



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, February 1, 2016

6:30 PM

City Commission Chamber

1. Call to Order

A. Approval of Absence's

Vice Chairman Chris Via asked for a motion to approve Chairman Mike Myer's excused absence from tonight's meeting.

A. Chairman Mike Myer

1. Motion To: Approve Excused Absence

COMMENTS - Current Meeting:

Approval of Chairman Mike Myer's absence from tonight's meeting.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dorothy Featherston, Board Member
SECONDER: Edward H Perkins, Board Member
AYES: Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED: Mike Myer

B. Member Jim Legary

1. Motion To: Approve Excused Absence

COMMENTS - Current Meeting:

To approve the excused absence of Jim Legary on March 2, 2015.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dorothy Featherston, Board Member
SECONDER: Edward H Perkins, Board Member
AYES: Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED: Mike Myer

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

B. Invocation

Invocation was given by Vice Chairman Chris Via.

C. Pledge of Allegiance

Pledge of Allegiance was led by Ed Perkins.

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

COMMENTS - Current Meeting:

Minutes approved as submitted.

ATTACHMENTS:

- Minutes - January 4, 2016 (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jim Legary, Board Member
SECONDER:	Dorothy Featherston, Board Member
AYES:	Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED:	Mike Myer

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 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.

COMMENTS - Current Meeting:

Thomas Harowski, City Planner summarized his staff report, stating that this is an application for a small scale amendment to the Future Lane Use Map to incorporate annexed property into the City's comprehensive plan. He further commented on the background of the property as well as the surrounding parcels and their zoning. This property is surrounded by Volusia County zoning except for the property located to the south which is abutting City of Holly Hill jurisdiction and is zoned CC-1, Commercial Corridor. He recommends the Board of Planning and Appeals recommend to the City Commission to annex the parcel, designate the parcel as General Commercial on the Future Land Use Map and designate the property as CC-1 on the Official Zoning Map.

Vice Chairman Via asked about stormwater costs. Mr. Harowski, stated that if there are any stormwater improvements made to the property, the applicant would bear that cost.

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)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Edward H Perkins, Board Member
SECONDER:	Jim Legary, Board Member
AYES:	Christopher Via, Edward H Perkins, Dorothy Featherston, Jim Legary
EXCUSED:	Mike Myer

4. Old Business

1. Agenda Item 2016-5

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.

COMMENTS - Current Meeting:

This is a continued discussion regarding the setbacks for the R-1 Single Family District. Thomas Harowski, City Planner, summarized his staff report. His report offers a proposal for a reduced setback on corner lots and an averaging process for the R-1 properties.

Jim Legary questioned what is the City trying to accomplish with these changes? Mr. Harowski stated that due to the amount of variances from setback requirements within the R-1 zoning district, he wanted to see if there may certain circumstances that are causing these requests or is there something structurally embedded within the code that is causing this.

Mr. Harowski, further summarized his staff report dealing with the options of front yard averaging or setting a permanent setback number. He also explained his test cases outlined in his staff report.

Scott Simpson, City Attorney gave another suggestion of maybe doing an averaging now and then set a new set-back from that averaging. Because if the property owners keep averaging, the front yard setback will get smaller and smaller.

Ronald Strange, 24 Katrinas Drive, Ormond Beach, Florida stepped to the podium. He is the property owner of a vacant lot abutting 1650 Riverside Drive. He stated that if the setbacks are left as is, a new structure being built would have to meet the current setbacks. But an existing home can apply for a variance for an addition or accessory structure. He is in favor of averaging the setbacks.

Mr. Harowski, stated that there are only a few vacant lots left, but the setback changes would also effect tear down and rebuilds within the zoning district, which their could be many along the Riverside Drive corridor.

Vice Chairman, Chris Via stated that he would like to further discuss this issue when Chairman Myer is back.

At this time, the Board's consensus was to take no action and bring this issue back at the next meeting when Chairman Myer is present.

RESULT: PRESENTATION

5. Board/Staff Communications

None

6. Adjournment

Meeting Adjourned at 7:38 PM