

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA • MAY 1, 2017

City Commission Chamber

BOPA Regular Meeting

6:30 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448



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

PLANNING & APPEALS BOARD MEMBERS

Chairman

Mike Myer

Board Member

Arthur Cappuccio

Board Member

Jim Legary

Board Member

Arthur W. Morris

Board Member

Robin D. Hanger

CITY PLANNER

Thomas Harowski

Building & Zoning

Liz Nelson

1. CALL TO ORDER**2. INVOCATION****3. PLEDGE OF ALLEGIANCE****4. MINUTES APPROVAL**

1. Minutes of April 3, 2017 BOPA Minutes

(Requested by Elizabeth Nelson, Board of Planning and Appeals)

5. AGENDA ITEM

1. V-2017-02 1408 Moravia Variance The Applicant is Requesting a Variance of 5.2 Feet from the Required Side Yard Setback of 7.5 Feet to Allow for Conversion of a Carport into a One-Car Garage.

(Requested by Valerie Manning, City Clerk)

2. V-2017-04 226 Walker Street Variance Request A Request for a Variance to Allow a Deck and Steps Constructed in the Required Front Yard to Remain.

(Requested by Thomas Harowski, Board of Planning and Appeals)

3. Sign Permitting Regulations A Proposed Revision to the Land Development Code to Eliminate a Conflict Between the City's Development Regulations and the Florida Building Code.

(Requested by Thomas Harowski, Board of Planning and Appeals)

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

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

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



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



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

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



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: May 1, 2017
FROM: Elizabeth Nelson
SUBJECT: Minutes of April 3, 2017 BOPA Minutes
NUMBER: (ID # 1638)
APPLICANT:
PLANNER:

DISCUSSION: Approve April 3, 2017 BOPA Minutes

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approve April 3, 2017 BOPA Minutes

COMMISSION GOAL: N/A

MOTION: As determined by the BOPA

- April 3, 2017 Minutes (PDF)



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • APRIL 3, 2017

City Commission Chamber

BOPA Regular Meeting

6:30 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

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

2. INVOCATION

Invocation was done by Mike Myer.

3. PLEDGE OF ALLEGIANCE

Michael Myer led in the Pledge of Allegiance.

4. MINUTES APPROVAL

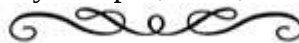
1.

Minutes

(Requested by Elizabeth Nelson, Board of Planning and Appeals)
Approved as submitted.

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

Enacted and approved this 3rd day of April, 2017, in Holly Hill



2.

Minutes of February 22, 2017 Special Meeting Minutes

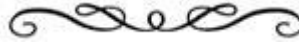
(Requested by Elizabeth Nelson, Board of Planning and Appeals)

Attachment: April 3, 2017 Minutes [Revision 1] (1638 : Minutes of April 3, 2017 BOPA Meeting)

Approved as submitted.

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

Enacted and approved this 3rd day of April, 2017, in Holly Hill



5. AGENDA ITEM

1.

1321 Daytona Avenue Rear Yard Variance A Request for a Variance from the Required Rear Yard Setback of 20 Feet to Allow Construction of a Screen Room to Within 8-Feet of the Rear Property Line.

(Requested by Thomas Harowski, Board of Planning and Appeals)

Tom Harowski, City Planner, summarized his staff report. Stating that the applicant is requesting a variance of 12 feet from the rear property line to allow a screen room to be constructed in the rear yard. The screen room will replace an existing 10' X 12' wooden deck and trellis cover that is in need of major repair. The house was built in 1923 and sits in the extreme southeast corner of the lot. A portion of the house sits on the south property line and the easterly wall is 4' from the rear property line. Staff recommends that the Board of Planning and Appeals grant the application for the variance.

The applicants Joe & Melia Lewis, 1321 Daytona Avenue, stepped to the podium explaining that the wooden deck and pergola need to be replaced due to the rotten wood. They want to replace it with a screen room so to enjoy the outdoors without the problem of mosquito's.

