



Board of Planning and Appeals

BOPA Regular Meeting

~ Agenda ~

1065 Ridgewood Ave
Holly Hill, FL 32117
www.hollyhillfl.org

Thomas Harowski
386-248-9424

Monday, January 4, 2016

6:30 PM

City Commission Chamber

1. Call to Order

- A. *Roll Call*
- B. *Invocation*
- C. *Pledge of Allegiance to the Flag*

2. Approval of Minutes

A. Agenda Item (ID # 1251)

Minutes - October 5, 2015

DISCUSSION:

Approve October 5, 2015 Minutes.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION:

Approve Minutes of October 5, 2015 Meeting.

COMMISSION GOAL:

N/A

MOTION:

As determined by the Board

ATTACHMENTS:

- October 5, 2015 (PDF)

3. New Business

1. Agenda Item (ID # 1243)

V-2015-03 1219 Bender Avenue Request for Variance: a Request for a Variance from the Maximum Height for a Fence in the R-3 Zoning District to Permit a 6-Foot Tall Fence in Lieu of the Maximum 4-Foot Tall Fence Permitted by Code.

INTRODUCTION: The applicant is requesting a variance from the maximum height of four feet for a fence in the required front yard to allow construction of a six-foot tall fence around the required front yard.

BACKGROUND: The subject property is a non-conforming industrial use that includes a welding shop and a manufacturing business. The property extends from Bender Avenue through to Jarecki Avenue, so the yards facing Bender and Jarecki are both considered front yards. The existing buildings extend almost to the Jarecki right-of-way and are considered non-conforming structures in that they fail to meet the required setbacks. The application in question is directed to the yard area fronting on Bender Avenue. A survey is included as an exhibit.

The property is zoned R-3 single family residential, and the comprehensive plan future land use map designates the area as low density residential. Permitted uses in the R-3 district are limited to single-family dwellings, parks and public buildings, golf courses, churches, home occupations, and utility structures. Therefore, the current use of the property is non-conforming. Fences in residential districts are limited to a maximum of 4-feet in front yards (Section 114-721(c)). In a commercial or industrial district, a fence in the front yard may be up to eight feet tall (Section 114-721(d)).

The existing development in the neighborhood is predominantly residential. The only non-residential development fronts on LPGA Boulevard, and there are six intervening single-family residential uses between the nearest non-residential parcel and the subject property. The balance of the block extending north to Walker Street is residential as well. An aerial view of the neighborhood is included as an exhibit. The comprehensive plan and the designation of the subject property in the plan and under the land development regulations states a desire to eventually convert the subject property to a residential use.

DISCUSSION: The purpose of designating a use as non-conforming is to begin the process of phasing out that use from its current location. The use is allowed to continue as established but not expand; and once discontinued, the non-conforming use may not then be re-established at that location. A variance is intended to allow relief from the code requirements when there is a hardship unique to the property.

The applicant has submitted the required application including the response to the criteria for granting the variance. A copy of the application is provided as an attachment

to this report. The case the applicant cites as justification for the variance is largely based upon the non-conforming use impact on the surrounding neighborhood, and potential damage to vehicles stored on the subject property.

In response to Question #1 the applicant cites the storage of large commercial vehicles on the property as they await repairs and states the requested fence will protect them from public damage. The applicant did not cite any cases of actual damage to vehicles, and the Police Department did not have knowledge of damage to vehicles. There was one reported break-in to the building.

In response to Question #3 the applicant cites the existing 8-foot tall fence around the towing company yard. This property is located in a CC-1 zone and as noted above, and the taller fence is permitted for commercial and industrial zone property.

In response to Questions #6, #7 and #8 the applicant cites the potential for improved appearance to the neighborhood. The appearance of the subject property in the neighborhood could also be improved with a four-foot fence and the addition of landscaping such as trees along the fence that would provide some level of property protection and visual screening.

The staff has several concerns about the proposed variance. First, the hardship appears to be generated by the non-conforming business rather than anything that is unique to the property. Second, the introduction of a six-foot fence is inconsistent with the residential character of the majority of the block between LPGA Boulevard and Walker Street. It is true that the existing business at Bender and LPGA has a six-foot fence, but this is a commercially zoned property fronting on LPGA Boulevard rather than a mid-block property surrounded by single-family homes. Third, there are other security and screening options that can be applied including the construction of an allowed 4-foot tall fence with landscaping and the addition of security camera or some other type of security system if vandalism is an issue.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals not recommend the requested variance to the City Commission as the need for variance is not unique to the property but arises a result of the non-conforming use. Also there are other options in terms of fencing and landscaping and security management that would equally effective as a taller fence. While providing added screening, the taller fence is not consistent with the character of the residential neighborhood.

ATTACHMENTS:

- V-2015-03 Application (PDF)
- V-2015-03 Aerial (PDF)
- V-2015-03 Site Survey (PDF)
- V-2015-03 Location Map (PDF)

2. Agenda Item (ID # 1244)

R-1 Front Yard Setback Analysis: a Review of the R-1 Zoning District Identifying Properties with Violations of the Required Front Yard Setback and Identification of Action Items for Board of Planning and Appeals Consideration.

INTRODUCTION: This report is a review of the current developed properties in the R-1 zoning classification with regard to the level of compliance with the required front yard setbacks.

BACKGROUND: As a result of variance applications heard by the BOPA earlier this year, staff was asked to review properties in the R-1 Single-Family Zoning District to determine the level of non-conformance with the required front yard setback. How many units fail to meet the setback? Staff was asked to report back to the Board with our findings. This report is offered in response to this request and provides an initial discussion of options for the Board's consideration.

DISCUSSION: The R-1 Zoning District requires a 35-foot front yard setback. According to the current code any yard abutting a street is considered a front yard, so a corner lot has two required front yards. Each front yard is required to meet the 35 foot setback to fully comply with the code.

Staff conducted an analysis of all R-1 zoned properties using aerial photographs and a limited amount of survey data that was available for the impacted area as a result of other projects that have been done on streets in the City. We did not do ground truthing of the data, so our conclusions are based purely on aerial analysis. The only method to know for sure the existing setback on any property is to do a survey of the property, but doing a survey of every R-1 parcel would be prohibitively expensive for level of analysis required. There is certainly the potential for some level of error in the data due to tree cover that prevents a clear view of some lots and some registration offsets placing the lot lines on the aerial photos. Nevertheless, we think that there is sufficient information to allow for a reasonable analysis of the existing situation.

Our examination found that about 50% of the R-1 zoned properties do not meet the required front yard setback in some fashion. The actual totals show 189 units meeting the front yard setback; 190 units that do not meet the setback requirements; and 13 vacant parcels. A map of the units is not particularly revealing with regard to an overall pattern.

- Riverside Drive, with a predominance of larger lots tends to have a higher level of compliance than many other neighborhoods, especially when it is considered that many of the corner lots meet setback on the Riverside Drive frontage but not the side street.
- Corner lots tend to show more violations throughout the study area as one or both corners fail to meet setbacks.
- On Riverside Drive lots, violations tend to be smaller than setback violations on streets in interior neighborhoods.

- On Riverside Drive, the number of violations of the setback increases the further north the property is located. About two-thirds of the total Riverside Drive violations are north of LPGA

Given the lack of a specific pattern to the front setback violations, it is difficult to focus in on one specific action that would cure a large volume of the violations. It is more likely that a number of options will need to be considered and that given the nature of development in the City that we will have to endure a higher level of variance requests to address individual problems. That said, the following listing offers a number of options for discussion.

Blanket Reduction of the Required Setback:

One option is to reduce the minimum setback by a set amount, say from 35 feet to 30 feet. A change of this type will impact (benefit) every property in the district, but it will certainly not cure a large number of current violations. The data seems to indicate that the most impact would be felt on Riverside Drive where the existing deep lots have structures that have small intrusions into the required yard. This was the case with the two variance applications the Board addressed earlier this year.

Create a Corner Lot Setback:

It is common for many zoning classifications to apply a lesser setback to the second street abutting a corner lot. For example a corner lot on Riverside Drive could require a 30 or 35 foot setback on Riverside Drive and a setback of 50% of that dimension on a “side corner” yard. A rule of this nature could help many of the corner lots with violations and create opportunities for property owners to undertake additions that are extensions of the current house wall.

Use A type of Setback Averaging

Some jurisdictions offer an opportunity to base the setback of a new home or addition based on the existing setbacks of structures along a given length of the street. This allows new buildings to be placed “in line” with existing structures. Sometimes this is done using the average of existing setbacks along a given length of street. This method requires the selection of an appropriate length of street as the base unit and then determining whether an average is to be used or simply not placing a new structure closer than the closest structure or the average of the closest two or three structures. This system offers some benefits in neighborhoods where there is substantial development that preceded the zoning rule.

As an example, the City of New Smyrna Beach has a rule of this type. The rule reads as follows:

505.10 Nonconforming front yard setback. The front yard setback requirements of this LDR shall not apply on any lot where the average setback of existing buildings located wholly, or in part, within 100 of each side of such lot within the same block and zoning

district, and fronting on the same side of the street, is less than the minimum required setback. In such cases, the setback on such lot may be less than the required setback, but no less than the average of the setbacks of the aforementioned existing buildings.

Given that the R-1 has a minimum lot frontage of 95 feet, we might want to consider a longer length of street as the base for averaging as 100 feet would basically be the lot on each side of the subject property. This process also requires some specific knowledge of existing building setbacks, but this data should be easily obtainable by survey. We would also want to count units with setbacks larger than the minimum as being at the minimum. This method would prevent one unit set well back from the road from skewing the average.

