



Board of Planning and Appeals

BOPA Regular Meeting

~ Agenda ~

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

Liz Nelson
386-248-9442

Monday, February 1, 2016

6:30 PM

City Commission Chamber

1. Call to Order

Attendee Name	Present	Absent	Late	Arrived
Chairman Mike Myer	☐	☐	☐	
Vice Chairman Christopher Via	☐	☐	☐	
Board Member Edward H Perkins	☐	☐	☐	
Board Member Dorothy Featherston	☐	☐	☐	
Board Member Jim Legary	☐	☐	☐	

2. Minutes Approval

1. Agenda Item (ID # 1264)

Minutes - January 4, 2016

DISCUSSION: Minutes from the Board of Planning & Appeals Meeting

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approval Minutes

COMMISSION GOAL: N/A

MOTION: As Determined by the Board

ATTACHMENTS:

- Minutes - January 4, 2016 (PDF)

3. Agenda Item

1. Agenda Item (ID # 1275)

1011 Tenth Street Annexation, Comprehensive Plan and Zoning: Annexation of the Parcel at 1011 Tenth Street and Assignment of City of Holly Hill Future Land Use Map and Zoning Designations.

INTRODUCTION: This is an application for a small scale amendment to the Future Land Use Map to incorporate annexed property into the City's comprehensive plan. This application is being considered concurrently with the annexation of the property and the assignment of zoning to the parcel. The applicant is requesting General Commercial Land Use.

BACKGROUND: The applicant owns and operates the existing self-storage facility accessed from Nova Road and has purchased the subject parcel to provide for an expansion of the self-storage operation. The applicant is planning to add approximately 10,000 square feet of storage area to the facility, with the expanded area being accessed internally from the existing business. An emergency access from 10th Street may be provided.

The immediate neighborhood is a mixture of heavy commercial and older residential uses. The south side of 10th Street is developed with an automotive repair business at the corner with Nova Road; a former single-family residence now used by the corner business; a single-family dwelling used as a business site; and the subject property which is vacant. The north side of 10th Street is developed with a commercial business with residential above at the corner with Nova Road; three single-family residences; the entrance to a plumbing business located north of the residences; and two more single-family residences. West of the last existing home is a large vacant tract. The attached aerial photograph provides additional detail.

None of the development on the south side of 10th Street has been constructed with landscaped buffers or any other design elements to provide screening. Development to the north and south of 10th Street along Nova Road is a mixture of heavy commercial and industrial uses. For the most part, development fronting on Nova Road extends west to a depth equal to the existing storage facility and the proposed addition to this facility.

The Volusia County Comprehensive Plan designates the subject parcel and the adjacent parcel to the east as Urban Medium Intensity (UMI). The remainder of the block along 10th Street is Mixed Use (MXZ). (Refer to the attached map showing the County future land use designations.) The County Comprehensive Plan describes these land use categories as follows:

Mixed Use Zone (MXZ) - an area that contains a variety of land uses that are normally located within one development or a small geographical area. This designation allows for two distinct types of mixed use zones; Existing and Planned.

(a) Existing - An area that provides for a mixture of primarily commercial and industrial development with many different property owners. The uses are usually so intermixed and interrelated it becomes hard to distinguish between what is industrial and what is "heavy" commercial. The intermixture of these uses also presents a mapping problem. If an attempt was made to place individual designations on the Future Land Use Map, the scale of the map would make those areas indistinguishable.

The mixture of industrial and commercial uses has commonly been developed along "Truck Routes" or arterials in a strip fashion. In some

instances, small clusters will exist that again have an indistinguishable mixture of commercial, residential and industrial. These zones have developed over time because of the faint distinction between what is considered industrial, warehousing and "heavy" commercial uses. Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses.

This designation was initially applied on the Future Land Use Map to areas that currently contain the above characteristics and typically contain areas less than fifteen (15) acres in size.

An Existing Mixed Use Zone may retain the zoning classifications that exist at the time of adoption of the Comprehensive Plan. A change in zoning must be consistent with the future land use designation, however, if existing zoning is more intense than the future land use designation, a change to a similar intensity zoning classification may be permitted.

Urban Medium Intensity (UMI) - Areas that contain residential development at a range of greater than four (4) to eight (8) dwelling units per acre. The types of housing typically found in areas designated urban medium intensity include single family homes, townhouses and low-rise apartments.

The UMI designation is primarily a residential designation but may allow neighborhood business areas (see Shopping Center definition in Chapter 20) and office development that meet the Comprehensive Plan's location criteria. The commercial intensity shall be no more than a fifty percent Floor Area Ratio (0.50 FAR) and shall be limited in a manner to be compatible with the allowable residential density. In order to be considered compatible, the commercial development should reflect similar traffic patterns, traffic generation, building scale, landscaping and open space, and buffers. More intensive commercial use, other than neighborhood business areas, shall be reserved to areas designated for Commercial. All requests for nonresidential uses within one-quarter (¼) mile of another jurisdiction shall require notification to that jurisdiction.

The City of Holly Hill future land use plan designates the adjacent property to the north and south as General Commercial and Wholesale, Warehouse and Industrial. Refer to the attached map showing the current City future land use designations. This pattern is typical of City land use designations along the west side of Nova Road.

The zoning pattern for the area is illustrated by the attached County zoning map. The 10th Street frontage shows a mixture of B-5 (Heavy Commercial), MH-5 (Urban Mobile Home) and R-7 (Urban Multi-Family). The area further west along 10th Street is designated R-5 (Urban Single-Family). The Heavy Commercial zoning accurately reflects the existing development pattern where the automotive based repair uses are located. The balance of the block has residential zoning that is at variance with the existing development pattern. The area designated MH-5 has one vacant lot and one single-family unit used as a business site. The area designated multi-family is developed with single-family residential uses and a heavy commercial use.

City of Holly Hill zoning along the west side of Nova Road south of LPGA Boulevard is CC-1 Commercial Corridor and I-1 for the industrial park between 8th Street and 10th Street. The existing self-storage business is zoned CC-1.

DISCUSSION: The analysis for the project will focus on three items. First is the determination of the proper land use classification for the property given the proposed use, the character of the area and the choices available within the City's comprehensive plan. Second is the analysis of impacts to the City's public services and concurrency standards, and third is the recommendation of an appropriate zoning classification that is consistent with the comprehensive plan's future land use designation.

Future Land Use Category:

- The area along the west side of Nova Road is generally developed with general retail, heavy commercial and industrial uses to a depth of 600 feet from Nova Road in the area of 10th Street and to varying depths down to 300 feet along other areas to the north and south. In most areas residential uses have been replaced over the years with commercial and industrial development consistent with the designation of Nova Road as a truck route. The Mixed Use Zone applied by Volusia County to the majority of the area along Nova Road recognizes this development trend.
- Residential uses close to Nova Road have transitioned to commercial and industrial uses over the years. Along 10th Street where the subject property is located, this transition is well under way along the south side of 10th Street. The single-family dwellings along the north side of 10th Street will likely undergo a similar transition to non-residential uses in the future. All of these homes back up to non-residential uses and, as noted, face non-residential character development across 10th Street.
- City designation of the subject property as General Commercial seems appropriate to the character of the existing development in the general area, and it is reflective and supportive of the ongoing trend of transitioning residential properties to other uses.

Impacts to Public Services:

- The proposed use for the property is an expansion of the existing self-storage facility. The applicant has stated that the project will consist of a maximum of 10,000 square feet of additional storage units. This development level is a 0.52 FAR on the 0.44 acre parcel.
- The proposed development will be accessed internally from the existing self-storage business and there is no planned expansion of water or sewer service. Stormwater management will done to City standards as part of the site plan

review process. As there is no residential development proposed, there will be no impacts to recreation services.

- According to the ITE Traffic Generation Manual (9th Ed.) 10,000 square feet of mini-warehouse (Use 151) will generate 25 trips ADT and 2.6 trips for the PM Peak Hour. This trip generation is less than the four housing units that could be developed on the site under the current MH-5 Zoning. All of the trips will enter and exit via Nova Road. The traffic impact is minimal and within the available capacity of Nova Road.

Appropriate Zoning Category

The predominant zoning category applied along the west side of Nova Road south of LPGA is the CC-1 Commercial Corridor District. The existing self-storage facility is zoned CC-1 and according to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning is consistent with the General Commercial Land Use Classification.

Annexation

The property meets the statutory requirements for voluntary annexation. The City has received an application for annexation, and the property is abutting the current City limits. No enclaves will be created by the annexation.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals recommend the City Commission annex the subject parcel, designate the parcel as General Commercial on the Future Land Use Map and designate the parcel as CC-1 on the Official Zoning Map.

ATTACHMENTS:

- 1011 10th Street Combined Application (PDF)
- Parcel Survey (PDF)
- Aerial Photograph at 2500 (PDF)
- County Future Land Use (PDF)
- Volusia County Zoning (PDF)
- CPA 2016-01 Current Land Use (PDF)
- CPA 2016-01 Proposed Land Use (PDF)

2. Agenda Item (ID # 1276)

R-1 Setback Analysis: Proposal for Amendment of Setback Requirements for Front Yards in the R-1 Zoning Classification Including Modified Corner Lot Requirements and a Proposal for Averaging Setbacks Along Block Fronts.

INTRODUCTION: The Board asked staff to review front yard setbacks in the R-1 zoning district to determine if changes should be considered. The staff completed a study and submitted a report to the Board at the January 4, 2016 meeting. The Board directed staff to work on a proposed regulation regarding averaging setbacks and reducing setbacks for corner lots.

