

FOR THE RECORD " 5/5/20
BOCC

PROVIDED BY
Shelley Lemaster

DIVISION 1 AND 4 CONCERNS AND RECOMMENDATIONS

CHALLENGE/PREVIOUS CODE ALLOWANCES	JUSTIFICATION	EXHIBIT PROVID	RECOMMENDATION
Significant change in approach and setback distance from property line.	Within the proposed Division 12 Article 4 all other residential building type's setbacks are established at 5 feet including Courtyards, apartments, side yard types, cottages, and duplex.	see exhibits	Given this 10 foot setback will substantially effect a townhome wideth on a exisitng platted 25 foot wide lot (such as Cleveland 2nd Additon Plat)...limiting the overal width of the building to 15 feet if constructed adjacent to another townhome, the recommendation is the following:
Section 3.265.10 Single Family Homes (c.) Townhomes indications "no" side set backs and parking in the rear of the lot as illustrated in Figure 3.265.12	Townhomes are the only residential building type to require a 10 foot side building setback from adjacent properties except where attached to a similar townhome residential building. Pragmatically, a 10 foot side setback may be needed for access to provide rear parking when an alley or roads is not available. This 10 foot increase for townhome developments is substantial change from the "0" setback in the current code and the 10 foot setback represents a 1000% increase in the setback.		Within Development Standards and the Figure for Old Palm City CRA townhomes (12.04.05) provide a side yard setback of minimum of 5 feet on one side where adjacent to another type of use and a minimum of 15 feet setback between buildings shall be required. This would be consistent with the remaining residential buidling type side yard setback.

FILED FOR RECORD
COMMISSION RECORDS
MARTIN COUNTY, FL
Date 5/5/2020
CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
By WKT D.C.

PHQJ-3
(LEMASTER)

EXHIBIT A

OLD PALM CITY CRA ARTICLE 12 DIVI:

ITEM

ITEM NO.

12.1.04 Development Standards

1

(6) Building And parking placement
(D) Setbacks; and 12.4.04 (1)
Development Standards, 12.4.05
Building Type and Frontage Type
Standards, Figure OPC 5.06
Townhomes

ITEM

CHALLENGE/PREVIOUS CODE
ALLOWANCES

- 2 **12.1.04(15) Building Transitions**
(15) between commercial, multifamily, and mixed uses along with residential subdistricts OR AN EXISTING SINGLE FAMILY HOME that does not have a 30 foot separation by a road, etc. shall have a 10 minumum side setback from the property line, or a 20 foot for structures over 2 stories and must have a 6 foot high masonry wall AND a 6 foot wide planting strip
- Section 3.625.I (4) (5) Landscaping
(a) "Buffer requirements:" allows for a waiver by the adjacent property owners to eliminate the buffer between the uses and allows for a landscaped screen or hedge of 6 feet in height. This provision also does not address multifamily use transition buffers and is silent on adjacent residential uses and buffers.
- Section 3.265.(F) Development Standards
Within Table 3.265.5 there are no building transition setbacks listed nor indicated for residential developments or between existing residential homesites. And the side and rear yard setbacks vary from 5 to 10 feet for single family types and 0 feet for townhome building types.

JUSTIFICATION

EXHIBIT PROVID ED

RECOMMENDATION

Significant change in approach and setback distance from property line as most setback for residential buildings is 5 feet in Article 4. Additionally, an unintended consequence is that the burden of construction the 6 foot masonry wall is silent and is presumed to be the developer of the redeveloped property. Thus a single family homeowner could be responsible for constructing a 6 foot masonry wall on 3 sides of their respective property to provide for building transition from existing uses.

see
exhibit

Within Article 4 incorporate the original waiver provision as seen in Section 3.265 (I) (4)(5) (a) Buffer requirements as an alternative to building transitions within the Wall and Fence Standards Section 12.4.10 as an exception to the 12.1.10 criteria.

ards

The transition setback does not take into account the change in use on adjacent parcels or elimination of existing homesites for repurposing or redevelopment

	ITEM	CHALLENGE/PREVIOUS CODE ALLOWANCES
3	<p>12.1.10(4)(d). Walls and Fence Standards</p> <p>(d). Requires a 72" or 6 foot high masonry wall between commercial, Multifamily residential, and Mixed Use construction and residential subdistricts AND EXISTING SINGLE FAMILY HOMES</p>	<p>Section 3.625.I (4) (5) Landscaping</p> <p>(a) "Buffer requirements:" allows for a waiver by the adjacent property owners to eliminate the buffer between the uses and allows for a landscaped screen or hedge of 6 feet in height. This provision also does not address multifamily use transition buffers and is silent on adjacent residential uses and buffers.</p>

JUSTIFICATION	EXHIBIT PROVID ED	RECOMMENDATION
<p>Significant change in approach to buffering uses</p> <p>An unintended consequence is that the burden of construction the 6 foot masonry wall is silent and is presumed to be the developer of the redeveloped property. Thus a single family homeowner could be responsible for constructing a 6 foot masonry wall on 3 sides of their respective property to provide for buidling transition from existing uses.</p>	<p>see exhibit</p>	<p>Within Article 4 incorporate the original waiver provision as seen in Section 3.265 (I) (4)(5) (a) Buffer requirements as an alternative to building transitions within the Wall and Fence Standards Section 12.4.10 as an exception to the 12.1.10 criteria.</p>
<p>12.1.10 does not allow for options to wall construction or materials and has no waiver or variance provision.</p>		<p>Incorporate within 12.4.10 a provision for developer to utilize various materials such as stone, masonry, stucco, split faced block, precast concrete, or vinyl.</p>

	ITEM	CHALLENGE/PREVIOUS CODE ALLOWANCES
4	12.1.05 Building Type and Frontage Types Figure 12.7.04 Porch Frontage expands porches from 5 feet to 8 feet in depth	Section 3.265 (F) single Family and D (3) Residential Porches, Stoops and Balconies (f). Stoops and porches shall have minimum dimensions of 5 feet deep and 4 feet wide

JUSTIFICATION	EXHIBIT PROVIDED	RECOMMENDATION
<p>duplex</p> <p>Many of the new homes built recently with Old Palm City CRA have been constructed with 5 foot porches and have seen brisk sales with no complaints regarding porch depth and livable porches.</p>	<p>see example</p>	<p>Within the article 12 Building Types (OPC 5.04-.12) for residential construction provide a footnote to allow for the option of a 5 deep foot porch.</p>
<p>The 8 foot expansion represents an arbitrary opinion by the authors of Division 12 as expressed in figure 12.2.04. This expansion has unintended consequences of encroaching into available open space for septic systems, accessory buildings, and open space compliance that is problematic on the smaller lots within the Palm City platted subdivisions.</p>		
<p>in the opinion of a significant developer of many of the new CRA homes, the expansion is unnecessary and should be an option for the builder and homeowner. Additionally, one must also weight the financial aspects and expense of adding or expanding such items to an already frail system of providing affordability within the single family homesite market as this would increase both soft cost and hard costs to make the modification to the porch size.</p>		