

**TOWN OF OCEAN RIDGE, FLORIDA
PLANNING & ZONING COMMISSION MEETING AGENDA
MAY 16, 2022
8:00 A.M.
TOWN HALL * MEETING CHAMBERS**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

APPROVAL OF MINUTES

1. Approval of the Meeting Minutes of April 18, 2022

DISCUSSION / ACTION ITEMS

2. Selection of Chair and Vice Chair
3. Discussion Regarding Flat Roofs
4. Ordinance Review: Administrative Variance Procedure for Grandfathered Structures
5. Discussion Regarding the Impacts of Enclosed Porches on Maximum Floor Area Ratio (FAR) Calculations
6. Review of Development Plan Review Calculations

COMMISSIONER COMMENTS

This item is reserved for any Commissioner comments that are not related to any item printed on the agenda.

ADJOURNMENT

**THE NEXT MEETING OF THE PLANNING & ZONING COMMISSION WILL BE
HELD ON TUESDAY, JUNE 21, 2022, AT 8:00 AM AT TOWN HALL.**

THE TOWN OF OCEAN RIDGE IS HOLDING ALL MEETINGS IN-PERSON, WITH AN ADDITIONAL OPTION OF LISTENING TO THE AUDIO LIVE. ANY PERSON WISHING TO LISTEN TO THE AUDIO LIVE CAN ACCESS THE FEED ON THE DATE AND TIME OF THE MEETING BY DIALING +1 (571) 317-3122 AND USING 471-955-997 AS THE ACCESS CODE. PERSONS THAT ARE UNABLE TO ATTEND THE MEETING IN PERSON MAY SUBMIT PUBLIC COMMENTS TO BE READ INTO THE RECORD BY EMAILING THE TOWN CLERK A MINIMUM OF ONE BUSINESS DAY PRIOR TO THE MEETING AT KARMSTRONG@OCEANRIDGEFLORIDA.COM OR CALLING TOWN HALL DURING BUSINESS HOURS BEFORE THE MEETING DATE AND TIME AND PROVIDING YOUR COMMENT TO THE TOWN CLERK.

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 ACCOMMODATION 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.

**NOTICE: THE PUBLIC MAY VIEW THE HARD COPY OF THE MEETING
MATERIALS AT TOWN HALL BEFORE OR DURING THE MEETING**

PLANNING & ZONING COMMISSION MEETING MINUTES

APRIL 18, 2022

Meeting Minutes of the Planning and Zoning Commission of the Town of Ocean Ridge held on Monday, April 18, 2022, in the Town Hall Meeting Chambers.

CALL TO ORDER

The meeting was called to order at 8:00 a.m. by Vice Chair Carey.

ROLL CALL

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

Chair Mark Marsh	Absent
Vice Chair Ric Carey	Present
Member Neil Hennigan	Present
Member David Hutchins	Present
Member Penny Kosinski	Present
Alternate Member Brit Flanagan	Present
Alternate Member Roger Brinner	Present

Staff Present: Town Attorney Goddeau, Town Manager Stevens, Town Planner O’Gorman, Building Official Guy, Tara Bamber serving as Representative for the Town Engineer, and Town Clerk Armstrong.

PLEDGE OF ALLEGIANCE

Vice Chair Carey led the Pledge of Allegiance.

PUBLIC COMMENT

Vice Chair Carey called for public comment, and there was none.

APPROVAL OF MINUTES

1. Approval of the Meeting Minutes of March 21, 2022

Alternate Member Brinner moved to approve the minutes of March 21, 2022 as submitted; seconded by Member Hutchins. Motion Carried 5-0.

DISCUSSION / ACTION ITEMS

2. Quasi-Judicial Hearing: 62 Harbour Drive North

Vice Chair Carey explained that this is a quasi-judicial hearing and asked if any of the board members had any ex-parte communications with the applicant, owner, or builder. All Planning & Zoning Commissioners informed that they had none. Town Clerk Armstrong swore in those that wished to give testimony.

Town Planner O’Gorman introduced the project by describing the project and noting that the project complies with zoning codes and that the applicant will need to adhere to the staff comments provided.

Fredy Polania, Randall Stofft Architects, presented the project by noting that it will be a coastal seaside residence with Dutch influences. He stated that the home will consist of 4 bedrooms, 3 powder rooms, 4 bedrooms, and a pool and spa. He further went over the site plan.

Member Hutchins voiced his concerns about the traffic management on the site during construction. He stated that he would like to ensure that the surrounding properties are protected during construction and any issues are fixed. Mr. Polania stated that the contractor would adhere to any town traffic regulations. Town Manager Stevens stated that there is a construction site management handbook that addresses most issues and provides enforcement mechanism. She advised that any issues should be reported to Town Hall as soon as it happens or during the incident. Member Hutchins stated that the neighbors are worried about the impacts of construction on their property.

Alternate Member Brinner asked for further information on the existing hedge on the eastern property line. The Landscape Architect stated that the intent is to keep as much of the hedge as possible. He further added that additional plantings will be added, and parts of the hedge may need to be removed or trimmed to accommodate the infrastructure shown on the civil plans. Vice Chair Carey asked if there will be a retaining wall along the eastern property line, to which the Landscape Architect stated that there will be a retaining wall. Vice Chair Carey stated that a retaining wall will limit the ability to keep the existing hedge. Member Hutchins and Member Kosinski asked the Landscape Architect to explain landscape screening. The Landscape Architect went over the landscape plan.

Member Kosinski asked for additional landscaping to be added for screening on the south side of the front elevation of the home. The Landscape Architect stated that they are limited because of the location of the drain field. Vice Chair Carey concurred with Member Kosinski and asked the Landscape Architect if the drain field could be adjusted to accommodate more landscaping. The Landscape Architect explained that there are plantings along the right of way to serve as screening.

Town Clerk Armstrong swore in Tara Bamber who serves as Representative for the Town Engineer.

Member Hennigan noted that the pervious calculations differ for the applicant and for the Zoning Official. He inquired about the difference. As a representative for the Town Engineer, Tara Bamber stated that she is unaware of the Zoning Official's calculations and that her comment is not regarding the size. Member Hennigan stated that his issue is that the septic drain field is taking up so much space in front of the house and limiting the amount of landscape that can go in the front. Ms. Bamber advised that her comment is not for the drain field to be moved, but for the applicant to ensure that the water does not flow into the road. She discussed some viable options of how they can address the comments. Member Hennigan asked for the size information for the plantings being installed in the front, to which the Landscape Architect provided. Member Hennigan commented that the drain field can be split, or a different septic system used to accommodate more landscaping in the front.

Member Hutchins discussed the shape of the lot and noted that the front of the home may not need more screening. Member Hennigan stated that the home will need more landscape screening and the placement of drain field and drainage infrastructure will limit the ability for additional landscaping. Mr. Polania stated that the rendering does not accurately depict what will be on the property. Vice Chair Carey stated that the plans do not show the landscaping in the right of way. Member Hennigan stated that the house should have been pushed back further into the lot so that

the home could have been blended in better. He further added that the lot is maxed out because some items are not counted as part of the FAR.