BACKGROUND: The staff report submitted to the BOPA at the January 4, 2016 meeting found that about 50% of R-1 properties did not meet the R-1 minimum front yard setback. The report outlined a range of options for consideration, and the Board requested a proposal on two options including a methodology for averaging and a proposal for lesser setbacks on corner lots.

DISCUSSION: This report will offer a proposal for a reduced setback on corner lots and an averaging process for R-1 properties. The Board may want to give consideration as to the applicability of these techniques to all single-family homes. To give the Board some information on the impacts of reduced corner lot setbacks, the data presented includes R-2 and R-3 districts. The R-3 setbacks will be the same as single-family setbacks in R-4a through R-8 zoning classifications.

Corner Lot Reductions

Before looking at some actual numbers for R-1, R-2 and R-3 zoning classifications, we should consider a definition for a Side Corner Yard. A proposed definition is as follows:

One a corner lot the street on which the property is addressed is considered the front yard for determination of setbacks, and the yard adjacent to the secondary street shall be the side corner yard. For properties abutting Riverside Drive, the yard adjacent to Riverside Drive shall always be considered the front yard.

The Board recommended that any reduction in side corner yard setbacks not exceed a maximum of 40% of the required front yard setback. The following table details how a 40% reduction would apply to R-1, R-2 and R-3 zoning classifications.

COMPARISON OF CURRENT AND PROPOSED YARD REQUIREMENTS			
YARD	R-1	R-2	R-3
Front	35	30	25
Front Corner	20	15	15
Side	10	8	7.5
Rear	30	20	20

The numbers for the front corner yard are based on 60% of the front yard requirement with some rounding applied. Almost across the board the front corner setback would be twice the standard side yard setback. The question for the BOPA is whether the Board want to recommend this alternative and, if so, do the numbers presented above seem to be reasonable. If the BOPA wishes to extend the corner lot reduction to all single-family lots the dimensional requirements for all single-family units in R-4a and above will be the same as the R-3 numbers in the table.

Front Yard Averaging

In the discussion of averaging options, the BOPA presented two criteria in the discussion at the January 4th meeting. First, the averaging should be done along the length of the block face (one side of the street between intersections) and secondly any setbacks larger than the minimum will be factored using the minimum requirement. In

examining how this process might work, staff developed a series of examples to test the application of an averaging process. The following table summarizes these test cases.

FRONT YARD SETBACK AVERAGING EXAMPLES					
Test Case	Case 1	Case 2	Case 3	Case 4	Case 5
Setback	35	35	34	27	38
Setback	28	35	18	29	42
Setback	40 (35)	38 (35)	22	32	40
Setback	26	29	31	31	39
Setback	29	35	26	28	50
Total	153	169	131	147	209
Average	30.6	33.8	26.2	29.4	41.8 (35)

These test cases identify a few conditions that the BOPA might want to consider.

1. Note that Test Case 5 includes a section where all units exceed the minimum setback. A new unit could be permitted forward of every unit and forward of the average for all units on the block face. This is the current rule.
2. Several of the test cases create a fractional setback. Should the fractional setback be used or should we consider rounding the average to a set point such as the nearest half foot?
3. Test Case 2 has only one unit closer to the street than the minimum requirement. Should we consider a requirement that a minimum number or percentage of the existing units be forward of the minimum setback to allow the application of the averaging process? For example 10% or 20% of the units must violate the setback to allow the averaging to occur. This criterion would help forestall a situation where one unit or two units in a larger group of homes would work to reduce the setback when the large majority of units comply.
4. Test Case 3 has a wide variance in the actual unit setbacks, so the average still leaves a situation where two units will sit well forward of the new unit.
5. Test Case 4 has a much narrower range of actual setbacks so the result of the averaging process is a much more consistent line for the front of the units.

While we used five lots as the test case examples, actual block fronts on the west side of Riverside Drive range from four to 13 parcels not including flag lots. Four units was the most common total (five blocks) with the total number of lot per block increasing the further north along Riverside Drive.

RECOMMENDATION: Staff is seeking additional input from the Board on the two proposals discussed above.

- 4. Old Business**
- 5. Board/Staff Communications**
- 6. Adjournment**



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: February 1, 2016
FROM: Elizabeth Nelson
SUBJECT: Minutes - January 4, 2016
NUMBER: (ID # 1264)
APPLICANT:
PLANNER:

DISCUSSION: Minutes from the Board of Planning & Appeals Meeting

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approval Minutes

COMMISSION GOAL: N/A

MOTION: As Determined by the Board

- Minutes - January 4, 2016 (PDF)



Board of Planning and Appeals

BOPA Regular Meeting

~ Minutes ~

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

Liz Nelson
386-248-9442

Monday, January 4, 2016

6:30 PM

City Commission Chamber

1. Call to Order

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	

2. Invocation

Invocation was given by Chairman Mike Myer.

3. Pledge of Allegiance to the Flag

Jim Legary led the Pledge of Allegiance.

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:

Attachment: Minutes - January 4, 2016 (1264 : Minutes)

N/A

MOTION:

As determined by the Board

ATTACHMENTS:

- October 5, 2015 (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 # 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 be equally effective as a taller fence. While providing added screening, the taller fence is not consistent with the character of the residential neighborhood.

COMMENTS - Current Meeting:

Tom Harowski, City Planner gave a summary of his staff report to the Board.

Sylvan Wells, 62 Harvard Street, Ormond Beach, Florida, Attorney representing the applicant stepped to the podium stating that this business has been in operation since 1964. (submitted into record was a copy of the property record from Volusia County Property Appraisers office). Their main client is Florida Power & Light and has been their client since 1977. They want to ensure Florida Power & Light that their trucks and contents are safe from vandalism and/or theft and feel the best way is to be allowed to erect a six (6') foot fence along the Bender Avenue property line. He displayed a picture of the property in question and one other of a property within 100 feet of the subject property that has a 6' fence. Mr. Wells was informed by staff that the property shown has a commercial zoning and is allowed a 6' fence.

Scott Simpson, City Attorney commented that a variance could not be granted to a non-conforming property for any kind of structure, however, the Code states that a fence is not considered a structure and therefore a variance could be granted for a fence.

ATTACHMENTS:

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

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

2. Agenda Item 2016-1

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.

COMMENTS - Current Meeting:

Tom Harowski, City Planner, discussed the Staff Report regarding front yard setbacks within the R-1 Zoning District. Staff discovered that about 50% of the R-1 zoned properties do not meet the current required front yard setback. There was discussion among the Board members on different options. They being: blanket reduction of the required setback - create a corner lot setback - use a type of setback averaging - rezoning of a block or block face to an R-2 or R-3 classification, or make no change at all and rely on the variance process to address issues on a case by case basis.

Ronald Strange, 24 Katrinas Drive, Ormond Beach, owner of a vacant lot next to and south of 1650 Riverside Drive, spoke about how the current Code is advantageous to existing homeowners, as they can apply for variances for relief of the setbacks for additions and accessory structures. But new construction has to meet the current setback requirements. He further stated that he is in favor of the averaging of homes within the same block for the setback number.

The Board expressed that the Riverside Drive properties should be treated differently than the interior R-1 zoned lots. Mr. Harowski, stated that he will bring back at the next meeting a proposal for their consideration dealing with setback averaging and an alternative setback number for corner lots.

ATTACHMENTS:

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

RESULT: PRESENTATION**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 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.

COMMENTS - Current Meeting:

Tom Harowski, City Planner, summarized the Staff Report regarding the Capital Improvements Plan Annual Update. 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. This report contains the proposed Capital Improvements Plan for the five-year period covering fiscal year 2015/16 through fiscal year 2019/20. This year's budget continues to reflect an increased emphasis on renewal and replacement cost and needs for the utilities and public works areas. Staff recommends the Board of Planning and Appeals recommend the City Commission adopt the amended Capital Improvements Plan.

ATTACHMENTS:

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

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

4. Old Business

None

5. Board / Staff Communications

Tom Harowski, City Planner mentioned that he has received an application for annexation of property located on 10th Street and it will be on the February 1, 2016 meeting agenda.

Chairman Mike Myer stated that he will be out of town on that date and will not be able to attend the February meeting.

6. Adjournment

The meeting adjourned at approximately 8:12 pm.



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: February 1, 2016
FROM: Thomas Harowski
SUBJECT: 1011 Tenth Street Annexation, Comprehensive Plan and Zoning:
Annexation of the Parcel at 1011 Tenth Street and Assignment
of City of Holly Hill Future Land Use Map and Zoning
Designations.
NUMBER: (ID # 1275)
APPLICANT: Holly Hill Self Storage
PLANNER: Thomas Harowski

INTRODUCTION: This is an application for a small scale amendment to the Future Land Use Map to incorporate annexed property into the City's comprehensive plan. This application is being considered concurrently with the annexation of the property and the assignment of zoning to the parcel. The applicant is requesting General Commercial Land Use.

BACKGROUND: The applicant owns and operates the existing self-storage facility accessed from Nova Road and has purchased the subject parcel to provide for an expansion of the self-storage operation. The applicant is planning to add approximately 10,000 square feet of storage area to the facility, with the expanded area being accessed internally from the existing business. An emergency access from 10th Street may be provided.

