



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AGENDA
FEBRUARY 28, 2013
7:00 PM**

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES: JANUARY 31, 2013 *DEFERRED

**4. UPDATE ON THE PLANNING AND ZONING BOARD PROCESS AND
REVIEW OF VARIANCE CRITERIA**

5. PLANNING AND ZONING APPLICATIONS

A. Request of the Owner of Property located at 8939 Abbott Avenue

The applicant is requesting converting their carport to a garage and adding a privacy wall.

B. Request of the Owner of Property located at 1452 Biscaya Drive

The applicant is requesting to re-roof a portion of their existing single family home.

C. Request of the Owner of Property located at 9592 Harding Avenue

The applicant is requesting to redesign the existing building façade.

D. Request of the Tenant to Property located at 9390 Bay Drive

The applicant is requesting to build a two-story single family residence.

6. ZONING HEARING ARE QUASI- JUDICIAL PUBLIC HEARINGS

Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn in before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the Board will not consider your comments in its final deliberation. Please

also disclose any Ex-Parte communications you may have had with any Board member. Board members must also do the same.

A. Request of Owner of Property located at 1233 Biscaya Drive

The applicant at 1233 Biscaya Drive is requesting a side setback variance.

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA PLANNING & ZONING BOARD CONSIDERING THE APPLICATION OF 1233 BISCAYA DRIVE, TO PERMIT A SIDE SET BACK VARIANCE FROM THE REQUIREMENTS OF SECTION 90-45 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES TO ALLOW THE EXISTING SINGLE FAMILY HOME TO REPLACE THE EXISTING DECK WITH A NEW CONCRETE DECK; PROVIDING FOR AN EFFECTIVE DATE.

7. PLANNING AND ZONING DISCUSSION ITEMS:

A. *Building massing related to new construction.*

8. ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-893-6511 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED PERSONS MAY CONTACT THE TDD LINE AT 305-893-7936.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

TWO OR MORE MEMBERS OF TOWN COMMISSION OR OTHER TOWN BOARDS MAY ATTEND AND PARTICIPATE AT THIS MEETING. THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



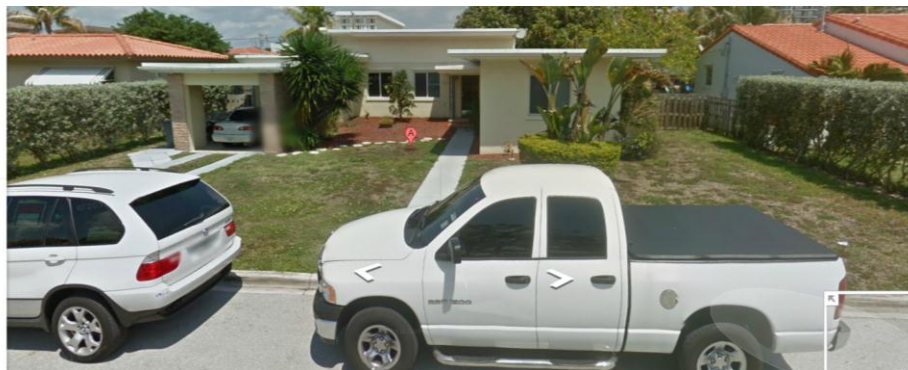
MEMORANDUM

To: Planning and Zoning Board
Thru: Roger M. Carlton, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Interim Town Attorney
Date: February 28, 2013
Re: 8939 Abbott Avenue, Residential Design Review Application
Carport conversion and privacy wall

The property located at 8939 Abbott Avenue is within the H30B zoning district. The applicant is requesting converting their carport to a garage and add a privacy wall which is flushed with the front plane of the home. The wall and accompanying gate provide a entry feature to the front of the structure.

Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation





Town of Surfside Zoning Code, Applicable Requirements

Sec. 90-28. - Nonconforming uses and structures—Purpose and scope.