Mike Myer expressed concerns with this variance request. Stating that the City Commission did not grant the last variance request that was before the Board. The City Commission based that decision on the fact that the hardship in that case was self created. He feels that this case also would be a self-created hardship. That the screen room could be built in any area of the property that is not in the required setback.

Joe Lewis, applicant stated that is true, however it would be in the front yard and would deter from the 1923 style of the residence. Also they would like it to be in rear of the residence, easier to access and not be seen from the front.

Scott Simpson, City Attorney explained that the variance request that the City Commission denied was based on the self-created hardship due to the fact that it was constructed without proper permits. If that applicant had come to the City for the permit before construction, he may have been able to get the carport with a variance request that would allow him to build it up to the property line. He further stated that this applicant is basically replacing a structure with another structure that is already encroaching in the

setbacks. They are not enlarging the encroachment, just replacing it with a different type of structure.

A motion was made to approved the variance request, and it passed unanimously.

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

Enacted and approved this 3rd day of April, 2017, in Holly Hill



2. -DOC-2017-2

1408 Moravia Side Yard Variance A Request to Allow a Variance of 5.5 Feet from the Required Side Yard Setback to Allow Construction of a Garage Within a Portion of the Required Side Yard Setback.

(Requested by Thomas Harowski, Board of Planning and Appeals)

This item was deferred to the next meeting on May 1, 2017 due to a lack of notification to surrounding property owners.

RESULT:	INFORMATION ONLY
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Enacted and approved this 3rd day of April, 2017, in Holly Hill



6. **OLD BUSINESS**

None.

7. **BOARD/STAFF COMMUNICATIONS**

Chairman Mike Myer asked City Attorney, Scott Simpson if he could inform the Board about the sunshine law and what they can and cannot do.

Scott Simpson asked if they wanted to go over it tonight or have him put something together and bring it back to the next meeting. The Board's consensus was to discuss it at the next scheduled meeting.

8. **ADJOURNMENT**

This meeting adjourned at 7 PM



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: May 1, 2017
FROM: Valerie Manning
SUBJECT: V-2017-02 1408 Moravia Variance The Applicant is Requesting a Variance of 5.2 Feet from the Required Side Yard Setback of 7.5 Feet to Allow for Conversion of a Carport into a One-Car Garage.
NUMBER: (ID # 1652)
APPLICANT: Paul Knudsen
PLANNER: Thomas Harowski

INTRODUCTION: The applicant is requesting a variance of 5.2 feet from the required side yard setback of 7.5 feet to allow for conversion of an existing carport into a one-car garage.

BACKGROUND: The subject property is located at 1408 Moravia Avenue and is zoned R-3 Medium Density Single-Family Residential. The R-3 zone setbacks are established at 25 feet for the front yard, 20 feet for the rear yard and 7.5 feet for each side yard. According to the property appraiser's records the house was built in its current configuration in 1955. Zoning on the east side of Moravia Avenue at this location is R-1 and is developed with larger lots and larger homes.

The property survey (refer to the attached survey) shows the existing house meets the front yard and rear yard setback and the north side yard setback. On the south side of the property the existing carport extends 2.2 feet into the required side yard setback, so the existing building is already non-conforming with regard to the subject side yard.

The applicant proposes to convert the existing carport to a one-car garage. The applicant has prepared construction plans which are attached as an exhibit. Page A-004 of the plans shows the garage width at 14 feet 4 inches. This is an increase of 3 feet 4 inches over the width of the existing carport, and the applicant states that the additional width is necessary to accommodate a standard garage door and allow room to open the car door once in the garage.

DISCUSSION: The applicant has submitted an application detailing his justification for the variance and how the request satisfies the criteria set out in the code. A copy of the application is attached.