Member Hutchins asked whose responsibility is the seawall and the dock that shows outside of the property line. Town Manager Stevens stated that it appears to be the town's right-of-way. Town Clerk Armstrong notified that the town does have a land lease agreement for the owners to use the dock. Vice Chair Carey asked if the agreement runs with the land or the owner, and Town Clerk Armstrong stated that the agreement runs with the land but has an expiration date. Vice Chair Carey recommended for the agreement to be owner specific. Town Attorney Goddeau stated that rights of way are not owned by the town but are held in trust for the public and what can be done on there is limited. She stated that she would have to review the land lease. Member Hennigan asked if the public has the right to use the dock. Town Attorney Goddeau state that she would have to review the plat.

Vice Chair Carey asked about the parking. Mr. Polania confirmed the four cars can fit in the parking area outside of the garage. Vice Chair Carey asked about the gate on the driveway, and Mr. Polania confirmed that is a gate for privacy. Vice Chair Carey warned against it and stated that it does not line up with the character of the street and RSF neighborhoods in town. He discouraged it.

Vice Chair Carey asked about the inconsistency in the drawings. Mr. Polania stated that there was a mislabeling on some of the plans. Town Clerk Armstrong commented that the Town Planner noted that the gate is shown to be in the right-of-way so a town permit will be needed. Also, there are steps in the rear of the home that would need to be removed because of the 5' setback for steps. Member Hutchins stated that it is nice neighborhood, and a gate won't be needed. He asked the owner to reconsider the gate.

Vice Chair Carey asked Building Official Guy if he had any issues with the application. Town Clerk Armstrong swore in Building Official Guy. Building Official Guy stated that he had no issues from a construction point of view. He did note that pool equipment will have to be elevated.

Member Hennigan asked Building Official Guy regarding the calculations and stated that there is a large difference between the applicant and Zoning Official calculations. Town Clerk Armstrong noted that the Zoning Official does his own calculation and would allow a project to move forward if it is below the maximum allowed per code. Member Hennigan stated that there is a huge disconnect between applicant and town's calculation. Vice Chair Carey asked for the Zoning Official to be present to help address the calculation concerns. Town Manager Stevens addressed the concern regarding the structures in the rear and stated that they can place a condition for the open porch to never be enclosed. Member Kosinski concurred that she would like further information from the Zoning Official regarding his calculations.

Vice Chair Carey voiced his concern in the way that pervious is being calculated. Alternate Member Brinner stated that Zoning Official's calculations add up to 100% while the applicant's do not.

PLANNING & ZONING COMMISSION MEETING HELD APRIL 18, 2022

Member Hutchins asked about the proposal to move a fire hydrant. Town Manager Stevens stated that moving the fire hydrant would require approval from the fire department and would need to conform to the state requirements for distance. She advised that staff could work with the applicant after the meeting and that the cost will be the applicant's responsibility.

Vice Chair Carey called for public comment.

Town Clerk Armstrong read the public comment provided by Mark Marsh, Chair. Mr. Marsh voiced his concern over some of the landscaping, the lack of landscaping on some portions of the home, some architectural elements, and the height of the home. The board asked the applicant to address Mr. Marsh's concerns.

Mr. Polania stated that he would not like to reduce the height of the home or the roof because it will bring items out of scale. He stated that the building is within the building height as allowed by code and would discourage any changes to sheet A300. He provided additional details regarding the elevations and the materials being used for the property. Mr. Polania stated that he would be willing to add more horizontal interruption to the left elevation wall on sheet A301. He added that he would not like to make a change regarding the second-floor glazing.

Vice Chair Carey concurred with some of Chair Marsh's landscaping concerns.

Brit Flanagan, 5556 N. Ocean Blvd and Alternate Member, asked for the Building Official to give more information about the retaining wall height. The Civil Engineer provided the height information for the retaining wall. Ms. Flanagan asked if the wall height is allowed by code, to which Building Official Guy provided the board with information about wall requirements per the Florida Building Code for homes with high elevations. The Civil Engineer on the project discussed the gradual transition for the retaining wall.

The board asked the applicant to address more of the concerns outlined.

The Landscape Architect discouraged against replacing the palms with shade trees in the front elevation and adding additional palm trees on the west elevation because of the limited space. He further discussed the size of the trees. He further added that he would be willing to add low planting at the base of the pool wall on the North and Northwest.

Mr. Polania stated that he would not want to reduce the heights of windows in lounge or lounge powder room in the front garage elevation, but he would be willing to change the one horizontal wood siding to vertical to match the others.

Alternate Member Brinner asked the Building Official about the hedge as it relates to the retaining wall. Building Official Guy noted that the hedge will need to be removed to install a retaining wall.

Member Hennigan moved to recommend that staff denies the right-of-way application for a gate or any gate to be installed in the front elevation of the property; seconded by Member Hutchins. Motion carried 5-0.

PLANNING & ZONING COMMISSION MEETING HELD APRIL 18, 2022

Member Hennigan asked for input about the dock and the fire hydrants. Town Manager Stevens stated that staff will work with the applicant during the building permit process.

Member Kosinski moved to approve the Development Plan Review Application for 62 Harbour Drive N. subject to all conditions presented by staff, the Architect's agreement to address the detailing and landscaping concerns, the porch to never be enclosed, and the pool equipment to be elevated as required; seconded by Alternate Member Brinner. Motion carried 5-0.

COMMISSIONER COMMENTS

Member Kosinski thanked Town Manager Stevens, Commissioners, and all parties involved in the recent purchase of land for the town. Vice Chair Carey stated that the purchase received support from the community.

Member Hennigan stated that the issue regarding porches and their impacts on FAR needs to be addressed.

Vice Chair Carey stated that Commissioners need to start studying and understanding the impacts of the new elevation now that homes are being built with the new elevation heights. He advised that there probably are methods to reduce the visual impacts and discussed some options for the board to consider. Member Hennigan agreed and gave some examples where the board members comments helped the visual impact of the elevation.

Vice Chair Carey noted that he would not be available in May and June for the meetings. He asked members to touch base with Town Clerk Armstrong to have a liaison for the Town Commission Meetings. Alternate Member Brinner stated that he would also be away for May. Member Kosinski stated that she will be absent in June and possibly August but would keep us informed. Alternate Member Flanagan stated that she would be willing to extend appointment to May if needed.

ADJOURNMENT

Meeting adjourned at 9:32 a.m.

Minutes prepared by Town Clerk Armstrong and adopted by the Planning & Zoning Commission on May 16, 2022.

Mark Marsh, Chair

Attest:

Karla Armstrong, Town Clerk

Town of Ocean Ridge, Florida
Board of Adjustment Agenda Memorandum
Office of the Town Clerk

Meeting Date: May 16, 2022
Subject: Selection of Chair and Vice Chair

Chair and Planning and Zoning Members:

The Town Commission appointed Robert Rodriguez and re-appointed Roger Brinner as the Alternates for the Planning and Zoning Commission. After each annual appointment cycle, the board has to choose a Chair and Vice Chair as indicated in the Code.

