

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA • JANUARY 7, 2019

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



City Commission Chamber
City Hall
1065 Ridgewood Avenue
Holly Hill, FL 32117

PLANNING & APPEALS BOARD MEMBERS

Board Member

Arthur J. Byrnes

Board Member

Dennis Smith

Chairman

Mike Myer

Board Member

Tony Cassata

Board Member

Robin D. Hanger

CITY PLANNER

Brian Walker

Building & Zoning

Liz Nelson

1. **CALL TO ORDER**
2. **INNVOCAATION**
3. **PLEDGE OF ALLEGIANCE**
4. **APPOINT CHAIRMAN & VICE CHAIRMAN**
5. **BOPA MINUTES APPROVAL**

1. Minutes - October 1, 2018

(Requested by Brian Walker, City Planner)

6. **AGENDA ITEM(S)**

1. Request for a Variance from Section 110.8 C (1) of the Land Development Regulations for Sign Height from Twenty-Five (25) Feet to Fifty-Five Feet - (55'- 0") and a Sign Area Variance from Seventy-Two (72) Square Feet to Two-Hundred Forty (240) Square Feet, for a Krystal Sign

(Requested by Brian Walker, City Planner)

7. **OLD BUSINESS**
8. **BOARD/STAFF COMMUNICATIONS**
9. **ADJOURNMENT**

Website Address – www.hollyhillfl.org (City Clerk)

NOTICE – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.



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

**Board of Planning and Appeals
Agenda Item**

5.1

MEETING DATE: January 7, 2019
FROM: Brian Walker
SUBJECT: Minutes - October 1, 2018
NUMBER: (ID # 2326)
APPLICANT:
PLANNER: Brian Walker

DISCUSSION: Approve October 1, 2018 BOPA Minutes

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approve October 1, 2018 BOPA Minutes

COMMISSION GOAL: N/A

MOTION: As determined by the BOPA

- October 1, 2018 BOPA Minutes (PDF)



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • OCTOBER 1, 2018

City Commission Chamber

BOPA Regular Meeting

6:30 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

Attendee Name	Title	Status	Arrived
Mike Myer	Chairman	Present	
Jim Legary	Board Member	Present	
Robin D. Hanger	Board Member	Present	
Arthur Cappuccio	Board Member	Present	
Arthur W. Morris	Board Member	Present	

2. INVOCATION

Invocation given by Chairman Mike Myer.

3. PLEDGE OF ALLEGIANCE

Robin Hanger led us in the Pledge of Allegiance.

4. BOPA MINUTES APPROVAL

1.

Minutes - August 6, 2018

(Requested by Brian Walker, City Planner)

Art Cappuccio commented that the audio of the meeting was not on our Website at the time of this meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jim Legary, Board Member
SECONDER:	Arthur W. Morris, Board Member
AYES:	Myer, Legary, Hanger, Cappuccio, Morris

Enacted and approved this 1st day of October, 2018, in Holly Hill



5. AGENDA ITEM(S)

1.

Attachment: October 1, 2018 BOPA Minutes (2326 : Minutes - October 1, 2018)

Commercial Dr. (602) Side and Rear Setback Variance Request

(Requested by Brian Walker, City Planner)

Brian Walker, City Planner summarized his staff report, stating that this is a variance request for a side yard setback from fifteen (15') feet to five (5') feet and a rear yard setback variance from fifteen (15') feet to two (2') feet for a building addition approximately 1,750 square feet in size. This property is located on the northwest corner of 6th Street and Commercial Drive and is zoned I-2 Heavy Industrial. Property Appraiser records indicate a structure was built on the property in 1974 and currently contains a 5,000 square foot building. The existing building is vacant. The applicant purchased the property in 2014, and proposes to use the building as a showroom and sales area for classic cars. A 1,750 square foot building addition on the west side is proposed for use as an area to store motor-coaches. The existing building encroaches 10 feet into the required 15 foot rear setback. The building was built in 1974, which predated our Land Development Regulations. In order for the proposed addition to be aligned with the current building in a way that will allow room for the movement and storage of motor-coaches, it is requested that the addition be allowed to encroach into the rear and side setbacks.

The property is in an area zoned heavy industrial and granting of the applicant's variance request on this parcel would not be out of character with the immediate surroundings. The applicant's proposed addition would be completely constructed over existing impervious surface, therefore no new impervious surface would be created by granting the applicant's request.