Requirement	Proposed
Any non-conforming structure or lot which lawfully existed on the date of the adoption of this zoning code and which remains non-conforming and any lot which has become non-conforming as the result of the adoption of this zoning code or any subsequent amendment thereto may be continued only in accordance with the terms of this article	The home was constructed in 1950 and a side setback requirement of five feet was adopted the same year. However, the current setback requirement is 7.5 feet. The setback of the existing carport is 6.4 feet. Therefore, it is considered legally nonconforming.

Section 90-45 Setbacks

Requirement		Proposed
Primary frontage	20 FT	Meets setback requirements
Interior side (lots greater than 50 feet in width)	10% of the frontage (7.5 FT)	6.4 feet on north side when the existing carport lies. Legal non-conforming structure.
Rear	20 FT	2 nd floor addition meets setback requirements.

Sec. 90-56. - Fences, walls and hedges.

Requirement	Proposed
90-56.2 A fence or ornamental wall may be placed within the front yard or primary corner yard if granted approval by the Design Review Board.	A new 6 foot high open block privacy wall will also be added to the front of the residence. Planning and Zoning Board approval required.



<p>90-56.3 Fences or ornamental walls placed within a front yard or secondary frontage/corner yard are limited to function as spatial locators and shall not be substantial in appearance and shall adhere to height and opacity limitations as set forth in Table 90-56(d).</p>	<p>Consistent with opacity requirements.</p>

Town of Surfside Design Guidelines, Applicable Requirements

Required	Proposed
<p>Transparency and Void Requirements</p> <p>All elevations should provide for a minimum of ten percent wall openings. Wall openings should be defined as either windows, doors or transitional spaces defined by porches, porticoes or colonnades.</p>	<p>The proposed application meets these requirements.</p>
<p>9-50.1(3) All elevations for single story additions to existing structures shall result in a zero percent net loss of wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.</p>	<p>No loss of wall openings.</p>

RECOMMENDATION

Staff recommends approval.



MEMORANDUM

To: Design Review Board
Thru: Roger M. Carlton, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Interim Town Attorney
Date: February 28, 2013
Re: 1452 Biscaya Drive Re-roof

The property is located at 1452 Biscaya Drive, within the H30A zoning district. The applicant is requesting to re-roof a portion of their existing single family home so that it is consistent with the remainder of the roof. The owner has proposed using white asphalt shingles to replace existing white asphalt and white wood shingles.

The following photos show the front and location of the home:



Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	No proposed change.
Wall openings	10% for all elevations	No proposed change.
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board; (d)Architecturally embellished metal if granted approval by the Design Review Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	White asphalt shingles. Requires approval by DRB.

Town of Surfside Adopted Residential Design Guidelines

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	No change proposed.
Restricted materials for roofs are pre-determined in the Town’s Building Code, which restricts roofing materials to: <ol style="list-style-type: none"> 1. Clay tile; 2. White concrete tile; 3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal. 	White asphalt shingles.

RECOMMENDATION

Staff recommends approval.

MEMORANDUM

To: Planning and Zoning Board
 Thru: Roger M. Carlton, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Interim Town Attorney
 Date: February 28, 2013
 Re: 9592 Harding Avenue AmTrust Bank Building Façade

The property is located at 9592 Harding Avenue, within the SD-B40 zoning district. The applicant is requesting to redesign the existing building façade including relocation of an existing ATM. The proposed plan of the building façade will include a beach grass design. The design of the AmTrust building façade is intended to carry through the concept of a wave coming from the east to the west transitioning to the shoreline. The JGB building across the street is part of this wave concept design.

Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Staff Recommendation

Existing façade:



JGB Building across the street with wave design:



STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.41(c) Regulated uses.

Regulated Uses	Permitted	Proposed
SD-B40	Bank	Bank

Sec. 90-49.3 Materials and finishes.