Per the Rules of Order and Procedure, the Chair and the Vice Chair shall be selected by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

The Chair will serve as the presiding officer for the meetings. The Presiding Officer shall preserve order during the meetings. In the case of absence or disability of the Chair, the Vice-Chair shall assume the responsibilities of the Chair as Presiding Officer. The Rules of Order and Procedure is attached for reference.

Respectfully,

Karla Armstrong
Town Clerk

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TOWN MANAGER

KARLA M. ARMSTRONG
TOWN CLERK



KRISTINE DE HASETH
MAYOR

COMMISSIONERS
STEVE COZ
SUSAN HURLBURT
GEOFF PUGH
MARTIN WIESCHOLEK

TOWN COMMISSION & BOARDS RULES OF ORDER AND PROCEDURE **Adopted by Resolution No. 2021-24 on November 1, 2021**

Rule 1. Public Meetings.

- 1.1 All Town Commission and Town Commission Appointed Board/Committee meetings shall be open to the public except as otherwise provided by law.

Rule 2. Regular Meetings.

- 2.1 The Town Commission shall meet the first Monday of each month at 6 p.m. in Town Hall. This date may be changed from time to time as needed by a majority vote of the Town Commission.
- 2.2 The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law. Town Commissioners and Department Heads may make requests in writing to the Town Manager to place an item on the upcoming Town Commission meeting agenda by the deadline date set by the Town Manager. If the Town Manager refuses to accept any Commissioner's timely addition to the agenda, the Commissioner can bring up the matter during Commission discussion. The order of the items on the Town Commission agenda will be determined by the Town Manager, subject to change by a majority vote of the Town Commission at the beginning of the meeting.

Rule 3. Special Meetings

- 3.1 Special Meetings may be held on the call of the Mayor or of a majority of the members of the Town Commission and, whenever practicable, upon no less than twenty-four hours' notice to each member and the public, unless there is an immediate threat to the public health, safety or welfare. The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law.
- 3.2 The Mayor, Town Manager, or a majority of the Commission Members may call an Emergency Town Commission meeting when a sudden,

urgent event or situation arises necessitating immediate action and judgment. The Town Clerk or designee shall post the agenda and notify each Town Commission Member, the Town Manager, and Town Attorney immediately. Such notification shall be given as soon as practicable before commencement of the meeting, which may be less than 24 hours' notice, and shall state the time, place, and subject of the meeting.

Rule 4. Adjourned Meeting

- 4.1 A Town Commission session may be adjourned or continued from day to day or for more than one day, but the adjournment shall not be extended beyond the next regular meeting.

Rule 5. Duties and Responsibilities of the Presiding Officer

- 5.1 The Mayor shall preside at Town Commission meetings and shall be recognized as head of the Town government for ceremonial purposes and by the Governor for martial law purposes. The Presiding Officer shall preserve order during Town Commission meetings. The Presiding Officer shall have discretion to make rulings for the progress of the meeting, subject to these rules. In the case of absence or disability of the Mayor, the Vice-Mayor shall assume the responsibilities of the Mayor as Presiding Officer, and if both are absent or disabled the Commissioner with the longest term of continuous service shall preside.

The Chair of a Board/Committee shall be designated as the Presiding Officer for the Board/Committee he/she serves, with the Vice-Chair presiding in the absence of the Chair, and if both are absent or disabled the committee member with the longest term of continuous service present at the meeting shall preside.

- 5.2 The Presiding Officer may call to order any member of the Commission, staff, or any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting.

Rule 6. Corporate Seal

- 6.1 The duly appointed Town Clerk shall keep in custody the Town's corporate seal and ensure its proper and lawful use on behalf of the Town. No person shall use the Town Seal for a purpose other than official Town business.

Rule 7. Presentations & Public Comment

- 7.1 Town Commission and Board/Committee meetings are business meetings of the Commission/Board/Committee and the right to limit discussion rests with the Commission/Board/Committee.
- 7.2 Except as otherwise set forth in these Rules, persons who make an approved, pre-scheduled presentation to the Town Commission must limit the duration of their presentation to 15 minutes. Exceptions may be granted by the Presiding Officer.

- 7.3 Public Comments made by a member of the public will be limited to one time per subject matter for a total of three minutes. Exceptions may be granted by the Presiding Officer or a majority of Commissioners agreeing to grant extended time not to exceed one minute. Individuals addressing the Commission on the same topic as an individual who has already spoken should attempt to provide new information. When possible, individual grievances should first be taken up with Town Staff before comments are made at a Town Commission meeting.
- 7.4 The Commission may withhold comment or direct the Town Manager to take action on requests or comments made by the public.
- 7.5 Each person addressing the Commission shall step up to the podium and state his/her name and address in an audible tone of voice for the record. All public comments must be addressed to the Commission as a body and not to individuals. Personal verbal attacks upon Commissioners, staff, and/or members of the public will not be tolerated. Any person making impertinent obscene, personally insulting, defamatory, or slanderous remarks or who becomes disruptive while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

Rule 8. Decorum and Order

- 8.1 The presiding officer shall preserve decorum and order during meetings. Any Commissioner may call point of order during the meeting and state the question of order along with the rule citation. The Presiding Officer decides all questions of order subject to the Commission's appeal by majority vote of all Commissioners present.
- 8.2 During all meetings of the Commission, Commissioners must preserve order and decorum and a Commissioner shall neither by conversation or otherwise, delay or interrupt the proceeding or the peace of the Commission nor disturb any Commissioner while speaking, or refuse to obey the rules of the Commission or its Presiding Officer, except as otherwise provided herein. Members of the Commission shall accord the utmost courtesy to each other, the Town employees, consultants, professionals presenting applications or other matters, and the public appearing before the Commission. Members of the Commission shall refrain at all times from rude and derogatory remarks and abusive comments or statements.
- 8.3 No member of the public shall, during a Commission meeting, make or cause to be made any intentional disruptive noise, or take any intentional disruptive action of any kind in the Commission Chambers.
- 8.4 The presiding officer shall have the authority to direct the removal of any member of the public who violates the rules of decorum as set forth herein.

- 8.5 Town Commissioners, Town Staff members and those individuals who address the Commission or its appointed boards or committees shall not use language which includes profanity or cursing, or which is presented in a belligerent or threatening manner toward the Commission, members of its staff or its consultants, the public or other individuals participating in a public meeting. All comments shall be directed to the Presiding Officer of the meeting and not to individual members of the Commission, town staff or consultants, or to members of the public in the audience. During public comment, on a regular agenda item, if a member of the public wishes to ask a question directly to town staff or a guest presenter, the member of the public will present the question to the Presiding Officer who may choose how or if to ask the question. However, Town staff or guest presenter has no obligation to respond to the question.

