



## Legislation Details (With Text)

**File #:** 19-406      **Version:** 1      **Name:**

**Type:** Request      **Status:** Failed

**File created:** 3/27/2019      **In control:** City Commission

**On agenda:** 4/2/2019      **Final action:** 4/2/2019

**Title:** APPEAL OF THE HISTORIC PRESERVATION BOARD (HPB) DENIALS OF A CLASS V SITE PLAN, CERTIFICATE OF APPROPRIATENESS 2018-155, LANDSCAPE PLAN, ARCHITECTURAL ELEVATIONS, SETBACK VARIANCE, AND LANDSCAPE VARIANCE FOR THE CONVERSION OF AN EXISTING SINGLE-FAMILY RESIDENCE TO AN OFFICE AND ASSOCIATED 2,789 SQUARE FOOT ADDITION FOR PROPERTY LOCATED AT 143 SOUTH SWINTON AVENUE IN THE OLD SCHOOL SQUARE HISTORIC DISTRICT. (QUASI-JUDICIAL HEARING)

**Sponsors:** Development Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Attachment - Plans-143 S Swinton Ave, 3. Attachment - Justification Statements-143 S Swinton Ave, 4. 2019-02-14-Applicant Appeal Letter, 5. 2019-02-06-HPB SR Class V COA Waiver Variances-143 S. Swinton Ave, 6. 2019-03-12-CC Board Order-143 S Swinton Ave-Site Plan COA LP AE Var

| Date     | Ver. | Action By       | Action | Result |
|----------|------|-----------------|--------|--------|
| 4/2/2019 | 1    | City Commission | denied |        |

**TO:** Mayor and Commissioners  
**FROM:** Timothy R. Stillings, Development Services Director  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** April 2, 2019

APPEAL OF THE HISTORIC PRESERVATION BOARD (HPB) DENIALS OF A CLASS V SITE PLAN, CERTIFICATE OF APPROPRIATENESS 2018-155, LANDSCAPE PLAN, ARCHITECTURAL ELEVATIONS, SETBACK VARIANCE, AND LANDSCAPE VARIANCE FOR THE CONVERSION OF AN EXISTING SINGLE-FAMILY RESIDENCE TO AN OFFICE AND ASSOCIATED 2,789 SQUARE FOOT ADDITION FOR PROPERTY LOCATED AT 143 SOUTH SWINTON AVENUE IN THE OLD SCHOOL SQUARE HISTORIC DISTRICT. (QUASI-JUDICIAL HEARING)

### **Recommended Action:**

Approve the Class V Site Plan, Certificate of Appropriateness 2018-155, Landscape Plan, Architectural Elevations, and Landscape Variance for the conversion of the existing 1,571 sq. ft. single-family residence to office and associated 2,789 square foot 1-story addition for property located at 143 South Swinton Avenue, subject to conditions.

Deny the Setback Variance to reduce the side setback (north) from 7.5' to 5'.

### **Background:**

The subject 0.30 acre property is located on the northeast corner of South Swinton Avenue and SE 2nd Street. The property is located within the Old School Square Historic Arts District (OSSHAD) zoning district, the Locally and Nationally Registered Old School Square Historic District (OSSHD)

and consists of Lots 9 and 10, block 70, of the Amended Plat of Sundry and Cromers Subdivision. The property contains a 1-story, 1,571 sq. ft. Bungalow style residential structure built in 1917 and is classified as contributing to the OSSHAD. The property was originally owned by John S. and Elizabeth C. Sundry.

At its meeting of February 6, 2019, the HPB denied the Class V Site Plan, Certificate of Appropriateness, Landscape Plan, Architectural Elevations, Setback Variance, and Landscape Variance for conversion of the existing 1,571 sq. ft. 1-story, single-family residence to office and associated 2,789 sq. ft. 1-story addition (for a total of 4,360 sq. ft. of office). The setback variance is to reduce the interior side setback from the required 7'6" to 5' on the north side of the property; and the landscape variance is to reduce the width of the landscape islands at the end of a parking row for islands on the north and south ends of the new parking area.

Additionally, HPB recommended denial of a Waiver request to increase the width of the building fronting a street (South Swinton Avenue) from the maximum allowable of 60' to 64'3 1/2". This request is processed under separate cover, with final approval resting with the City Commission.

Staff recommended approval of the Class V Site Plan, Certificate of Appropriateness 2018-155, Landscape Plan, Architectural Elevations, Landscape Variance, and Waiver, subject to conditions:

1. That the location of the mechanical equipment on the north side of the structure be revised to comply with the requirements of the Florida Building Code; and,
2. That if the variance is denied, the structure be reduced by 2.5' (165 square feet) along the north side of the new addition.

Staff recommended denial of the Setback Variance.

The complete HPB report is included as attachment. The appeal is being processed pursuant to LDR Section 2.4.7(E), Appeals.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Timing of Request:**

The appeal hearing must be held no more than 60 days from the date at which the decision to appeal was made, unless both the appellant and the City Commission mutually agree to postpone the hearing.