Staff finds that the applicant has met all of the criteria for granting the two requested variances.

Larry Taylor, applicant, 602 Commercial Drive, stepped to the podium to request the variances and answer any questions the Board may have.

Robin Hanger spoke in favor of the variance request.

Jim Legary also spoke in favor of the request. He further questioned why there are setbacks on commercially zoned property.

Mike Myer also expressed concerns that setbacks for heavy industrial zoned property seem a little stringent.

Arthur Morris asked about run off from this property. He was informed that the addition would be built on existing concrete and that the building addition will have a gutter system that would send the run off to the south, away from existing buildings.

Brian Walker, City Planner explained that it is a goal of the City to update our Land Development Regulations and one of the areas that will be looked at will be to reduce the setbacks in the industrial areas.

RESULT:	RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Arthur Cappuccio, Board Member
AYES:	Myer, Legary, Hanger, Cappuccio, Morris

Enacted and approved this 1st day of October, 2018, in Holly Hill



6. OLD BUSINESS

None

7. BOARD/STAFF COMMUNICATIONS

Member Art Cappuccio informed the Board that he attended a Code Enforcement Meeting and it was very informative.

Brian Walker, City Planner, stating that as of today, there have been no requests for the November 2018 Meeting.

8. ADJOURNMENT

This meeting adjourned at 6:55 PM



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: January 7, 2019
FROM: Brian Walker
SUBJECT: Request for a Variance from Section 110.8 C (1) of the Land Development Regulations for Sign Height from Twenty-Five (25) Feet to Fifty-Five Feet - (55'- 0") and a Sign Area Variance from Seventy-Two (72) Square Feet to Two-Hundred Forty (240) Square Feet, for a Krystal Sign
NUMBER: (ID # 2354)
APPLICANT: Meredith Bagby and Capital Signs & Awnings, LLC, Applicants
PLANNER: Brian Walker

INTRODUCTION

101 Ridgewood Avenue - Request for a variance from Section 110.8 c (1) of the Land Development Regulations for sign height from twenty-five (25) feet to fifty-five feet - (55'- 0") and a sign area variance from seventy-two (72) square feet to two-hundred forty (240) square feet, for a Krystal sign in the CC-1 (Commercial Corridor) zoning district, located on the northeast corner of the Ridgewood and Mason Avenue intersection, and more particularly known as 101 Ridgewood Avenue; V-2018-05 (Meredith Bagby and Capital Signs & Awnings, LLC, Applicants) District 1 - Commissioner Penny (Brian Walker, City Planner)

BACKGROUND

- There is a Krystal restaurant located on the property that has been there for over 40 years.
- A large dual pole sign approximately 50 feet high and 22 feet wide had been on the property since the restaurant was built. The sign predated the City's Land Development Regulations which were adopted in 1993. Based on Section 110-4 of the City's Land Development Regulations, the sign was considered legal non-conforming and was allowed to remain in place.
- Due to Hurricane Matthew in 2016, the sign supports were damaged. After discussion with the City, the sign was removed in the interest of public safety, prior to Hurricane Irma in 2017.
- Because the sign was completely removed from its original location and did not meet the current size and height code requirements, a variance was needed to re-erect the sign.

- In April of 2017, the Applicant requested and was granted a variance to re-erect the sign in its original location after making needed structural repairs in compliance with current Building Codes.
- The Applicant subsequently elected not to re-erect the sign. The original sign was cut into parts, and removed it from the property.

DISCUSSION

A variance request to re-erect the original pole sign was granted, based on the fact that the original sign was erected prior to the adoption of our Land Development Regulations; stood for over 40 years; and was of historic value to the City. The sign was to be repaired and placed in the spot where it stood originally. The Applicant chose not to re-erect the original pole sign.

The Applicant is requesting to erect a new pole sign that looks similar to the original sign. It will be placed in the same location as the previous one. The new sign is slightly larger and includes signage identifying that the restaurant is in the City of Holly Hill. In order to erect the new sign, variances to the Land Development Regulations are needed.

REQUESTED VARIANCE: The request is for two variances from the Land Development Regulations of Holly Hill, Section 110.8 c, for (1) a sign height increase from twenty-five (25) feet to fifty-five feet - (55'- 0") and (2) a sign area increase from a maximum of seventy-two (72) square feet to two-hundred forty (240) square feet.

