

City of Flagler Beach

Planning and Architectural Review Board

Tuesday, September 25, 2012 at 5:30 p.m.

City Hall Commission Chambers

Agenda

1. Call the meeting to order.
2. Call the roll.
3. Pledge of Allegiance.
4. Approve the minutes of the Regular Meeting of September 5, 2012.
5. New Business:
 - A. Application #AA 12-09-01
Architectural Approval of Building Renovation
Applicant: City of Flagler Beach
215 South Ocean Shore Boulevard
Property Owner: City of Flagler Beach
6. PARB Member Comments.
7. Adjournment.



RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CDs are only made upon request. The City is not responsible for any mechanical failure of the recording equipment.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext. 235 at least 72 hours prior to the meeting.

Please take notice that individual Elected Officials of the City of Flagler Beach may attend this meeting. Those Elected Officials who attend will not take any action or take any vote at this committee meeting. This is not an official meeting of the Flagler Beach City Commission. This notice is being provided to meet the spirit of the Sunshine Law to inform the public that Elected Officials may be present at this committee meeting.

Posted September 20, 2012

Planning and Building Department

P.O. Box 70 • 116 3rd Street South, Flagler Beach, Florida 32136 • Phone (386) 517-2000 • Fax (386) 517-2016

FLAGLER BEACH PLANNING AND ARCHITECTURAL REVIEW BOARD
TUESDAY, SEPTEMBER 4, 2012 AT 5:30 P.M
MINUTES

PRESENT: Dan Bayerl, Don Deal, Cathy Feind, Joseph Pozzuoli, Roseanne Stocker, City Attorney Andrew Hand, City Planner Chad Lingenfelter, Board Secretary Marlene Beams.

ABSENT: Theodore Johnson and Lea Stokes

1. CALL THE MEETING TO ORDER: Chairman Deal called the meeting to order at 5:31 p.m.
2. CALL THE ROLL: Ms. Beams called the roll.
3. PLEDGE OF ALLEGIANCE: Mr. Bayerl led the pledge to the Flag.
4. APPROVE THE MINUTES OF THE REGULAR MEETING OF JULY 3, 2012: **Motion** by Joseph Pozzuoli, seconded by Roseanne Stocker, to accept the meeting minutes. The **motion** carried unanimously.
5. NEW BUSINESS:
 - A. APPLICATION #SP 12-09-01
Appeal for a Minor Variance to the Building Setback Line for Tree Preservation
Applicant: Larry Gross
1624 S. Central Avenue
Property Owner: Christian R. and Alexandra T. Bache

Larry Gross, contractor, explained the nature of property owner's request. Mr. Lingenfelter reviewed his recommendation to grant the minor variance of the two (2) feet into the ten (10) foot north side yard in order to save the tree on the property. Cathy Feind needed clarification regarding the end of the house and the property line and where the garage would be within the property line. Ms. Stocker asked that if the PAR Board allows for the minor variance, can the City take a photo of the trees now and go back in a year to monitor. Mr. Lingenfelter indicated he would be photographing the trees tomorrow. **Motion** by Roseanne Stocker, seconded by Dan Bayerl, that we recommend approval of the minor variance to the building setback line for tree preservation and subject to the recommendations from staff. The public hearing was opened. No comments were received. The public hearing was closed. The **motion** carried four to one with Cathy Feind voting no.

6. PARB MEMBER COMMENTS: No comments were made. Chad Lingenfelter wanted to set a day for the "Fill Subcommittee." The members of the subcommittee are Don Deal, Joseph Pozzuoli and Ted Johnson. Mr. Deal asked that Mr. Lingenfelter send an email to the group asking for available dates. Mr. Lingenfelter will also be contacting the Comprehensive Plan Subcommittee, consisting of Cathy Feind, Joseph Pozzuoli and Ted Johnson. Happy Birthday to Drew Smith.
7. ADJOURNMENT: **Motion** by Joseph Pozzuoli, seconded by Dan Bayerl to adjourn the meeting at 5:30 p.m. The **motion** carried unanimously.



City of Flagler Beach

To: Don Deal, Chairperson, Planning and Architectural Review Board
Planning and Architectural Review Board Members

FROM: Chad T. Lingenfelter, AICP, PTP, City Planner

RE: #AA 12-09-01 – Building Renovation Architectural Approval

DATE: September 20, 2012

Applicant: City of Flagler Beach, P.O. Box 70, Flagler Beach, Florida 32136

Property: 215 South Ocean Shore Boulevard – 12-12-31-4500-00700-0250

Property Owner: City of Flagler Beach, P.O. Box 70, Flagler Beach, Florida 32136

Future Land Use: Recreation

Zoning District: Rec, Recreation

Summary

Pursuant to the *City of Flagler Beach Code of Ordinances, Appendix A, Land Development Regulations, Article VIII, Administration and Enforcement*, the applicant is requesting architectural approval of a renovation to an existing commercial building.