Regulated Uses	Permitted	Proposed
Materials and finishes	1. The surface shall be stucco, stone, metal, glass block and accent wood. Materials vernacular or characteristic to other regions including but not limited to flagstone and adobe shall be prohibited.	1. At the street level, the beach grass is expressed on the existing stucco surfaces as an applied additional, 3/4" layer of cement stucco in the shape of the illustrated beach grass. At the second level, the beach grass is expressed as a negative cut out in a system of panels held slightly off the existing building walls. The cut outs will cast an internal shadow during daylight hours and at night they

	<p>2. Materials shall be true and genuine, rather than simulated. Multiple storefronts within a larger building shall have consistent material qualities and articulation.</p>	<p>will be backlit.</p> <p>2. Materials are true and genuine. Materials are consistent with neighboring stores.</p>
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Staff recommends approval of the application with the following conditions:

- 1) Provide a description of the materials in the building permitting set.



MEMORANDUM

To: Planning and Zoning Board
 Thru: Roger M. Carlton, Town Manager
 From: Sarah Sinatra Gould, AICP, Town Planner
 CC: Linda Miller, Interim Town Attorney
 Date: February 28, 2013
 Re: 9390 Bay Drive, New Residence

The property is located at 9390 Bay Drive, within the H30A zoning. The applicant/homeowner is requesting to build a two (2) story single family residence on the west side of Bay Drive between 93rd Street and 94th Street.



Staff has reviewed the current application for consideration by the Design Review Board. In this report Staff presents the following:

- Applicable Zoning Code regulations, along with the results of the review
- Applicable Design Guidelines standards, along with the results of the review
- Staff Recommendation

STANDARDS / RESULTS

Town of Surfside Zoning Code, Applicable Requirements

Sec. 90.43 Maximum building heights

Height	Required Maximum	Proposed
H30A	30 feet	29.65 feet

Sec. 90.44 Modifications of height regulations

	Maximum height	Proposed
Chimney	3 feet	1.6 feet

Sec. 90-45. Setbacks

<i>H30A UPPER STORY IS 65% to 80% of the FIRST FLOOR AREA</i>	<i>Required</i>	<i>Proposed</i>
<i>Maximum Lot Coverage</i>	40%	39.5%
FIRST STORY		
Primary Frontage	Minimum 20 feet	20 feet
Interior side (lots over 50 feet in length)	Minimum 10% of the frontage (5 feet 4 inches)	5 feet 4 inches
Rear	Minimum 20 feet	43 feet 3 inches
Secondary frontage (corner only)	10 feet	10 feet 11 inches
UPPER STORY		
Primary frontage	Minimum 20 feet/Average 30 feet	37 feet 10 inches
Interior side (lots greater than 50 feet in width)	Minimum 10% of the lot frontage/Average 20% of the frontage.	Meets code requirement.
Rear	Minimum 20 feet/ Average na	Meets code requirement.
Secondary frontage (corner only)	Minimum 10 feet/Average 20 feet	Meets code requirement.

Sec. 90.47.3 Yards, generally allowable projections

Pool Equipment Standards H30B	Required	Proposed
Pool Equipment	5 feet setback to rear property line	5 feet 4 inches
	5 feet setback to side property line	108 feet 7.5 inches
	Not visible from any street or waterway	Not visible.

Sec. 90.49 Lot standards

Lot Standards H30A	Required	Proposed
Minimum Lot width	50 feet	53 feet 8 in.
Minimum lot area	8,000 feet	7,940 (Existing platted lot)
Minimum lot coverage	40%	39.5%
Pervious area	35% (minimum)	26%

Sec. 90.50 Architecture and roof decks

	Required	Proposed
Unique Elevation	A unique elevation from the main buildings of the adjacent two (2) homes shall be created through the modulation of at least three (3) of the following architectural features: (a)Length, width and massing of the structure; (b)Number of stories; (c)Façade materials; (d)Porches and other similar articulation of the front façade; (e)Number and location of doors and windows; and (f)Roof style and pitch.	Unique as to A, D and E. Façade will be painted white stucco.
Wall openings	10% for all elevations	All elevation have at least 10% wall openings
Roof Material	(a) Clay Tile; (b) White concrete tile; (c) Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color if granted approval by the Design Review Board; (d)Architecturally embellished metal if granted approval by the Design Review Board; or (e)Other Florida Building Code approved roof material(s) if granted approval by the Design Review Board.	White flat roof tile Requires approval by the Planning and Zoning Board.