In order to grant the variance request In authorizing any variance, the commission must find that the request meets the requirements of Sec. 82-317.

VARIANCE CRITERIA - Sec. 82-317

CRITERIA No. 1:

That special conditions and circumstances exist which are peculiar to the land, structure or building involved, as distinguished from the applicant himself, and which are not applicable to other lands, structures or buildings in the same zoning district.

FINDINGS OF FACT No. 1:

The subject property does not have special conditions which are peculiar to the land, structure or building involved.

Criteria met? No

CRITERIA No. 2:

That the special conditions and circumstances do not result from the actions of the applicant.

FINDINGS OF FACT No. 2:

The need for the requested variances resulted from the applicant's actions. Because of its historic value, the applicant received a variance to re-erect the sign that had been on the property, in the same location. The Applicant chose not to erect the historic sign and removed it from the property.

Criteria met? No

CRITERIA No. 3:

That granting the variance requested will not confer on the applicant any special privilege that is denied by this subpart to other lands, buildings or structures in the same zoning district.

FINDINGS OF FACT No. 3:

Granting the variances would confer a special privilege, however, all properties under similar circumstances can also apply for a variance.

Criteria met? Yes

CRITERIA No. 4:

That a literal interpretation of the provisions of this subpart would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this subpart, and would work an unnecessary and undue hardship on the applicant.

FINDINGS OF FACT No. 4:

A literal interpretation of the provisions of this subpart would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this subpart, and would not work an unnecessary and undue hardship on the applicant.

Criteria met: No

CRITERIA No. 5:

That the variance granted is the minimum variance necessary to make possible the reasonable use of the land, building or structure.

FINDINGS OF FACT No. 5:

The requested variances are not the minimum necessary to make reasonable use of the land or structure.

Criteria met? No

CRITERIA No. 6:

That the grant of the variance will be in harmony with the general intent and purpose of this subpart and the city's comprehensive plan, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

FINDINGS OF FACT No. 6:

Granting the variances will not be in harmony with the general intent and purpose of the Land Development Regulations.

Criteria met? No

FINDINGS OF FACT: Staff finds that the applicant has not met all of the criteria as stated above to grant the two requested variances.

ADDITIONAL INFORMATION:

Sec. 82-320. - Expiration.

A variance shall begin to serve the purpose for which it was granted within 18 months following the granting action by the city commission and shall otherwise become void. However, a shorter period of time may be stipulated by the city commission in an individual case as a condition imposed pursuant to Section 82-316.

STAFF RECOMMENDATION:

Staff recommends denial of the request for two variances from the Land Development Regulations of Holly Hill, Section 110.8 c, for (1) a sign height increase from twenty-five (25) feet to fifty-five feet - (55'- 0") and (2) a sign area increase from a maximum of seventy-two (72) square feet to two-hundred forty (240) square feet.

- Applicant Narrative & Justification Statement (PDF)
- Current Site Layout (PDF)
- Previous Sign (PDF)
- Proposed Sign (PDF)
- Proposed Site Layout & Sign Location (PDF)
- Aerial View (PDF)
- View looking East (PDF)
- View looking North (PDF)
- View looking South (PDF)
- View looking West (PDF)



902 N. W. MAIN ST

BUNKIE, LA 71322

O-318-346-9898

F-318-346-9494

September 11, 2018

City Planner
 City of Holly Hill, FL
 1065 Ridgewood Avenue
 Holly Hill, FL 32117

RE: VARIANCE- KRYSTAL- HOLLY HILL, FL

Gentlemen:

I am again appealing to you for another variance for the initial variance that was granted to us on 4/11/18. The variance of 4/11/18 was granted to us to erect a new double-legged iconic Krystal pylon sign that was prematurely taken down when hurricane Irma was approaching Florida. We did this at the request of the city and did it in 2 days.

Thus, Krystal was not given a chance to refurbish this sign even though the process was in motion. This sign was the most majestic sign in the area in the gateway belt into your city. We were told that a variance would be needed if we moved the location of the sign at all. Well, Krystal's new building has been turned to face a different street now in order that the sign can remain in the "exact" location. It will be rebuilt in mirror image of the old pylon, as we were told. Because we were also told it had to be moved from the site after it was taken down, in the process of being pulled and towed, it ruined and warped the sign completely. Restoration could not be done.

