



City of Eustis

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TO: EUSTIS CITY COMMISSION
FROM: TOM CARRINO, CITY MANAGER
DATE: MARCH 16, 2023
RE: RESOLUTION NUMBER 23-24: SITE PLAN WITH WAIVER FOR A TINY HOMES COMMUNITY ON EAST WOODWARD AVENUE (ALTERNATE KEY NUMBER 1190321)

Introduction:

Resolution Number 23-24 approves a Site Plan with a waiver to allow a tiny homes community, on approximately 1.2 acres located on the north side of East Woodward Avenue, the west side of South Grove Street, the east side of South Eustis Street, and the south side of East Key Avenue.

Recommended Action:

The administration recommends approval of Resolution Number 23-24.

Background:

1. Pertinent Site Information:

- a. The subject property comprises about 1.2 acres, which currently contains a 480-square foot detached garage, a 768 square-foot carport/pole shed, and a fence.
- b. The site is within the Mixed Commercial/Residential (MCR) land use district, which allows single family dwellings as a permitted use.
- c. The property is within the Urban Corridor Design District. The project utilizes the Civic building lot type.
- d. The site and surrounding properties' land use, design district designations, and existing uses are shown below:

Location	Existing Use	Future Land Use	Design District
Site	Vacant	RT	Urban Corridor
North	Single Family Residential	RT	Urban Corridor
South	Church – First United Methodist Church of Eustis Inc.	RT	Urban Corridor
East	Single Family Residential	RT	Urban Corridor

Location	Existing Use	Future Land Use	Design District
West	Single Family Residential and Commercial – Auto Repair Shop	GC	Urban Corridor

2. Proposed Development:

The proposed development plan includes ten tiny home buildings, a storage building, a parking area, and a park area. The applicant is requesting a waiver to garage requirement for single family dwellings. See Section 3, Waivers, for details. (See Exhibit A for site development plan).

3. Waivers:

a) Staff Supported:

1. Waiver to Section 110-5.8, which requires a garage for all newly constructed single-family dwellings since the effective date of this section
 - i. Minimum size 300 square feet (12 feet x 18 feet for automobile parking and 12 feet x 7 feet for storage).
 - ii. Equipped with an operational overhead door with minimum dimensions of 9 feet x 7 feet, which door, when closed, conceals the interior of the garage

4. Considerations/Waiver Review:

- a) Garage Requirement for Single Family Dwellings: The City's Land Development Regulations require garages for all single-family dwellings, including mobile homes, duplexes, triplexes, row houses and the like, constructed after the effective date of this section of the code. Should any property owner enclose or reduce the size of any existing garage or carport below the square footage requirements of this section, then the owner shall mitigate the loss of the garage by providing for on-site parking and outside storage. This code requirement is to encourage better access for emergency vehicles by having designated areas for parking whenever possible rather than parking in roadways and reducing travel space. Additionally, the garage serves as storage for not only the vehicle but also personal items in an effort to keep the front of properties cleaner and less cluttered for a more attractive aesthetic. The applicant is providing a parking lot area as well as a storage area, both of which would be for the use of residents of the tiny homes. As a result, the intent of the code is being met. Exhibit B shows the applicant's explanation and justification for the waiver request.

5. Applicable Policies and Codes:

a) Section 102-25 Time limitations and expiration of approval

- a) Within 12 months of obtaining approval of a site plan or preliminary plat, an applicant must submit final engineering/construction plans or a final plat or request an extension.