Consider Rezoning

In some locations it may be more appropriate to consider rezoning a block or block face to an R-2 or R-3 classification. If examination of the underlying lot pattern shows the lot width in a given area is less than the R-1 lot width minimum, then rezoning may be an appropriate answer. This option may also apply to locations such as Park Circle, where every house violates the setback rule. It may be better to base the zoning on the building setback rather than the lot size.

Make No Change

There is always a null option where no change is made. This option will continue to rely on the variance process to address issues on a case by case basis. One downside to this option is that it tends to be a little costly for property owners, and this is a system that is not designed to promote consistency from case to case. It is certainly possible that cases with similar fact patterns can have different outcomes. In the strict application of the variance process, the City and property owner also need to identify a “hardship” that underlies the need for the variance.

These options are not mutually exclusive. The Board may want to recommend actions in all of these areas to maximize the ability of property owners to comply with the zoning rules and produce a neighborhood design that is more consistent throughout.

RECOMMENDATION: Staff was asked to prepare and analysis of the issue for Board discussion, and we will be guided by the direction of the Board.

ATTACHMENTS:

- Planning - R-1 Steback Study Compliance Properties Map (PDF)

3. Agenda Item (ID # 1247)

Capital Improvements Plan Annual Update: Required Annual Update of the Comprehensive Plan to Include a Current Five-Year Capital Improvements Program.

INTRODUCTION:

State law requires that each year the City update its five-year program for capital improvements to keep the City’s comprehensive plan in compliance with state

requirements. The CIP update must be adopted by ordinance and the Board of Planning and Appeals is required to provide a recommendation on the proposed amendment to the City Commission. This report contains the proposed CIP for the five year period covering FY 2015-16 through FY 2019-20

BACKGROUND:

The five year CIP update is done each year after the City Commission finishes its budget preparation. This timing allows the budget to reflect the most current priorities for capital programs. Projects that have been completed are deleted from the program, and City departments are contacted regarding additional projects and priorities that may be included in the program. Where cost estimates for scheduled projects have changes, the costs are modified as necessary.

It is important to remember that the CIP in the comprehensive plan is a plan for anticipated capital projects and not a fixed budget. It is expected that the timing of projects will change as projects move toward implementation; individual project priorities will change; and new opportunities arise. While funding sources are indicated with each project, it is typical and likely that some funding sources will change as individual projects are implemented and the availability of funds from varying sources changes over time.

While the capital projects are on this list because they support and expand the services available to the citizens of Holly Hill, under state law the only projects that must be done are projects that address deficiencies in the designated levels of service for water, sewer, stormwater, traffic, solid waste disposal, parks and schools. The City does not currently have any project that is required to address a level of service deficiency. The projects on the proposed CIP list are service improvement projects and therefore can be adjusted within the CIP or postponed beyond the CIP period as schedule demands and financing dictate. Once the City adopts the amended CIP, staff will send a notice to the Department of Economic Opportunity to demonstrate the City has complied with the requirement to maintain a current five-year plan. The state will not do any further review of the CIP and this amendment is exempt from VGMC review

DISCUSSION:

The proposed CIP is attached in a spread sheet format. The proposed plan has a number of changes from the current plan which was adopted in December 2014. This year's budget continues to reflect an increased emphasis on renewal and replacement costs and needs for the utilities and public works areas. The following items highlight some of the other key continuing projects and changes reflected in this year's budgeted capital program.

1. The sewer lift station upgrade program has been amended to reflect work completed and revised scheduling.
2. The ongoing water distribution system improvement program is projected through the end of the planning period

3. The stormwater land acquisition and improvement projects have been amended to reflect the recent stormwater master plan update.
4. The continuation of the undergrounding of the overhead utilities on US 1 is shown as a significant continuing project.
5. The Calle Grande FEC Railroad pedestrian crossing is shown as scheduled by FDOT.
6. The Flomich Street Phase I sidewalk project feasibility study has been completed and we are awaiting construction funding.
7. A new sidewalk feasibility study has been proposed for Center Avenue Phase I between Flomich and LPGA and for Center Avenue Phase II between LPGA and 3rd Avenue.
8. New sidewalk projects on 15th Street between Nova Road and Center Avenue and on Flomich Avenue between Center Avenue and US 1 are proposed for feasibility funding this year.
9. The signal replacements on US 1 at 3rd Street has been deleted from the program as this project is completed.
10. The Riverside Park fishing pier was completed and removed from the program.
11. Maintenance projects at Sunrise Park have been shown in the current year as these are part of this year's budget.
12. The 7th Street Neighborhood Park is shown in the current year as funding has been obtained through a FRDAP grant.
13. The other parks based on stormwater pond facilities have been moved to future years, and these may ultimately be dropped from the program due to restricted access locations.

The School Board has issued its five-year capital improvements programs and there are no significant projects planned that will affect the Holly Hill School. The Florida Department of Transportation is in the process of updating its road program, and the update is not yet finalized. The City has recently benefitted from signal improvements on US 1 at 3rd Street and LPGA Boulevard. We have a pending request for further signal upgrades at 6th Street, 8th Street, Walker Street and Flomich Street. The City has requested design funding for sidewalk improvements on Flomich Street between Nova Road and Decatur Avenue. The City has also applied for feasibility studies for sidewalk improvements on Center Avenue between Flomich Street and LPGA Boulevard and for a follow on phase from LPGA Boulevard to the south city limits. Additional funding is being sought for sidewalks on 15th Street and Flomich Street as part of our ongoing program to improve sidewalk connections serving the Holly Hill School and the central area of the City. The sidewalk improvements will require a 10% local match which is reflected in the proposed budget.

RECOMMENDATION:

Staff recommends the Board of Planning and Appeals recommend the City Commission adopt the amended CIP and incorporate the revised program into the City's comprehensive plan.

ATTACHMENTS:

- CIP Annual Update - Jan. 4 BOPA meeting (PDF)

- 4. Old Business**
- 5. Communications**
- 6. Adjournment**
- 7. Agenda Item**



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: January 4, 2016
FROM: Elizabeth Nelson
SUBJECT: Minutes - October 5, 2015
NUMBER: (ID # 1251)
APPLICANT:
PLANNER:

DISCUSSION:

Approve October 5, 2015 Minutes.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION:

Approve Minutes of October 5, 2015 Meeting.

COMMISSION GOAL:

N/A

MOTION:

As determined by the Board

- October 5, 2015 (PDF)



Board of Planning and Appeals

BOPA Regular Meeting

~ Minutes ~

1065 Ridgewood Ave
Holly Hill, FL 32117
www.hollyhillfl.org

Thomas Harowski
386-248-9424

Monday, October 5, 2015

6:30 PM

City Commission Chamber

1. Call to Order

A. Roll Call

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Present	
Christopher Via	Vice Chairman	Present	
Edward H Perkins	Board Member	Present	
Dorothy Featherston	Board Member	Present	
Jim Legary	Board Member	Present	

C. Invocation

Mr. Myer led the invocation.

D. Pledge of Allegiance to the Flag

Ms. Featherston led the Pledge of Allegiance.

2. Minutes

A. Agenda Item (ID # 1194)

August 17, 2015 Minutes

ATTACHMENTS:

- August 17, 2015 BOPA Minutes (PDF)

RESULT: APPROVED [UNANIMOUS]
MOVER: Christopher Via, Vice Chairman
SECONDER: Edward H Perkins, Board Member
AYES: Myer, Via, Perkins, Featherston, Legary

3. New Business

1. Agenda Item (ID # 1190)

CPA 2015-01 the Mirage An Administrative Request by the City of Holly Hill to Amend the Future Land Use Map for a Portion of the Mirage Project from Low Density Residential to

Attachment: October 5, 2015 (1251 : Minutes)

Medium Density Residential to Ensure Consistency Between the Comprehensive Plan and the R-6 Low Density Multi-Family Zoning.

INTRODUCTION: This application is asking for a comprehensive plan amendment to the Future Land Use Map to change a portion of The Mirage subdivision from Low Density Residential to Medium Density Residential. The change is being requested to make the existing zoning consistent with the future land use designation for the residential project which is partially developed.

BACKGROUND: The Mirage Subdivision was platted as a 161 unit townhome project in 2007. Subsequent to the approval of the plat 20 units were constructed in four buildings fronting on Alabama Avenue. Subdivision improvements were also constructed for 33 additional townhome lots in seven proposed buildings along Primo Court which is accessed from Flomich Street. None of these lots were developed prior to end of the housing boom, and the balance of the subdivision was not completed.

In 2009 the project owners submitted a request to amend the plat to reduce the number of units from 161 to 100 to allow for expansion of the retention pond within the project. The purpose of the amendment was to allow shell mining in advance of the construction of the remainder of the subdivision. The City Commission approved the amended plat, but the amendment was never recorded. The shell removal was begun, but was ultimately suspended when the project was taken over by a bank. When the bank took over the project, the bank requested a return to the original plat and filled in the lake area that had been dug in excess of the area approved by the original plat.