Therefore, you granted us the variance on this sign already, but due to a misunderstanding of words, we are going through this process again to be able to keep our sign. I hope that you will consider the variance to allow us to finally put our sign back up where it should be and to display, for the City of Holly Hill, their sign to greet everyone into your great city.

Gentlemen, I thank you and hope that you will come to the same decision, that this sign should be allowed to be resurrected and stand tall as it did before.

Thank you.

Sincerely,

Judy Chenevert- Project Manager
 CAPITAL SIGNS & AWNINGS, LLC

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?

What makes this sign special is that it resides on a site that is located in the "gateway" path into the city. It represents an icon of days gone by. Because of it's size, it can be seen easily and can be the "iconic" structure that identifies your city with that "awesome" Krystal sign. To keep this sign would be beneficial to the city in many ways, drawing in business, impressing visitors from other areas, and being regarded as a "Landmark" for your area.

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

No, it was not. Acutally, this sign was taken down at the request of the city, so we did what they requested of us, when they requested it of us.

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

No, however with removing this sign and not allowing it to be rebuilt in its mirrow image to its original glory, would remove also from the city "the" landmark sign on the gateway into the city." I think this would be a great loss to the city as well as Krystal. Also this sign was taken down at the request of the city when the hurricane was approaching, before the pylon could be refurbished. Because of this, I think we should be allowed to rebuild this awesome sign with a second variance. It will be located in the "exact spot" that it was before.

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

No, because if other businesses had signs such as these, they would do everything they could to keep it. Especially if their sign represented or had the same significane as this one.

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.

~~Krystal is not asking anything of the city besides wanting to retain the pylon sign that was taken down and be allowed to rebuilt it. This was their intention from the beginning, before the city asked to have it taken down due to the approaching storm. If it were not for this, the sign would be refurbished by now or at least in the process. Consequently, after being taken down and moved as the request of the city, the sign was damaged beyond repair must be rebuilt to a mirror image of what it originally was.~~

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

~~Actually, taken at face value as it is today, no, not in the general intent and purpose of the codes comprehensive plan, but that is the precise reason for the variance request. We feel that this situation is unique, apart from the general population of businesses in the area. We feel strongly that this variance would not affect any of the surrounding businesses by granting this request.~~

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

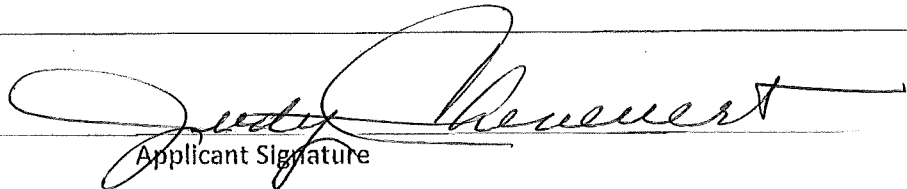
No, absolutely not.

~~Being allowed to rebuild this pylon would not be detrimental to the public welfare in any way. Rebuilding this sign would be beneficial to everyone, including the city by keeping the "Iconic" sign in the entrance pathway into the city and enabling the city to have a "landmark" preserved.~~

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

~~Yes, I absolutely believe that by allowing the rebuilding of this sign, all of the above: public health, safety, comfort and welfare, and would not detract in any way from the orderly, aesthetically pleasing and socially beneficial development of the city. In fact, I believe it would add to it.~~

Judy Chenevert
Print Applicant Name


Applicant Signature

Print Applicant Name

Applicant Signature

Date

Date

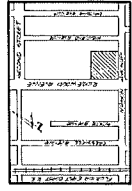
Survey was made on the ground surface or otherwise. It is a true representation of the land placed and actually portrays the conditions existing at the site on April 23, 1967. This survey is accurate and complete as of April 23, 1967 and shows the correct location of all buildings, structures, trees, shrubs, etc. The property are within the lot lines. There are no easements, encroachments or presently rights in third parties nor shown on this survey, and this survey facilitates or reflects all such matters as they may arise hereafter.

"All Bally Survey Requirements" form dated November 1958, which accompanied this survey hereto.