- b) Within six months of obtaining approval of development plans or final engineering/construction plans, a developer must begin construction, which shall be demonstrated by applying for and obtaining a building permit or site development permit.
 - c) The applicant may apply for extensions of time, not to exceed 12 months per extension, provided the underlying development order complies with the most recent land development regulations in effect at the time the city commission considers the extension request, and provided the development is deemed to be continuing in good faith by the city commission
- b) Section 109-2.6: Residential/office transitional district (RT). This land use designation applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility.
- c) Section 109-5.5. - Urban development pattern intent statements. Urban corridor.
- a) Definition: Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size is primarily shallow in nature, compatible with the adjacent neighborhoods.
 - b) Structure: Interconnected driveways or rear lanes, access ways.
 - c) Form: Predominately single-use areas that may include a mix of uses, retail, and residential.
- d) Section 110-5.8. – Garages
- a) Garages. All single family dwellings, including mobile homes, duplexes, triplexes, row houses and the like, constructed after the effective date of this section, shall possess a garage as follows:
 - i. Minimum size 300 square feet (12 feet x 18 feet for automobile parking and 12 feet x 7 feet for storage).
 - ii. Equipped with an operational overhead door with minimum dimensions of 9 feet x 7 feet, which door, when closed, conceals the interior of the garage.
 - b) Should any property owner enclose or reduce the size of any existing garage or carport below the square footage requirements of this section, then the owner shall mitigate the loss of the garage by providing for on-site parking and outside storage as follows:
 - i. Construct a new garage on the property sufficient to meet the square footage requirements of this section; or
 - ii. If in a designated historic district, in an urban design district, or on a legal lot of record that is below the minimum suburban standard, or if enclosing a carport, then the owner may take the following actions in lieu of replacing the garage:

1. Designate two on-site parking spaces at least 9 feet x 18 feet each in the driveway area or on the residential lot behind the building frontage; and
2. Provide outside storage by either constructing a storage shed with minimum dimensions of 10 feet x 10 feet in accordance with the Land Development Regulations for accessory structures or by providing outside access to a designated, separated storage area within the enclosed garage or carport (minimum dimensions 12 feet x 7 feet).

e) Section 115-6.1:

- a) Public entrance. Buildings that are open to the public shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the architectural design, and shall be open to the public during business hours. Buildings shall incorporate lighting and changes in mass, surface, or finish to give emphasis to the entrances.
- b) Mass and scale. Buildings that are more than 150 feet in length/width shall comply with the following. No more than 60 feet of horizontal distance of wall shall be provided without architectural relief a minimum of 30 feet wide and three feet deep for building walls and frontage walls facing the street.
- c) Building façade. Buildings shall provide a foundation or base, typically from ground to bottom of the lower windowsills, with changes in volume or material. A clear visual division shall be maintained between the ground level floor and upper floors with either a cornice line or awning from 12 feet to 16 feet above base flood elevation or grade, whichever applies to the proposed development.
- d) Building features. Buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the building:
 - i. Divisions or breaks in materials (materials should be drawn from a common palette).
 - ii. Window bays.
 - iii. Separate entrances and entry treatments, porticoes extending at least five feet.
 - iv. Variation in roof lines.
 - v. Awnings installed in increments of 15 feet or less.
 - vi. Dormers.
 - vii. Canopies, extending at least five feet.
 - viii. Overhang extending at least five feet.
 - ix. Recessed entries (at least three feet from the primary façade).
 - x. Protruding entries (at least three from the primary façade).

xi. Covered porch entries.

- e) Orientation. The primary building entrances shall be visible and directly accessible from a street. Building massing such as tower elements shall be used to call-out the location of building entries.
- f) Habitable street frontage. The first 20 feet of depth of the first floor of any mixed-use structure's primary building frontage facing a street shall be constructed as habitable space.
- g) Section 110-4.17: Civic Building Lot. A building lot located and designed to accommodate a building containing public or civic uses such as community services, day care, education, government, places of worship, or social services.

LOT REQUIREMENTS	MIN	MAX
Lot Width (ft)	—	—
Lot Depth (ft)	—	—
Lot Size (sf)	—	—
BUILDING ENVELOPE	MIN	MAX
Street Setback (ft)	0	—
Common Lot Setback (ft)	0	—
Rear Setback (ft)	10	—
Frontage Buildout (%)	—	—

h) Section 115-9.3.1: Urban Design District Standards.