The current owners are seeking to renew the proposal for the smaller 100 unit project with the larger lake allowing them to remove additional shell from the site. The City and the current ownership are in discussion about the City assuming control of the larger lake once it is complete so that it can be incorporated into the City's overall stormwater management program. Properties in this area are generally low, and the residential neighborhood to the east of The Mirage project suffered substantial flooding in 2009. Reduced impervious area from the smaller project and the larger lake with excess storage capacity has some appeal in terms of stormwater impacts in the general area. This is the same drainage basin where Volusia County has purchased homes on Rio Way and demolished them in advance of constructing a retention area.

The issue that has arisen related to the comprehensive plan is the consistency between the current R-6 Zoning for the project and the Low Density Residential Land Use that is applied to all of the project except for the Primo Court portion of the project. Future Land Use Policy 1.1.3 identifies R-1 through R-5 as the residential zoning classifications that are consistent with the Low Density future land use classification. The current R-6 zoning is inconsistent with the future land use designation. The records do not provide any reason as to how the R-6 Zone was assigned when it was inconsistent with the future land use designation, but it may have been an assumption that since the project density was within the low density range, that the zoning was acceptable. We do not agree with this position and have determined that the zoning and future land use designation must be made compatible.

There are two options to address the issue. One option is to change the zoning to be compatible with the future land use designation, but since a portion of the project has

already been developed it seemed better to change the future land use. Changing the land use rather than the zoning will preserve the plat layout and dimensional requirements. Changing the land use will require the City to do an analysis of the subject property as if it were to be developed at the maximum allowable density rather than the density allowed by the plat. This analysis will be more of a theoretical exercise required by the State review than an actual assessment of the impact of the project as it will be constructed.

DISCUSSION: The area affected by the future land use map amendment is identified on the attached map. The area, including the developed portion of the project fronting on Alabama Avenue constitutes 25.33 acres. The potential increase in total units based on a change from the Low Density to Medium Density Residential is 14 units per acre or 355 units total. (Note, the actual increase in housing units in the subject area is 108 under the current 161 unit plat or 47 units under the proposed revised plat.) The current R-6 zoning also has a maximum of 12 units per acre. Without a change in zoning, the maximum unit increase that could be achieved under the Medium Density Residential land use classification would be 152 units. Obviously the impacts generated by the current zoning are far less than can be achieved based on the future land use alone.

The surrounding zoning and future land use is as follows:

North: The property opposite the subject property on Alabama Avenue is designated low density residential and developed with single-family homes. To the east and west of these single family homes is the Riviera Golf Course and the Dog Park, both of which are designated as Parks and Open Space.

South: The property to the south is developed with single-family homes on the north side of Flomich Street and designated as Low Density Residential on the future land use map. On the south side of Flomich, the future land use is Medium Density Residential and zoned R-6 and developed with The Heritage project. There is also a small area of B-3 zoning which accommodated a hair salon which is now closed. The balance of these properties is used as single-family residences.

East: The property is designated Low Density Residential on the future land use map and zoned R-5 Duplex and R-6 Low Density Multi-Family. The R-6 area is developed with single-family units and the R-5 zoned area is developed with two family units.

West: A portion of the area to the west is designated as Medium Density Residential and developed with the Primo Court portion of The Mirage project. The balance of the area to the west is designated as low density residential and zoned R-6. The R-6 zoned area is undeveloped.

The City code sets forth a series of questions to be considered when an amendment to the future land use map is proposed. These questions are addressed below:

Is the proposed amendment consistent with the adopted comprehensive plan?

Yes. The purpose of this amendment is to resolve a current inconsistency between the future land use and the applied zoning.

Is there an impact upon the environment or natural resources?

No significant impact. The site is in an urban location and the site has been cleared for development based on current zoning and subdivision approvals. There is a proposal to extract shell from the site as part of the construction of the planned lake which is part of the stormwater management system for the project, so there will be some short-term mining activity on the site. There are no known plant or animal species that are considered threatened or endangered on the site, and no historic resources have been identified on the site.

Is there an impact upon the economy of the affected area?

No significant impact? The proposed amendment to the future land use map is being done to accommodate the existing level of approved development, so no change in economic impact from either construction activity or added residential units is expected.

Are there impacts to existing governmental services?

In practice there will be no increase in service demand resulting from the proposed amendment to the future land use map as the level of approved development is not changing. However, in theory there could be an increase in the number of housing units based on the new land use classification. The staff has done an assessment of the theoretical impacts of added service demands and found that adequate capacity exists to serve a project built to the maximum level allowed by the future land use classification. The maximum potential increase in housing units is 355 based on the maximum density levels allowed by the comprehensive plan.

Sewer demand would increase by 120,672 gallons per day while the treatment plant can accommodate 3.0 million gallons per day and current average daily flow is 1.75 MGD.

Water demand would increase by 83,800 gallons per day while the treatment plant can produce 2.3 MGD and current average daily consumption is 0.93 MGD.

Estimated traffic generation is 3,200 average daily trips for the increased units and peak hour traffic is estimated at 288 trips. The 2014 ADT for the closest segment of Flomich Street is 5,140 trips with a road capacity of 13,640 ADT at LOS E.

Park service requires three acres per 1,000 population or 2.5 acres for the increased project demand. The City currently has approximately 62 acres of parkland versus a minimum requirement for 36 acres.

Solid waste is projected to generate about 5,000 lbs. per day. The landfill capacity is available to support the demand.

With regard to school capacity, the current project is exempt from school concurrency as it was approved for development prior to the adoption of the public school facilities element. Based on the theoretical addition of 355 units the anticipated student generation would be 108 students for all grade levels. The Holly Hill School which serves the project for K-8 is currently has adequate capacity to accept the additional students as does the high school group serving the Halifax Area.

Are there changes in circumstances or conditions affecting the area?

No.

Were there mistakes in the original classification?

At the time The Mirage development was originally approved, either the zoning or the future land use designation should have been modified to ensure consistency between the two documents.

Is there an effect upon the use or value of the affected area?

No. The development plan remains unchanged. The proposed amendment is being offered to address and issue of consistency between the future land use and the zoning.

Is there an impact upon the public health, welfare, safety or morals?

No negative impact is anticipated.

RECOMMENDATION: Staff is recommending the Board recommend the City Commission adopt the proposed amendment.

COMMENTS - Current Meeting:

Mr. Harowski gave a detailed description as it pertains to: CPA 2015-01 the Mirage An Administrative Request by the City of Holly Hill to Amend the Future Land Use Map for a Portion of the Mirage Project from Low Density Residential to Medium Density Residential to Ensure Consistency Between the Comprehensive Plan and the R-6 Low Density Multi-Family Zoning.

Mr. Myer open public participation.

Jim Bianci who resides at 1019 Alabama Ave asked what initiated the proposed change.

Mr. Harowski stated it was a clerical error.

The resident of 916 New Castle Ave expressed her concern with flooding in her area.

Mr. Harowski stated all necessary stormwater permits have been obtained.

Sandra lives on Royal Court stated she too was concerned about flooding and inquired about proposed building.

Ms. Snipes who resides at 920 Flomich Ave asked if Primo Court would run into future problems.

Mr. Myer addressed these concerns stating the lake as it is now by design should not create a drainage problem.

Mr. Via asked if the City is talking about taking the lake over.

Mr. Simpson stated it is under discussion.

Mr. Via stated he would like to see a policy change rather than a change to the future land use.

Mr. Simpson stated the purposed change was staff initiated and not property owner driven.

Mr. Myer asked Mr. Harowski to go over the terms of the policy change for the Board members and the public.

Mr. Simpson stating current zoning allows 6 unites per acre and the land use allows 12 which is not compatible meaning the density is capped at 6.

Mr. Perkins what staff felt was the best option.

Mr. Harowski stated staff felt changing the policy was the best solution to address the problem.

Mr. Simpson stated the text should be revised.

Mr. Harowski stated the policy amendment is what he is recommending.

Mr. Legary stated he would like to know what buffers are currently in place.

Mr. Harowski stated to best of his recollection there is currently there is a 10 foot drainage easement.

Mr. Via asked if the policy change would change the setbacks.

Mr. Harowski stated no because the zoning would remain unchanged.

Mr. Myer asked for a motion.

The Board recommended approval of the policy change (text approval).

ATTACHMENTS:

- SP-2015-01 Aerial with Existing Land Use (PDF)
- MIRAGE LAND USE CURRENT (PDF)
- MIRAGE LAND USE PROPOSED (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jim Legary, Board Member
SECONDER:	Dorothy Featherston, Board Member
AYES:	Myer, Via, Perkins, Featherston, Legary

4. Old Business

None.

5. Communications

Mr. Harowski stated he is making great progress with the R-1 zoning setback change.

Mr. Via asked when the temporary sign changes was coming back in front of the board.

Mr. Simpson stated there is no date yet.

6. Adjournment

The meeting adjourned around 8:00 pm.



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: January 4, 2016
FROM: Thomas Harowski
SUBJECT: V-2015-03 1219 Bender Avenue Request for Variance: a Request for a Variance from the Maximum Height for a Fence in the R-3 Zoning District to Permit a 6-Foot Tall Fence in Lieu of the Maximum 4-Foot Tall Fence Permitted by Code.
NUMBER: (ID # 1243)
APPLICANT: Carolyn Wood, Property Owner
PLANNER: Thomas Harowski

INTRODUCTION: The applicant is requesting a variance from the maximum height of four feet for a fence in the required front yard to allow construction of a six-foot tall fence around the required front yard.