Those addressing the Commission or its appointed boards or committees shall avoid personal verbal attacks toward members of the Commission, members of its appointed boards or committees, town staff or consultants, or members of the public in order to preserve decorum during the conduct of public meetings. The Presiding Officer may remove individual(s) from the Commission Chambers if such conduct persists after the Presiding Officer has provided the offending individual with a warning that the individual is in violation of this policy.

- 8.6 It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
1. The Presiding Officer will identify out loud the out-of-compliance behavior and request for the behavior to stop;
 2. The Presiding Officer will ask the speaker to have a seat if he/she continues to disrupt the meeting;
 3. If the speaker refuses to have a seat and/or stop the out-of-compliance behavior, the Presiding Officer will recess the meeting; and,
 4. Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

Rule 9. Rules of Debate

- 9.1 Sequence of Debate: With the exception of quasi-judicial matters, items before the Commission shall be commenced by presentation of the item by a staff member, followed by public comment on the item. Once the Presiding Officer closes public comment, he or she opens the floor for debate by Commissioners, and shall not re-open public comment on the item unless there is a majority vote by all Commissioners present to do so. Once all Commissioners have had the opportunity to speak on the item,

the Presiding Officer may call for a motion and a second on the item and then open debate on the motion by the Commission. Once debate by Commissioners has concluded on the motion, the Presiding Officer shall call for a vote on the motion. A roll call vote may be requested by any Commissioner on any item.

- 9.2 Presiding Officer May Move, or Second, & Debate: The Presiding Officer may make a motion or second on any item subject only to such limitations of debate as are imposed by these rules on all Commissioners and shall not be deprived of any of the rights and privileges of the Commissioner by reason of the Commissioner acting as the Presiding Officer. However, the Presiding Officer may only make a motion once he/she has called for a motion and no other Commission Member has offered a motion on the floor.
- 9.3 Responsibility of Presiding Officer: The Presiding Officer has the responsibility of controlling and expediting debate. A Commissioner who has been recognized to speak on a question has a right to the undivided attention of the Commission. The Presiding Officer's responsibility is to keep the subject clearly before the Commissioners, to rule out irrelevant discussion, and to restate the question whenever necessary.
- 9.4 All Members Shall Vote: No member of the Commission who is present at any meeting of the Commission at which an official decision, ruling or other official action is to be taken or adopted may abstain from voting in regard to such decision, ruling or act and a vote shall be recorded or counted for each such member present, except when, with respect to any such Commissioner, there is a conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, such Commissioner shall comply with the disclosure requirements of Section 112.313, Florida Statutes.
- 9.5 Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking except to call the Commissioner to order or as herein otherwise provided. If a Commissioner while speaking is called to order, said Commissioner shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.
- 9.6 Withdrawal of Motions: Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw the second.
- 9.7 Amending of Motions: At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then vote upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in sub-paragraph 9.7~~6~~ above.

- 9.8 Motion to Reconsider: A motion to reconsider any action taken by the Commission may be made only during the meeting that such action was taken. Such motion must be made by one of the Commissioners on the prevailing side, but may be seconded by any Commissioner. The motion to reconsider may be made at any time and have precedence over all other motions. Nothing herein contained shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission.

Rule 10. Appointments to the Commission and Boards & Committees

- 10.1 Vacancies on the Town Commission or any Board or Committee of the Town of Ocean Ridge shall be announced on the Town Commission agenda, and on the Town website. All interested persons shall submit a letter of interest and resume to the Town Clerk by the deadline stated in the announcement. The Town Clerk shall determine whether or not the interested person is a qualified elector of the Town and submit that information to the Town Commission. No nominations from the floor are allowed unless otherwise set forth herein.
- 10.2 To fill a vacancy on the Town Commission, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing the qualified candidates that submitted a letter of interest and resume by the stated deadline. If no letters of interest or resumes are received by the stated deadline, or only one letter of interest and resume is received by the stated deadline, the Commission may choose to fill the vacancy by a motion and second, nominating any qualified elector to fill the vacancy. The Town Commission may, by majority vote of the Commission, change the voting process at any time.
- 10.3 To fill a vacancy on any Board or Committee of the Town other than the Town Commission, the Town Commission shall vote by ballot as set forth in 10.2 above.
- 10.4 To fill the positions of Mayor and Vice-Mayor, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Town Commissioner's name. The Town Commission may, by majority vote of the Commission, change the voting process at any time.

To fill the positions of Chair & Vice-Chair on the Planning & Zoning Commission, Board of Adjustment, or any other committee created by the Town Commission, the Members of each Board shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

Rule 11. Suspension and Amendment of these Rules

- 11.1 Suspension of Rules: Any provision of these rules not governed by the Town Charter or Town Code may be temporarily suspended by a vote of a majority of the Town Commission Members.

- 11.2 Amendment of Rules: These rules may be amended, or new rules adopted, by a majority vote of the full membership of the Town Commission, provided that the proposed amendments or new rules shall have been introduced into the record.

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION MEMBERS

FROM: CHRISTY GODDEAU, TOWN ATTORNEY

RE: CLARIFICATION QUESTIONS ON PROPOSED ORDINANCE TO EXTEND FRONT ELEVATION ARCHITECTURAL REQUIREMENTS TO ALL ELEVATIONS AND TO ALLOW FLAT ROOFS

DATE: MAY 9, 2022

At the January 24, 2022 Planning and Zoning Commission meeting, the Planning and Zoning Commission voted to change the Land Development Code to extend the architectural requirements for front elevations set forth in section 64-1(e) to all elevations for single family residential dwellings and their accessory buildings. The Planning and Zoning Commission conveyed this change to the Town Commission at its February 7, 2022 meeting in the monthly Planning and Zoning Commission report. **In drafting the proposed revision to the Code, the issue arose as to whether all accessory structures should have the mandatory architectural requirements or if an exception should be made for sheds (e.g., sheds that are 100 square feet or less). Town staff is requesting direction on this issue to complete the draft ordinance.**

At the September 20, 2021 Planning and Zoning Commission meeting, the Planning and Zoning Commission discussed allowing flat roofs for new development with regulations and restrictions on the same. On October 12, 2021, the Planning and Zoning Commission's recommendation to allow flat roofs with regulations and restrictions was discussed in a joint meeting with the Town Commission. Consensus was provided by both boards to move forward with the draft ordinance. At the February 22, 2022 Planning and Zoning Commission meeting, the Planning and Zoning Commission considered the draft ordinance which proposed changes throughout the Land Development Code to allow for flat roofs on all development with regulations and restrictions. The Planning and Zoning Commission decided that the allowance for flat roofs should be limited to single family residential dwellings and their accessory buildings. Accordingly, the draft ordinance was revised to only allow for flat roofs on single family residential dwellings and their accessory buildings with regulations and restrictions. However, in discussing the revised draft with Town staff the following issues arose which need further clarification:

1. Removal of all "flat roof areas". Currently, section 64-1(f) of the Land Development Code states as follows with regards to pitched roofs and the authorization to have a "flat roof area":

"Flat roof areas, that are less than 4:12 pitch (rise to run) are permitted on single- and multifamily structures, provided they do not exceed 15 percent of the total horizontal ground surface area covered by the roof, including but not limited to all living areas,

porches, patios, garages, porte cocheres, carports, entrances, and exterior balconies. The maximum permitted pitch is 10:12 (rise to run). Flat roof areas may be increased to 20 percent, if at least five percent is used as a deck, porch or usable outdoor space.”