On November 1, 2011, the Planning and Architectural Review Board reviewed and unanimously approved the approval of the 1,600 square foot elevated pier extension to the east of the subject commercial building.

The renovations of the subject commercial building will alter and enlarge the building. Therefore, an architectural approval is being sought.

Analysis

Pursuant to LDR Section 8.00.11., Architectural Approval, "... no existing building or structure shall be moved, altered or enlarged, other than single-family residences, until architectural approval has been issued, in writing, by the Planning and Architectural Review Board and then sent to the City Commission for final approval. Except upon a written order of the City Commission, no such architectural approval or Certificate of Occupancy shall be issued for any building where said construction, addition or alteration or use thereof would be in violation of any of the provisions of this ordinance."

Pursuant to LDR Section 8.00.15., Denial of Approval, the Planning and Architectural Review Board shall have the right to disapprove any plans and specifications submitted because of any of the following: (staff responses added after each criterion)

1. Failure to include information in such plans and specifications as may have been requested;

Pursuant to LDR Section 8.00.12., Information Necessary for Application, this criterion has been satisfied for the building renovation.

2. Failure of such plans or specifications to comply with the Flagler Beach *Land Development Regulations*;

Plans for the building renovation were reviewed for consistency with the *Land Development Regulations* and the building permit was issued March 3, 2012. The approved exterior treatment featured horizontal lap siding with ornamental piers and a signage wall. This treatment was a continuation of the lap siding that was on the lower portion of the elevation.

3. Objection to the exterior design, appearance or materials of any proposed structure;

Many of the proposed materials are found within the community. The pilings are complementary to the pier. However, the fish-scale shingles on the mansard roof and the vertical siding are not treatments found on commercial buildings in the community. Prior to the renovation, this building had vertical siding on the upper portion of the wall. Standing-seam metal on the mansard roof and horizontal lap siding or masonry would be more consistent with the commercial buildings in the downtown area.

4. Incompatibility of any proposed structure or of the proposed structure's use to any existing structures:

The existing structure is being renovated and the previous restaurant use is a legal non-conforming use that has not been abandoned, per LDR Section 2.06.08.5.(2)(b), and will resume after the building renovation is completed.

5. Objection to a location of any proposed structure with reference to other lots or structures in the vicinity;

This criterion is not applicable to a building renovation.

6. Objection to the grading plans for any lot;

This criterion is not applicable to a building renovation on a lot that does not include a change of grade.

7. Objection to the finish, proportions, style of architecture, height, bulk or appropriateness of any proposed structure;

The drawings appear to depict the use of board-and-batten siding, which became popular in America in the 1840s and 1850s and became one of the architectural elements associated with Gothic Revival style. Gothic Revival architecture, built between 1849 and 1890, incorporated medieval elements such as steep gables, board-and-batten siding and arched windows. Grant Wood's "American Gothic" painting clearly exemplifies this type of architectural style. Frame Vernacular is an architectural style found in the community and board-and-batten siding has been used with this style, but horizontal lap siding is a more prevalent wall treatment along with shingles, brick, stone, or masonry. Also, the screen wall at the north end of the elevation has a scalloped treatment that is not found on structures with this architectural style.

The proposed elevation also features a chalkboard surface for passers-by to draw or scribe expressions. This feature may become problematic if inappropriate messages are expressed, on-site or off-premise advertising messages are placed, or drawings are obscene. This free media will have to be

constantly monitored by the restaurant proprietor.

Regarding the on-site or off-premise advertising messages or drawings, LDR Section 7.04.00., Exemptions from City Sign Permitting; Posting of Street Address Numbers, exempts murals, defined in LDR Section 7.01.00., Definitions, as “Any wall graphics and/or representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey a commercial and/or non-commercial message related to the premises upon which the artwork is displayed. All murals shall conform to the maximum height and size restrictions of buildings in any particular zoning district in which it is located. All murals shall also conform to any applicable building and safety standards.” Furthermore, artwork is defined as a “two- or three-dimensional representation of a creative idea that is expressed in a form and manner as to provide aesthetic enjoyment for the viewer rather than to specifically convey a commercial and/or non-commercial message related to the premises upon which the artwork is displayed. All outdoor artwork shall conform to the maximum height and size restrictions of buildings in any particular zoning district in which it is located. All outdoor artwork shall also conform to any applicable building and safety standards. Stringlighting is considered artwork. Wall murals and artwork that do not communicate informational messages, apart from any artistic or aesthetic enjoyment, are not signs as defined herein.” Therefore, all “informational messages” on the chalkboard surface must comply with the *Land Development Regulations* and specifically Article VII., Signs.

