



Meeting Name: Planning and Zoning Board
Meeting Date: December 4, 2023
Prepared By: F. Davila, CFM
Item Title: Seminole Golf Club Variance Request

BACKGROUND:

The subject property is located at 901 Seminole Boulevard and it is the home of Seminole Golf Club, a private golf club. The subject property is approximately 149.21 acres in size, is within the Private Recreation (REC-PRIV) zoning district and has a future land use designation of Recreation/Open Space.

The applicant is seeking a variance from Section 7-21(c)(2) of the Town Code of Ordinances to allow the applicant to conduct a substantial improvement to the Clubhouse, in which the cumulative cost of the repair/rehabilitation exceeds 50 percent of the market value of the building, without having to elevate the building's finished floor to the Base Flood Elevation (BFE) plus eighteen inches (18').

The proposed improvements to the Clubhouse include:

- Windows and doors replacement
- Structural reinforcement of openings
- Hydro blasting, water proofing
- Re-stucco and repaint exterior building
- Grading site for proper drainage
- Provide accessibility ramp at east of the building
- Installation of fire sprinklers system
- Install fire suppression and Vesda Early Smoke Detection System
- Replace electrical and mechanical components
- Administration office, women's locker room renovation
- Update kitchen equipment and flooring
- Upper level Vanilla Box Buildout
- Replace ductwork and grilles as required

It is important to note that the Seminole Golf Club Clubhouse has met the criteria for the National Register listing from the Florida Division of Historical Resources, and the Florida Department of State has determined that the building is individually eligible for the National Register of Historic Places under

criterion B and C for Architecture with a local level of significance for the period between 1929-1974 (see attachments #2 and #3).

DISCUSSION:

The Town Code's definition of a Floodplain Regulation *variance* is "a grant of relief from the requirements of this section, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this section or the Florida Building Code." Chapter 7 (Floodplain Regulations) of the Town's Code of Ordinances has considerations and conditions for the issuance of a variance. In addition, Section 7-7(e) of the Town's Code of Ordinances provides the following authorization of variances for historic buildings:

"A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code."

Chapter 12 of the Florida Building Code – Historic Buildings, section 1301.3 Flood Hazard Areas, exception (4) states that for the purpose of the exception, a historic building is "Determined eligible by the Florida State of Historic Preservation Officer for listing in the National Register of Historic Places, either individually or as a contributing property in a district" (see attachment #4).

In reviewing requests for variances, the Zoning Board of adjustment and appeals shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the town;
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- (6) The compatibility of the proposed development with existing and anticipated development;
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

In reviewing requests for variances, the Planning and Zoning Board and Zoning Board of Adjustment and Appeals shall determine the following (staff's response is in **bold**):

- a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;

The golf club was built in 1929 and designed by Mariam Sims Wyeth and the course was designed by Donald Ross. The Clubhouse has been deemed a historic structure under the Florida Building Code and the Town's definition. In order to preserve the historic character and design of the building, the applicant is unable to raise its finished floor elevation from 5.18 NAVD to the Town's requirement of approximately 11.5 NAVD (includes freeboard requirement).

- b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and

The proposed improvements will leave the buildings elevations the same, and will improve the current conditions of the property and land by grading the property to allow for better drainage (this will be reviewed by the Town's Civil Engineer). The property is private and no public expense, nuisances, nor fraud or victimization of the public will be caused.

- c. The variance is the minimum necessary, considering the flood hazard, to afford relief;

The granting of the variance is the minimum necessary to be able to conduct a substantial improvement to harden the building without losing its historic character.

Under the Town's definition for Historic Structure (Sec. 7-12), the Seminole Golf Club Clubhouse has been determined to be eligible for the exception to the flood hazard area requirements of the Florida Building Code, existing Building, Chapter 12 Historic Buildings. As indicated in Sec 7-7(e), a variance is *authorized to be issued* for the repair, improvement, or rehabilitation of a historic building that is determined to be eligible for the exception to the flood resistant construction requirements of the Florida Building Code, upon determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building (see attachment #5).

If the Planning and Zoning Board recommends approval of the variance, staff recommends the imposition of the following conditions:

1. If the proposed construction does not commence within 24 months of the date the variance is granted, the variance shall become null and void;
2. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the office of the clerk of the court in such a manner that it appears in the chain of title of the affected parcel of land; and
3. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a

written notice from the floodplain administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board recommend approval the requested variance for the Seminole Golf Club Property, subject to the conditions set forth above.

Attachments:

1. Variance Application
2. Florida Division of Historical Resources – Historical Structure Form
3. Florida Department of State PSIQ response
4. 2020 FBC, Chapter 12 Historic Buildings, Section 1201 General
5. Architects determination letter