With the above provision, there are currently no limitations on access to such “flat roof areas” or accessory uses. Thus, exterior stairs to these “flat roof areas” can be permitted and as well as electricity.

The prior discussions on allowing flat roofs (as opposed to pitched roofs) specifically concluded that the flat roofs should not be utilized for any purpose (i.e., as a deck, porch, outdoor recreation, or storage of equipment) and no direct access should be allowed. Further, the direction on the parapets for flat roofs were that if a parapet is used, it should not exceed 32” as that would prevent the parapet from being considered a safety rail for purposes of compliance with the Florida Building Code. And, there was also consensus about not mixing roofing styles. Thus, the question is should the new ordinance remove the ability to have a “flat roof area” on a pitched roof as currently authorized by the code?

Alternatively, if privacy is the main concern with the use of flat roof areas and flat roofs for outdoor recreation, should consideration be given to allowing a limited percentage of a flat roof area (as currently permitted for pitched roofs) and a new flat roof on the first floor of structures only for limited outdoor recreation. If so, than access and accessory uses would need to be addressed (if desired).

2. Continued use of parapets for pitched roofs: (Companion question to above issue) According to Code section 64-1(f), for pitched roofs, it states:

“Flat roof areas, excluding decks and porches, shall be screened entirely by a parapet, which shall not extend above the top of the tie beam by more than three feet. This parapet shall extend around the flat roof area and shall screen all flat roof elements. Where a parapet is used to conceal a pitched roof, the top of the parapet shall not extend above the top of the tie beam by more than three feet.”

If “flat roof areas” for pitched roofs are being removed (see above), the drafting assumption is then that parapets for pitched roofs will be removed from the current Code. However, if “flat roof areas” for pitched roofs are to continue (in some capacity), should the drafting assumption be that parapet will continue to exist at a max of three feet above the top of the tie beam for pitched roofs’ to conceal the flat roof area only?

3. Maximum height of tie-beam for roofs: Confirm for drafting the following maximum height for tie-beams based on roof types:
 - a. Pitched roofs currently at 16’ for single-story and 24’ for two-story structure (see existing figure 64-6 of code); and,
 - b. Proposed flat roof at 14’ for single-story and 24’ for two-story structure.

Should you have any questions regarding the above, please do not hesitate to contact me.

MEMORANDUM

TO: PLANNING AND ZONING COMMISSION MEMBERS

FROM: CHRISTY GODDEAU, TOWN ATTORNEY

RE: REVISIONS TO SECTION 63-117, GRANDFATHERED USES, LOTS AND STRUCTURES, TO CONSIDER LIMITING THE ADMINISTRATIVE VARIANCES UNDER THIS SECTION TO THE EXISTING ENCROACHMENT AREA

DATE: MAY 9, 2022

At the February 2, 2022 Town Commission meeting, the Town Commission adopted amendments to section 63-117, entitled, “Grandfathered Uses, Lots and Structures,” to clean-up some issues with the administrative variance process set forth therein. In discussing the administrative variance process, Commissioner Wiescholak stated that the administrative variance should be limited to allowing an expansion of the non-conforming structure only in the same area as the existing encroachment and prohibiting an administrative variance where the expansion would be into a different setback area or involve the encroachment of a different Land Development Code regulation. By consensus, the Town Commission directed staff to discuss Commissioner Wiescholak’s proposed revision with the Planning and Zoning Commission. On February 22, 2022, the Planning and Zoning Commission considered the revision proposed by Commissioner Wiescholak and approved the same.

Attached is a draft ordinance which again amends section 63-117 consistent with the proposed revision by Commissioner Wiescholak. Please note, the revision proposed by Commissioner Wiescholak would be limited by the existing language which states that the “total area occupied or to be occupied by all existing and proposed structures and all existing accessory structures, shall not encroach into the required yard setbacks by accumulative total area of more than five percent of the property’s total setback area.” Further, the proposed revision would be further limited by the existing language mandating a minimum 10 foot side setback requirement and a maximum height for the applicable zoning district.

Should you have any questions regarding the above, please do not hesitate to contact me.

DRAFT ORDINANCE

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES, LAND DEVELOPMENT CODE, CHAPTER 63, GENERAL AND ADMINISTRATIVE PROVISIONS, ARTICLE VII, NONCONFORMING AND GRANDFATHERED USES, SECTION 63-117, GRANDFATHERED USES, LOTS AND STRUCTURES, SPECIFICALLY SUBSECTION 63-117(d) TO LIMIT ADMINISTRATIVE VARIANCES TO EXISTING NON-CONFORMING ENCROACHMENT FOR GRANDFATHERED STRUCTURES; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, 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’s Land Development Code has an administrative variance procedure for grandfathered structures in section 63-117; and

WHEREAS, the Town recently reviewed section 63-117 and updated some areas within the procedure that need to be clarified and updated;

WHEREAS, the Town Commission desires to maintain the administrative variance procedure for grandfathered structures but desires to only allow such variances where the non-conforming encroachment is into the same non-conforming encroachment that currently exists; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance to amend the administrative variance procedure for grandfathered structures is for a proper public purpose and in the best interests of the Town.

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

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as true findings of fact of the Town Commission.

SECTION 2 – Amendment: The Town’s Land Development Code, Chapter 63 “General and Administrative Provisions”, Article VII, “Nonconforming and Grandfathered Uses”, Section 63-

117, “Grandfathered Uses, Lots and Structures”, Subsection (d), “Grandfathered Structures”, is hereby amended as follows (underline is added; ~~stricken through~~ is deleted):

Sec. 63-117. - Grandfathered uses, lots and structures.

