

### **Request: Separation of a Building Site and Conditional Use Site Plan Review**

- ❖ Separate an existing 2.59 acre building site with 376' of street frontage into two (2) building sites
- ❖ Proposed building sites:
  1. Lot 30: 1.2 acre building site with 200' of street frontage
  2. Lot 31: 1.39 acre building site with 176' of street frontage

## History

- ❖ June 25, 2007: Historic Preservation Board passed a motion not to designate property as historic allowing for demolition of the previously existing 3-story residence referred to as the “Wackenhut Castle”
- ❖ September 26, 2014: Application presented to Development Review Committee (DRC)
  - ❖ Applicant satisfactorily addressed all comments

## Existing Zoning Map







## Conceptual Site Plans (Both lots)



## Site Plan Information

Type	Existing Building Site	Proposed Lot 30 Building Site	Proposed Lot 31 Building Site
Building site frontage	376'	200'	176'
Waterway frontage	510'	200'	310'
Building site depth	Approx. 275'	Approx. 275'	Approx. 275'

### Site Plan Information

Type	Existing Building Site	Proposed Lot 30 Building Site	Proposed Lot 31 Building Site
Total site area	112,747 sq. ft.	52,502 sq. ft.	60,245 sq. ft.
Building floor area (FAR)	Max. 34,974 sq. ft.	Max. 16,901 sq. ft.	Max. 19,224 sq. ft.
Building height (max. permitted)	2 stories/39'-0" above est. grade	2 stories/39'-0" above est. grade	2 stories/39'-0" above est. grade
Setbacks*:			
Front	Min. 50'-0"	Min. 50'-0"	Min. 50'-0"
Side interior	Min. 30'-0"	Min. 30'-0"	Min. 30'-0"
Rear	Min. 50'-0"	Min. 50'-0"	Min. 50'-0"

\*Zoning Code Appendix A - Site Specific Regulations, Section A-49 Gables Estates No. 2, requires a minimum 50' front setback, minimum 30' side setbacks, and minimum 50' setback from canal, waterway, lake or bay.

### Review of Zoning Code Criteria

*Zoning Code Section 3-206(F) provides that the application must meet 4 of the 6 building site criteria.*

1. *Exceptional or unusual circumstances exist.*

- ❖ Site configuration is typical and consists of 2 fully platted lots that face Casuarina Concourse.
- ❖ Entire site has single-family residential zoning and land use designations.

The Application **does not satisfy** this criterion.

## Review of Zoning Code Criteria

2. *Building site(s) created would be equal to or larger than the majority of existing building site frontages of the same zoning designation within 1,000 foot radius.*

### Building Site Street Frontage Analysis

Frontage	0' to 176'	177' to 200'	+200'	Total
No. of Sites	12	14	14	40
Percentage	30%	35%	35%	100%

Lot 30: 200' street frontage; equal to or larger than 65% of the building sites within the 1,000'.

Lot 31: 176' street frontage; equal to or larger than 30% of the building sites within the 1,000'.

The Application **does not satisfy** this criterion.

## Review of Zoning Code Criteria

3. *Would not result in any existing or previously demolished structures becoming non-conforming.*

- ❖ Existing concrete dock and wooden deck located along the water front would both become non-conforming.
- ❖ Demolished residence extended across both lots and would have resulted in a non-conforming structure under the current proposal.

The Application **does not satisfy** this criterion.

### Review of Zoning Code Criteria

4. *No restrictive covenants, encroachments, easements, or the like exist which would prevent the separation of the site, including previously demolished structures.*
- ❖ A Declaration of Restrictive Covenant exists from 10.22.07 requiring Lots 30 and 31 be held together as one tract.
  - ❖ Letter of Determination issued by the Development Services Department on 06.24.13 ties the lots together as one site.
  - ❖ Existing wooden deck located across both lots is an encroachment and ties the lots together as one building site.
  - ❖ Demolished residence extended across both lots and would have been considered an encroachment.

The Application does not satisfy this criterion.

### Review of Zoning Code Criteria

5. *Proposed building site(s) maintains and preserves open space, promotes neighborhood compatibility, preserves historic character, maintains property values and enhances visual attractiveness of the area.*
- ❖ Conceptual plans show both building sites can be developed in compliance with the Zoning Code.
  - ❖ Average lot area for building sites within 1,000': 56,565 sq. ft.
  - ❖ Lot area of proposed building sites: Lot 30: 52,502 sq. ft.; and, Lot 31: 60,245 sq. ft.

The Application satisfies this criterion.



## Review of Zoning Code Criteria

6. *That the building site(s) created was purchased as a separate building(s) by the current owner prior to September 17, 1977.*

❖ The property was purchased in 2010.

The Application **does not satisfy** this criterion.

