



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • 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

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	Vice Chairman	Excused	
Mike Myer	Chairman	Present	
Robin D. Hanger	Board Member	Present	
Dennis Smith	Board Member	Present	
Tony Cassata	Board Member	Present	

2. INVOCATION

Invocation was given by Chairman Mike Myer.

3. PLEDGE OF ALLEGIANCE

Robin Hanger led the Pledge of Allegiance.

4. APPOINT CHAIRMAN & VICE CHAIRMAN

Robin Hanger moved, seconded by Tony Cassata to appoint Mike Myer as Chairman to the Board of Planning & Appeals. Motion passed.

Robin Hanger moved, seconded by Dennis Smith to appoint Arthur Byrnes as Vice Chairman to the Board of Planning & Appeals. Motion passed.

5. BOPA MINUTES APPROVAL

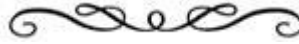
1.

Minutes - October 1, 2018

(Requested by Brian Walker, City Planner)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Dennis Smith, Board Member
AYES:	Myer, Hanger, Smith, Cassata
EXCUSED:	Byrnes

Enacted and approved this 7th day of January, 2019, in Holly Hill

**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)

Brian Walker, City Planner briefly summarized his staff report stating that this request is 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 zoning district, located on the northeast corner of the Ridgewood and Mason Avenue intersection, and also know as 101 Ridgewood Avenue. He proceeded to give some background. A large dual 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. However, 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 original sign. In April of 2017, the Applicant requested and was granted a variance to re-erect the original sign in the original location after making needed structural repairs. The Applicant subsequently elected not to re-erect the sign. The original sign was cut into parts, and removed from the property. The Applicant informed the City that they are moving forward with removal of the Krystal and replacing it with a new restaurant. Staff recommends denial of the request for two variances from the Land Development Regulations of Holly Hill due to the applicant not meeting all of the criteria.

Scott Simpson, City Attorney, for the sake of the new Board members, explained what a variance is and the criteria that have to be met. He stated that a variance is granted based on the (6) criteria. He briefly went through the (6) criteria for a variance request. He further explained what is meant by "non-conforming" and proceeded to detail the three (3) different types of non-conformity that may come before this Board - they are non-conforming use, non-conforming structure and non-conforming lot. As for a non-conforming sign, you are allowed to repair, maintain and change the faces on the sign according to our Regulations, however if it is removed the new sign has to come into compliance with our Land Development Regulations. A non-conformity will eventually come into compliance with our Code. The Krystal was given a variance to repair and put back the original sign. However, they decided not to use that variance and to move forward with constructing a new Krystal restaurant with a new sign that does not meet our Code requirements.

Applicant John Dawson, Krystal representative gave a power point presentation, giving the background and history of the Krystal Restaurant and could answer any questions the Board may have.

The Board had a discussion regarding this sign, they were in favor of the original variance that was granted for putting back the original Krystal sign. However, now that the restaurant will be torn down for a new restaurant, they are in agreement that the new sign should be in compliance with our Land Development Regulations.

RESULT:	DO NOT RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Dennis Smith, Board Member
AYES:	Myer, Hanger, Smith, Cassata
EXCUSED:	Byrnes

Enacted and approved this 7th day of January, 2019, in Holly Hill



7. OLD BUSINESS

None

8. BOARD/STAFF COMMUNICATIONS

Mike Myer asked if the Board could have some training for the new members. Brian stated that he could get something together for training.

Scott Simpson gave a brief summary of what kinds of cases that may come before the Board of Planning & Appeals, he also went over some of the rules of conduct for the members.

9. ADJOURNMENT

Meeting adjourned at 6:45 PM