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REGULAR MEETING OF THE DEVELOPMENT REVIEW COMMITTEE

October 23, 2014

PRESENT:

Benjamin Ziskal, Director of Economic Development
Christopher Cotler, Building Official
Sam May, Director of Public Works
Kelly McAtee, Engineer
Lt. Michael Palma, Police
Dan Booker, Fire Inspector
Abe Stubbins, Engineering Inspector I
Andrew Pinney, Associate Planner
Courtney O'Neill, Associate Planner
Dan Topp, Code Compliance Officer

ALSO PRESENT:

Miriam Jimenez, Property owner

ABSENT:

Rachel Bach, CRA Assistant Director

The regular meeting of the Margate Development Review Committee (DRC), having been properly noticed, was called to order by Benjamin Ziskal, Director of Economic Development at 10:00 AM on Thursday, October 23, 2014, in the Commission Chambers at City Hall, 5790 Margate Boulevard, Margate, Florida 33063.

**The following is a draft excerpt from the October 23, 2014
DRC meeting:**

**3) DRC NO. 10-14-02 CONSIDERATION OF AN ORDINANCE TO REVISE ARTICLE III
GENERAL PROVISIONS, SECTION 3.20 SHEDS, STORAGE BUILDINGS, AND TEMPORARY
STORAGE STRUCTURES IN RESIDENTIAL AREAS.**

Courtney O'Neill explained that on October 1, 2014 the City Commission held a workshop concerning residential sheds and their requirement to have a five foot set-back. She said that residents felt that this is too large of a setback because it places the shed in the middle of their yards. She noted that the Commission suggested reducing the set-back from five feet to 24 inches for the side and rear setback; which would still will allow for maintenance of the shed without encroaching upon another property. Additionally, she said that single family residential areas are currently allowed to have one storage unit up to 144 square feet; the Commission had suggested increasing the Code to allow for two storage units totaling up to 144 square feet. She summarized that these were the main changes in the ordinance and that the rest of the changes were amendments to the wording.

DRC Comments:

Christopher Cotler asserted that the Building requirements would still be the same as far as permitting requirements, but felt that a 24 inch working clearance to a property line, which could have a fence, may not be sufficient for the proper installation of tie downs for a shed. He acknowledged that, while it would make more room in a resident's yard, it may create installation problems to comply with the Florida Building Code.

Abe Stubbins noted that there are utilities located in the easements; sewer lines and water lines. He said that reducing the set-backs would make it even harder for the City to maintain and access those lines.

Sam May explained that if residents are accessing their sheds using a vehicle from any location other than their driveways (e.g. a side yard), that the City sidewalks are not equipped to handle the load, as they are only built four inches thick. He said that the sidewalks should be six inches thick in that case, so that Public Works doesn't have to make repairs in the future. In addition, he said that if there are curbs and gutters present, then drop curbs should be installed if vehicles are driving over those curbs.

Andrew Pinney remarked that he thought a definition of a shed should be included in the zoning code in order to help enforce these regulations. He thought that language explaining exactly what a shed is and what material it can be constructed from should be used. He also had a recommendation to update the language regarding restrictions on having a shed on a side yard; since fences are now allowed on a street side yard. He said that flexibility could be exercised where privacy fences are erected.

Sam May thought that if a homeowner has a standard pedestrian gate that a sidewalk modification is not necessary; but for a side yard vehicular access gate, a thicker sidewalk should be required.

Ben Ziskal remarked that with those comments, they can look to make revisions before going to the Planning and Zoning Board. He said that they should take Sam's comments into consideration when fence permits are pulled. Regarding Abe's comments, he said that his department and the individual utilities may look at granting an easement agreement for each

property on an case by case basis; as not everyone has to be granted an easement agreement if it is not feasible.

4) DRC NO. 10-14-03 CONSIDERATION OF AN ORDINANCE TO REVISE **ARTICLE I IN GENERAL, SECTION 23-6 DRIVEWAY LIMITATIONS, LANDSCAPING ABUTTING RIGHT-OF-WAY, VISUAL CLEARANCE.**

Courtney O'Neill explained that at the same workshop some driveway issues were addressed. She said that due in large part to a new development being built in the City, multi-family two-way driveway widths should be expanded from 36 feet to 45 feet to allow adequate access for resident and visitor lanes. She also noted that residents with zero lot line properties that don't have on street parking immediately adjacent to the right-of-way had felt that they were restricted by the current Code; so within planned residential communities or PUDs, this ordinance may allow these homeowners to have a maximum cumulative driveway width total of 27 feet. She added that the prospective HOA's would have to approve any expansions.

DRC Comments:

Kelly McAtee said that Engineering liked the ability for multi-family units to have wider access for visitor and resident lanes in developments in order to avoid back-ups to the street. He suggested adding criteria to the ordinance to make the entrance driveways similar to other communities; perhaps by adding landscaping and pavement standards. He added that in PUDs and other zero lot line R-1 zoning districts, the limit is a width of 24 feet for a single driveway (not a circular driveway) and that while some of those parcels have bigger front yards with longer driveways, some have been built very close to the road and have similar parking situations. He noted that the City could be asked to come back later to remedy the difference between 24 foot and 27 foot driveways in other zoning areas that weren't given the leeway that this ordinance would provide.

Andrew Pinney agreed with Mr. McAtee's comments and added that he thought that the City should increase the maximum driveway width allowed; to include scaling, decorative features and landscaping. He thought that perhaps an exemption on the width to include a signalized intersection with a crosswalk should be addressed; believing that the intent of increasing driveway width is to enhance pedestrian safety. He added that where new text is added for the PRC and PUD districts, instead of referencing an adjacent right-of-way, which could be public, to reference an adjacent roadway because most of these roads are private. In paragraph F, page 2, regarding set-backs for circular driveways, he believed that it would be beneficial for residents to reduce the width from 10 feet to 8 feet; which would provide for adequate landscaping and buffer relief. On page 3, in paragraph 3, where there are provisions for limiting commercial and mixed-use industrial driveways, he recommends that the City increase commercial widths to match or come close to the proposed widths for multi-family driveways.

Ben Ziskal agreed with Mr. McAtee's comments regarding the construction of medians for multi-family entrances and the concern of 24 foot driveways being inconsistent with the 27 foot driveways. He asked Mr. Pinney if had seen requests for permits for widening driveways from 8 feet to 10 feet.

Andrew Pinney said that he has seen requests and noted that with a 25 foot set-back and a loss of 10 feet of landscaping, the parking would be right next to a house without a second relief at the building base planting. He also felt that these new regulations should be consistent with the driveway widths referenced in Section 9-12 in the TOC regulations.

Ben Ziskal stated that Staff will look at the 40 feet for commercial and industrial mixed-use, as well. He affirmed that these two ordinances today will move on to the next Planning and Zoning Board meeting.