

DRC Minutes
January 28, 2009

Present: Jeanne Sobierajski, Mike Britt, Judy Rivera, Terrence Nealy, Dale Smith, T. Michael Stavres, Joey Murphy, Dave Dickey, Sean Byers, and Randy Aldridge

Absent: Kim Hansell

New Business

2:30 p.m. – David Holden a representative from Engineers of Central Florida representing the owner, Bruce Combee, attended to discuss the change in use of the property at 232 6th Street, NW from a funeral home to a church. The property is located in the Downtown Commercial (C-1) zoning district and typically is exempt from parking, landscaping, etc. However, based on the Downtown Map in the landscape ordinance, this property is not exempt from landscape buffers and the tree canopy coverage requirement.

Jeanne indicated that a minimum of a 10-foot Type “C” landscape buffer was required along 5th and 6th Streets with a 45% tree canopy required.

Dave Holden indicated that he was able to get the tree canopy coverage requirement with the removal of a section of asphalt.

Judy Rivera asked what the upstairs would be used for. Dave did not know and would find out. Judy indicated that there maybe some fire and building issues depending on what it is used for.

Requirements, etc.

1. A 10-foot type “C” landscape buffer is required along 5th and 6th Streets.
2. 45% tree canopy coverage required for impervious surface

3:00 pm – David Holden a representative from Engineers of Central Florida representing the owner, Steve Williams, attended to discuss a storage yard on four parcels on the north side of Avenue P, SW.

There are several code violations on this property, which include a fence without a permit, no Business Tax Receipt for the operation of the business, and the operation of a business without having site plan approval.

On the western most parcel a garage was built to accommodate the single-family residence. The owner of the property is now using that garage for a business and the garage does not meet the setback requirements of the I-2 zoning district.

The use as a storage yard is a permitted use on the property; however, staff needs to determine how to deal with residences in front of the storage yard.

Judy indicated that a fire hydrant would be required within 200 feet.

Jeanne asked what the existing driveway was made of. Dave indicated that it was dirt. Jeanne indicated that it would need to be concrete or asphalt. Dave asked if brick pavers would be ok. They would.

Jeanne indicated that a minimum of a 20-foot Type "H" buffer is required along the west and north property lines and a minimum of a 10-foot Type "C" buffer is required along Fifth Street, SW and Avenue P, SW, as well as a canopy coverage requirement of 45%. Based on the location of the garage, this buffer would not fit and would not leave a lot of room for the storage yard. Staff would also need to determine if a buffer would be required between the residences and the storage yard.

Sean indicated that Steve Williams, the owner, told him that some of his workers lived in the residences and he did not want to demo the residences for that reason.

Dave Holden asked if a home occupation would be permitted. Sean indicated that a home occupation is not permitted in the I-2 zoning district or in an accessory structure.

Dave Dickey indicated that the use as a storage yard is permitted; however, there are a number of circumstances that are prohibiting it, such as setback requirements, landscape requirements, etc.

Staff discussed a couple of different options with David Holden, which included demolition of a couple of the residences and not utilizing the western most parcel. The other option was to find another location for the business.

Randy asked if we were to issue a permit for Mr. Williams to build another 940 square foot garage. Staff indicated not to issue the permit, until Mr. Williams determines what he is going to do.

Requirements, etc.

1. Setbacks: front: 35 feet; rear: 25feet; side: 15 feet; corner lot street side: 30 feet
2. Maximum building height: 85 feet
3. Maximum lot coverage: 50%
4. Maximum impervious surface: 75%
5. Landscaping:
 - a. A minimum of a 20-foot Type "H" buffer is required along the west and north sides of the property
 - b. A minimum of a 10-foot Type "C" buffer is required along Fifth Street, SW and Avenue P, SW
 - c. Canopy coverage requirement: 45%

3:30 pm – Stan Burnett, David Barry, and Tom, representatives from Christian Family & Youth Services attended to discuss two (2) parking lots that are being utilized by the Mission on Avenue A, SE. There is currently a code violation for these parking lots for not parking on a hard surface material.

This is the second time that the applicant has attended DRC regarding the parking lots. The first time was November 18, 2008, where staff indicated that the parking lots would

need to be paved with a hard surface material, as the use of the property was a Social Service Agency. At that time the applicant indicated that they were not a Social Service Agency and that they would need to reevaluate what they do.

The pastor indicated that instead of doing groceries on Tuesday, Wednesday, and Thursdays, they were only going to distribute on Tuesdays and Thursdays from 10:00 a.m. to Noon and the other days (M, W, and F) would be for groceries, access to computers, bible study, etc where most of the traffic would be foot traffic. The mission services 300 meals a day and 5,000 groceries per month.

Volunteers would utilize the parking lot 5 days a week.

Mike Britt explained to the applicants how a parking lot that utilizes grass can be destroyed, based on the number of vehicles that will use a single parking spot a day. With the number of people going to the mission, one parking spot could be utilized 20 times per day, whereas for a church the parking spot would get used 2-3 times per week, as people will be utilizing them to go to service only.

Sean read the parking section of code (21-144) that reads "Uses with intermittent parking, such as churches, may be of a stabilized previous parking surface." He further indicated that it would staff that would determine if the parking was intermittent.

Jeanne indicated that this was not intermittent parking and that the parking lots would need to have a hard surface material, either concrete or asphalt. She also went on to say that churches have hard surface parking for those full time employees, as well as handicapped spaces and drive isles.

Joey indicated that they should contact SWFWMD as they might not require 25 year stormwater capture on site. The city however does have regulations to capture runoff, but it might be able to be done in swales within the landscape buffers.

The applicants asked if they could have some time to do this. Staff asked how much. Dave Dickey indicated that an indefinite timeframe could not be given and they should talk with an Engineer, contractor, and SWFWMD and get with code enforcement to determine if they will give additional time.

None of the requirements from the November meeting have changed.