



## Legislation Details (With Text)

**File #:** 19-261      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Agenda Ready  
**File created:** 2/22/2019      **In control:** City Commission  
**On agenda:** 3/12/2019      **Final action:**  
**Title:** WAIVER REQUEST TO INCREASE THE WIDTH OF THE BUILDING FRONTING A STREET (SOUTH SWINTON AVENUE) FROM THE MAXIMUM ALLOWABLE OF 60' TO 64' 3½" 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. 2019-02-06-HPB SR Class V COA Waiver Variances-143 S. Swinton Ave, 3. Combined Plans, 4. Attachment - Justification Statements, 5. 2019-03-12-CC Board Order-143 S Swinton Ave-Waiver

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Timothy R. Stillings, Development Services Director  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** March 12, 2019

WAIVER REQUEST TO INCREASE THE WIDTH OF THE BUILDING FRONTING A STREET (SOUTH SWINTON AVENUE) FROM THE MAXIMUM ALLOWABLE OF 60' TO 64' 3½" FOR PROPERTY LOCATED AT 143 SOUTH SWINTON AVENUE IN THE OLD SCHOOL SQUARE HISTORIC DISTRICT (QUASI-JUDICIAL HEARING)

### **Recommended Action:**

Approve the Waiver to increase the width of a building fronting a street (South Swinton Avenue) from the maximum allowable of 60' to 64' 3½" for property located at 143 South Swinton Avenue in the Old School Square Historic District.

### **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.

The subject Waiver request is to increase the width of the building fronting a street (South Swinton Avenue) from the maximum allowable of 60' to 64' 3½" and is in association with a Class V Site Plan,

Certificate of Appropriateness 2018-155, 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). Final approval of the Waiver request rests 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. Staff recommended denial of the Setback Variance.

At its meeting of February 6, 2019, the HPB recommended denial of the Waiver to the City Commission.

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 waiver request shall be considered prior to the appeal of the Historic Preservation Board denials.