



## Legislation Text

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File #: 17-606, Version: 1

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**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Planning, Zoning and Building Director  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** July 18, 2017

REPORT OF APPEALABLE LAND USE ITEMS FROM JUNE 12, 2017 THROUGH JUNE 27, 2017

**Recommended Action:**

By motion, receive and file this report.

**Background:**

**ITEM A. SWINTON COMMONS:**

The subject property is located on the south side of West Atlantic Avenue between SW 1<sup>st</sup> Avenue and Swinton Avenue and north of SW 1<sup>st</sup> Street. The development also includes the Sundy House property on the south side of SW 1<sup>st</sup> Street, between Swinton Avenue and SW 1<sup>st</sup> Avenue. The property also includes the property on the south side of SE 1<sup>st</sup> Street, between Swinton Avenue and SE 1<sup>st</sup> Avenue and at the northwest corner of SE 1<sup>st</sup> Avenue and SE 1<sup>st</sup> Street.

**Request:** Certificate of Appropriateness, Class V Site Plan, Relocations & Demolitions associated with the Swinton Commons project, which includes 35,049 square feet of retail; 22,525 square feet of restaurant; 21,872 square feet of office; 44 dwelling units; 50 residential-type inn units; and 109 hotel rooms.

**Board Action:** The following actions were taken by the Board.

**Waiver:** Recommended denial (6 to 0, Price Patton absent) to City Commission, the waiver to LDR Section 4.4.24(F)(4), which allows a maximum width of a building fronting a street shall be limited to 60', where 163', 135', 81' and 71' respectively are proposed.

**Site Plan:** Denied (6 to 0, Price Patton absent) the Certificate of Appropriateness (COA 2016 -073-SPM-HPB-CL5) and associated Class V Site Plan.

**Relocations**

**Exhibit 1**

Denied (4 to 2, Angela Budano, Andrea Sherman, Andrea Harden and John Miller dissenting; John Klein and Bill Bathurst voted in the affirmative; and Price Patton absent), the COA (Rectory, Building 'A'), 14 S. South Swinton for the relocation of the contributing structure on

the property located at 20 W Atlantic Avenue, Block 61 to the property located at further south on Block 61 fronting on South Swinton Avenue (address to be determined) Old School Square Historic District (OSSHD).

**Exhibit 2**

Denied (4 to 2, Angela Budano, Andrea Sherman, Andrea Harden and John Miller dissenting; John Klein and Bill Bathurst voted in the affirmative; and Price Patton absent), the COA (2015-046) for the relocation of the contributing structure on the property located at 20 W Atlantic Avenue, OSSHD to the property located at southwest section of Block 70 (address to be determined) OSSHD.

**Exhibit 3**

Denied (4 to 2, Angela Budano, Andrea Sherman, Andrea Harden and John Miller dissenting; John Klein and Bill Bathurst voted in the affirmative; and Price Patton absent), the COA (2015-046) for the relocation of the contributing structure on the property located at 22 South Swinton Avenue, OSSHD to the property located at north section of Block 61 (address to be determined) OSSHD.

**Exhibit 4**

Approved (6 to 0, Price Patton absent), the COA (2015-046) for the relocation of the contributing structure on the property located at 21 SW 1st Avenue, OSSHD to the property located at southwest section of the Sundy Block (address to be determined) OSSHD.

**Exhibit 5**

Denied (6 to 0, Price Patton absent), the COA (Building 'E'), a.k.a. Cathcart House for the relocation of the contributing structure on the property located at 38 South Swinton Avenue, OSSHD to the property located approximately 20 feet south of its existing location on Block 61 (address to be determined) OSSHD.

**Exhibit 6**

Denied (4 to 2, Angela Budano, Andrea Sherman, Andrea Harden and John Miller dissenting; John Klein and Bill Bathurst voted in the affirmative; and Price Patton absent), the COA (Building 'F'), a.k.a. Peach House for the relocation of the contributing structure on the property located at 40 South Swinton Avenue, OSSHD to property located on the Sundy Block, OSSHD (address to be determined).

**Exhibit 7**

Approved (5 to 1, Angela Budano, Andrea Sherman, John Miller, John Klein and Bill Bathurst voted in the affirmative; Andrea Harden dissenting; and Price Patton absent), the COA (Building 'G'), a.k.a. Yellow House for the relocation of the contributing structure on the property located at 44 South Swinton Avenue, OSSHD to property located south central on the Sundy Block, OSSHD (address to be determined).

**Exhibit 8**

Approved (5 to 1, Angela Budano, Andrea Sherman, John Miller, John Klein and Bill Bathurst voted in the affirmative; Andrea Harden dissenting and Price Patton absent), the COA (Building 'H'), a.k.a. White House for the demolition/relocation/reconstruction of the contributing structure on the property located at 6 SE 1st Street on Block 70 to same

property located slightly north of its current site on Block 70 facing SE 1st Street, OSSHD (address likely to be the same).

## **Demolitions**

### **Exhibit 9**

Denied (4 to 2, Angela Budano, Andrea Sherman, Andrea Harden and John Miller dissenting; John Klein and Bill Bathurst voted in the affirmative; Price Patton absent), the COA (Building 'E-1') for the demolition of a contributing structure located at 38½ S. Swinton Avenue, OSSHD.

### **Exhibit 10**

Denied (6 to 0, Patton absent), the COA (Building 'G-ACC') for the demolition of a secondary building to Building 'G' a contributing structure located at 44½ South Swinton Avenue, OSSHD.

### **Exhibit 11**

Approved (6 to 0, Price Patton absent), the COA (Building 'T') for the demolition of a non-contributing structure located at 52 W. Atlantic Avenue OSSHD.

### **Exhibit 12**

Approved (6 to 0, Price Patton absent), the COA (Building 'U') built in 2001 for the demolition of a non-contributing structure located at 20 W Atlantic Avenue, OSSHD.

### **Exhibit 13**

Approved 5 to 1, (Angela Budano, Andrea Sherman, John Miller, John Klein and Bill Bathurst voted in the affirmative; Andrea Harden dissenting and Price Patton absent), the COA (Building 'V') for the demolition of a contributing structure/accessory structure located at 35½ SW 1st Avenue, OSSHD.

### **Exhibit 14**

Approved (5 to 1, Angela Budano, Andrea Sherman, John Miller, John Klein and Bill Bathurst voted in the affirmative; Andrea Harden dissenting and Price Patton absent), the COA (Building "W) for the demolition of a contributing structure located at 14 SE 1st Street, OSSHD.

### **Exhibit 15**

Approved (5 to 1, Angela Budano, Andrea Sherman, John Miller, John Klein and Bill Bathurst voted in the affirmative; Andrea Harden dissenting, Price Patton absent), the COA (Building 'X') for the demolition of a contributing building that has lost its character defining features of its Mission Revival style located at 18 SE 1st St, OSSHD.

### **Exhibit 16**

Approved (5 to 1, Angela Budano, Andrea Sherman, John Miller, John Klein and Bill Bathurst voted in the affirmative; Andrea Harden dissenting, Price Patton absent), the COA (Building 'Y') for the demolition of a contributing structure/accessory structure located at 18½ SE 1st Street, OSSHD.

Exhibit 17

Approved (4 to 2, Andrea Sherman, John Miller, John Klein and Bill Bathurst voted in the affirmative, Andrea Harden and Angela Budano dissenting and Price Patton absent), the COA (Building 'Z') for the demolition of a contributing structure located at 48 SE 1st Avenue, OSSHD.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source:**

N/A

**Timing of Request:**

Action must be taken by the City Commission at the next available meeting following the Board's actions.