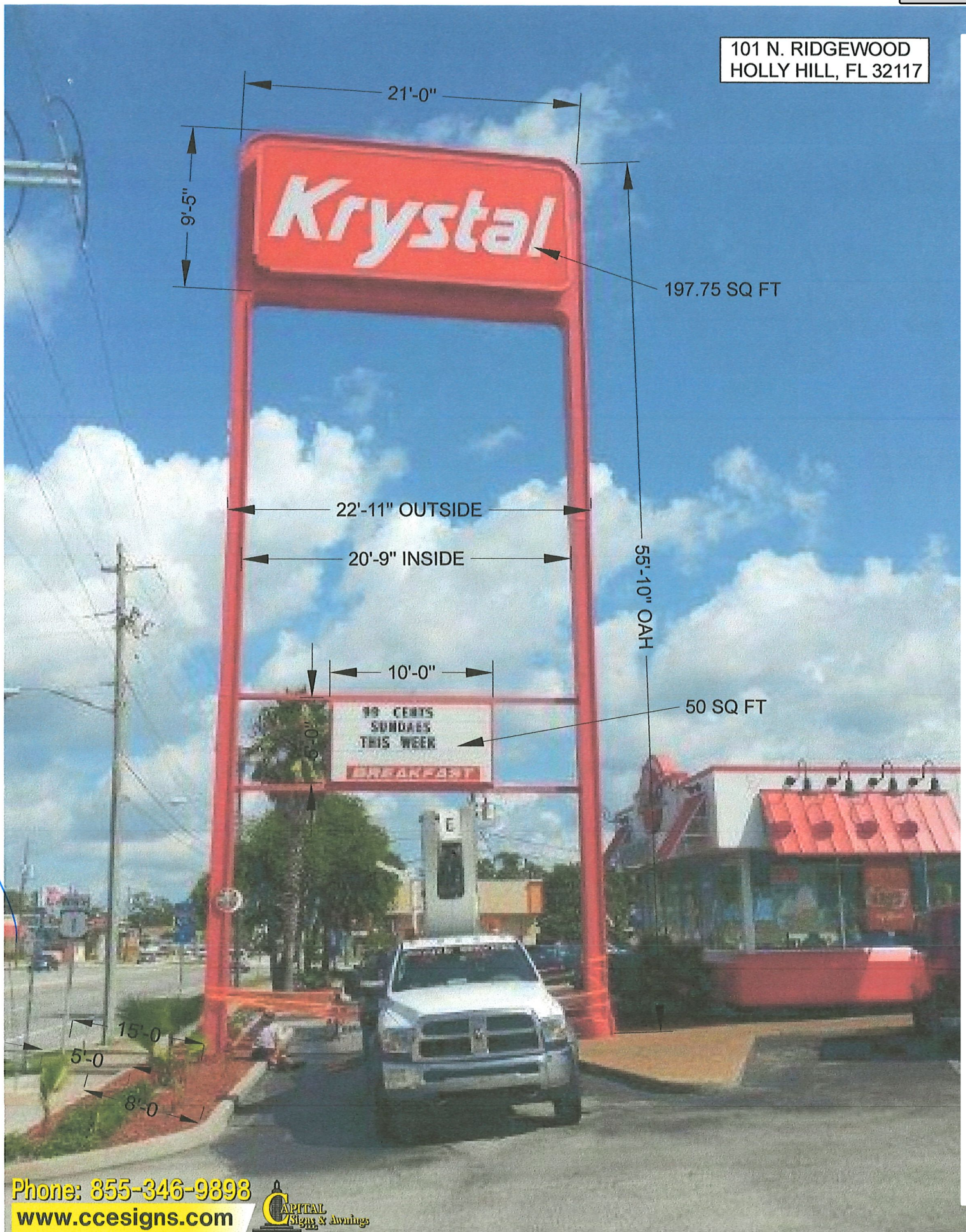
1000

QUEEN LANE

Packet Pg. 14

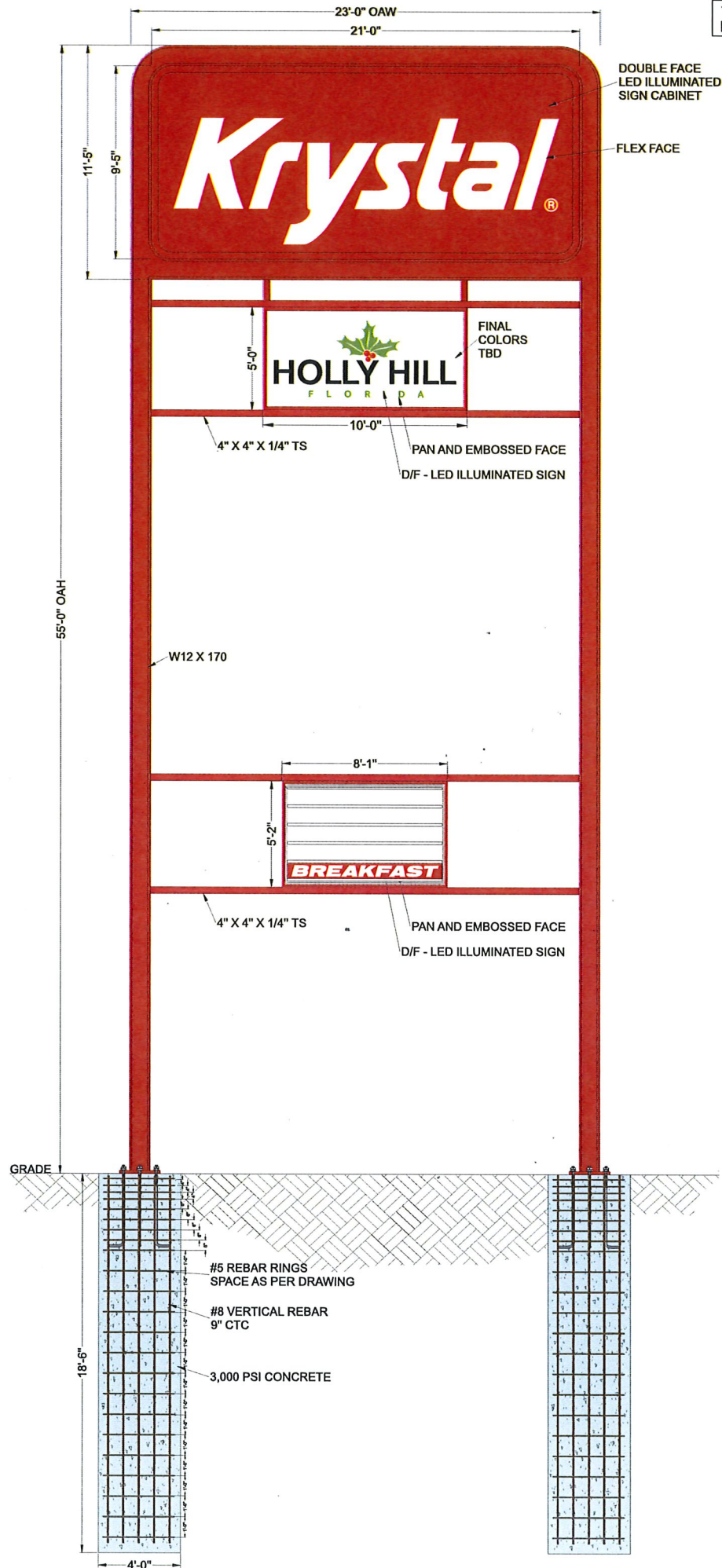


101 N. RIDGEWOOD
HOLLY HILL, FL 32117



Attachment: Previous Sign (2354 : Krystal Sign Variance # 2)

101 N. RIDGEWOOD
HOLLY HILL, FL 32117



Attachment: Proposed Sign (2354 : Krystal Sign Varaince # 2)