BACKGROUND: The subject property is a non-conforming industrial use that includes a welding shop and a manufacturing business. The property extends from Bender Avenue through to Jarecki Avenue, so the yards facing Bender and Jarecki are both considered front yards. The existing buildings extend almost to the Jarecki right-of-way and are considered non-conforming structures in that they fail to meet the required setbacks. The application in question is directed to the yard area fronting on Bender Avenue. A survey is included as an exhibit.

The property is zoned R-3 single family residential, and the comprehensive plan future land use map designates the area as low density residential. Permitted uses in the R-3 district are limited to single-family dwellings, parks and public buildings, golf courses, churches, home occupations, and utility structures. Therefore, the current use of the property is non-conforming. Fences in residential districts are limited to a maximum of 4-feet in front yards (Section 114-721(c)). In a commercial or industrial district, a fence in the front yard may be up to eight feet tall (Section 114-721(d)).

The existing development in the neighborhood is predominantly residential. The only non-residential development fronts on LPGA Boulevard, and there are six intervening single-family residential uses between the nearest non-residential parcel and the subject property. The balance of the block extending north to Walker Street is residential as well. An aerial view of the neighborhood is included as an exhibit. The comprehensive plan and the designation of the subject property in the plan and under the land development regulations states a desire to eventually convert the subject property to a residential use.

DISCUSSION: The purpose of designating a use as non-conforming is to begin the process of phasing out that use from its current location. The use is allowed to continue as established but not expand; and once discontinued, the non-conforming use may not then be re-established at that location. A variance is intended to allow relief from the code requirements when there is a hardship unique to the property.

The applicant has submitted the required application including the response to the criteria for granting the variance. A copy of the application is provided as an attachment to this report. The case the applicant cites as justification for the variance is largely based upon the non-conforming use impact on the surrounding neighborhood, and potential damage to vehicles stored on the subject property.

In response to Question #1 the applicant cites the storage of large commercial vehicles on the property as they await repairs and states the requested fence will protect them from public damage. The applicant did not cite any cases of actual damage to vehicles, and the Police Department did not have knowledge of damage to vehicles. There was one reported break-in to the building.

In response to Question #3 the applicant cites the existing 8-foot tall fence around the towing company yard. This property is located in a CC-1 zone and as noted above, and the taller fence is permitted for commercial and industrial zone property.

In response to Questions #6, #7 and #8 the applicant cites the potential for improved appearance to the neighborhood. The appearance of the subject property in the neighborhood could also be improved with a four-foot fence and the addition of landscaping such as trees along the fence that would provide some level of property protection and visual screening.

The staff has several concerns about the proposed variance. First, the hardship appears to be generated by the non-conforming business rather than anything that is unique to the property. Second, the introduction of a six-foot fence is inconsistent with the residential character of the majority of the block between LPGA Boulevard and Walker Street. It is true that the existing business at Bender and LPGA has a six-foot fence, but this is a commercially zoned property fronting on LPGA Boulevard rather than a mid-block property surrounded by single-family homes. Third, there are other security and screening options that can be applied including the construction of an allowed 4-foot tall fence with landscaping and the addition of security camera or some other type of security system if vandalism is an issue.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals not recommend the requested variance to the City Commission as the need for variance is not unique to the property but arises a result of the non-conforming use. Also there are other options in terms of fencing and landscaping and security management that would

equally effective as a taller fence. While providing added screening, the taller fence is not consistent with the character of the residential neighborhood.

- V-2015-03 Application (PDF)
- V-2015-03 Aerial (PDF)
- V-2015-03 Site Survey (PDF)
- V-2015-03 Location Map (PDF)



GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117

Phone: (386) 248-9424 Fax: (386) 248-9498

Date Received: 12-4-15

Application ID: V-2015-03

Received By: [Signature]

REQUESTED ACTION

- | | | | |
|--|--|--|--|
| ☐ Comp Plan Amend | ☒ Variance | ☐ Site Plan | ☐ PUD |
| ☐ Rezoning | ☐ Special Exception | ☐ Subdivision Major | ☐ Subdivision Minor |
| ☐ Waiver Request | ☐ Other: _____ | | |

Describe Request: 6' Fence in Front YARD

✓ APPLICANT INFORMATION:

Name: Carolyn S Wood

E-Mail: missyellow@bellsouth.net

Address: 178 Roberta Rd,

Phone: (386) 366-3130

Ormond By the Sea FL 32176

Fax: _____

☒ Owner

☐ Agent for Owner

☐ Attorney for Owner

Sylvan Wells

✓ OWNER INFORMATION:

Name: Carolyn Wood

E-Mail: missyellow@bellsouth.net

Address: 178 Roberta Rd

Phone: (386) 366-3130

Ormond by the Sea

Fax: _____

✓ PROPERTY INFORMATION:

Address: 1219 Bender Ave Holly Hill, FL 32117

General Location: _____

Current Zoning: _____

Current Land Use: Welding Shop

Parcel Size: _____

Tax Parcel #: _____

Legal Description Attached ☐ Yes ☐ No

Survey Attached

☒ Yes

☐ No

Attachment: V-2015-03 Application (1243 : V-2015-03 1219 Bender Avenue Request for Variance)

Pre-Application Meeting Date: _____
(Attach Pre-Application Form)

Application Fee: \$ _____

Applicant's Signature: Carolyn S Wood 12-4-15
(Signature) (Date)

Carolyn S Wood
(Print)

Owner's Signature: Carolyn S Wood 12-4-15
(Provide letter of (Signature) (Date)
Authorization)

Carolyn S Wood
(Print)

Applications must be complete to initiate the preview process.

Any questions please contact our City Planner, Tom Harowski at (386) 248-9424, fax (386) 248-9498 or email him at tharowski@hollyhillfl.org

Attachment: V-2015-03 Application (1243 : V-2015-03 1219 Bender Avenue Request for Variance)

DYLAN WELLS, ESQ.

P.O. BOX 301

ORLAND BEACH

FL 32177



CITY OF HOLLY HILL VARIANCE CHECKLIST AND REQUIREMENTS

VARIANCE APPLICATION CHECKLIST

- ☒ Pre-Application Meeting Form completed and meeting held prior to completion of application
- ☒ Application Fee and Estimated Deposit
- ☐ Completed Variance Application
- ☒ List of property owners requiring individual notification
- ☒ One signed and sealed surveys of the property (no more than 2 years old).
- ☒ Legal Description (Digital in MS Word)
- ☐ Notarized Authorization of Owner (if applicant is other than owner or attorney for owner).
- ☒ A Description of the Variance and how it complies with the City Code, Sec. 82-317.

PUBLIC NOTIFICATION (Sec. 82-314)

- a) The applicant shall provide written notice to property owners regarding his intention to seek a variance and shall pay all costs of providing such notice as follows:
 - 1) An applicant seeking a variance for property located in any single-family or multifamily residential zoning district (R-1 through R-9) shall provide written notice to abutting property owners, as identified in the current tax roll.
 - 2) An applicant seeking a variance for property in any commercial or industrial zoning district (B-1 through B-6, CC-1, I-1 and I-2) shall provide written notice to property owners, as identified in the current tax roll, within 300 feet of the property perimeter which is the subject of a variance request.
 - 3) In addition to written notice provided in accordance with either subsection (1) or (2) of this section, city staff shall also post a notice on the subject property ten days prior to the board of planning and appeals meeting. Two signs shall be posted on corner properties.
- b) A notice letter will be provided to the applicant by the City. The written notices shall be made at least ten days prior to the date of hearing before the board of planning and appeals. The written notice shall be sent by certified mail, return receipt requested.

BOARD OF PLANNING AND APPEALS (BOPA) PUBLIC HEARING (Section 82-313)

This is an advisory body consisting of five (5) members appointed by the City Commission. A public hearing is held the **first Monday of every month**, at 6:30 p.m. in the City Commission Chambers, 1065 Ridgewood Avenue, Holly Hill, Florida 32117. Following the public hearing and discussion of each application, the BOPA votes on its recommendation to the City Commission. They may accept, modify, return, or seek additional information.

CITY COMMISSION (Section 82-315 and 82-316)

The City Commission schedules public hearings the second and fourth Tuesday of each month at 7:00 p.m. in the City Commission Chambers, 1065 Ridgewood Avenue, Holly Hill, Florida 32117. At this public hearing, the City Commission votes to approve, deny, or continue the application.

Attachment: V-2015-03 Application (1243 : V-2015-03 1219 Bender Avenue Request for Variance)

VARIANCE REQUIREMENTS

The following items must be completed in sufficient detail to allow the City to determine if the application complies with the criteria for approving a variance.

1. What special condition(s) and circumstance(s) exist that are peculiar to your land, structure, building, or sign and are not applicable to other lands, structures, buildings, or signs in the same zoning classification?

We are a commercial Business surrounded by residential homes. We do welding and machine work on large commercial vehicles for Fl. Power & Light. Usually they are on the Premises for more than one day and FPL would like to see the trucks protected from Public damage.

2. Were these special condition(s) and circumstance(s) the result of actions by you? ☒ YES ☐ NO
If Yes, Explain.

I do a great Portion of my business with Companies that have large equipment.

3. Would literal interpretation of the code deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the City Code? ☒ YES ☐ NO If Yes, Explain

At the South end of Bender Ave exists A Auto/Junk Dealer with an 8 Ft Enclosed Fence around his Business. Across the Street there is a Business with a wooden (6") Fence.