(d) *Grandfathered structures.*

(1) Where a lawful structure exists at the effective date of adoption or amendment of this land development code, and it could not be built under the terms of this land development code by reason of restrictions on area, lot coverage, height, yards, location on the lot or other property development regulations or requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

a. *Alteration, extension, enlargement or expansion.* No alteration, extension, enlargement or expansion of a grandfathered structure shall be permitted in a way which increases its noncompliance with present property development regulations of the land use (zoning) district in which it is located, but any grandfathered structure or portion thereof may be altered to decrease its noncompliance with present property development regulations of the land use (zoning) district in which it is located. For purposes of altering, extending, enlarging or expanding a grandfathered structure which is being or was previously used for commercial purposes, which commercial purposes include or included a residential-type component, in order to develop a multifamily structure, the landowner must comply with all other existing zoning criteria and may not increase the existing nonconformance. Furthermore, subject to the approval of the town commission, the landowner may be permitted to exceed the existing allowable density in the multifamily zoned areas of the town so long as it reduces the number of existing units by at least 50 percent (fractional units to be rounded up). The number of permitted units shall then be deemed the allowable grandfathered density on said property. It is further provided that any development of property pursuant to this section must be approved and developed pursuant to the planned residential development provisions of chapter 64 of the town's Code subject to the following:

- i. The minimum area requirement of subsection 64-22(1) shall not apply;

- ii. The allowable density as provided for in subsection 64-24(a) shall be modified as set forth herein;
 - iii. Subsection 64-24(d) shall not apply;
 - iv. The minimum yard setback requirements of subsection 64-24(f)(1) shall not apply. Instead, the minimum yard setback requirements of the applicable zoning district shall govern;
 - v. The maximum building height of 44 feet set forth in subsection 64-24(f)(4) shall, in RMM zoning districts, be reduced to the permissible height as set forth in subsection 64-2(e)(3).
- b. *Replacement, restoration and reconstruction.* If any existing grandfathered structure, as provided for in this subsection, is destroyed by any nonvoluntary means, including fire, flood, wind, explosion, act of God, or act of a public enemy, such structure shall be permitted to be replaced, restored or reconstructed as it had previously existed prior to its destruction according to the property development regulations in effect at the time of its original construction and any permitted additions thereto, except that such replacement, restoration and reconstruction can only occur in compliance with those building, plumbing, electrical, gas, fire and other construction and safety related regulations of the town in effect at the time of application for a permit to allow replacement, restoration or reconstruction. In no event shall the destroyed grandfathered structure be so replaced to a degree or level greater than the original structure as to height, lot coverage, total floor area, yard setback requirements or other applicable property development regulations at the time of original construction, without the granting of a variance. Moreover, if any existing grandfathered structure is destroyed by voluntary destruction and the landowner applies to rebuild the structure, the landowner must comply with all other current zoning criteria and may not increase the existing nonconformance. Notwithstanding the foregoing, subject to the approval of the town commission, the landowner of a grandfathered building or structure which includes residential-type units, may be permitted to seek the demolition and redevelopment of the grandfathered structure and, in doing so, exceed the allowable density in the multifamily-zoned areas of the town, but in such circumstances must reduce the number of units which were grandfathered by at least 50 percent (fractional units to be rounded up). The number of permitted units shall then be deemed the allowable grandfathered density on said property. It is further provided that any development of property pursuant to this section must be approved and developed pursuant to

the planned residential development provisions of chapter 64 of the Town's Code subject to the following:

- i. The minimum area requirement of subsection 64-22(1) shall not apply;
- ii. The allowable density as provided for in subsection 64-24(a) shall be modified as set forth herein;
- iii. Subsection 64-24(d) shall not apply;
- iv. The minimum yard setback requirements of subsection 64-24(f)(1) shall not apply. Instead, the minimum yard setback requirements of the applicable zoning district shall govern;
- v. The maximum building height of 44 feet set forth in subsection 64-24(f)(4) shall, in RMM zoning districts, be reduced to the permissible height as set forth in subsection 64-2(e)(3).

For the purposes of this section, a structure shall be deemed to have been destroyed if the structure will require repair or replacement the cost of which will exceed 50 percent of the appraised value of the structure as established by the Palm Beach County Property Appraiser.

- c. *Repairs and maintenance.* Routine repairs and maintenance of grandfathered structures on fixtures, wiring or plumbing or on the repair or replacement of walls shall be permitted.
- d. *Change in location.* Should any grandfathered structure be moved for any reason for any distance whatever from its original permitted location, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved. The board of adjustment may grant variances to this section to allow for the relocation of historic or landmarked structures, so designated by the town's comprehensive plan or otherwise designated by the town commission.
- e. *Accessory or incidental structures.* Structures normally accessory to or incidental to a permitted structure or permitted use in the zoning district in which the grandfathered structure is located shall not be permitted as accessory structures to the grandfathered structure.
- f. *Abandonment or discontinuance.* The abandonment or discontinuance of a grandfathered structure for a period of one year shall render the grandfathered structure status of the specific grandfathered structure null and void. Only structures permitted in the zoning district in which the grandfathered structure is located shall be permitted after the expiration of the one-year period of abandonment or discontinuance.

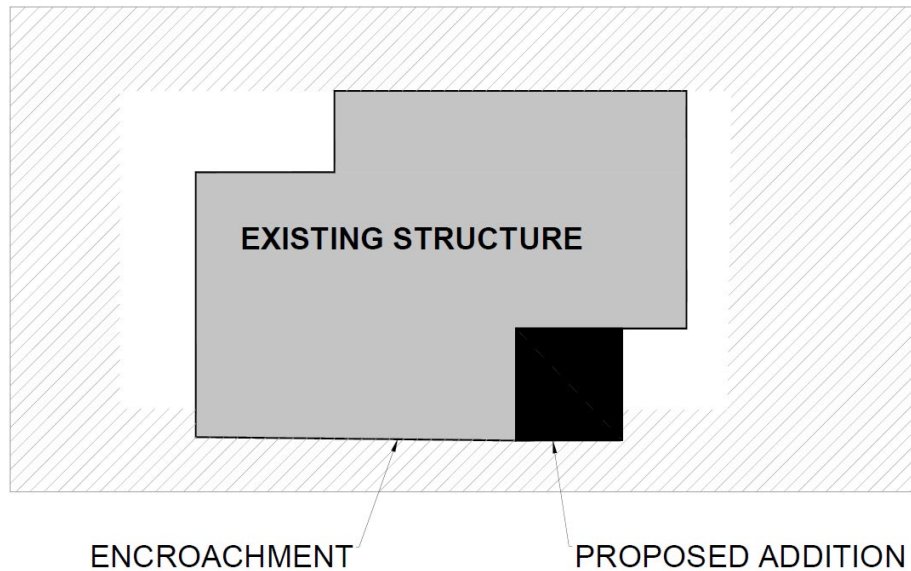
The same notice and appeal procedures and factors for determination of abandonment or discontinuance provided for in subsection (e)(15) of this section shall apply to all cases of abandonment or discontinuance of grandfathered structures.

(2) Administrative variance; criteria.