The immediate neighborhood is a mixture of heavy commercial and older residential uses. The south side of 10th Street is developed with an automotive repair business at the corner with Nova Road; a former single-family residence now used by the corner business; a single-family dwelling used as a business site; and the subject property which is vacant. The north side of 10th Street is developed with a commercial business with residential above at the corner with Nova Road; three single-family residences; the entrance to a plumbing business located north of the residences; and two more single-family residences. West of the last existing home is a large vacant tract. The attached aerial photograph provides additional detail.

None of the development on the south side of 10th Street has been constructed with landscaped buffers or any other design elements to provide screening. Development to the north and south of 10th Street along Nova Road is a mixture of heavy commercial and industrial uses. For the most part, development fronting on Nova Road extends west to a depth equal to the existing storage facility and the proposed addition to this facility.

The Volusia County Comprehensive Plan designates the subject parcel and the adjacent parcel to the east as Urban Medium Intensity (UMI). The remainder of the block along 10th Street is Mixed Use (MXZ). (Refer to the attached map showing the County future land use designations.) The County Comprehensive Plan describes these land use categories as follows:

Mixed Use Zone (MXZ) - an area that contains a variety of land uses that are normally located within one development or a small geographical area. This designation allows for two distinct types of mixed use zones; Existing and Planned.

(a) Existing - An area that provides for a mixture of primarily commercial and industrial development with many different property owners. The uses are usually so intermixed and interrelated it becomes hard to distinguish between what is industrial and what is "heavy" commercial. The intermixture of these uses also presents a mapping problem. If an attempt was made to place individual designations on the Future Land Use Map, the scale of the map would make those areas indistinguishable.

The mixture of industrial and commercial uses has commonly been developed along "Truck Routes" or arterials in a strip fashion. In some instances, small clusters will exist that again have an indistinguishable mixture of commercial, residential and industrial. These zones have developed over time because of the faint distinction between what is considered industrial, warehousing and "heavy" commercial uses. Retail commercial, office use, and even some residential normally make up a minor part in each zone. The associated impacts, such as noise, dust, and odors, can make these areas somewhat undesirable for the less than "heavy" uses.

This designation was initially applied on the Future Land Use Map to areas that currently contain the above characteristics and typically contain areas less than fifteen (15) acres in size.

An Existing Mixed Use Zone may retain the zoning classifications that exist at the time of adoption of the Comprehensive Plan. A change in zoning must be consistent with the future land use designation, however, if existing zoning is more intense than the future land use designation, a change to a similar intensity zoning classification may be permitted.

Urban Medium Intensity (UMI) - Areas that contain residential development at a range of greater than four (4) to eight (8) dwelling units per acre. The types of housing typically found in areas designated urban medium intensity include single family homes, townhouses and low-rise apartments.

The UMI designation is primarily a residential designation but may allow neighborhood business areas (see Shopping Center definition in Chapter 20) and office development that meet the Comprehensive Plan's location criteria. The commercial intensity shall be no more than a fifty percent Floor Area Ratio (0.50 FAR) and shall be limited in a manner to be compatible with the allowable

residential density. In order to be considered compatible, the commercial development should reflect similar traffic patterns, traffic generation, building scale, landscaping and open space, and buffers. More intensive commercial use, other than neighborhood business areas, shall be reserved to areas designated for Commercial. All requests for nonresidential uses within one-quarter (¼) mile of another jurisdiction shall require notification to that jurisdiction.

The City of Holly Hill future land use plan designates the adjacent property to the north and south as General Commercial and Wholesale, Warehouse and Industrial. Refer to the attached map showing the current City future land use designations. This pattern is typical of City land use designations along the west side of Nova Road.

The zoning pattern for the area is illustrated by the attached County zoning map. The 10th Street frontage shows a mixture of B-5 (Heavy Commercial), MH-5 (Urban Mobile Home) and R-7 (Urban Multi-Family). The area further west along 10th Street is designated R-5 (Urban Single-Family). The Heavy Commercial zoning accurately reflects the existing development pattern where the automotive based repair uses are located. The balance of the block has residential zoning that is at variance with the existing development pattern. The area designated MH-5 has one vacant lot and one single-family unit used as a business site. The area designated multi-family is developed with single-family residential uses and a heavy commercial use.

City of Holly Hill zoning along the west side of Nova Road south of LPGA Boulevard is CC-1 Commercial Corridor and I-1 for the industrial park between 8th Street and 10th Street. The existing self-storage business is zoned CC-1.

DISCUSSION: The analysis for the project will focus on three items. First is the determination of the proper land use classification for the property given the proposed use, the character of the area and the choices available within the City's comprehensive plan. Second is the analysis of impacts to the City's public services and concurrency standards, and third is the recommendation of an appropriate zoning classification that is consistent with the comprehensive plan's future land use designation.

Future Land Use Category:

- The area along the west side of Nova Road is generally developed with general retail, heavy commercial and industrial uses to a depth of 600 feet from Nova Road in the area of 10th Street and to varying depths down to 300 feet along other areas to the north and south. In most areas residential uses have been replaced over the years with commercial and industrial development consistent with the designation of Nova Road as a truck route. The Mixed Use Zone applied by Volusia County to the majority of the area along Nova Road recognizes this development trend.

- Residential uses close to Nova Road have transitioned to commercial and industrial uses over the years. Along 10th Street where the subject property is located, this transition is well under way along the south side of 10th Street. The single-family dwellings along the north side of 10th Street will likely undergo a similar transition to non-residential uses in the future. All of these homes back up to non-residential uses and, as noted, face non-residential character development across 10th Street.
- City designation of the subject property as General Commercial seems appropriate to the character of the existing development in the general area, and it is reflective and supportive of the ongoing trend of transitioning residential properties to other uses.

Impacts to Public Services:

- The proposed use for the property is an expansion of the existing self-storage facility. The applicant has stated that the project will consist of a maximum of 10,000 square feet of additional storage units. This development level is a 0.52 FAR on the 0.44 acre parcel.
- The proposed development will be accessed internally from the existing self-storage business and there is no planned expansion of water or sewer service. Stormwater management will be done to City standards as part of the site plan review process. As there is no residential development proposed, there will be no impacts to recreation services.
- According to the ITE Traffic Generation Manual (9th Ed.) 10,000 square feet of mini-warehouse (Use 151) will generate 25 trips ADT and 2.6 trips for the PM Peak Hour. This trip generation is less than the four housing units that could be developed on the site under the current MH-5 Zoning. All of the trips will enter and exit via Nova Road. The traffic impact is minimal and within the available capacity of Nova Road.

Appropriate Zoning Category

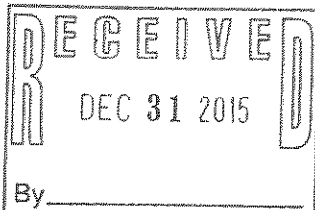
The predominant zoning category applied along the west side of Nova Road south of LPGA is the CC-1 Commercial Corridor District. The existing self-storage facility is zoned CC-1 and according to Policy 1.1.3 of the Future Land Use Element, the CC-1 zoning is consistent with the General Commercial Land Use Classification.

Annexation

The property meets the statutory requirements for voluntary annexation. The City has received an application for annexation, and the property is abutting the current City limits. No enclaves will be created by the annexation.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals recommend the City Commission annex the subject parcel, designate the parcel as General Commercial on the Future Land Use Map and designate the parcel as CC-1 on the Official Zoning Map.

- 1011 10th Street Combined Application (PDF)
- Parcel Survey (PDF)
- Aerial Photograph at 2500 (PDF)
- County Future Land Use (PDF)
- Volusia County Zoning (PDF)
- CPA 2016-01 Current Land Use (PDF)
- CPA 2016-01 Proposed Land Use (PDF)



GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117

Phone: (386) 248-9424

Fax: (386) 248-9498

Date Received: 12/31/15 Application ID: _____ Received By: L. Nelson

REQUESTED ACTION

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

APPLICANT INFORMATION:

Name: Holly Hill Self Storage LLC
 Address: 1486 N. Nov4 Rd.
Holly Hill, FL 32117

E-Mail: Steve J Storage - easy.com
 Phone: 904-571-3989 (cell)
 Fax: 866-829-5277

☒ Owner ☐ Agent for Owner ☐ Attorney for Owner

OWNER INFORMATION:

Name: SAANK
 Address: _____

E-Mail: _____
 Phone: _____
 Fax: _____

PROPERTY INFORMATION:

Address: 1011 10th St, Daylong Beach, FL 32117

General Location: _____

Current Zoning: Vacant Residential Current Land Use: Vacant

Parcel Size: 100 X 200 Tax Parcel #: 3218922

Legal Description Attached ☒ Yes ☐ No Survey Attached ☒ Yes ☐ No

Attachment: 1011 10th Street Combined Application (1275 : 1011 Tenth Street Annexation, Comprehensive Plan and Zoning)

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

Application Fee: \$ 3900.⁰⁰

Applicant's Signature: _____

(Signature)

12/31/2015
 (Date)

STEVEN DISBROW, MANAGING MEMBER
 (Print)

Owner's Signature:
 (Provide letter of
 Authorization)

St Disbrow
 (Signature)

12/31/2015
 (Date)