4. Will granting the variance requested confer on the applicant any special privilege that is denied by code to other lands, buildings or structures in the same zoning district? ☐ YES ☒ NO Explain

We are asking for no special privilege that is denied By code to other commercial Business in this Zoning district

5. Explain how the Variance(s) you are requesting is/are the minimum Variance(s) that will make it possible for you to make reasonable use of your land, building, structure or sign.

The fence will serve to protect the customers Equipment at night from public abuse.

6. Would the granting of the variance be in harmony with the general intent and purpose of the Code and the city's comprehensive plan? ☒ YES ☐ NO Explain

IT would be Aesthetically Pleasing to Passerbys on Bender Ave

7. Would the granting of the variance be injurious to the area involved or otherwise detrimental to the public welfare? ☐ YES ☐ NO Explain

The fence would shield & protect the Business. IT Also would Allow the public not to see the commercial work Being Accomplished.

8. The general intent and purpose of the Comprehensive Plan Ordinance (Section 78-5) is to foster and preserve public health, safety, comfort and welfare, and aid in the harmonious, orderly, aesthetically pleasing and socially beneficial development of the city. Is your request for Variance(s) consistent with this intent and purpose? ☒ YES ☐ NO Explain

The fence will make the entire area more harmonious with the residences in the area.

Print Applicant Name

Applicant Signature

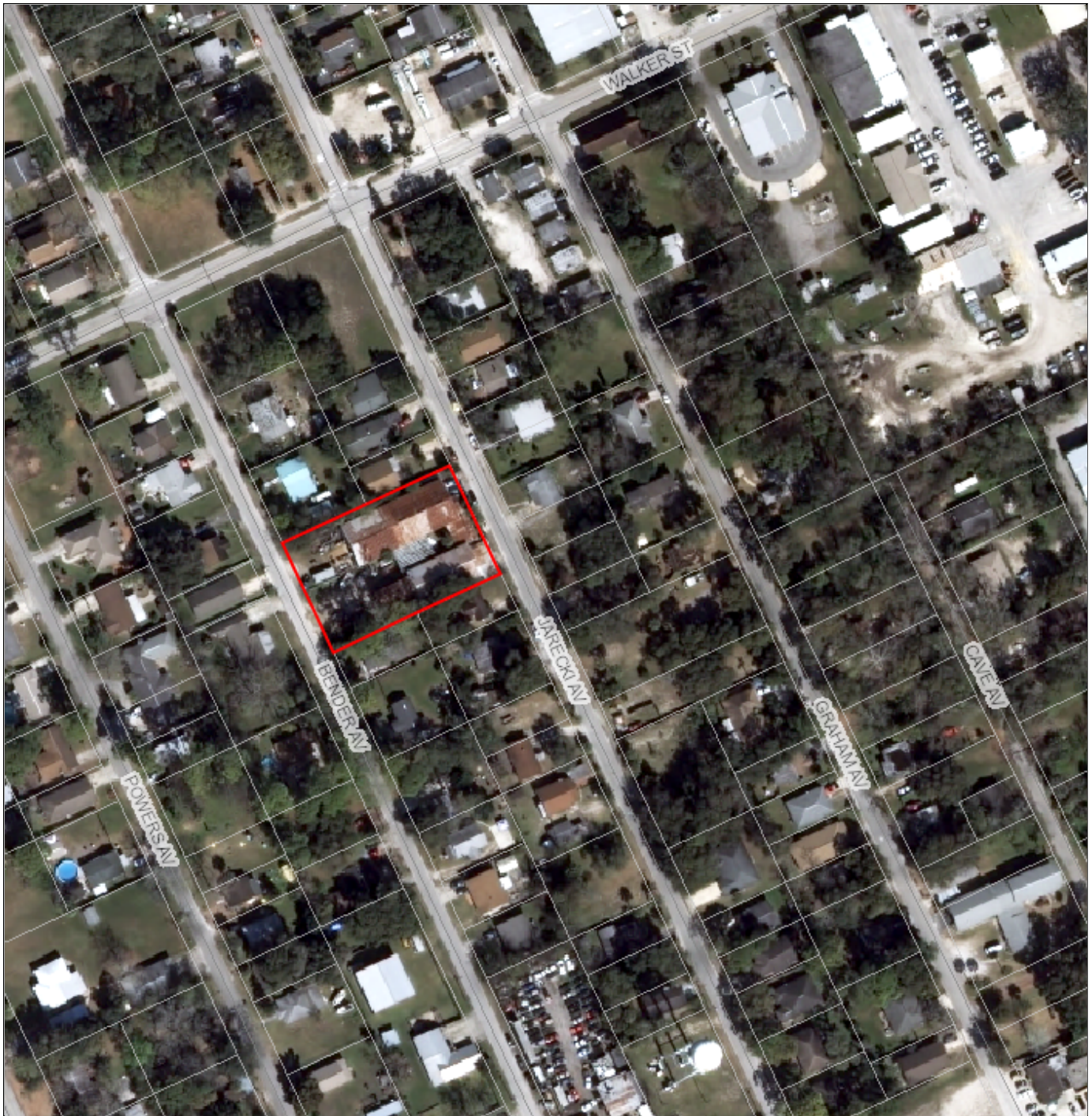
Print Applicant Name

Applicant Signature

Date

Date

V-2015-03 AERIAL



Scale 1:2,000 - 1 in = 167 ft
 Date Created:
 04-Dec-15 02:32 PM

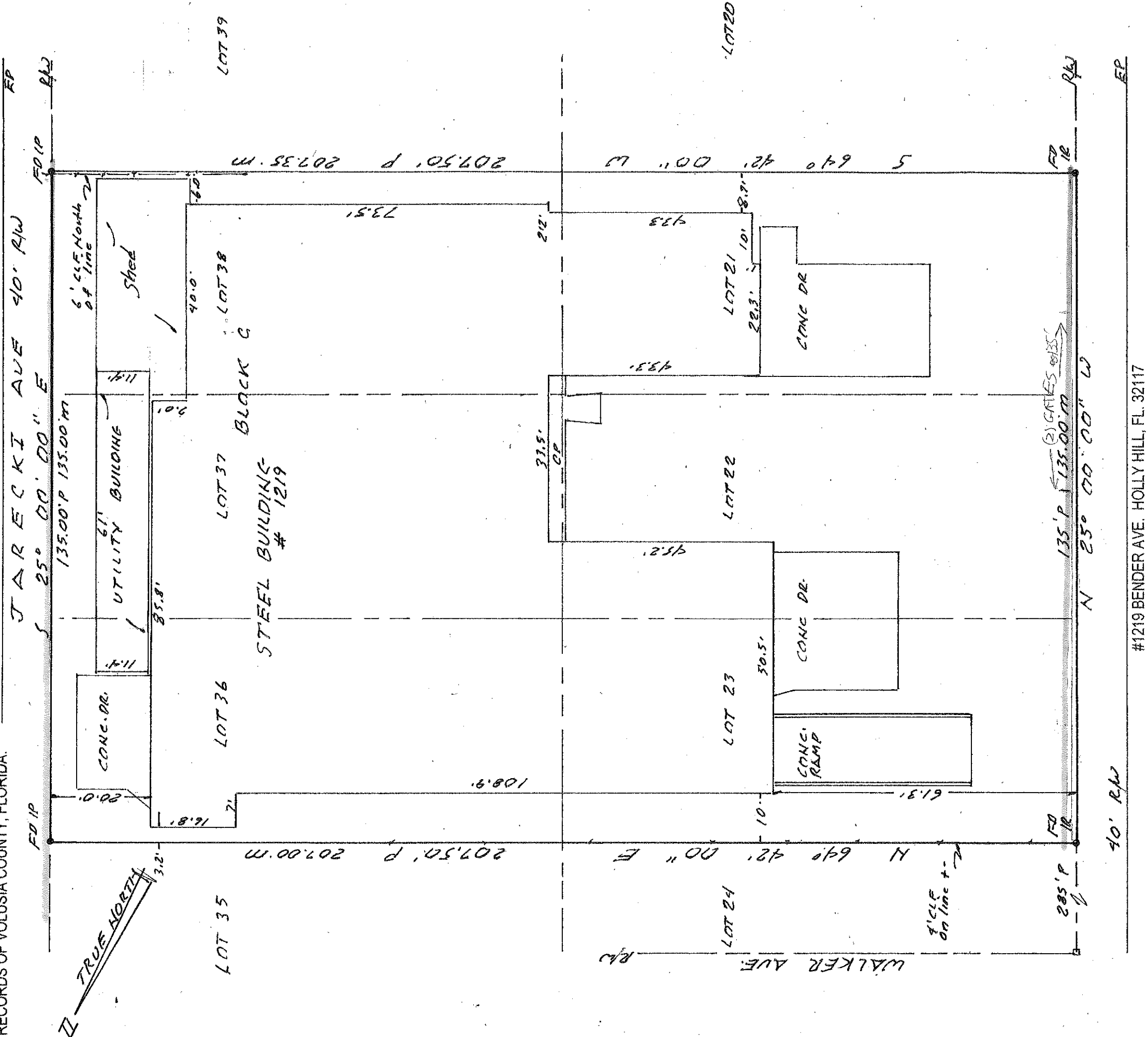
DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.
 SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

Attachment: V-2015-03 Aerial (1243 : V-2015-03 1219 Bender Avenue Request for Variance)

HALIFAX LAND SURVEYING
#425 BUCHANAN WAY, SO. DAYTONA, FLORIDA 32119
PHONE: 386-767-5089 / FAX: 386-760-6445

LEGAL DESCRIPTION

LOTS 21, 22, 23, 36, 37, & 38, BLOCK C, POWERS ALLOTMENT ACCORDING TO THE PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 142, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.