- a. Notwithstanding subsection (d)(1)a. above regarding the alteration, extension, enlargement or expansion of a grandfathered structure, the administrative official may grant an administrative variance to the yard setback requirements for the alteration, extension, enlargement, or expansion of a grandfathered structure if the alteration, extension, enlargement or expansion of the grandfathered structure is to the same yard setback requirement which the grandfathered structure currently encroaches and such that total area occupied or to be occupied by all existing and proposed structures and all existing accessory structures, shall not encroach into the required yard setbacks by accumulative total area of more than five percent of the property's total setback area. The administrative official may also grant administrative variances from the accumulative totals of each of the other land development dimensional regulations if the alteration, extension, enlargement or expansion of the grandfathered structure is to the same land development dimensional regulations, not to exceed five percent over the current regulations. Notwithstanding the foregoing, no administrative variance shall be granted under this section that permits a structure to encroach within ten feet of any side property line or to exceed the maximum building height as set forth in the current applicable zoning district.
- b. Upon the proper filing of an application for an administrative variance, the administrative official shall cause public notice to be mailed to all properties within 300 feet of the subject property. Such notice shall indicate the nature of the variance requested and shall provide not less than 15 days for comment by the public prior to a written decision by the administrative official. A complete application, with all attachments, requesting a legally permissible variance, along with payment of an administrative review fee, in an amount established by the town commission, shall be submitted to the town clerk. Within seven business days of receipt by the town clerk, the application and all documentation shall be reviewed by the administrative official. Only upon the expiration of the seven business days, without request for

additional information from the applicant, or upon a finding of being sufficient by the administrative official, shall the application be deemed properly "filed."

- c. The granting of such administrative variance shall be based on a determination that the application satisfies all of the requirements of this administrative variance including a finding that the application does not exceed the percentage limitations set forth herein. The decision of the administrative official may be appealed to the board of adjustment, by written request, filed with the town clerk not more than ten days following the rendering of a written decision by the administrative official. Such appeal shall be a de novo hearing before the board of adjustment for the granting of a variance.
- d. If the administrative official determines in his or her sole discretion that a decision regarding the administrative variance application should be made after a full public hearing, the administrative official may direct that the administrative variance application be heard before the board of adjustment. In such case, the administrative official shall notify the applicant to pay the additional fee set by town resolution. Once the additional fee is paid by the applicant, the administrative official shall cause at least 10-days' public notice to be given as provided in section 63-32(c)(1) of this Land Development Code for the hearing before the board of adjustment. At the board of adjustment public hearing, the board of adjustment shall consider the application for administrative variance consistent with the requirements of this section and render a written decision. An appeal of the board of adjustment's decision shall be as provided in section 63-93.
- e. *Example for illustrative purposes.*



The example above shows a typical 50-foot \times 80-foot lot with the current setbacks as dashed lines, the total required setback is cross-hatched, the existing building is in light gray, and a proposed room addition in dark gray. The total area of the setbacks is 4,400 square feet, and the total encroachment of the existing building is 30 feet \times five feet or 150 square feet. Using a five percent maximum, the administrative official could grant an administrative variance for a total of 220 square feet, or an additional 70 square feet of encroachment. As depicted, the proposed addition would encroach an additional two feet \times 15 feet or 30 square feet. So, the addition could be permitted by the administrative official.

- (3) *Amortization of commercial uses.* The maximum allowable time for the amortization of commercial uses, including retail stores, offices, and motels is imminent at the adoption of this amendment on June 7, 1999. Therefore, the reconstruction of earlier grandfathered structures for occupancy by a nonconforming or commercial use is hereby prohibited.

SECTION 3 - Codification: This Ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 4 - Repeal of Conflicting Ordinances: All ordinances, resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 5 - 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 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ____ day of _____, 2022.

SECOND AND FINAL READING this ____ day of _____, 2022.

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:

SUSAN HURLBURT, Mayor _____

KRISTINE DE HASETH, Vice Mayor _____

STEVE COZ, Commissioner _____

GEOFF PUGH, Commissioner _____

MARTIN WIESCHOLEK, 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 ____ day of _____, 2022.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
Susan Hurlburt, Mayor

ATTEST: _____
Karla Armstrong, Town Clerk

Town of Ocean Ridge, Florida
Board of Adjustment Agenda Memorandum
Office of the Town Clerk

Meeting Date: May 16, 2022
Subject: Discussion Regarding Porches impacts on
Maximum Floor Area Calculations

Chair and Planning and Zoning Members:

Member Hennigan has voiced his concerns over roof porches and their exemption from the Floor Area calculation. The Town Commission has authorized the Planning and Zoning Commission to discuss this item. Staff will need direction on how to move forward with this item.

Section 1-3

Floor area, minimum, means the area of the floors measured from the centerline of the exterior walls to the centerline of dividing walls, excluding the area for garages, whether separate or integral, carports, open porches, open breezeways or storerooms not accessible from the interior of the building. Not more than 20 percent of any minimum floor area shall be credited to screened-in porches or breezeways.

Floor area, total, as used for calculating floor area ratio, means the gross horizontal areas of all floors of all buildings on a lot, measured from the exterior face of exterior walls or other type of enclosure, or from the centerline of a wall separating two buildings, including garages, carports, and porte corcheres, but not including: basements, attics (unless used as living space), unenclosed decks or patios, covered porches, balconies (covered or uncovered), or crawl spaces.

Section 64-1(j)(6)

Maximum floor area. The maximum floor area of all finished floors under roof shall be 36 percent of the total lot area. For any RSF lot existing or created after the date of adoption of this ordinance in excess of 20,000 square feet, the maximum floor area of all finished floors under roof shall be 32 percent of the total lot area. For purposes of this subsection, if a lot is separated by a street or right-of-way from that portion of the lot containing the principal

structure or use, the calculation of the "total lot area" shall include the first 1,000 square feet of the separated portion of the lot, provided that the maximum floor area does not exceed 36 percent of the total lot area. Prior to allowing the use of the separated portion square footage, a unity of title, approved by the town, must be executed by the property owner. The floor area occupied by bay windows, chimneys, or other non-habitable architectural features shall be included and shall be subject to this provision. The floor area occupied by **roofed porches** and balconies shall be exempt from this provision.

Section 64-1(k)(6)

Maximum floor area. The maximum floor area of all finished floors under roof shall be 36 percent of the total lot area. For purposes of this subsection, if a lot is separated by a street or right-of-way from that portion of the lot containing the principal structure or use, the calculation of the "total lot area" shall include the first 1,000 square feet of the separated portion of the lot provided that the maximum floor area does not exceed 36 percent of the total lot area. Prior to allowing the use of the separated portion square footage, a unity of title, approved by the town, must be executed by the property owner. The floor area occupied by bay windows, chimneys, or other non-habitable architectural features shall be included and shall be subject to this provision. The floor area occupied by **roofed porches** and balconies shall be exempt from this provision.

Respectfully,

Karla Armstrong
Town Clerk

Town of Ocean Ridge, Florida
Board of Adjustment Agenda Memorandum
Office of the Town Clerk

Meeting Date: May 16, 2022
Subject: Discussion Regarding Porches impacts on
Maximum Floor Area Calculations

Chair and Planning and Zoning Members:

At the last Planning and Zoning Commission meeting, the board directed to have the Zoning Official, Manuel Palacios, explain his calculations results and why they largely differ from the applicant. Mr. Palacios will be at the meeting to go over the last two Development Plan Review and his calculations.