Sec. 90.54 Accessory buildings and structures

Swimming Pool/Deck	Required Minimum	Proposed
Rear Setback	5 feet	15 feet
Interior Side	5 feet	21 feet
Secondary Corner	10 feet	10 feet 11 inches

Sec. 90.61.1 Paving in front and rear yards in H30 and H40 Districts

Paving Yards	Required	Proposed
Front setback permeability	50% minimum	51.8%
Front yard landscaped	30% minimum	44.2%
Rear yard landscaped	20% minimum	74.4%
Secondary frontage permeability	50% minimum	64.8%
Number of Curb Cuts	One	Two curb cuts
Curb Cut side set back	5 feet minimum	8 feet (front)/7 feet 2 inches (side)
Curb cut width	18 feet width maximum	20 feet 10 inches wide (west)/12 feet (north) – a condition of approval to not exceed 18 feet has been included.
Driveway Materials	Limited to the following 1. Pavers 2. Color and texture treated concrete, including stamped concrete 3. Painted concrete shall not be permitted. 4. Asphalt shall not be permitted.	Concrete Pavers

Sec. 90-77Off-street Parking Requirements

Required	Minimum Space Requirements	Proposed
Single-family	2 spaces	3 spaces

Town of Surfside Adopted Residential Design Guidelines

Building Massing

Required	Proposed
Building forms should be varied enough to avoid monotony and to avoid pyramidal massing and should be compatible with surrounding houses.	Consistent

South of property:



North of property:



East side of Bay Drive:



Transparency and Void Requirements

Required	Proposed
All elevations should provide for a minimum of 10% wall openings.	Minimum 10% wall openings provided.
New windows should be placed to avoid direct views into existing neighboring windows.	Applicant shall state if windows avoid views into existing neighboring properties.

Main Entries

Required	Proposed
Prominent and oriented to the street	Main entry provided.
Rendered in appropriate scale for the block as well as the individual building	Appropriate for block.
Entry feature should not extend above the eave line of the structure	The entry feature does not extend above the eave line.
Should not be obstructed from view by fences, landscaping or other visual barriers	Portion of existing wall and tall landscaping to be removed.

Decorative Features

Required	Proposed
Decorative features should be stylistically consistent throughout the entire building.	Consistent.

Overall Architectural Style

Required	Proposed
The overall style of each house should be consistent on all sides of the building, as well as among all portions of the roof.	Consistent.

Parking Driveways

Required	Proposed
The width of paved driveways on private property as well as driveway cuts at the curb should be as narrow as possible	Minimum width provided.

Driveway Treatments

Required	Proposed
Town encourages the use of pavers	Pavers provided.

Wall Materials and Finishes

Required	Proposed
The same material should be used on all building elevations unless multiple materials are a legitimate expression of the particular style.	Majority of the building will be white stucco.

Roof Materials, Types, and Slopes

Required	Proposed
Roof types and slopes should be generally the same over all parts of a single building.	Consistent
Restricted materials for roofs are pre-determined in the Town's Building Code, which restricts roofing materials to: 1. Clay tile; 2. White concrete tile;	White flat roof tile.

<p>3. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is first approved by the planning and zoning board; and 4. Metal.</p>	
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Windows and Trims

Required	Proposed
Window styles should always be consistent among all elevations of a building.	Consistent.
Frame materials should never vary on a single building.	No variation.
Window, door and eave trim should be consistent on all elevations of the house	Consistent.

RECOMMENDATION

Staff is recommending approval with the following conditions:
 1) The curb cut from Bay Drive shall be no greater than eighteen feet.
 3) The Town will provide landscaping around pump station in a mutually agreeable manner.