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

The applicant notes the following conditions:

- The existing lot was platted at 50 feet which is 10-feet less than the minimum R-3 lot. Had the lot met minimum standards, there would be ample room to meet the side yard setbacks.
- The house and carport was built in 1955, which pre-dated the current land development regulations.
- The requested variance is the minimum variance needed to accommodate a one-car garage with a standard size garage door.
- The garage replacement is part of a larger renovation of the home which will improve the appearance of the house and upgrade the overall neighborhood appearance.

That the special conditions and circumstances do not result from the applicant's own actions;

The setback condition on the carport side of the house was in existence when the applicant purchased the property. The setback limitation existed at the time the property was purchased and the expansion needs for the garage could have been explored at that time.

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

It is common for properties in the City to have enclosed garages for storage of vehicles. In this case, the development of the site which was done prior to the current land development regulations has created a situation where a standard garage cannot be constructed without further impact to the required side yard. The Board will need to determine if the denial of the variance application would be a sufficient limitation on the rights of the applicant to have a garage that granting of the small variance is justified.

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

The applicant could retain the existing carport as covering for the vehicle. The existing carport cannot be converted into an enclosed garage in the current configuration as there is insufficient space to install a standard garage door and access the vehicle when it is in the garage.

The applicant could construct a freestanding garage behind the existing house and use the existing side yard as the driveway access to the accessory garage.

There is sufficient space to accommodate a 2-car garage within the required setbacks.

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

The extension as proposed is the minimum to reasonably install an enclosed garage at the location proposed.

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

The neighborhood is generally developed with modest single-family homes. As noted above, the houses on the east side of Moravia Avenue are zoned R-1 and are generally larger than homes on the west side of the street. The house to the south is relatively close to the property line, but it does sit behind the subject property and the common property line is heavily wooded. The extension of the existing structure another three feet into the required side yard will not impact views or light and air to the property to the south. The house to the north also sits well back from the subject property and will not be impacted by the proposed construction.

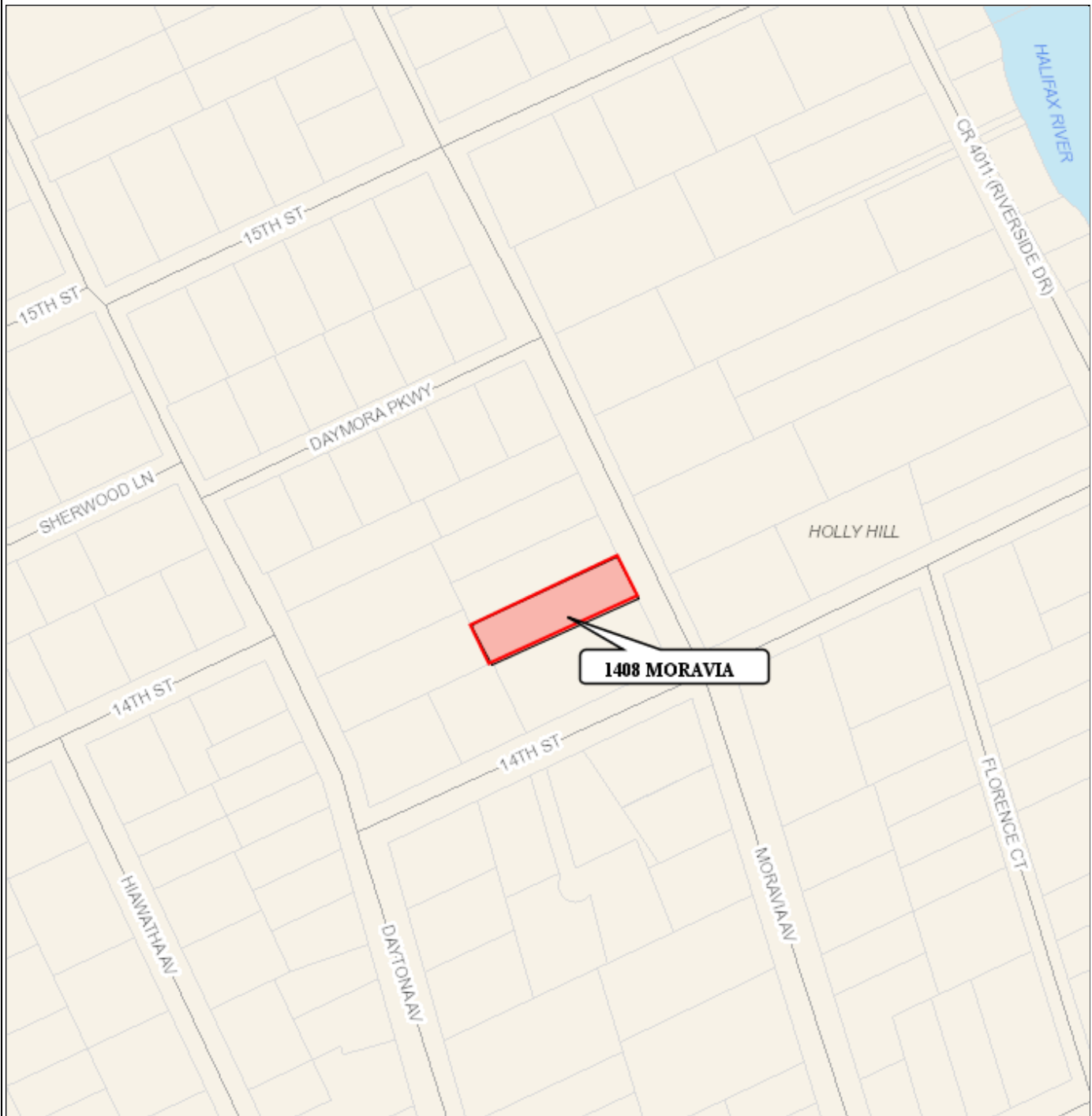
The granting of a variance in this application will not create a violation of comprehensive plan goals, objectives and policies.

