



Legislation Details (With Text)

---

<b>File #:</b>	200788.	<b>Version:</b>	2	<b>Name:</b>	
<b>Type:</b>	Petition	<b>Status:</b>		To Be Introduced	
<b>File created:</b>	2/1/2021	<b>In control:</b>		Historic Preservation Board	
<b>On agenda:</b>	2/2/2021	<b>Final action:</b>			
<b>Title:</b>	Certificate of Appropriateness to construct a non-contributing auxiliary structure. (B)				

Petition HP-21-3. Doug Nesbit, Atlantic Design & Construction, agent for Paul S. & Laura J. Richards, owners. Certificate of Appropriateness to construct a detached guest house (accessory dwelling unit) with associated modification to the north side setback. Located at 206 NE 7th Street. This building will be a non-contributing structure to the Northeast Residential Historic District.

Project Description

The existing single-family dwelling is a two-story, contributing structure that was built circa 1913 according to the Florida Master Site File. It is a wood frame Colonial Revival according to the site file (Queen Anne Style Victorian per real estate websites) house noted for its size and details.

The applicant is proposing to build a one story detached guest house in the northwest corner of the lot. This will be considered an accessory dwelling unit (ADU) under the provisions of Sec. 30-5.35 of the City's Land Development Code. An ADU is an allowed use by right in the Urban 2 zoning district. The size of the proposed structure is 498 square feet of conditioned area. The roof slope is 10:12 to match the existing roof pitch of the house. The gable details mimic the existing elevations with a horizontal eyebrow separating cementitious board shingles on the upper section and hardie plank siding wrapping the walls below. Silver asphalt architectural shingles will be used to approximate the style of the existing roof. The proposed doors are PGT swinging doors while the windows are PGT single hung style. The foundation is monolithic.

The proposal meets most of the provisions of Section 30-5.35. - Accessory dwelling units (ADUs). The proposed 498 square feet is less than the maximum 850 square foot provision. The auxiliary building has been designed as a subordinate structure to the primary structure on the lot in terms of its mass, size, height, and architectural character. The proposal does not meet the provision about compliance with all standards applicable within the zoning districts, including required setbacks, as the applicants are requesting a modification to the rear setback for the proposed ADU, from the required 10 feet to 2 feet, to place the ADU in the proposed location.

The ADU as shown, would not meet the current rear yard setback requirements for the Urban 2 zoning district, which requires a rear setback of 10 feet minimum when there is no adjacent alley for all buildings. The ADU will require a rear yard setback reduction at the north property line to no less than 2 feet where 10 feet minimum is required. The applicants are in discussion with the Building Department about proximity of the proposed ADU to the principal structure, with the idea that it may be possible to move the ADU closer to it and increase the setback to at least 3 feet.

The adjacent lot owner has expressed opposition to the zoning modification request, indicating that 2 feet is not enough distance. The request may affect the public safety, health, or welfare of abutting property owners or the district in accordance with the concerns of the adjacent lot owner. The proposal does reflect a typical development pattern or design theme in the district concerning the location of accessory structures near property lines. The design of the ADU will not detract from the aesthetic character of the house. The requested modification is generally appropriate for the historic district but the board should deliberate on the request and the appropriate distance between a dwelling unit and the adjacent property line.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 200788\_HP-21-00003\_206NE7thStreet\_StaffRprt\_20210302, 2. 200788\_Floorplan&Elevations\_20210302, 3. 200788\_SitePlanSheet\_20210302

Date	Ver.	Action By	Action	Result
3/2/2021	1	Historic Preservation Board		
2/8/2021	1	Historic Preservation Board		

**..Title**

**Certificate of Appropriateness to construct a non-contributing auxiliary structure. (B)**

**Petition HP-21-3. Doug Nesbit, Atlantic Design & Construction, agent for Paul S. & Laura J. Richards, owners. Certificate of Appropriateness to construct a detached guest house (accessory dwelling unit) with associated modification to the north side setback. Located at 206 NE 7<sup>th</sup> Street. This building will be a non-contributing structure to the Northeast Residential Historic District.**

**Project Description**

The existing single-family dwelling is a two-story, contributing structure that was built circa 1913 according to the Florida Master Site File. It is a wood frame Colonial Revival according to the site file (Queen Anne Style Victorian per real estate websites) house noted for its size and details.

The applicant is proposing to build a one story detached guest house in the northwest corner of the lot. This will be considered an accessory dwelling unit (ADU) under the provisions of Sec. 30-5.35 of the City’s Land Development Code. An ADU is an allowed use by right in the Urban 2 zoning district. The size of the proposed structure is 498 square feet of conditioned area. The roof slope is 10:12 to match the existing roof pitch of the house. The gable details mimic the existing elevations with a horizontal eyebrow separating cementitious board shingles on the upper section and hardie plank siding wrapping the walls below. Silver asphalt architectural shingles will be used to approximate the style of the existing roof. The proposed doors are PGT swinging doors while the windows are PGT single hung style. The foundation is monolithic.

The proposal meets most of the provisions of Section 30-5.35. - Accessory dwelling units (ADUs). The proposed 498 square feet is less than the maximum 850 square foot provision. The auxiliary building has been designed as a subordinate structure to the primary structure on the lot in terms of its mass, size, height, and architectural character. The proposal does not meet the provision about compliance with all standards applicable within the zoning districts, including required setbacks, as the applicants are requesting a modification to the rear setback for the proposed ADU, from the required 10 feet to 2 feet, to place the ADU in the proposed location.

The ADU as shown, would not meet the current rear yard setback requirements for the Urban 2 zoning district, which requires a rear setback of 10 feet minimum when there is no adjacent alley for all buildings. The ADU will require a rear yard setback reduction at the north property line to no less than 2 feet where 10 feet minimum is required. The applicants are in discussion with the Building Department about proximity of the proposed ADU to the principal structure, with the idea that it may be possible to move the ADU closer to it and increase the setback to at least 3 feet.

The adjacent lot owner has expressed opposition to the zoning modification request, indicating that 2 feet is not enough distance. The request may affect the public safety, health, or welfare of abutting property owners or the district in accordance with the concerns of the adjacent lot owner. The proposal does reflect a typical development pattern or design theme in the district concerning the location of accessory structures near property lines. The design of the ADU will not

detract from the aesthetic character of the house. The requested modification is generally appropriate for the historic district but the board should deliberate on the request and the appropriate distance between a dwelling unit and the adjacent property line.

Staff recommends approval of the application with the following conditions:

1. The HPB approve the Modification of Existing Zoning Requirements, reducing the rear yard setback from 10 feet to no less than 2 feet with conditions, including no windows to be placed on the north elevation of the ADU, shift the building as much as possible towards the principal structure to gain a foot or some extra inches for the setback distance, and explore the placement of a fence to provide a barrier between the properties in the location of the ADU.
2. Notify staff of any changes during construction.