DATE
4-12-18

ELECTRICAL NOTES

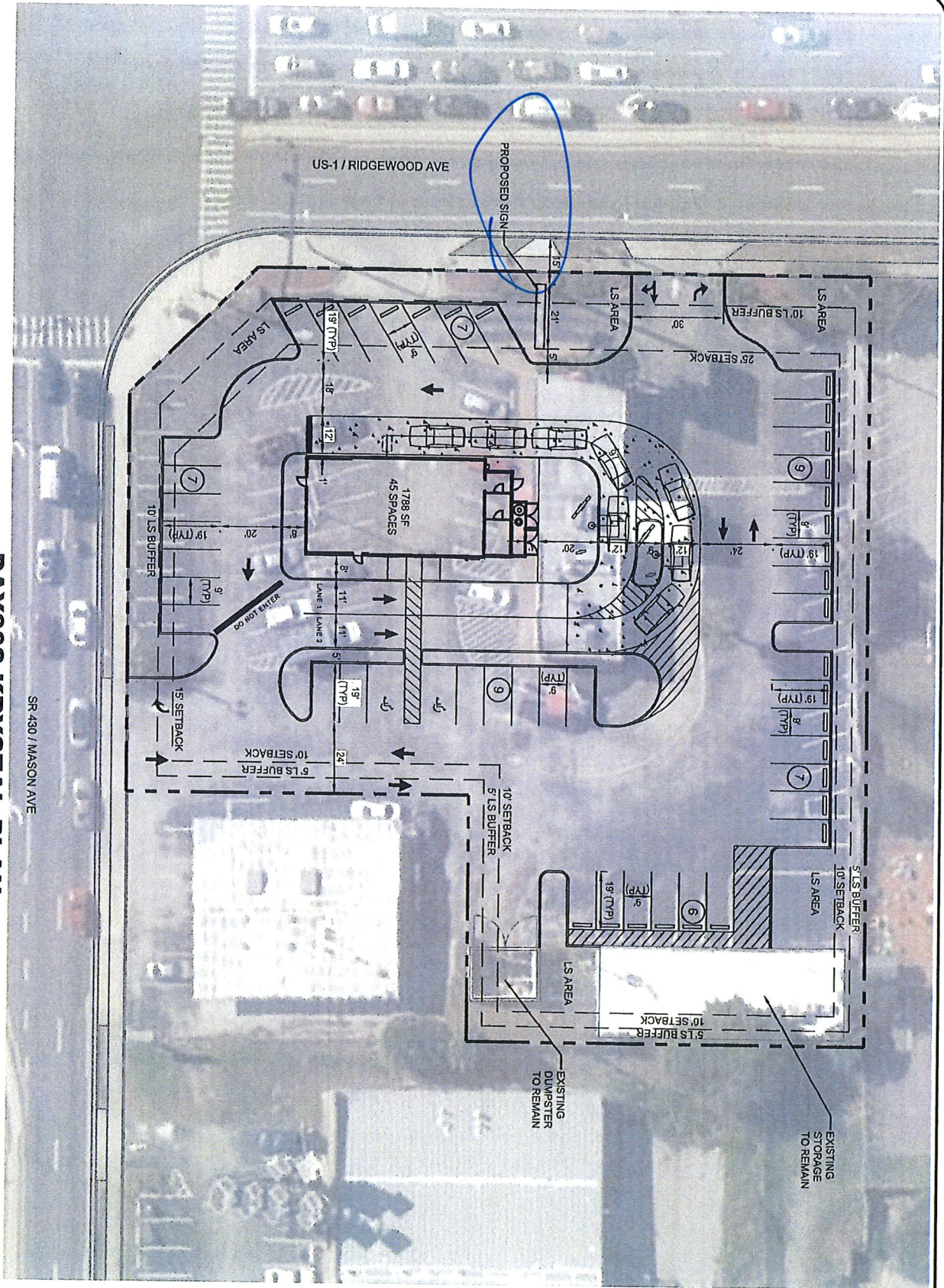
⚡ Sign Company **DOES NOT** provide primary electrical to sign. Power to the sign must be done by a licensed electrical contractor or licensed electrician.

Each sign must have:

1. A minimum of one dedicated 120V 20A circuit
2. Junction box installed within 5 feet of sign
3. Three wires Line, Ground, Neutral

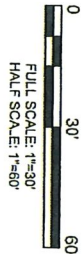
DAY002 KRYSTAL PLAN

SR 430 / MASON AVE



Krystal

DAY002
HOLLY HILL, FL
101 RIDGEWOOD AVENUE



NOTE:

PROPERTY LINES ARE
CONCEPTUAL.

PLAN PREPARED BY:

ATKINS

CORPORATE OFFICE
4000 W. BOY SCOUT BLVD
TAMPA, FL 33607
TEL: 813.281.1234
FAX: 813.281.1235
www.atkinsbhl.com

LOCAL OFFICE
442 SOUTHWELLER RD
ORLANDO, FL 32810
TEL: 407.856.4200
FAX: 407.856.4200

Aerial View



Attachment: Aerial View (2354 : Krystal Sign Variance # 2)

View looking East.



Attachment: View looking East (2354 : Krystal Sign Varaince # 2)

View looking North.



Attachment: View looking North (2354 : Krystal Sign Variance # 2)

View looking South.



Attachment: View looking South (2354 : Krystal Sign Variance # 2)

View looking West.



Attachment: View looking West (2354 : Krystal Sign Varaince # 2)