issues, parking issues or the relationship of the building to the site or neighborhood, as determined by the Town Manager, these applications may be processed and are not subject to this moratorium. In the event the applicant or an aggrieved party disagrees with the Town Manager's decision such appeal shall be in accordance with the Town Code.

**Section 5. Repeal of Conflicting Ordinances:** All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

**Section 6. Severability:** If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

**Section 7. Effective Date:** This Ordinance shall become effective immediately upon adoption.

FIRST READING this 7<sup>th</sup> day of May, 2018.

SECOND AND FINAL READING this 4<sup>th</sup> day of June, 2018.

Commissioner \_\_\_\_\_ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

JAMES A. BONFIGLIO, Mayor \_\_\_\_\_

DON MAGRUDER, Vice Mayor \_\_\_\_\_

PHILIP BESLER, Commissioner \_\_\_\_\_

STEVE COZ, Commissioner \_\_\_\_\_

KRISTINE DE HASETH, Commissioner \_\_\_\_\_

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 4<sup>th</sup> day of June, 2018.

TOWN OF OCEAN RIDGE, FLORIDA

BY: \_\_\_\_\_  
James A. Bonfiglio, Mayor

ATTEST: \_\_\_\_\_  
Tracey L. Stevens, Town Clerk