SURVEYOR'S NOTES

1. LEGAL DESCRIPTION PROVIDED BY CLIENT.
2. BEARING STRUCTURE IS ASSUMED UNLESS OTHERWISE STATED.
3. NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN ON THIS PLAT OF SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
4. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
5. ELEVATIONS IF SHOWN REFER TO NGVD 1929 DATUM.
6. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS LOCATED EXCEPT AS SHOWN.
7. THIS PROPERTY IS LOCATED IN FLOOD ZONE: * X * FIRM 12127C0356 * H * 125112 2-19-14

LEGEND:

AC	AIR CONDITIONER	CM	CONCRETE MONUMENT	FH	FIRE HYDRANT	MHE	MANHOLE ELECTRIC	POR	POINT OF REFERENCE	SP	SCREENED PORCH	WM	WATER METER
CB	CATCH BASIN	CONC	CONCRETE	FPT	FL POWER TRANSFORMER	NTS	NOT TO SCALE	PP	POWER POLE	SM	SIDEWALK	WV	WATER VALVE
CL	CENTER LINE	CP	CONCRETE PAD	IP	IRON PIPE	OHP	OVERHEAD POWER	R	RADIAL LINE	TEL	TELEPHONE		
CLF4	CHAIN LINK FENCE 4FT.	D	DEED	IR	IRON ROD	P	PLAT	R/W	RIGHT OF WAY	TV	TELEVISION		
CLF6	CHAIN LINK FENCE 6FT.	FD	FOUND	M	MEASURED DISTANCE	POB	POINT OF BEGINNING	SMH	SANITATION MANHOLE	WF6	WOODEN FENCE 6 FT.		

CERTIFIED TO: (1) OWNER: SPEEDWAY MANUFACTURING CO. INC.

PE OF SURVEY DATE REMARKS

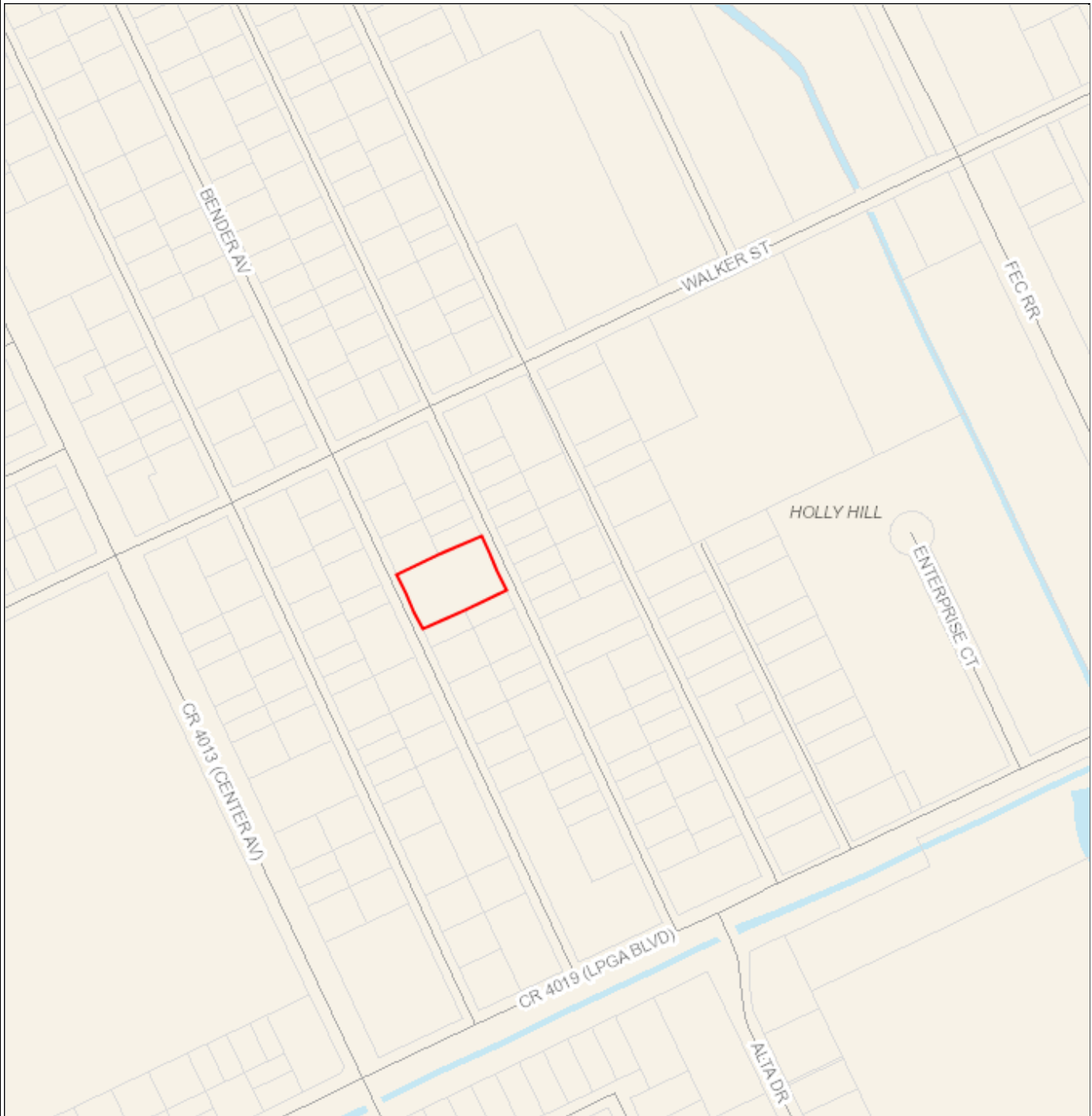
BOUNDARY 10-29-15

NO. 15202 SCALE 1"=20' DRAWN BY CR CREW CR COUNTY CODE 127 SHEET NO. 1051

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A LICENSED FLORIDA SURVEYOR.

Attachment: V-2015-03 Site Survey (1243 : V-2015-03 1219 Bender Avenue Request for Variance)

V-2015-03 LOCATION MAP



Scale 1:4,000 - 1 in = 333 ft
 Date Created:
 04-Dec-15 02:34 PM

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Use at your own risk.
 SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

Attachment: V-2015-03 Location Map (1243 : V-2015-03 1219 Bender Avenue Request for Variance)



**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: January 4, 2016
FROM: Thomas Harowski
SUBJECT: R-1 Front Yard Setback Analysis: a Review of the R-1 Zoning District Identifying Properties with Violations of the Required Front Yard Setback and Identification of Action Items for Board of Planning and Appeals Consideration.
NUMBER: (ID # 1244)
APPLICANT: City of Holly Hill
PLANNER: Thomas Harowski

INTRODUCTION: This report is a review of the current developed properties in the R-1 zoning classification with regard to the level of compliance with the required front yard setbacks.

BACKGROUND: As a result of variance applications heard by the BOPA earlier this year, staff was asked to review properties in the R-1 Single-Family Zoning District to determine the level of non-conformance with the required front yard setback. How many units fail to meet the setback? Staff was asked to report back to the Board with our findings. This report is offered in response to this request and provides an initial discussion of options for the Board's consideration.

DISCUSSION: The R-1 Zoning District requires a 35-foot front yard setback. According to the current code any yard abutting a street is considered a front yard, so a corner lot has two required front yards. Each front yard is required to meet the 35 foot setback to fully comply with the code.

Staff conducted an analysis of all R-1 zoned properties using aerial photographs and a limited amount of survey data that was available for the impacted area as a result of other projects that have been done on streets in the City. We did not do ground truthing of the data, so our conclusions are based purely on aerial analysis. The only method to know for sure the existing setback on any property is to do a survey of the property, but doing a survey of every R-1 parcel would be prohibitively expensive for the level of analysis required. There is certainly the potential for some level of error in the data due to tree cover that prevents a clear view of some lots and some registration offsets placing the lot lines on the aerial photos. Nevertheless, we think that there is sufficient information to allow for a reasonable analysis of the existing situation.

Our examination found that about 50% of the R-1 zoned properties do not meet the required front yard setback in some fashion. The actual totals show 189 units meeting the front yard setback; 190 units that do not meet the setback requirements; and 13

vacant parcels. A map of the units is not particularly revealing with regard to an overall pattern.

- Riverside Drive, with a predominance of larger lots tends to have a higher level of compliance than many other neighborhoods, especially when it is considered that many of the corner lots meet setback on the Riverside Drive frontage but not the side street.
- Corner lots tend to show more violations throughout the study area as one or both corners fail to meet setbacks.
- On Riverside Drive lots, violations tend to be smaller than setback violations on streets in interior neighborhoods.
- On Riverside Drive, the number of violations of the setback increases the further north the property is located. About two-thirds of the total Riverside Drive violations are north of LPGA

Given the lack of a specific pattern to the front setback violations, it is difficult to focus in on one specific action that would cure a large volume of the violations. It is more likely that a number of options will need to be considered and that given the nature of development in the City that we will have to endure a higher level of variance requests to address individual problems. That said, the following listing offers a number of options for discussion.