STEVEN DISBROW
 (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

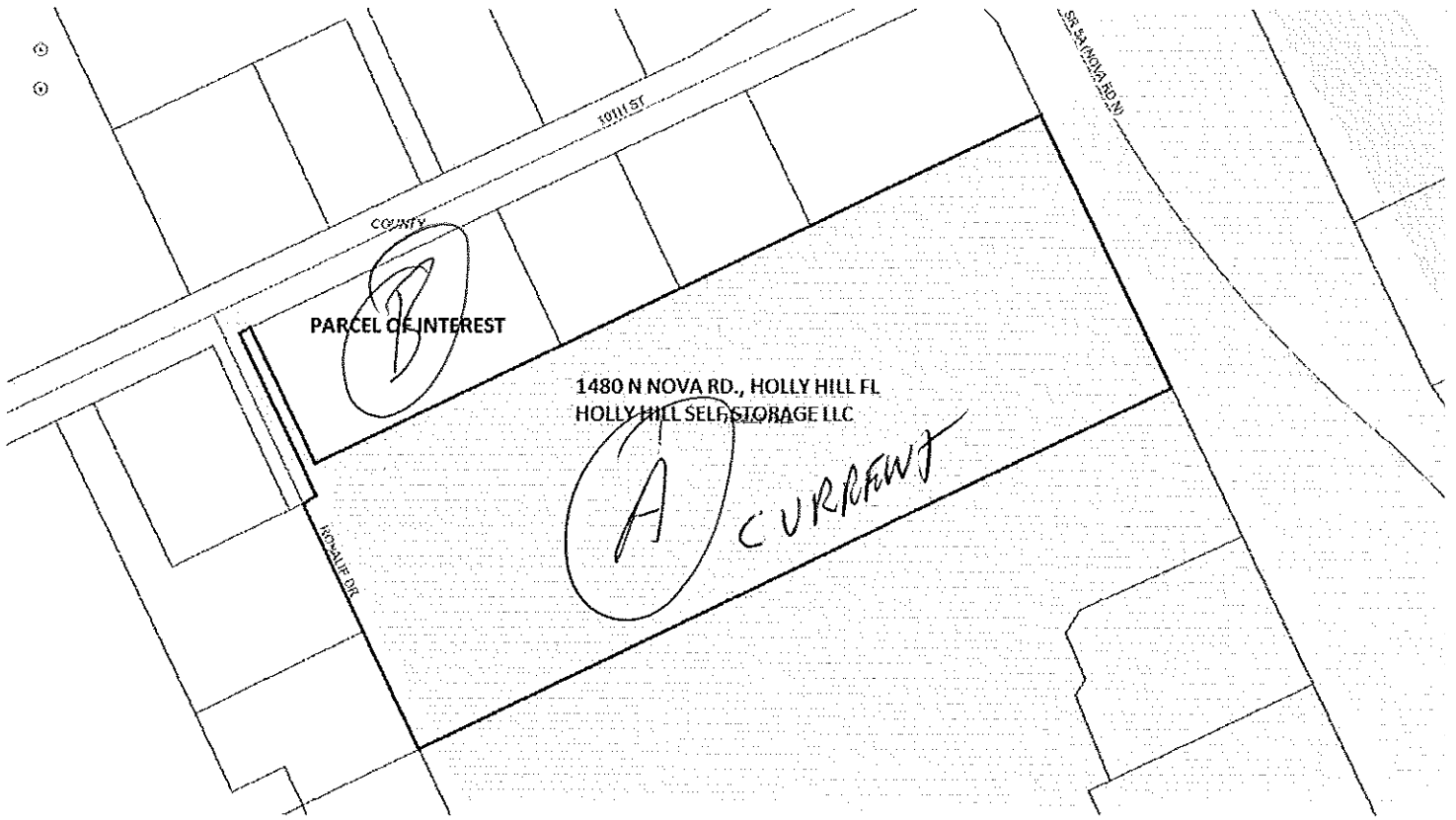
CONTACT LIST:

OWNER:

STEVEN DISBROW
MANAGING MEMBER
HOLLY HILL SELF STORAGE LLC
1480 N NOVA RD., HOLLY HILL, FL 32117
(386) 323-6424 * (904) 571-3989 CELL * (866) 829-5277
Steve@Storage-Easy.com

ENGINEER:

LARRY POLMER, PE
RCE CONSULTANTS, LLC
407-452-8633
RCECONSULTANTS@CFLL.RR.COM



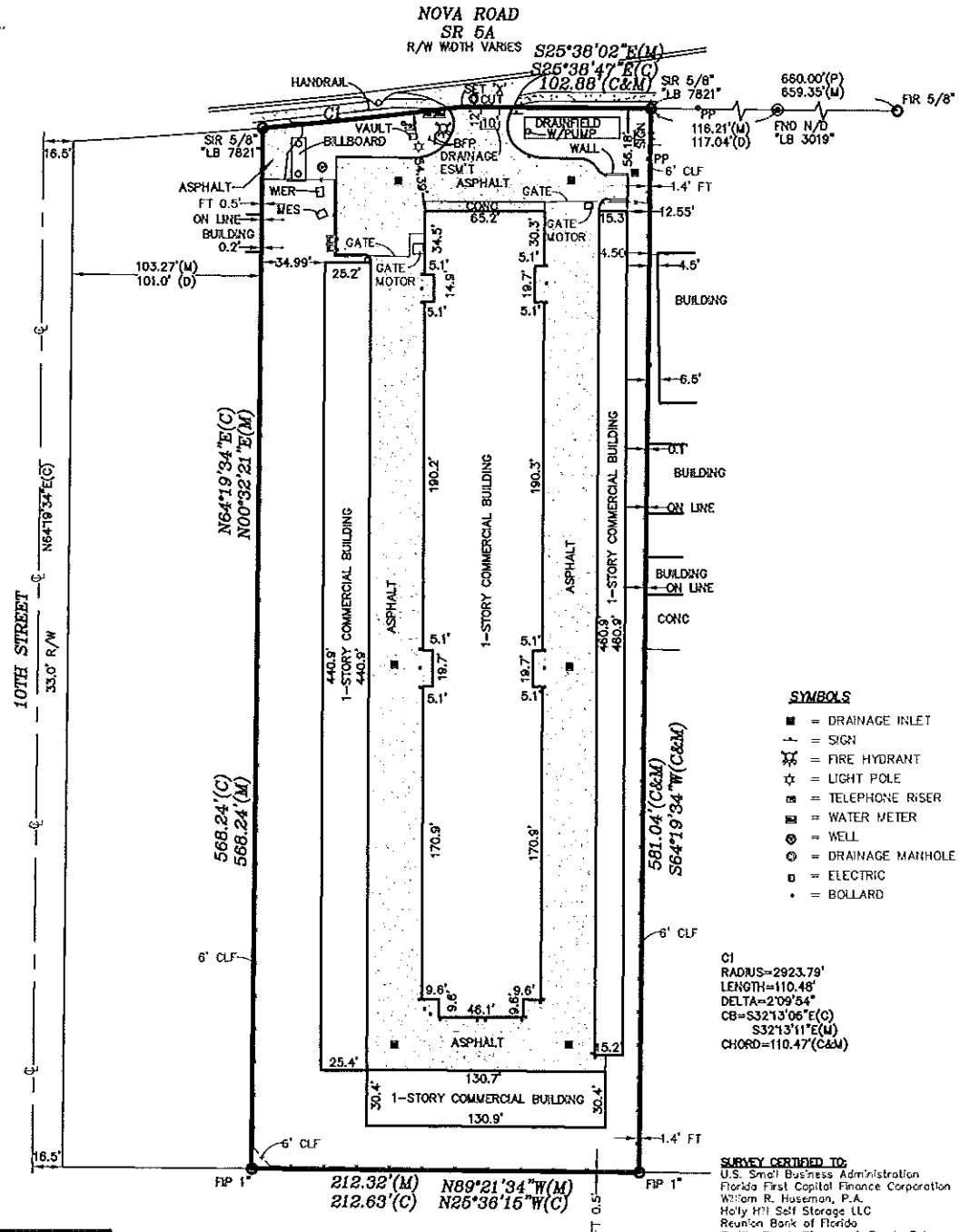
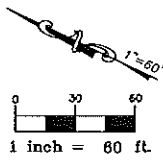
Attachment: 1011 10th Street Combined Application (1275 : 1011 Tenth Street Annexation, Comprehensive Plan and Zoning)



LEGAL DESCRIPTION

The Northerly 1/2 of Lot 5, less that part for canal and Nova Road; and less the Northerly 101 feet, lying South of the South Right-of-Way of Tenth Street, Block 7, Mason and Carswell Subdivision of Holly Hill, as recorded in Map Book 2, Page 90, Public Records of Volusia County, Florida, Section 37, Township 15 South, Range 32 East, located in Volusia County, Florida and less that portion conveyed for Right-of-Way in Official Records Book 3666, Page 1243, Public Records of Volusia County, Florida.

(NOTE: The North line of Lot 5 is historically accepted as the centerline of Tenth Street, a 33 foot platted right of way.)