(a) Urban landscape

When buildings are brought up to the street and utilizing a build-to-line, an urban buffer shall be provided.

The urban buffer shall be determined by the sidewalk width. An eight-foot-wide pedestrian area must be maintained for at least 50 percent of the street frontage. Therefore, if the sidewalk is five feet wide an additional three feet shall be required as an urban buffer or front setback.

The front buffer for an urban type development shall be allowed to provide potted plants. At a minimum, a 36-inch diameter pot by 24 inches high should be provided every 20 lineal feet of building frontage. The plant species should be two times as high as the height of the pot. Low growing plants, flowering annuals should be planted at the base of the pot. All efforts should be made to preserve existing tree canopy within the right-of-way.

(b) *Street trees.*

(1) Trees shall have a minimum two inches DBH and be of Florida No. 1 grade as per "Grades and Standards for Nursery Plants," Florida Department of Agriculture and Consumer Services. All landscaping shall meet FDOT visibility standards.

- (2) Tree spacing: For corridors and centers, one street tree shall be planted for every 30 linear feet or frontage or fraction thereof. For all other streets, one street tree shall be planted 40 to 60 feet on center. Street trees shall be planted a minimum of ten feet from any above ground utility, such as transformer pads and fire hydrants.
- (3) Tree species: Select tree species that are appropriate for street tree planting conditions shall be used.

Alternatives:

1. Approve Resolution Number 23-24
2. Deny Resolution Number 23-24

Discussion of Alternatives:

Alternative 1 approves Resolution Number 23-24

Advantages:

- a) The property owner can move forward to obtain approval of Final Engineering and Construction Plans, as well as a building permit for the proposed development.
- b) The action would be consistent with the existing development patterns in the area.
- c) The City would realize additional ad-valorem tax revenue once the building is constructed.
- d) The action would be consistent with the goals, objectives and policies of the Comprehensive Plan.

Disadvantages:

- a) The action would approve waivers to the Land Development Regulations.

Alternative 2 denies Resolution Number 23-24.

Advantages:

- a) The applicant may be able to redesign the site where waivers to the LDRs may not be necessary or the number of waivers reduced.

Disadvantages:

- a) The applicant may abandon the project due to additional costs to redesign.
- b) The City would not realize additional tax revenue from the new construction.

Community Input

The department has properly advertised the Resolution in the newspaper; notified surrounding properties within 500 feet; and posted the property with signage. To date, there has been no opposition received to the proposed development.

Budget / Staff Impact:

There would be no direct cost to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspections.

Prepared By:

Heather Croney, Senior Planner

Reviewed By:

Mike Lane, AICP, Development Services Director

Jeff Richardson, AICP, Deputy Development Services Director

Attachments

- Exhibit A (Site Plan)
- Resolution Number 23-24

To be provided on request:

- Surrounding Property Owner Notice
- Legal Advertisement

[illegible]

EXHIBIT B: APPLICANT'S EXPLANATION AND JUSTIFICATION FOR WAIVER REQUEST

WAIVER:

THE LAND DEVELOPMENT REGULATIONS WERE ADOPTED PRIOR TO THE TINY HOME MOVEMENT AND THE REQUIREMENT FOR A GARAGE HAS CREATED A CONFLICT. TINY HOMES PROVIDE AN AFFORDABLE HOUSING OPTION AND PROVIDE COST EFFECTIVE LIVING AND LIFESTYLE OPTIONS FOR TRANSITIONAL HOUSING TO MEET THE NEEDS OF STUDENTS.