MEMORANDUM

To: Planning and Zoning Board
Thru: Roger M. Carlton, Town Manager
From: Sarah Sinatra Gould, AICP, Town Planner
CC: Linda Miller, Interim Town Attorney
Date: February 28, 2013
Re: 1233 Biscayne Drive-Klahr Variance

The applicants and property owners, Linda and Michael Klahr, are requesting a side setback variance from the Town of Surfside Code for the property at 1233 Biscaya Drive. The property is located within the Residential Single Family H30A zoning district. The code requires the interior side setbacks to be ten (10%) percent of the street frontage of the lot or in this case 10 feet. On the west side, an existing roof and deck encroach the entire 10 foot setback and extend to the property line. The owners wish to replace their current deck with a new concrete deck and extend the fence. The existing home also encroaches into the setback on the east side.

Request

Section 90-45 of the Town of Surfside Code requires a minimum side setback of ten (10%) percent of the street frontage of the lot in the H30A zoning district or in this case 10 feet. The existing single family home currently has a roof on a portion of the west side that covers a portion of the deck and encroaches that setback. The applicant wishes to leave the roof as it was constructed in the early 1960's.

Variance Criteria

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district;

The house was built in 1951 and the roof was original to the house or added shortly thereafter. Many permits for the roof are shown in the Town of Surfside file, but the related drawings cannot be located. In the summer of 2010, a permit was taken out to repair the roofs of the whole house including this roof. The asphalt roofing material was replaced and any rotten or damaged wood was replaced at that time.

(2) The special conditions and circumstances do not result from the actions of the applicant or a prior owner of the property;

In 1950, the side setback requirement for single family homes was five feet. No original permits or site plans have been located regarding the original construction of the house. Aerial photography from the 1960s indicates the existing deck and correlating roof existed at that time. More recently in 2008, they were changed to 10% of the frontage or ten feet for this property. Many permits for the roof are shown in the Town of Surfside file, but the related drawings cannot be located.

(3) Literal interpretation of the provisions of the Town Code deprives the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Town Code and results in unnecessary and undue hardship on the applicant;

The current owners purchased the property in 1980 with the existing roof. The roof was repaired in 1978 by the previous owner with permits from the Town and it was recently repaired with a building permit at the Town. Requiring the owner to move the roof back ten feet will essentially destroy any useful value derived from the roof since total coverage is 14 feet.

(4) The hardship has not been deliberately or knowingly created or suffered to establish a use or structure which is not otherwise consistent with the Town of Surfside Comprehensive Plan or the Town Code;

The roof in questions has been part of the home since the 1960s. The homeowners wish to repair the structure so that it is a safe and attractive feature of the home.

(5) An applicant's desire or ability to achieve greater financial return or maximum financial return from his property does not constitute hardship;

Since the structure has existed for so long, no additional financial return will result in granting this variance. It will only formally recognize the existence of a structure.

(6) Granting the variance application conveys the same treatment to the applicant as to the owner of other lands, buildings, or structures in the same zoning district;

The roof has been part of this house for more than fifty years.

(7) The requested variance is the minimum variance that makes possible the reasonable use of the land, building, or structure; and

Any alteration in the roof at this time will result in a less architecturally pleasing solution. This is the minimum variance needed to make reasonable use of the deck.

(8) The requested variance is in harmony with the general intent and purpose of the Town of Surfside Comprehensive Plan and the Town Code, is not injurious to the neighborhood, or otherwise detrimental to the public safety and welfare, is compatible with the neighborhood, and will not substantially diminish or impair property values within the neighborhood.

The roof cannot be seen from the street and it is an open view area. The view to the street and the bay are open.

Results

Staff recommends approval of the side setback variance.

Exhibits

1. Application
2. Site Plan



MEMORANDUM

To: Planning and Zoning Board

From: Roger M. Carlton, Town Manager
Sarah Sinatra Gould, AICP, Town Planner

Date: February 28, 2013

Re: Massing and Zoning Discussion

Vice Mayor Karukin requested discussion of a number of topics regarding building massing related to new construction. Provided below are questions to the Planning and Zoning Board to help guide Staff's analysis and the discussion amongst the Board.