SYMBOLS

- = DRAINAGE INLET
- ⊕ = SIGN
- ⊕ = FIRE HYDRANT
- ☆ = LIGHT POLE
- ⊕ = TELEPHONE RISER
- ⊕ = WATER METER
- ⊕ = WELL
- ⊕ = DRAINAGE MANHOLE
- ⊕ = ELECTRIC
- = BOLLARD

CI
RADIUS=2923.79'
LENGTH=110.48'
DELTA=209°54'
CB=S32°13'06\"/>

SURVEY CERTIFIED TO:
U.S. Small Business Administration
Florida First Capital Finance Corporation
William R. Huseman, P.A.
Holly Hill Self Storage LLC
Reunion Bank of Florida
Smith, Stout, B'gman, & Brock, P.A.
Thomas C. Sontoro
Chicago Title Insurance Company

LEGEND & ABBREVIATIONS

- FIR = FOUND IRON ROD
- PSM = PROFESSIONAL SURVEYOR & MAPPER
- CONC = CONCRETE
- SIR = SET IRON ROD
- CMON = CONCRETE MONUMENT
- ESM'T = EASEMENT
- R/W = RIGHT OF WAY
- E/P = EDGE OF PAVEMENT
- FT = FENCE TIE
- CLF = CHAIN LINK FENCE
- LB = LICENSED BUSINESS
- PP = POWER POLE
- OHP = OVERHEAD POWER
- BFP = BACKFLOW PREVENTER
- (D) = DEED DIMENSION
- (M) = FIELD MEASURED
- (P) = PLAT DIMENSION
- (C) = CALCULATED DIMENSION
- ℄ = CENTERLINE

SURVEYOR'S NOTES

1. BASIS OF BEARING — THE CENTERLINE OF TENTH STREET, AS BEING N64°19'34\"/>

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17 FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027 FLORIDA STATUTES.

FAUN M. HOFFMEIER, P.S.M. LS 6552
H&H SURVEY CONSULTANTS, LLC LB 7821
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
DATE OF SURVEY: OCTOBER 27, 2014

LEGAL DESCRIPTION:

THE NORTH 101 FEET OF THE EAST 190.75 FEET
OF THE WEST 200.75 FEET OF LOT 5, BLOCK 7,
EXCEPT THE NORTH 1.0 FOOT IN 10TH STREET.
MASON AND CARSWELL'S SUBDIVISION OF HOLLY HILL,
AS RECORDED IN MAP BOOK 2, PAGE 90,
PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA,
SECTION 37, TOWNSHIP 15 SOUTH, RANGE 32 EAST,
LOCATED IN VOLUSIA COUNTY, FLORIDA.

PROPERTY ADDRESS:
1011 10TH STREET
DAYTONA BEACH, FLORIDA 32117

Legend

FR	= FOUND IRON ROD
FR	= FOUND IRON PIPE
SIR	= SET IRON ROD
N/D	= NAIL & DISK
PSM	= PROFESSIONAL SURVEYOR & MAPPER
R/W	= RIGHT OF WAY
E/P	= EDGE OF PAVEMENT
F	= FENCE LINE
PP	= POWER POLE
A/C	= AIR CONDITIONER
WVF	= WHITE VINYL FENCE
WBF	= WOOD BOARD FENCE
CLF	= CHAIN LINK FENCE
LB	= LICENSED BUSINESS
(P)	= PLAT DIMENSION
(M)	= FIELD MEASURED
C	= CENTERLINE
M	= WATER METER

SURVEYOR'S NOTES:

1. BASIS OF BEARING — THE SOUTHERLY RIGHT OF WAY LINE OF 10TH STREET, AS BEING N64°12'46"E, AN ASSUMED BEARING.
2. DATE OF FIELD SURVEY: DECEMBER 16, 2015
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING BUILDING TIES.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
6. SURVEY FILE NUMBER: 15-12-005
7. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AND MORE SPECIFICALLY TO A RAPID STATIC GPS OBSERVATION USING CORS STATIONS CCV5, GNVL, ZJXI, WACH & MCD5 AND SOLVED THROUGH NGS OPUS.

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17, FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027, FLORIDA STATUTES.

100-36453
ST. LOUIS, MO.
J. Edgar Hoover

EAUN H. HOFFMEIER, P.S.M. / LS 6552
HAB SURVEY CONSULTANTS, LLC / LB 782

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
DATE OF SURVEY: DECEMBER 17, 2015



Volusia County Property Appraiser

Morgan B. Gilreath Jr.
M.A., A.S.A., C.F.A.



Home Search Downloads Exemptions Agriculture Maps Tangible Links Contact

Home Search Choices Search By Location Address Property Information

Parcel Information: 4244-01-07-0057 2016 Working Tax Roll Last Updated: 11-22-2015

Owner Name and Address

Alternate Key	3218922	Parcel Status	Active Parcel (Real Estate)
Short Parcel ID	4244-01-07-0057	Mill Group	200 Unincorporated
Full Parcel ID	44-14-32-01-07-0057	2015 Final Mill Rate	22.35950
Created Date	27 DEC 1981		
Property Class	00 Vacant Residential		
Ownership Type		Ownership Percent	33.3
Owner Name	PISHNERY DARLINE &		
Owner Name/Address 1			
Owner Address 2	2609 GLENWOOD DR		
Owner Address 3	EDGEWATER FL		
Owner Zip/Postal Code	32141		
Situs Address	1011 10TH ST DAYTONA BEACH 32117		

Additional Owners

Ownership Type		Ownership Percent	33.30
Additional Owner Name	CLARK ALBERT &		
Ownership Type		Ownership Percent	33.30
Additional Owner Name	CLARK RUSSELL WESLEY &		

Legal Description

N 101 FT OF E 190.75 FT OF W 200.75 FT OF LOT 5 EXC N 1 FT IN 10TH ST BLK 7 M & C HOLLY HILL PER OR 6727 PG 3631

Sales History

Book Page	Sale Date	Sale Instrument	Qualified Unqualified	Improved	Sale Price
6727 3631	06/2012	Personal Rep.	Unqualified Sale	No	100
1002 0652	03/1968	Warranty Deed	Qualified Sale	Yes	10,000

History of Values

Year	Land	Bldg(s)	Misc. Impr.	Just Value	School Assessed	Non-School Assessed	School Exemption	School Taxable	Non-School Exemption	Non-School Taxable
2015	9,201	0	0	9,201	9,201	9,201	0	9,201	0	9,201
2014	17,635	0	0	17,635	17,635	17,635	0	17,635	0	17,635

[Display Value History](#)

Land Data

Code	Land Use Type	Frontage	Depth	No. Units	Unit Type	Rate	Depth	Loc	Shp	Phy	Just Value
0001	VAC PVD THRU .49 AC	191.0	101.0	191.00	FRONT FEET	100.00	100	80	60	100	9,201
Neighborhood 2228 MASON & CARSWELL (4244-01)											
Total Land Classified											0
Total Land Just											9,201

Parcel Notes (Click button below to display Parcel Notes)

[Display Notes](#)

Planning and Building

Permit Number	Permit Amount	Date Issued	Date Complete	Construction Description	Occupancy Number	Occupancy Bldg
20110520030	4,000	06-21-2011	12-27-2011	SFR DEMOLITION		0
32539C	1,585	09-01-1983	01-01-1984	REROOF MPS 040284		0

[Display Permits](#)

Total Values

Land Value	9,201	New Construction Value	0
Building Value	0	City Econ Dev/Historic	0

Miscellaneous	0	
Just Value	9,201 Previous Just Value	9,201
School Assessed	9,201 Previous School Assessed	9,201
Non-School Assessed	9,201 Previous Non-School Assessed	9,201
Exemption Value	0 Previous Exemption Value	0
Additional Exemption Value	0 Previous Additional Exemption Value	0
School Taxable	9,201 Previous School Taxable	9,201
Non-School Taxable	9,201 Previous Non-School Taxable	9,201

[MapIT](#)
[PALMS](#)
[Map Kiosk](#)

MapIT: Your basic parcel record search including lot dimensions.

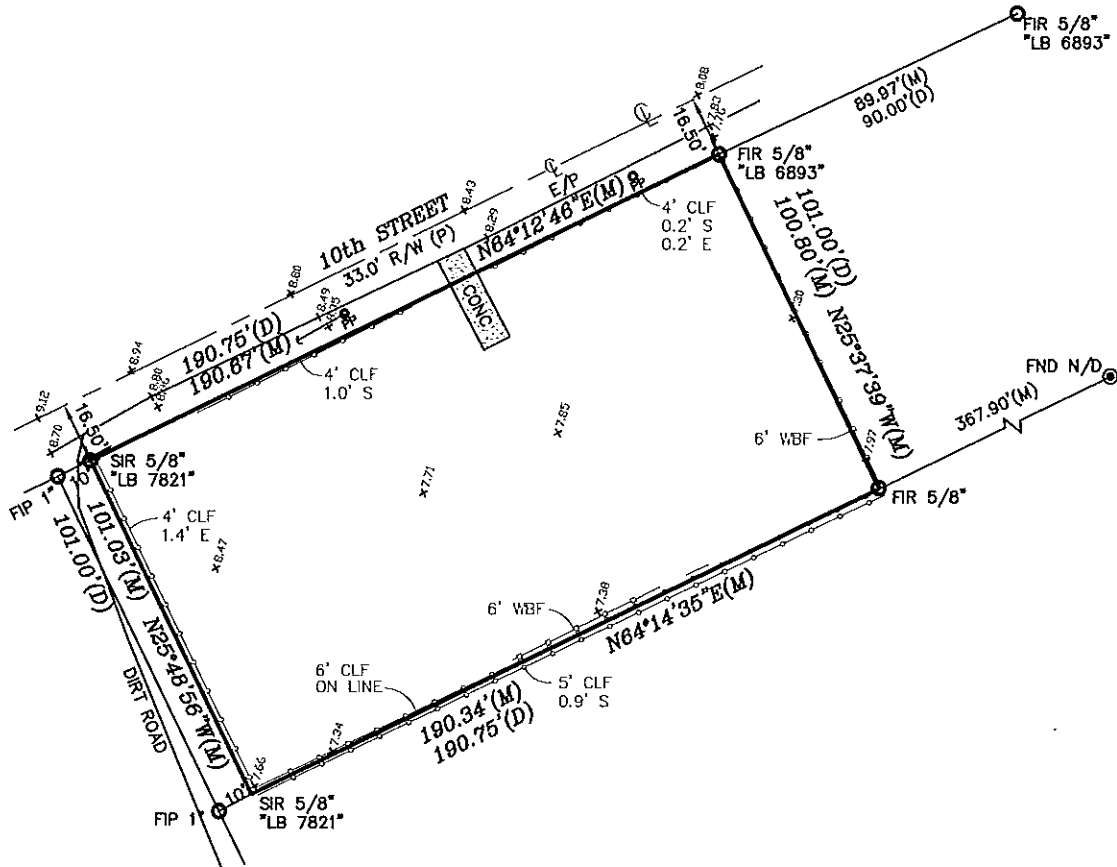
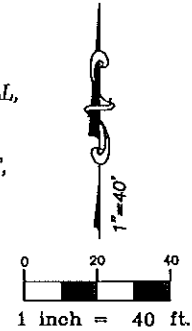
PALMS: Basic parcel record searches with enhanced features.