Blanket Reduction of the Required Setback:

One option is to reduce the minimum setback by a set amount, say from 35 feet to 30 feet. A change of this type will impact (benefit) every property in the district, but it will certainly not cure a large number of current violations. The data seems to indicate that the most impact would be felt on Riverside Drive where the existing deep lots have structures that have small intrusions into the required yard. This was the case with the two variance applications the Board addressed earlier this year.

Create a Corner Lot Setback:

It is common for many zoning classifications to apply a lesser setback to the second street abutting a corner lot. For example a corner lot on Riverside Drive could require a 30 or 35 foot setback on Riverside Drive and a setback of 50% of that dimension on a "side corner" yard. A rule of this nature could help many of the corner lots with violations and create opportunities for property owners to undertake additions that are extensions of the current house wall.

Use A type of Setback Averaging

Some jurisdictions offer an opportunity to base the setback of a new home or addition based on the existing setbacks of structures along a given length of the street. This allows new buildings to be placed “in line” with existing structures. Sometimes this is done using the average of existing setbacks along a given length of street. This method requires the selection of an appropriate length of street as the base unit and then determining whether an average is to be used or simply not placing a new structure closer than the closest structure or the average of the closest two or three structures. This system offers some benefits in neighborhoods where there is substantial development that preceded the zoning rule.

As an example, the City of New Smyrna Beach has a rule of this type. The rule reads as follows:

505.10 Nonconforming front yard setback. The front yard setback requirements of this LDR shall not apply on any lot where the average setback of existing buildings located wholly, or in part, within 100 of each side of such lot within the same block and zoning district, and fronting on the same side of the street, is less than the minimum required setback. In such cases, the setback on such lot may be less than the required setback, but no less than the average of the setbacks of the aforementioned existing buildings.

Given that the R-1 has a minimum lot frontage of 95 feet, we might want to consider a longer length of street as the base for averaging as 100 feet would basically be the lot on each side of the subject property. This process also requires some specific knowledge of existing building setbacks, but this data should be easily obtainable by survey. We would also want to count units with setbacks larger than the minimum as being at the minimum. This method would prevent one unit set well back from the road from skewing the average.

Consider Rezoning

In some locations it may be more appropriate to consider rezoning a block or block face to an R-2 or R-3 classification. If examination of the underlying lot pattern shows the lot width in a given area is less than the R-1 lot width minimum, then rezoning may be an appropriate answer. This option may also apply to locations such as Park Circle, where every house violates the setback rule. It may be better to base the zoning on the building setback rather than the lot size.

Make No Change

There is always a null option where no change is made. This option will continue to rely on the variance process to address issues on a case by case basis. One downside to this option is that it tends to be a little costly for property owners, and this is a system that is not designed to promote consistency from case to case. It is certainly possible that cases with similar fact patterns can have different outcomes. In the strict application of the variance process, the City and property owner also need to identify a “hardship” that underlies the need for the variance.

These options are not mutually exclusive. The Board may want to recommend actions in all of these areas to maximize the ability of property owners to comply with the zoning rules and produce a neighborhood design that is more consistent throughout.

RECOMMENDATION: Staff was asked to prepare and analysis of the issue for Board discussion, and we will be guided by the direction of the Board.

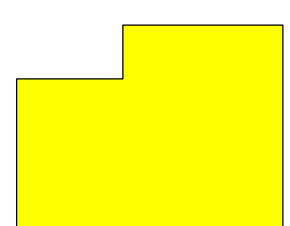
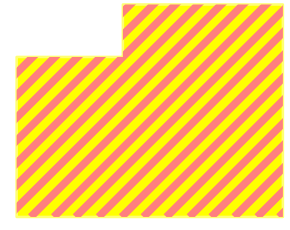
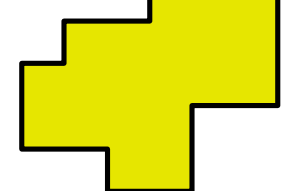
- Planning - R-1 Steback Study Compliance Properties Map(PDF)

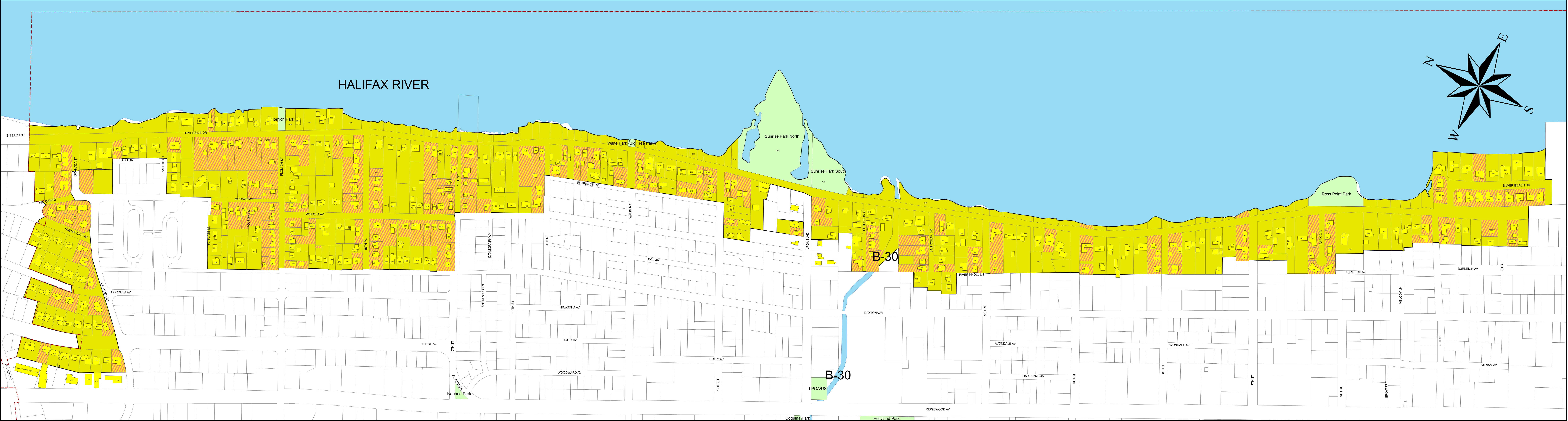


CITY OF HOLLY HILL, FLORIDA

RIVERSIDE DRIVE COMPLIANCE STUDY

LEGEND

-  BUILDING FOOTPRINTS
-  SETBACK VIOLATIONS
-  STUDY AREA





**STAFF REPORT
CITY OF HOLLY HILL, FLORIDA**

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: January 4, 2016
FROM: Thomas Harowski
SUBJECT: Capital Improvements Plan Annual Update: Required Annual Update of the Comprehensive Plan to Include a Current Five-Year Capital Improvements Program.
NUMBER: (ID # 1247)
APPLICANT: City of Holly Hill
PLANNER: Thomas Harowski

INTRODUCTION:

State law requires that each year the City update its five-year program for capital improvements to keep the City's comprehensive plan in compliance with state requirements. The CIP update must be adopted by ordinance and the Board of Planning and Appeals is required to provide a recommendation on the proposed amendment to the City Commission. This report contains the proposed CIP for the five year period covering FY 2015-16 through FY 2019-20

BACKGROUND:

The five year CIP update is done each year after the City Commission finishes its budget preparation. This timing allows the budget to reflect the most current priorities for capital programs. Projects that have been completed are deleted from the program, and City departments are contacted regarding additional projects and priorities that may be included in the program. Where cost estimates for scheduled projects have changes, the costs are modified as necessary.

It is important to remember that the CIP in the comprehensive plan is a plan for anticipated capital projects and not a fixed budget. It is expected that the timing of projects will change as projects move toward implementation; individual project priorities will change; and new opportunities arise. While funding sources are indicated with each project, it is typical and likely that some funding sources will change as individual projects are implemented and the availability of funds from varying sources changes over time.

While the capital projects are on this list because they support and expand the services available to the citizens of Holly Hill, under state law the only projects that must be done are projects that address deficiencies in the designated levels of service for water, sewer, stormwater, traffic, solid waste disposal, parks and schools. The City does not currently have any project that is required to address a level of service deficiency. The projects on the proposed CIP list are service improvement projects and

therefore can be adjusted within the CIP or postponed beyond the CIP period as schedule demands and financing dictate. Once the City adopts the amended CIP, staff will send a notice to the Department of Economic Opportunity to demonstrate the City has complied with the requirement to maintain a current five-year plan. The state will not do any further review of the CIP and this amendment is exempt from VGMC review

DISCUSSION:

The proposed CIP is attached in a spread sheet format. The proposed plan has a number of changes from the current plan which was adopted in December 2014. This year's budget continues to reflect an increased emphasis on renewal and replacement costs and needs for the utilities and public works areas. The following items highlight some of the other key continuing projects and changes reflected in this year's budgeted capital program.

1. The sewer lift station upgrade program has been amended to reflect work completed and revised scheduling.
2. The ongoing water distribution system improvement program is projected through the end of the planning period
3. The stormwater land acquisition and improvement projects have been amended to reflect the recent stormwater master plan update.
4. The continuation of the undergrounding of the overhead utilities on US 1 is shown as a significant continuing project.
5. The Calle Grande FEC Railroad pedestrian crossing is shown as scheduled by FDOT.
6. The Flomich Street Phase I sidewalk project feasibility study has been completed and we are awaiting construction funding.
7. A new sidewalk feasibility study has been proposed for Center Avenue Phase I between Flomich and LPGA and for Center Avenue Phase II between LPGA and 3rd Avenue.
8. New sidewalk projects on 15th Street between Nova Road and Center Avenue and on Flomich Avenue between Center Avenue and US 1 are proposed for feasibility funding this year.
9. The signal replacements on US 1 at 3rd Street has been deleted from the program as this project is completed.
10. The Riverside Park fishing pier was completed and removed from the program.
11. Maintenance projects at Sunrise Park have been shown in the current year as these are part of this year's budget.