Of particular concern are the following:

- Which zoning districts to analyze? H120, H40 and H30C? (Attachment 1: Zoning Map)
- Property aggregations
- Setbacks
- Stepbacks
- Parking
- Maximum frontage
- Minimum floor area ratio
- Efficiency units
- Net vs. Gross density

Property Aggregation. The key question in regard to property aggregation is, *“In anticipation of more property aggregation, what can be done to prevent a 700-unit building or a building that does not have breaks in the façade (other than articulation) from being erected?”*

The Comprehensive Plan states the following densities for the future land use designations. (Attachment 2: Future Land Use Map)



Future Land Use Designation	Density
Moderate Density Residential/Tourist	<ul style="list-style-type: none"> • up to 58 residential dwelling units per acre or up • to 108 hotel units per acre
Moderate-High Density Residential	<ul style="list-style-type: none"> • Up to 79 residential dwelling units per acre or up to • 108 hotel units per acre
High Density Residential/Tourist:	<ul style="list-style-type: none"> • up to 109 dwelling or hotel units per acre

Sec. 90-45.1 of the zoning code addresses aggregation of lots and the related density. The code states the following:

“(1) For all lots aggregated in the H30C, H40 and H120 zoning districts after the effective date of this ordinance [Ord. No. 1572], the maximum permitted density shall be limited to 85 percent of the total gross density permitted by the Comprehensive Plan when lots are aggregated.”

Setbacks

The question to the Planning and Zoning Board is the following: ***Whether setbacks should be increased if buildings have 150 feet or more of frontage?*** The current interior side setback for the interior side is ten feet in the H120 district and 7 feet in the H40 district. There is already a requirement in the H30C district for the setback to be 10% of the building frontage. The Town may consider increasing the interior setback to 20 feet in the H120 district to provide more open space and reduce overall massing, but it may be too limiting in the other districts due to the height limitations.

Stepbacks

The question posed to the Planning and Zoning Board is the following: ***Should setback requirements be applied to interior structures on the same parcel of land?*** Stepback requirements are often applied to enhance the pedestrian experience for residents and visitors walking past the front of buildings. They are not typically considered for interior buildings.

Per Section 90-48.5 of the zoning code, in the H120 district, when a building exceeds a height of 30 feet, the width of each side yard (or stepback) shall be increased by one foot for every three feet of building height above 30 feet, provided however, on a corner lot the minimum width of the side yard adjoining a street need not exceed 20 feet.

The Town may wish to consider including stepback requirements along the right-of-way. Additional stepback requirements would reduce the overall mass of buildings. Additional



design considerations may be needed with respect to the pyramdic effect the current code may have on taller structures.

Parking

The question to the Planning and Zoning Board is the following: ***Whether applications should be permitted to reduce on-site parking requirements by paying into a parking fund?*** Per the code, "off-street parking requirements may be complied with by paying into the Downtown Parking Trust fund the sum of money that is the product of the number of parking spaces required but not provided, multiplied times the amount of the established fee per parking space. The parking fee amount shall be calculated on a "per parking space" standard, based upon a portion of the cost of the land, combined with the cost of design and construction, for a single structured off-street parking space."

Only applicants in the commercial district and the places of public assembly overlay (Attachment 3) may pay the downtown parking trust fund in lieu of providing parking. This requirement does not apply to residential development including condominiums or hotels.

Maximum Frontage

Section 90-51 was amended in December 2012 to provide a maximum frontage requirement. The section states that continuous wall frontage shall be not exceed 270 feet and articulated as follows:

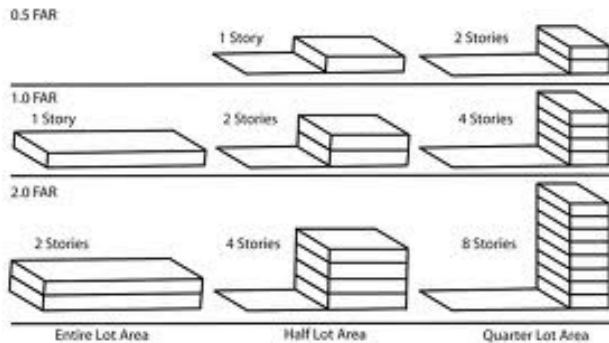
- (1) *H40*: For every seventy-five (75) feet, a minimum six foot change in wall plane.
- (3) *H120*: For every 100 feet, a minimum six-foot change in wall planes. The change shall be either vertical or horizontal.