Map Kiosk: More advanced tools for custom searches on several layers including parcels.





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 THE NORTH 101 FEET OF THE EAST 190.75 FEET
 OF THE WEST 200.75 FEET OF LOT 5, BLOCK 7,
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PROPERTY ADDRESS:
 1011 10TH STREET
 DAYTONA BEACH, FLORIDA 32117

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(P)	= PLAT DIMENSION
(M)	= FIELD MEASURED
☉	= CENTERLINE
EM	= WATER METER

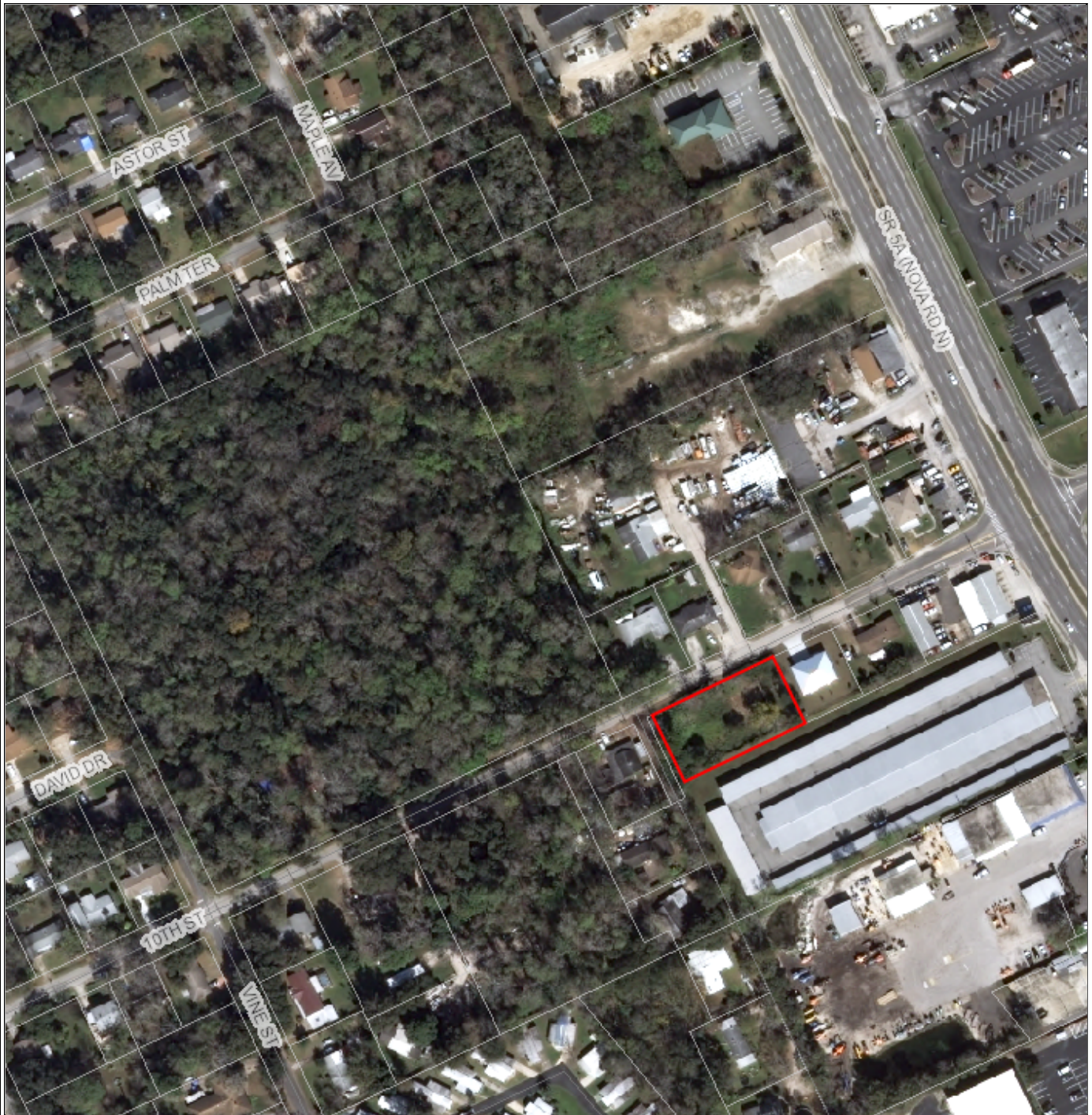
SURVEYOR'S NOTES:

1. BASIS OF BEARING — THE SOUTHERLY RIGHT OF WAY LINE OF 10TH STREET, AS BEING N64°12'46"E, AN ASSUMED BEARING.
2. DATE OF FIELD SURVEY: DECEMBER 16, 2015
3. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING SURVEYOR.
4. PROPERTY LINES SHOULD NOT BE ESTABLISHED USING BUILDING TIES.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, BURIED UTILITIES, FOUNDATIONS AND FOOTERS WERE LOCATED.
6. SURVEY FILE NUMBER: 15-12-005
7. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88), AND MORE SPECIFICALLY TO A RAPID STATIC GPS OBSERVATION USING CORS STATIONS CCV5, GNV5, ZJX1, WACH & MC05 AND SOLVED THROUGH NGS OPUS.

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 55-17, FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO SECTION 427.027, FLORIDA STATUTES.

Leah M. Hoffmeyer
 LEAH M. HOFFMEYER, P.S.M., L.S. 6552
 H&H SURVEY CONSULTANTS, LLC, LB 7821
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
 DATE OF SURVEY: DECEMBER 17, 2015

AERIAL PHOTOGRAPH



Scale 1:2,500 - 1 in = 208 ft
Date Created:
06-Jan-16 09:59 AM

Legend

County Zoning

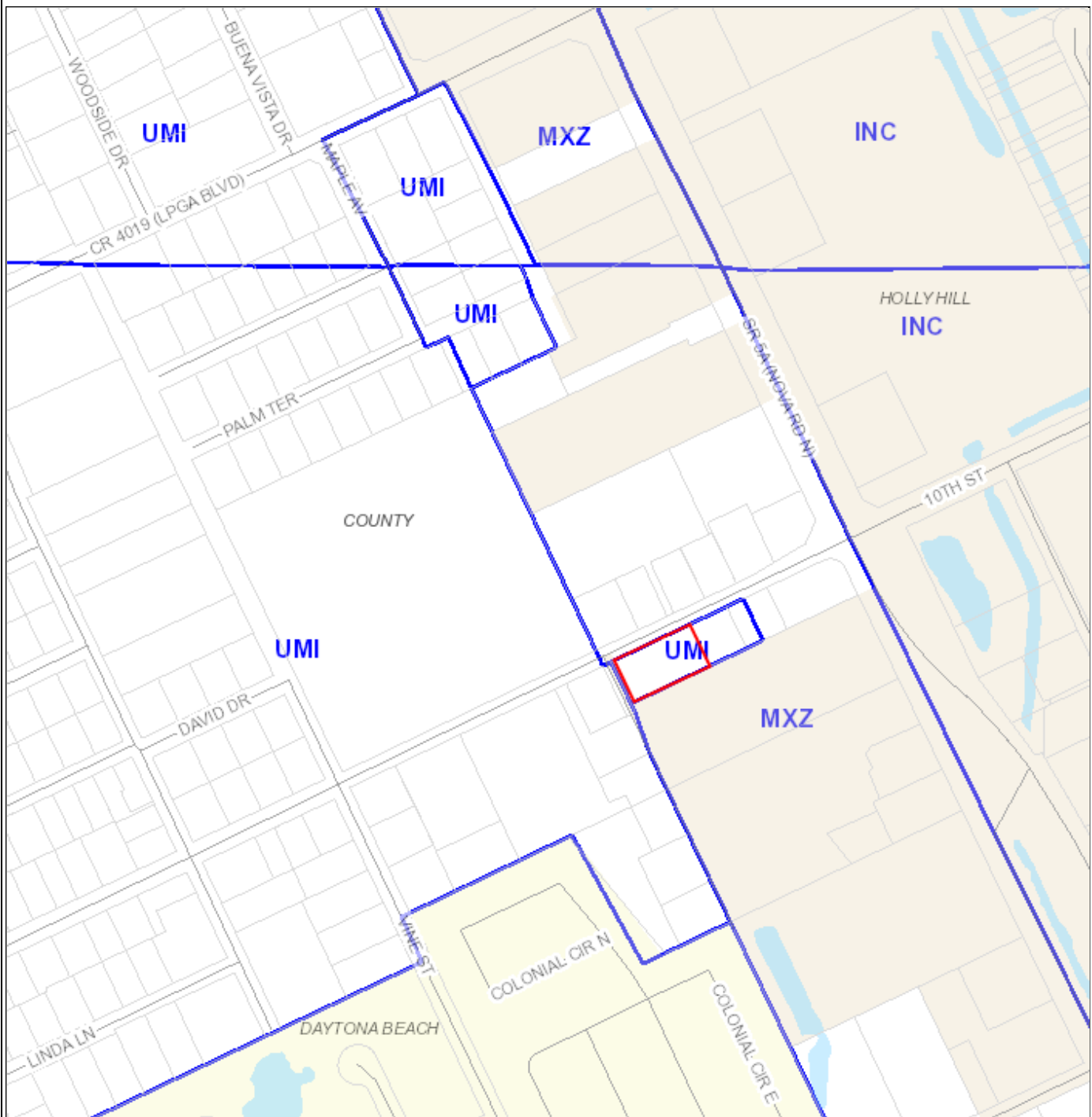


Street Names

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: Aerial Photograph at 2500 (1275 : 1011 Tenth Street Annexation, Comprehensive Plan and Zoning)