Respectfully,

Karla Armstrong
Town Clerk

3-29-22 REV
DATA CALCULATIONS FOR NEW STRUCTURES
 (NEW SINGLE FAMILY, MULTI-FAMILY HOMES, ETC.)

APPLICANT FILL OUT: PROPERTY ADDRESS: <u>62 HARBOUR DR N.</u>		ZONING DISTRICT: <u>SF</u>	
APPLICANT USE		ZONING OFFICIAL USE ONLY	
*TOTAL SITE AREA	Sq. Ft.	11,733 Sq. Ft.	
BASE FLOOD ELEVATION (NAVD) (SOURCE THE FLOOD INSURANCE STUDY)		ELEV 6'	
FINISHED FLOOR ELEVATION (NAVD)		9 NAVD	
ZONING OFFICIAL USE ONLY		ZONING REVIEW	
PROPOSED		PROPOSED	
	Sq. Ft. %	Sq. Ft.	%
FLOOR AREA RATIO (MAXIMUM <u>36%</u>)		4122	35.6
LOT COVERAGE (MAXIMUM <u>35%</u>)		3605	30.7
APPLICANT USE		ZONING REVIEW	
*PERCENTAGE FROM TOTAL SITE AREA	Sq. Ft. %	Sq. Ft.	%
FIRST FLOOR UNDER A/C ()		2449	20.9
SECOND FLOOR UNDER A/C ()		1709	14.7
TOTAL UNDER A/C ()		4158	35.4
TOTAL FLOOR AREA ()		5508	47.0
TOTAL UNDER ROOF ()		6148	52.4
FLAT ROOF ()		333	02.8
TOTAL ROOF ()		3469	29.6
GARAGE ()		484	04.1
COVERED PATIO ()			
COVERED ENTRY ()		102	00.9
COVERED BALCONY (REAR) ()		294	03.4
COVERED BALCONY (FRONT) ()			
OPEN BALCONY ()		246	02.1
BUILDING FOOTPRINT ()		3603	30.7
SEPTIC TANK & DRAINFIELD ()		650	5.5
PAVED AREA ()		770	6.6
SYNTHETIC TURF ()			
TOTAL IMPERVIOUS () (INCLUDES SYNTHETIC TURF)		5089	43.3
TOTAL PERVIOUS ()		6605	56.7
APPLICANT USE		ZONING REVIEW	
FEET		FEET	
BUILDING HEIGHT (MAX <u>36'</u>)		31'3"	
BUILDING SETBACKS:			
FRONT (MIN <u>25'</u>)		29'11"	
REAR (MIN <u>15'</u>)		15'	
SIDE INTERIOR (MIN <u>15'</u>)		15'2" / 17' / 27'1"	
SIDE CORNER (MIN <u>20'</u>)			
WATERWAY (MIN <u>25'</u>)		27'1" - SIDE	
DRIVEWAY () section 66-45 (4) Cul-de-Sac		2'10" / 22'8"	

Prepared By: Manny Zoning Date: 3-29-22

1st FL - 2933
 2nd FL - 1709 = 58%
 Sec 64-1(i)
 2,200sf - 75% MAX 2nd FL of 1st FL

DATA CALCULATIONS FOR NEW STRUCTURES
(NEW SINGLE FAMILY, MULTI-FAMILY HOMES, ETC.)

APPLICANT FILL OUT: PROPERTY ADDRESS: 6060 NORTH OCEAN DRIVE		ZONING DISTRICT: <u>RSF</u>	
*TOTAL SITE AREA	APPLICANT USE 20,999 Sq. Ft.		ZONING OFFICIAL USE ONLY 20,999 Sq. Ft.
BASE FLOOD ELEVATION (NAVD) (SOURCE THE FLOOD INSURANCE STUDY)	FLOOD ZONE (X)		
FINISHED FLOOR ELEVATION (NAVD)	14.67' (NAVD)		14.67 NAVD
ZONING OFFICIAL USE ONLY	APPLICANT USE		ZONING REVIEW
	PROPOSED		PROPOSED
	Sq. Ft.	%	Sq. Ft. %
FLOOR AREA RATIO (MAXIMUM <u>32</u> %)	= 6,720 S.F. ✓	32%	4,917 23.4
LOT COVERAGE (MAXIMUM <u>35</u> %)	= 7,350 S.F. ✓	35%	7,224 34.4
ZONING OFFICIAL USE ONLY	APPLICANT USE		ZONING REVIEW
	Sq. Ft.	%	Sq. Ft. %
*PERCENTAGE FROM TOTAL SITE AREA			
FIRST FLOOR UNDER A/C ()	✓ 3,408 S.F.	16%	2441 11.6
SECOND FLOOR UNDER A/C ()	✓ 1,765 S.F.	08%	1434 6.8
TOTAL UNDER A/C ()	✓ 5,173 S.F.	25%	3875 18.5
TOTAL FLOOR AREA ()	2,051 S.F.	10%	4,917 23.4
TOTAL UNDER ROOF ()	6,939 S.F.	33%	5,551 26.4
FLAT ROOF ()	285 S.F.	4.1%	285 1.4
TOTAL ROOF ()	7,224 S.F.	34%	7,224 34.4
GARAGE ()	1,003 S.F.	05%	1042 05.0
COVERED PATIO ()	0,662 S.F.	03%	429 03.0
COVERED ENTRY ()	0,032 S.F.	001%	33 0.2
COVERED BALCONY (REAR) ()	N/A S.F.	0%	
COVERED BALCONY (FRONT) ()	N/A S.F.	0%	
OPEN BALCONY ()	0,422 S.F.	01%	422 2.0
BUILDING FOOTPRINT ()	5,157 S.F.	25%	4,919 23.4
SEPTIC TANK & DRAINFIELD ()	1,210 S.F.	6%	1,210 5.8
PAVED AREA ()	1,209 S.F.	06%	1,209 5.8
SYNTHETIC TURF ()	N/A S.F.	0%	
TOTAL IMPERVIOUS () (INCLUDES SYNTHETIC TURF)	9715 S.F.	47%	9715 46.3
TOTAL PERVIOUS ()	11,284 S.F.	53%	11,284 53.7
ZONING OFFICIAL USE ONLY	APPLICANT USE		ZONING REVIEW
	FEET		FEET
BUILDING HEIGHT (<u>36' MAX</u>)	36'-0"		33' 5"
BUILDING SETBACKS:			
FRONT (<u>25' MIN</u>)	25'-0"		25' 9"
REAR (<u>15' MIN</u>)	15'-0"		16'
SIDE INTERIOR (<u>15' MIN</u>)	15'-0"		23' 4"
SIDE CORNER (<u>20' MIN</u>)	20'-0"		20' 11"
WATERWAY (<u>25' MIN</u>)	N/A		
DRIVEWAY (<u>10' MIN</u>)	N/A		

Prepared By: Earl Wills

Date: 1/12/2022

MANNY - ZONING 2/2/22

*75% 2ND FL of 1ST FL
41.2% = 1434 / 3483*