## Recommendation

- ❖ Letter of support from Gables Estates Club (10.14.13)
- ❖ Staff recommends **denial** of the request since the Application satisfies only 1 of the 6 criteria.
- ❖ January 14, 2015: Planning and Zoning Board motion to approve failed (vote: 3 yes – 2 no) as an affirmative vote of 4 members is necessary for the adoption of a motion

### Staff's Alternative Recommendation Conditions

1. Both building sites meet all Zoning Code requirements; no variances shall be requested
2. A tree disposition plan and landscape plan be approved by staff prior Board of Architects' submittal
3. Within 30 days of approval file for a release of the current restrictive covenant
4. Within 60 days of approval remove concrete dock, wood deck and any other encroachments
5. Total square footage of the both residences on Lots 30 and 31 shall not exceed 34,974 square feet (maximum residence size if developed as one site)



## City Commission

### 20 Casuarina Concourse

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April 28, 2015

## Review of Zoning Code Criteria

### Building Site Water Frontage Analysis:

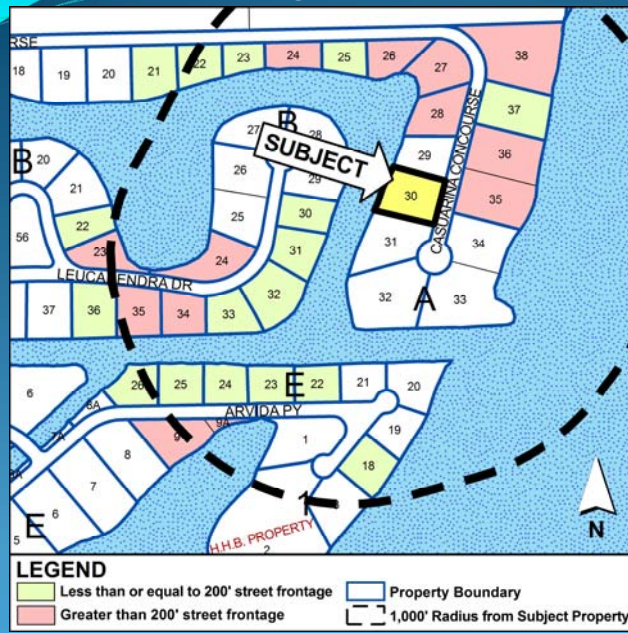
Frontage	0' to 200'	201' to 310'	+310'	Total
No. of Sites	15	13	12	40
Percentage	37.5%	32.5%	30%	100%

Lot 30: 200' water frontage; equal to or larger than 37.5% of the building sites within the 1,000' radius.

Lot 31: 310' street frontage; equal to or larger than 70% of the building sites within the 1,000' radius.

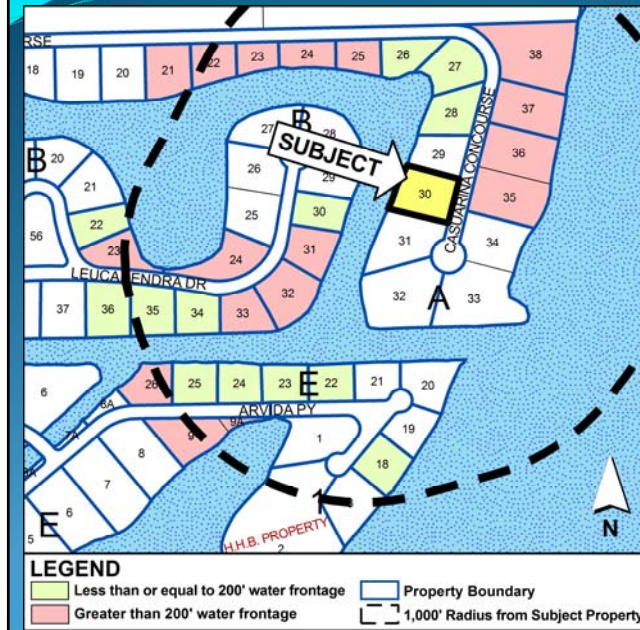
The Application would not satisfy this criterion if it were applicable.

## Interior Building Site Street Frontage Analysis



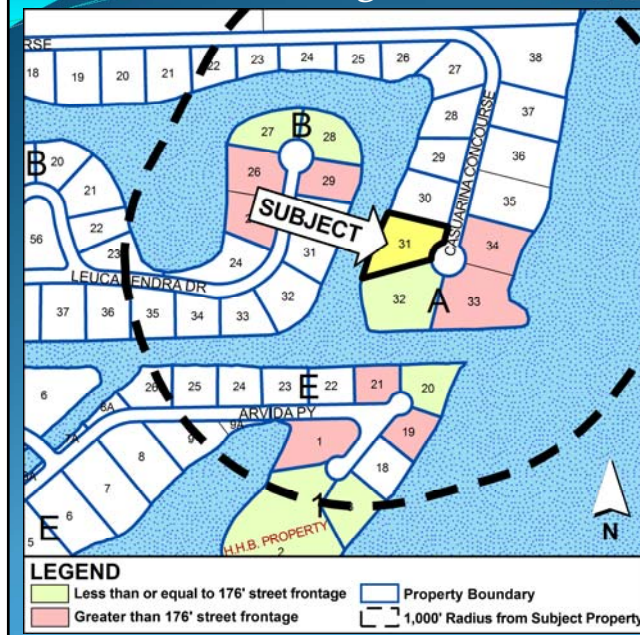
Lot 30: 200' street frontage; equal to or larger than 59% (16 out of 27 sites) of interior building site street frontages within 1,000' radius

### Interior Building Site Water Frontage Analysis



Lot 30: 200' water frontage; equal to or larger than 48% (13 out of 27 sites) of interior building site water frontages within 1,000' radius

### Cul-de-sac Building Site Street Frontage Analysis



Lot 31: 176' street frontage; equal to or larger than 50% (6 out of 12 lots) of cul-de-sac buildings sites within 1,000' radius