VOLUSIA COUNTY LAND USE



Scale 1/4,000 - 1 in = 333 ft
Date Created:
06-Jan-16 09:55 AM

Legend

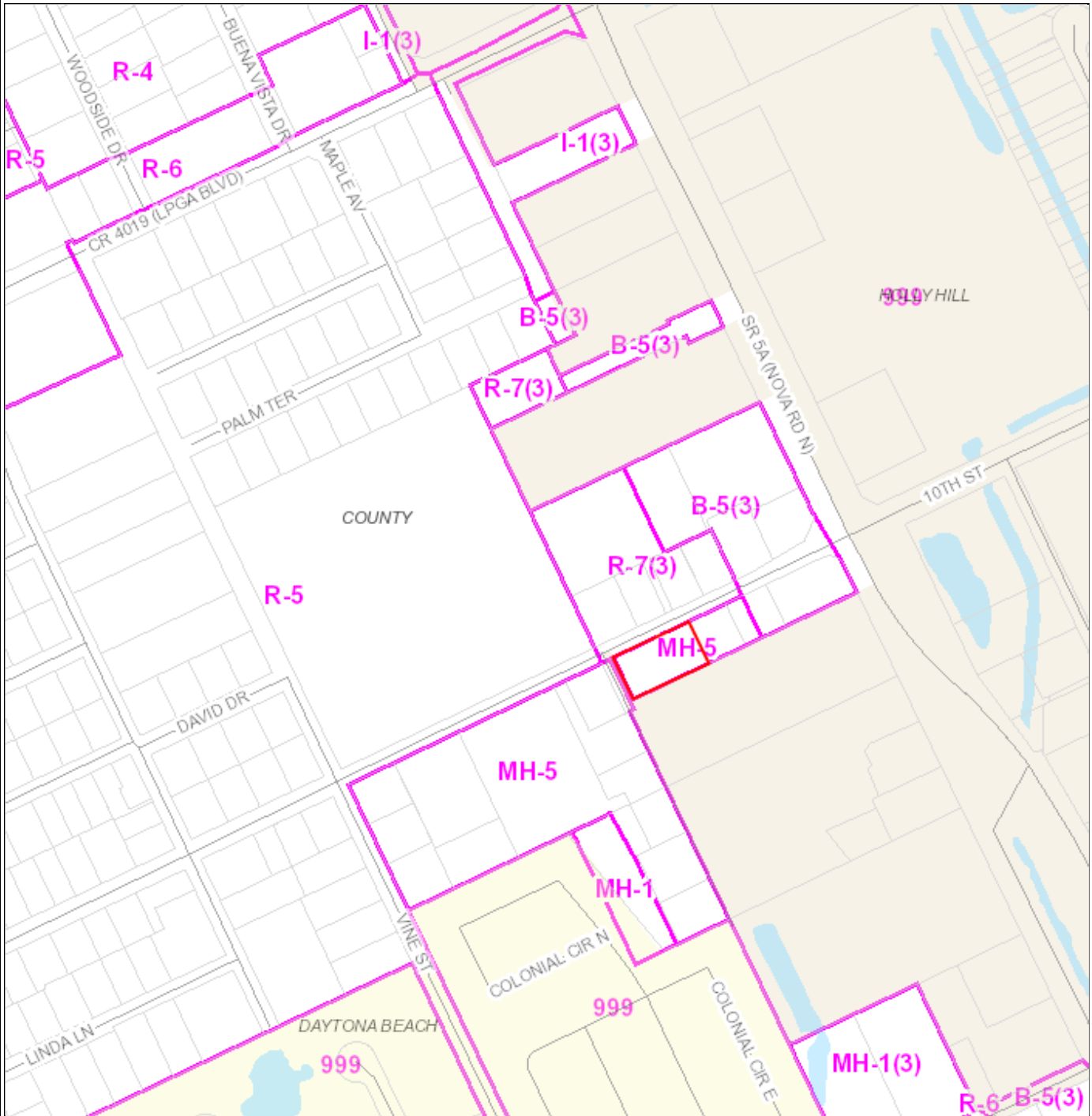
County Zoning



Street Names

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SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