The question to the Planning and Zoning Board is: ***Whether to further reduce the maximum frontage to 250 feet in order to reduce overall building mass?***

Minimum Floor Area

Currently, only non-residential has an FAR. The question to the Planning and Zoning Board is: ***Should there be a floor area ratio (FAR) for multi-family and hotels?*** Building massing can be controlled by either floor area ratio or a combination of building height and lot coverage. Use of a floor area ratio allows greater amounts of open space for higher buildings, but lower amounts for shorter buildings.

The following graphic depicts floor area ratio:



If a building maxes out their possible buildable area on the east side of Collins Avenue (using a maximum frontage of 250 feet for the first 4 floors, 4 foot stepbacks per level assuming 10 foot high levels, then the total buildable square footage would be 422,400 square feet. It is important to note that with the exception of the Surf Club, the larger properties have a frontage of approximately 200 feet, not the 290 feet needed to max out the base of the building at 250 feet (250 foot maximum frontage+ 20 foot side setback + 20 foot side setback=290 total frontage).

Assuming that the lot to accommodate this building exists, it would have a lot area of approximately 69,600 square feet meaning that the allowable FAR for the building would be something in the realm of 6.07.

If the goal is to reduce the FAR by about 25%, then it should be something equal to 4.55.

Here are some massing examples for the Collins Avenue area:

- If you add a stepped setback similar to the sides on either the front or the back (one side only), then the maximum floor area would be reduced by 35,880 to 386,520 square feet (resultant FAR of 5.55).
- If you add a stepped setback similar to the sides on both the front and the back (2 sides), then the max floor area would be reduced by 71,760 to 350,640 square feet (resultant FAR of 5.04).
- The impact of reducing the FAR down to 4.55 (max 316,680 square feet) would have the following impact on the building mass
 - If the building is to remain at 12 stories, then it will essentially have greater ground floor setbacks (approximately 65 foot front setback, 25 foot side setback, and the rear as is) and 3 sides would have to stepback after the 4th floor.
 - If the building is to max out its footprint, then it will essentially lose one or potentially two stories.

Efficiency Units

The question to the Planning and Zoning Board is: ***Should there be a limit to the number of efficiency units permitted in multifamily dwelling units?*** If the additional



Town population is a concern, the following example will compare the potential population generate by efficiencies, one bedroom, and two bedroom units. A 20,000 square foot building could potentially have with 33 efficiencies. 25 one bedroom units, or 21 two bedroom units. The building code allows one person per room. The building with only efficiencies would allow 33 persons, whereas the building with only the one bedroom units would allow 50 persons, and the two bedroom units would allow 66 persons.

The following table shows the minimum unit sizes.

Minimum Unit Sizes	Minimum Required
Efficiencies	600 square feet
Hotel Suite	525 square feet
One-bedroom	800 square feet
Two-bedroom	950 square feet
Three-bedroom	1150 square feet
Four-bedroom	N/A

The parking requirements for efficiencies is the same as for a one bedroom dwelling unit (1.5 spaces).

Net vs. Gross

Density and gross acreage are defined as follows in the zoning code:

Density: The number of dwelling units per gross acre of land.

Gross acre: The acreage within the perimeter of a lot plus one-half the right-of-way of adjacent streets and alleys. For properties east of Collins Avenue, the calculation of gross acreage shall also include the area up to the erosion control line.

The State of Florida requires zoning to conform to the Comprehensive Plan. Currently, the Comprehensive Plan utilizes gross acres of density. Any change in how acreage is calculated would require a Comprehensive Plan amendment. The question to the Planning and Zoning Board is: ***Do you wish to modify the Comprehensive Plan to require Net, which would be a reduction in the density calculation?***