SECTION 110-5.8 (A) REQUIRES THAT ALL SINGLE FAMILY DWELLINGS, INCLUDING MOBILE HOMES, DUPLEXES, TRIPLEXES, ROW HOUSES AND THE LIKE PROVIDE A MINIMUM 300 SQUARE FOOT GARAGE WITH STORAGE. THE APPLICANT IS PROVIDING THE REQUIRED TWO (2) PARKING SPACES PER UNIT WITHIN AN ASPHALT PARKING LOT LOCATED ON SITE. A TOTAL NUMBER OF TWENTY (20) SPACES, TWO (2) OF WHICH ARE HANDICAPPED, ARE PROVIDED FOR. SINCE THESE ARE TRANSITIONAL HOMES, OUTSIDE STORAGE FOR EACH UNIT IS NOT NECESSARY. HOWEVER, A 24' X 33' STORAGE BUILDING (792 SQUARE FEET) IS PROPOSED ON SITE FOR OUTSIDE STORAGE.

THERE ARE NO UNSAFE CONDITIONS OR DETRIMENTS TO PUBLIC WELFARE CREATED BY PROVIDING THE PARKING SPACES FOR THE TINY HOMES WITHIN A PAVED ASPHALT PARKING LOT ONSITE. A TOTAL OF TWENTY (20) SPACES ARE PROVIDED, TWO (2) HANDICAPPED, WHICH EQUATES TO THE REQUIRED TWO (2) PARKING SPACE PER UNIT REQUIREMENT. SIDEWALKS ARE PROVIDED TO AND FROM THE PARKING LOTS AND TINY HOMES. A 24' X 33' STORAGE BUILDING (792 SQUARE FEET) FOR OUTSIDE STORAGE IS PROPOSED ON SITE.

CLOSE TO 80% OF THE RESIDENTS THAT WILL RESIDE IN THE TINY HOMES DO NOT OWN VEHICLES. A STUDY DONE AT BERKELEY BY THE TERNER CENTER ([HTTPS://TURNERCENTER.BERKELEY.EDU/WP-CONTENT/UPLOADS/2020/11/TINY_HOUSES_STUDY_FINAL_TERNER.PDF](https://turnercenter.berkeley.edu/wp-content/uploads/2020/11/TINY_HOUSES_STUDY_FINAL_TERNER.PDF)), PROVIDES THAT MANY TINY HOME VILLAGES EITHER PROVIDE TRANSPORTATION (BY ARRANGING FOR A BUS TO COME TO THE COMMUNITY), OR LOCATE THEIR COMMUNITY CLOSE TO PUBLIC TRANSPORTATION (USUALLY WITHIN 1/8-1/2 MILE). THE LOCATION OF THIS SITE IS LOCATED CLOSE TO LAKE COUNTY PUBLIC TRANSPORTATION BUS STOPS LOCATED ON GROVE STREET (WITHIN APPROXIMATELY 1,200 FEET OF THE SITE), AND ON LAKEVIEW AVENUE (WITHIN APPROXIMATELY 2,200 FEET OF THE SITE). THE STUDY STATES THAT PARKING, OPEN SPACE, AND LOT COVERAGE REQUIREMENTS SHOULD BE WAIVED BECAUSE MANY OF THESE REQUIREMENTS DO NOT APPLY TO THE SCALE OF TINY HOUSE VILLAGE DEVELOPMENTS.

THE APPLICANT MEETS THE INTENT AND PURPOSE OF THE LAND DEVELOPMENT REGULATIONS AND THE POLICIES OF THE COMPREHENSIVE PLAN BY PROVIDING THE REQUIRED PARKING SPACES OF TWO (2) SPACES PER UNIT ONSITE. THE ONLY REQUEST FOR RELIEF IS TO PROVIDE THE PARKING SPACES IN A PARKING LOT.

THE RELIEF GRANTED IS THE MINIMUM DEGREE OF RELIEF NECESSARY, TO MAKE POSSIBLE THE REASONABLE USE OF THE LAND. THE APPLICANT IS NOT PROPOSING LESS PARKING SPACES THAN ARE REQUIRED BY CODE PER UNIT, JUST REQUESTING THAT THEY BE ABLE TO PROVIDE THE PARKING SPACES IN A PARKING LOT LOCATED ON SITE. THERE WILL BE SIDEWALKS FROM THE PARKING LOT TO THE TINY HOMES.