FISCAL ANALYSIS: There is no fiscal impact from this request.

RECOMMENDATION: If the Board believes the additional incursion of the structure into the required side yard is supported by the right to have an enclosed garage, the Board should recommend the variance of 5.5 feet to the City Commission. Staff also suggests that the variance be conditioned on a requirement to provide gutters on the garage addition if the design slopes roof runoff to the south.

- V-2017-02 Location Map (PDF)
- V-2017-02 Application (PDF)
- V-2017-02 Construction Plans (PDF)
- V-2017-02 Aerial Photo (PDF)

V-2017-02 LOCATION MAP



Scale 1:2,000 - 1 in = 167 ft
 Date Created:
 24-Feb-17 03:48 PM

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

Attachment: V-2017-02 Location Map (1652 : V-2017-02 1408 Moravia Variance)



GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117

Phone: (386) 248-9424

Fax: (386) 248-9498

Date Received: 2/24/17Application ID: V-2017-02Received By: JAH

REQUESTED ACTION

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

Describe Request: _____

APPLICANT INFORMATION:

Name: Paul KnudsonE-Mail: suncoincfl.rr.comAddress: 1408 Moravia AvePhone: 386 405 2224Holly Hill FL 32117

Fax: _____

☒ Owner☐ Agent for Owner☐ Attorney for Owner

OWNER INFORMATION:

Name: Same

E-Mail: _____

Address: _____

Phone: _____

Fax: _____

PROPERTY INFORMATION:

Address: 1408 Moravia Ave, Holly Hill FL 32117General Location: Between Walker St & Flomich, 1 Block East of RiverviewCurrent Zoning: R3 Current Land Use: ResidentialParcel Size: 50' Width x 182' Depth Tax Parcel #: 4243-05-00-0023Legal Description Attached ☒ Yes ☐ NoSurvey Attached ☒ Yes ☐ No