8. Objection to parking areas proposed for any lot on the grounds of incompatibility to proposed uses or insufficiency of the size of the parking area;

This criterion is not applicable to a building renovation on a lot that does not include a proposed parking area.

9. The failure of the plans and specifications to adhere to the most current edition of the *Florida Building Code*;

The building renovation is being built in compliance with the 2010 *Florida Building Code*.

10. Any other matter which in the judgment of the Planning and Architectural Review Board would render the proposed structure or uses inharmonious with the general plan of improvement of the property or with structures or uses located upon other lots in the vicinity;

The previous restaurant use will resume after the building renovation is completed. While the subject property is not within the zoning district overlays that require consistency with the *Downtown Design Guidelines*, the Downtown A1A Retail Corridor and Downtown Mixed Use overlays are across South Ocean Shore Boulevard from the subject building. A goal of the A1A Retail Corridor overlay is to “[d]evelop the ground floor level of a building level to encourage pedestrian activity.” Goals of the Mixed Use overlay are “[e]nhancing the pedestrian scale environment while retaining the eclectic beach town character” and “[c]reate a harmonious character that incorporates the City’s historical and cultural heritage.” Therefore, this criterion is not applicable since the use will be the same and the building renovation will further the goals of the *Downtown Design Guidelines*.

11. The planning and architectural review board may adopt and promulgate rules and regulations regarding the preservation of trees and other natural resources and wildlife upon the property. If it shall deem it appropriate, such board may mark certain trees regardless of size as not removable without its authorization.

This criterion is not applicable to a building renovation.

12. Upon denial of architectural approval, the applicant may appeal to the city commission for a reversal of the decisions by the planning and architectural review board.

This criterion is only for procedural purposes.

Recommendation

Based upon criterion 3, 7, and 10, in LDR Section 8.00.15., staff recommends that the Planning and Architectural Review Board recommend that the City Commission deny the architectural approval of the proposed building renovation on the subject property. However, the Planning and Architectural Review Board may make any of the following recommendations or develop a recommendation not listed below:

1. Determine that the building renovation does not require an architectural approval and recommend that the City Commission not require an architectural approval;
2. Recommend that the City Commission grant an architectural approval of the building renovation; or
3. Disapprove the building renovation based upon the staff responses to the criterion 3, 7, and/or 10, in LDR Section 8.00.15. and recommend that the City Commission deny an architectural approval of the building renovation.

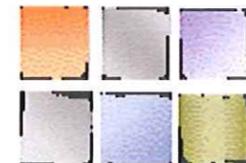
Enclosures: Perspective and Plan Elevations, dated September 18, 2012



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ELEVATION

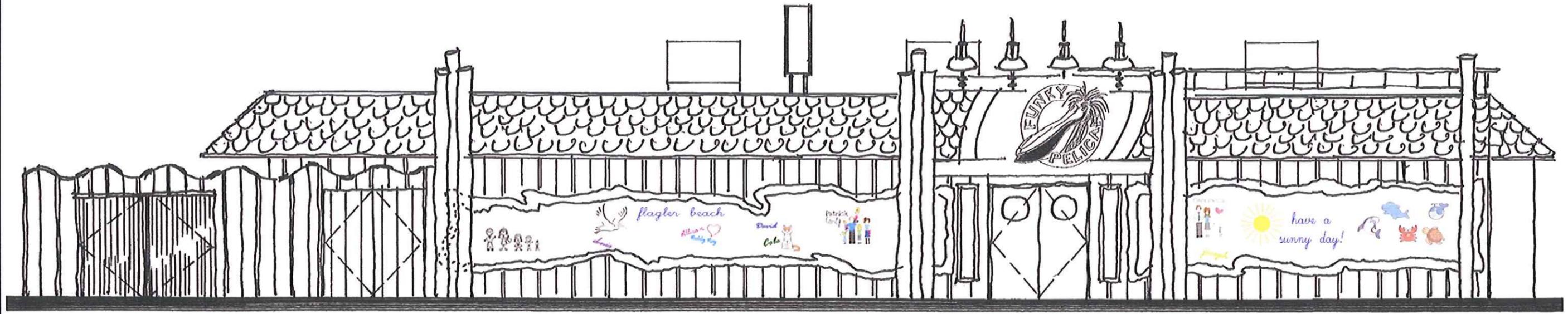
NEW PIER RESTAURANT 215 HIGHWAY A1A



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EXCERPT 2/11



ELEVATION

NEW PIER RESTAURANT
215 HIGHWAY A1A



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10/11/2011