VOLUSIA COUNTY ZONING



Scale 1/4,000 = 1 in = 333 ft
Date Created:
06-Jan-16 09:53 AM

Legend

County Zoning



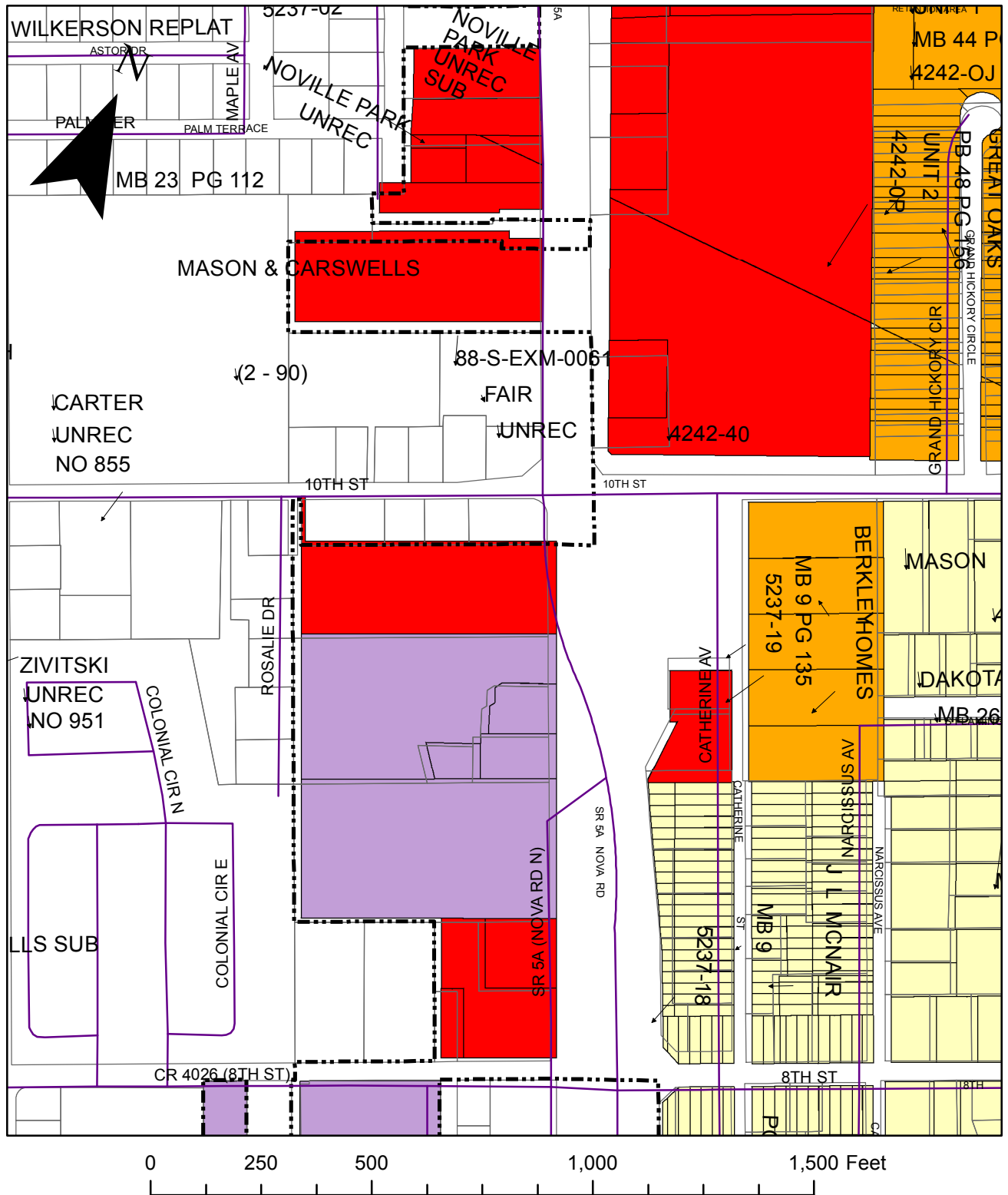
Street Names

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



CURRENT FUTURE LAND USE MAP CITY OF HOLLY HILL, FLORIDA

3.1.f



Legend

Future Land Use

<all other values>

Future Land Use Categories

Low Density Single Family Residential

Low-Medium Density Residential

Medium Density Residential

High Density Residential

Mobile Home Residential

Mixed Use II

Mixed Use III

Residential-Based Mixed Use

General Retail Commercial

Wholesale Commercial & Industrial

Churches Schools & Institutions

Parks and Open Space

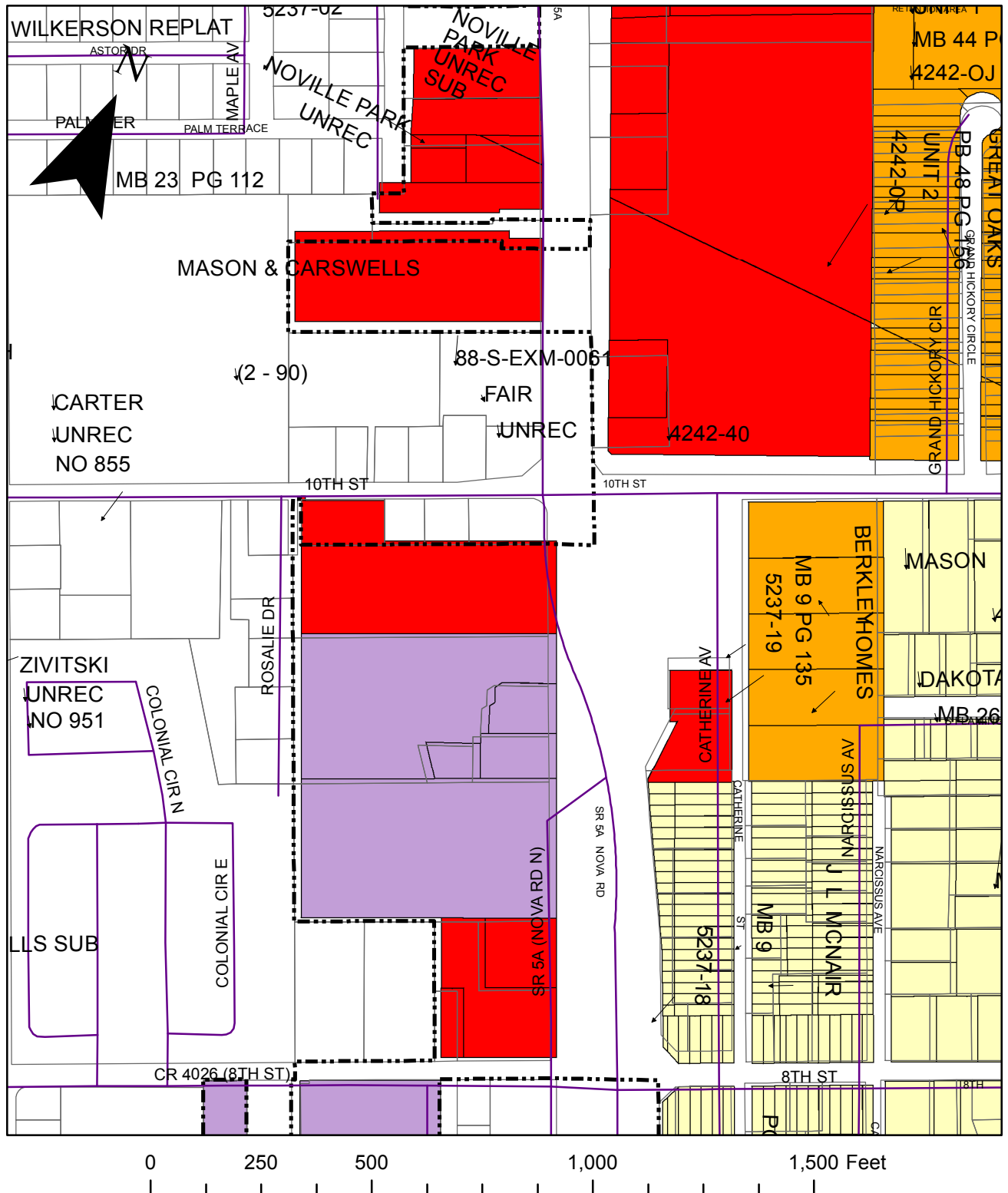
Conservation

No City Future Land Use



PROPOSED FUTURE LAND USE MAP CITY OF HOLLY HILL, FLORIDA

3.1.g



Legend

Future Land Use

<all other values>

Future Land Use Categories

Low Density Single Family Residential

Low-Medium Density Residential

Medium Density Residential

High Density Residential

Mobile Home Residential

Mixed Use II

Mixed Use III

Residential-Based Mixed Use

General Retail Commercial

Wholesale Commercial & Industrial

Churches Schools & Institutions

Parks and Open Space

Conservation

No City Future Land Use

Packet Pg. 40



STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: February 1, 2016
FROM: Thomas Harowski
SUBJECT: R-1 Setback Analysis: Proposal for Amendment of Setback Requirements for Front Yards in the R-1 Zoning Classification Including Modified Corner Lot Requirements and a Proposal for Averaging Setbacks Along Block Fronts.
NUMBER: (ID # 1276)
APPLICANT: City of Holly Hill
PLANNER: Thomas Harowski

INTRODUCTION: The Board asked staff to review front yard setbacks in the R-1 zoning district to determine if changes should be considered. The staff completed a study and submitted a report to the Board at the January 4, 2016 meeting. The Board directed staff to work on a proposed regulation regarding averaging setbacks and reducing setbacks for corner lots.

BACKGROUND: The staff report submitted to the BOPA at the January 4, 2016 meeting found that about 50% of R-1 properties did not meet the R-1 minimum front yard setback. The report outlined a range of options for consideration, and the Board requested a proposal on two options including a methodology for averaging and a proposal for lesser setbacks on corner lots.

DISCUSSION: This report will offer a proposal for a reduced setback on corner lots and an averaging process for R-1 properties. The Board may want to give consideration as to the applicability of these techniques to all single-family homes. To give the Board some information on the impacts of reduced corner lot setbacks, the data presented includes R-2 and R-3 districts. The R-3 setbacks will be the same as single-family setbacks in R-4a through R-8 zoning classifications.

Corner Lot Reductions

Before looking at some actual numbers for R-1, R-2 and R-3 zoning classifications, we should consider a definition for a Side Corner Yard. A proposed definition is as follows:

On a corner lot the street on which the property is addressed is considered the front yard for determination of setbacks, and the yard adjacent to the secondary street shall be the side corner yard. For properties abutting Riverside Drive, the yard adjacent to Riverside Drive shall always be considered the front yard.

The Board recommended that any reduction in side corner yard setbacks not exceed a maximum of 40% of the required front yard setback. The following table details how a 40% reduction would apply to R-1, R-2 and R-3 zoning classifications.

COMPARISON OF CURRENT AND PROPOSED YARD REQUIREMENTS			
YARD	R-1	R-2	R-3
Front	35	30	25
Front Corner	20	15	15
Side	10	8	7.5
Rear	30	20	20

The numbers for the front corner yard are based on 60% of the front yard requirement with some rounding applied. Almost across the board the front corner setback would be twice the standard side yard setback. The question for the BOPA is whether the Board want to recommend this alternative and, if so, do the numbers presented above seem to be reasonable. If the BOPA wishes to extend the corner lot reduction to all single-family lots the dimensional requirements for all single-family units in R-4a and above will be the same as the R-3 numbers in the table.

Front Yard Averaging

In the discussion of averaging options, the BOPA presented two criteria in the discussion at the January 4th meeting. First, the averaging should be done along the length of the block face (one side of the street between intersections) and secondly any setbacks larger than the minimum will be factored using the minimum requirement. In examining how this process might work, staff developed a series of examples to test the application of an averaging process. The following table summarizes these test cases.

FRONT YARD SETBACK AVERAGING EXAMPLES					
Test Case	Case 1	Case 2	Case 3	Case 4	Case 5
Setback	35	35	34	27	38
Setback	28	35	18	29	42
Setback	40 (35)	38 (35)	22	32	40
Setback	26	29	31	31	39
Setback	29	35	26	28	50
Total	153	169	131	147	209
Average	30.6	33.8	26.2	29.4	41.8 (35)

These test cases identify a few conditions that the BOPA might want to consider.

1. Note that Test Case 5 includes a section where all units exceed the minimum setback. A new unit could be permitted forward of every unit and forward of the average for all units on the block face. This is the current rule.
2. Several of the test cases create a fractional setback. Should the fractional setback be used or should we consider rounding the average to a set point such as the nearest half foot?
3. Test Case 2 has only one unit closer to the street than the minimum requirement. Should we consider a requirement that a minimum number or percentage of the existing units be forward of the minimum setback to allow the application of the averaging process? For example 10% or 20% of the units must violate the setback to allow the averaging to occur. This criterion would help forestall a situation where one unit or two units in a larger group of homes would work to reduce the setback when the large majority of units comply.
4. Test Case 3 has a wide variance in the actual unit setbacks, so the average still leaves a situation where two units will sit well forward of the new unit.
5. Test Case 4 has a much narrower range of actual setbacks so the result of the averaging process is a much more consistent line for the front of the units.

While we used five lots as the test case examples, actual block fronts on the west side of Riverside Drive range from four to 13 parcels not including flag lots. Four units was the most common total (five blocks) with the total number of lot per block increasing the further north along Riverside Drive.

RECOMMENDATION: Staff is seeking additional input from the Board on the two proposals discussed above.