12. The 7th Street Neighborhood Park is shown in the current year as funding has been obtained through a FRDAP grant.
13. The other parks based on stormwater pond facilities have been moved to future years, and these may ultimately be dropped from the program due to restricted access locations.

The School Board has issued its five-year capital improvements programs and there are no significant projects planned that will affect the Holly Hill School. The Florida Department of Transportation is in the process of updating its road program, and the update is not yet finalized. The City has recently benefitted from signal improvements on US 1 at 3rd Street and LPGA Boulevard. We have a pending request for further signal upgrades a 6th Street, 8th Street, Walker Street and Flomich Street. The City has requested design funding for sidewalk improvements on Flomich Street between Nova Road and Decatur Avenue. The City has also applied for feasibility studies for sidewalk improvements on Center Avenue between Flomich Street and LPGA Boulevard and for a follow on phase from LPGA Boulevard to the south city limits. Additional funding is being sought for sidewalks on 15th Street and Flomich Street as part of our ongoing program to improve sidewalk connections serving the Holly Hill School and the central area of the City. The sidewalk improvements will require a 10% local match which is reflected in the proposed budget.

RECOMMENDATION:

Staff recommends the Board of Planning and Appeals recommend the City Commission adopt the amended CIP and incorporate the revised program into the City's comprehensive plan.

- CIP Annual Update - Jan. 4 BOPA meeting (PDF)

	Project Name	Funding Source	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	5 Year Estimated Cost
Waste Water Treatment									
	Water & Waste Water Plant Generator Upgrade	UT-WW / UT-WA	147,500						147,500
	Treatment Plant & Plant Equipment Improvements	UT-WW	50,000	50,000	80,000	80,000	80,000	80,000	420,000
	SCADA System Upgrade	UT-WW / UT-WA	37,500	300,000					337,500
	Reclaim Water Storage and Distribution Upgrades	UT-WW			200,000	1,000,000			1,200,000
	Effluent Pump Replacement	UT-WW	27,000	27,000	27,000				81,000
Waste Water Treatment Subtotal			262,000	377,000	307,000	1,080,000	80,000	80,000	2,186,000
Waste Water Collection									
	Lift Station Rehabilitation - Lift Station #12	UT-WW / CDBG	380,000						380,000
	Lift Station Rehabilitation - Lift Station #16	UT-WW	305,000						305,000
	Force Main Relocation - Lift Station #14	UT-WW	48,000						48,000
	Lift Station Wetwell Lining - Lift Station #18	UT-WW / CDBG		40,000					40,000
	Lift Station Rehabilitation & Generator - Lift Station #1	UT-WW		450,000					450,000
	Lift Station Rehabilitation - Lift Station #7	UT-WW		350,000					350,000
	Lift Station Rehabilitation - Lift Station #20	UT-WW			350,000				350,000
	Lift Station Rehabilitation - Lift Station #10	UT-WW / CDBG			350,000				350,000
	Lift Station Rehabilitation - Lift Station #13	UT-WW			350,000				350,000
	Lift Station Replacement - Lift Station #9	UT-WW / CDBG				350,000			350,000
	Lift Station Replacement - Lift Station #5	UT-WW				350,000			350,000
	Lift Station Replacement - Lift Station #3	UT-WW				350,000			350,000
	Lift Station Replacement & Generator - Lift Station #19	UT-WW					400,000		400,000
	Lift Station Replacement & Generator - Lift Station #21	UT-WW					350,000		350,000
	Sewer Smoke Testing	UT-WW	25,000	25,000	25,000	25,000	25,000	25,000	150,000
	Sewer Lining	UT-WW	70,000	200,000	800,000	1,000,000	1,000,000	1,000,000	4,070,000
	Machinery and Equipment	UT-WW	10,000	7,500	7,500	7,500	7,500	7,500	47,500
Waste Water Collection Subtotal			838,000	1,072,500	1,882,500	2,082,500	1,782,500	1,032,500	8,690,500
Water Treatment									
	Well Maintenance and Equipment	UT-WA	50,000	50,000	50,000	50,000	50,000	50,000	300,000
	Chemical Area Pavillion Roof	UT-WA	6,000						
	Water & Waste Water Plant Generator Upgrade	UT-WA / UT-WW	147,500						147,500
	Treatment Plant & Plant Equipment Improvements	UT-WA	40,000	40,000	40,000	40,000	40,000	40,000	240,000
	SCADA System Upgrade	UT-WA / UT-WW	37,500	300,000					337,500
Water Treatment Subtotal			281,000	390,000	90,000	90,000	90,000	90,000	1,031,000
Water Distribution									
	Distribution Improvements	UT-WA	500,000	500,000	800,000	1,000,000	1,000,000	1,000,000	4,800,000
	Fire Hydrant Improvements	UT-WA	30,000	30,000	30,000	30,000	10,000	10,000	140,000
	Machinery and Equipment	UT-WA	10,000	7,500	7,500	7,500		7,500	40,000
Water Distribution Subtotal			540,000	537,500	837,500	1,037,500	1,010,000	1,017,500	4,980,000
Stormwater									
	Mitigation and Land Acquisition	SW	500,000	500,000					1,000,000
	Drainage Impovements	SW	750,000	750,000	500,000	500,000	500,000	500,000	3,500,000
	Machinery and Equipment	SW	20,000	10,000	10,000	10,000	10,000	10,000	70,000
Stormwater Subtotal			1,270,000	1,260,000	510,000	510,000	510,000	510,000	4,570,000

	Project Name	Funding Source				FY 18-19	FY 19-20	FY 20-21	5 Year Estimated Cost
			FY 15-16	FY 16-17	FY 17-18				
Streets									
	Calle Grande Sidewalk & RR Xing	Gas Tax/FDOT/VC/GF		575,000					575,000
	Flomich Sidewalk Phase I	GF/FDOT				150,000			150,000
	Flomich Street Sidewalk Phase II	GF/FDOT		2,000					2,000
	Center Avenue Sidewalk Phase I	GF/FDOT		2,000	100,000				102,000
	Center Avenue Street Sidewalk Phase II	GF/FDOT		2,000					2,000
	US 1 Signal Replacement 6th, 8th, Walker, Flomich	CRA/FDOT	285,000	285,000	285,000				855,000
	Roadway Resurfacing Program	Gas Tax/GF	500,000	300,000	300,000	300,000	300,000	300,000	2,000,000
	FEC Track Crossing Upgrades	GF	90,000	90,000	90,000	90,000	90,000	90,000	540,000
	Sidewalk Improvements	GF	50,000	100,000	100,000	100,000	100,000	100,000	550,000
	Underground Electric	CRA/BOND	4,903,805						4,903,805
	US-1 Landscaping	GRANT	75,000	1,000,000					1,000,000
	Machinery and Equipment	GF	10,000	7,500	7,500	7,500	7,500	10,000	50,000
Street Subtotal			5,913,805	2,363,500	882,500	647,500	497,500	500,000	10,804,805
Facilities									
	Roof Repair Hollyland Park/ Centennial Park	GF		90,000					90,000
	Roof Repair - The Market	CRA	450,000	300,000					750,000
	Sunrise Park Parking Lot Paving	GF		50,000					50,000
	Fencing - Public Works, Sica Hall	GF	48,000						48,000
	Pier/Boardwalk Repairs	GF	100,000	300,000	300,000	500,000			1,200,000
	Sunrise Park Boat Ramp Improvements	GRANT	611,600						611,600
	7th Street Neighborhood Park	GRANT	50,000						50,000
	4th Street Neighborhood Park	GRANT		50,000					50,000
	Flamingo Neighborhood Park	GRANT				50,000			50,000
	Cherokee Neighborhood Park	GRANT						50,000	50,000
	Reroof - Public Works Facilities Buildings	GF / UT-WW		150,000					150,000
	Reroof - City Hall	GF		300,000					300,000
	Renovations to Club House	GF		100,000					100,000
	New Playground Hollyland Park	GF / GRANT			100,000				100,000
	Renovations to Sica Hall	GF			200,000				200,000
	New Playground Ross Point Park	GF/ GRANT	15,000						15,000
	Replace Athletic Trail Equipment - Sunrise Park	GF/ GRANT				75,000			75,000
	City Hall Annex HVAC	GF		50,000					50,000
	Ross Point Prefab Rest Room	GF		50,000					50,000
	Machinery and Equipment	GF	8,000	6,000	6,000	6,000	6,000	6,000	38,000
Facilities Subtotal			1,282,600	1,446,000	606,000	631,000	6,000	56,000	4,027,600
Fleet									
	Machinery and Equipment	GF	10,000	7,500	7,500	7,500	7,500	7,500	47,500
	Replacement of Fleet Buildings	GF		70,000			140,000		210,000
	Vehicle Replacement Program	ALL FUNDS	100,000	125,000	150,000	175,000	200,000	200,000	950,000
Fleet Subtotal			110,000	202,500	157,500	182,500	347,500	207,500	1,207,500
CIP Program Total			10,497,405	7,649,000	5,273,000	6,261,000	4,323,500	3,493,500	37,497,405