



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • OCTOBER 2, 2023

City Commission Chamber

BOPA Regular Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

Attorney Scott Simpson phoned in to the meeting due to being stuck in traffic on I-95.

2. ROLL CALL

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Present	
Dennis Smith	Board Member	Present	
Tony Cassata	Board Member	Present	
Loretta Arthur	Board Member	Present	
Lorraine Geiger	Board Member	Excused	

3. INVOCATION

Mr. Myer led the invocation.

4. PLEDGE OF ALLEGIANCE

Mr. Smith led the Pledge of Allegiance to the flag.

5. MINUTES

1. Minutes - August 7, 2023 - Board of Planning and Appeals Meeting

(Requested by Valerie Manning, City Clerk)

Mr. Myer mentioned that there was one change in the minutes and that was Mr. Hanger led the pledge of allegiance to the flag.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Smith, Board Member
SECONDER:	Tony Cassata, Board Member
AYES:	Myer, Smith, Cassata, Arthur
EXCUSED:	Geiger

Enacted and approved this 2nd day of October, 2023, in Holly Hill



6. AGENDA ITEM(S) - NONE**7. ORDINANCES**

1. An Ordinance of the City of Holly Hill, Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1872 N Nova Road and 1888 N Nova Road Having Parcel Numbers 4242-31-01-0290 and 4242-31-01-0291, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Mxz (Mixed Use Zone) to General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit a from B-5 (Heavy Commercial) Volusia County, to Cc-1 (Commercial Corridor District) Holly Hill; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)

Mr. Walker went over his staff report for both Ordinances. Both of the Ordinances will be discussed at the same time, however, they will be voted on separately. Mr. Walker stated that this agenda item is for 1872 and 1888 N Nova Road CPA and rezoning. An Ordinance enacting a Rezone from B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately .83 acres, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road. The parcels abut one another and are more specifically known as 1872 N Nova Road and 1888 N Nova Road. The applicant petitioned for the parcels in question to be annexed into the City of Holly Hill and at its regular meeting on September 26, 2023, the City Commission voted unanimously to approve the annexation. The property now needs to receive City zoning and be included in the City of Holly Hill's Comprehensive Plan. The applicant is requesting a Small-Scale Future Land Use Map Amendment from Volusia County's future land use designation of MXZ (Mixed Use Zone) to General Commercial (Holly Hill) and a Rezone from B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill). Mr. Walker briefly mentioned the project information, the project analysis as it pertains to the impacts to traffic, impacts to potable water and waste water, stormwater management and solid waste. The details are within their agenda packet. Mr. Walker mentioned that this request is consistent with urban sprawl rule in Section 163.3177(6)(a)(9)(b), Florida Statutes and is consistent with the Comprehensive Plan. The appropriateness of the requested zoning category: The predominant zoning category applied along the west side of Nova Road north of 15th Street and south of Flomich Street is CC-1(Commercial Corridor District) and B-4 (Highway Business District). The existing business and property that abut the parcels under review is zoned CC-1. According to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning designation is consistent with the General Commercial land use classification. Any future development on the site will be consistent with the stated intent of the CC-1 zoning district and the general intent of the land development regulations. Mr. Walker stated staff's recommendation is to adopt the proposed Ordinance enacting a Small-Scale Future Land Use Map Amendment from MXZ (Mixed Use Zone) (Volusia County) to General Commercial (Holly Hill) for approximately .83

acres, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road and are more specifically known as 1872 N Nova Road and 1888 N Nova Road **AND** adopt the proposed Ordinance enacting a Rezone from B-5 (Heavy Commercial) (Volusia County) to CC-1 (Commercial Corridor) (Holly Hill) for approximately .83 acres, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road and are more specifically known as 1872 N Nova Road and 1888 N Nova Road.

Mr. Myer asked if Rob Merrell, Attorney with Cobb Cole had anything he would like to add.

Attorney Rob Merrell, Cobb Cole stated that Mr. Walker did a great job in his staff report and that he is here this evening to answer any questions that the board members may have. He doesn't have anything to add tonight.

Mr. Myer stated at this time if the board members don't have any questions for staff or Attorney Merrell, they will now move forward and vote on these two Ordinances separately.

ORDINANCE AMENDING THE COMPREHENSIVE PLAN:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD HAVING PARCEL NUMBERS 4242-31-01-0290 AND 4242-31-01-0291, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Arthur made a motion ***TO ADOPT THE PROPOSED ORDINANCE ENACTING A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT FROM MXZ (MIXED USE ZONE) (VOLUSIA COUNTY) TO GENERAL COMMERCIAL (HOLLY HILL) FOR APPROXIMATELY .83 ACRES, LOCATED APPROXIMATELY 275 FEET SOUTH OF FLOMICH STREET BETWEEN N NOVA ROAD AND OLD KINGS ROAD AND ARE MORE SPECIFICALLY KNOWN AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD***, seconded by Mr. Smith.

Mr. Myer opened public participation. No one spoke.

PASSED, 4-0.

Mr. Myer stated the only thing he would say is the legal descriptions had some problems. Staff found some of them in the revised agenda that went out where the percentage to a degree sort of mark, there's some misspelled words and run-on words in that description. Staff should probably look at that between now and when it goes to the City Commission. Mr. Walker stated, okay.

Mr. Walker informed Attorney Simpson that Mr. Myer suggested making the legal description changes before first reading.

Attorney Simpson stated the only other advice he would give them separately and not a single vote because one is policy and one is quasi-judicial.

Mr. Walker stated the legal descriptions will be sent to the surveyor the city uses for review so that the legal descriptions can be cleaned up before the first reading and final adoption.

ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM B-5 (HEAVY COMMERCIAL) VOLUSIA COUNTY, TO CC-1 (COMMERCIAL CORRIDOR DISTRICT) HOLLY HILL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Arthur made a motion ***ADOPT THE PROPOSED ORDINANCE ENACTING A REZONE FROM B-5 (HEAVY COMMERCIAL) (VOLUSIA COUNTY) TO CC-1 (COMMERCIAL CORRIDOR) (HOLLY HILL) FOR APPROXIMATELY .83 ACRES, LOCATED APPROXIMATELY 275 FEET SOUTH OF FLOMICH STREET BETWEEN N NOVA ROAD AND OLD KINGS ROAD AND ARE MORE SPECIFICALLY KNOWN AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD,*** seconded by Mr. Smith.

Mr. Myer opened public participation. No one spoke.

PASSED, 4-0.

Mr. Walker stated Attorney Merrell will come back on October 24, 2023 before the City Commission for first reading.

RESULT:	RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]
MOVER:	Loretta Arthur, Board Member
SECONDER:	Dennis Smith, Board Member
AYES:	Myer, Smith, Cassata, Arthur
EXCUSED:	Geiger



8. OLD BUSINESS

None.

9. BOARD / STAFF COMMUNICATIONS

None.

10. ADJOURNMENT

Ms. Arthur made a motion to adjourn the meeting, seconded by Mr. Smith. The meeting adjourned at approximately 6:20 PM.

Leslie Montgomery

Leslie Montgomery

10/2/2023

Mike Myer

Mike Myer, Chairman

10/2/2023