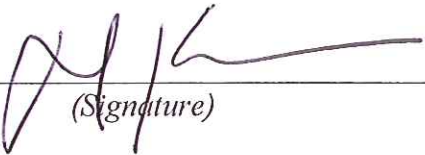
Pre-Application Meeting Date: 2/1/17
(Attach Pre-Application Form)

Application Fee: \$ 350.⁰⁰

Applicant's Signature: _____
(Signature) (Date)

(Print)

Owner's Signature:
(Provide letter of
Authorization)


(Signature)

2-21-17
(Date)

Paul J Knudsen
(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



Commission votes to approve, deny, or continue the application. An application will not be heard by the City Commission unless the Public Notification requirements described above have been satisfied.

CITY OF HOLLY HILL VARIANCE APPLICATION

PLEASE PRINT IN BLUE OR BLACK INK OR TYPE Pre-

Application Meeting Date: _____

APPLICANT:

Name **Paul Knudsen** E-Mail Address **suncoin@cfl.rr.com**

Street Address **1808 Ridgewood Ave** Phone **386-405-2224**

City **Holly Hill** State/Zip **FL 32117**

STATUS: ☒ Owner ☐ Agent for Owner ☐ Attorney for Owner ☐ Contract Purchaser

OWNER (If different than Applicant):

Name _____ E-Mail Address _____

Street Address _____ Phone _____

City _____ State/Zip _____

This is a request for a Variance of: **Set back of South Property line**

The Current Zoning is **R 3**

The Comprehensive Plan Land Use Designation is: **Residential**

Size of Parcel: **50' x 182'** Tax Parcel #: **4243-05-00-0023**

Address of Property: **1408 Moravia Ave** If Group Home/Daycare, # clients/members: _____

Sq. ft. of building, if applicable: **Existing 984 sq' renovated 1207 sq' living**

Utility: ☐ Private Septic/Well ☐ Central Sewer by: **Holly Hill** ☐ Central Water by: **Holly Hill**

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL OF THE FOLLOWING ARE ATTACHED:

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

Signature of Applicant: **Paul Knudsen**

Print

Signature



Signature of Owner: Paul Knudsen
 Print Signature

----- DO NOT WRITE BELOW THIS LINE -----

Date Submitted: _____ Accepted By: _____

WRITTEN PETITION FOR A VARIANCE

The following items must be completed in sufficient detail to allow the City to determine if the application complies with the City Code Article V, Division 3.

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

The property was plotted out in 1955 with a lot size of 50' wide by 182' deep. This lot size does not comply with current minimum lot sizes of the City of Holly Hill. A 50 foot lot with a 24' wide home does not allow space for a attached garage. Please see attached letter.

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

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

Current Zoning Codes have outlined it to be 60 feet in width. If the property at 1408 was in compliance with current codes, no variance would be required.

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

One time request for this property only.



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

The lot is 50' wide, the house is 24' wide and the minimum size of a one car garage is 14' to allow the doors of a vehicle to be opened once inside. The North side set back is established without change. The existing foot print of the parking area has been increased by 3' leaving a minimum South line set back.

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

Acceptance of the application would be in line with the objectives of the City's Comprehensive plan. The renovation of the property would enhance the appearance of the property along with increasing its value and the value of the surrounding real estate.

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

There would be no negative impact to the area or public.

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

The Granting of this Variance will allow all criteria of the Comprehensive Plan Ordinance to be achieved.



Paul Knudsen

Print Applicant Name

Handwritten signature of Paul Knudsen in black ink.

Applicant Signature

Print Applicant Name

Applicant Signature

2-24-17

Date

Date

Legal Description of Property at 1408 Moravia Ave:

E 182 FT OF S 1/2 OF LOT 2 W OF MORAVIA AVE MCBRIDE SUB HERNANDEZ PER
OR 3406 PG 0492 PER OR 7303 PG 4411 PER OR 7324 PG 0113

Owner; Paul Knudsen

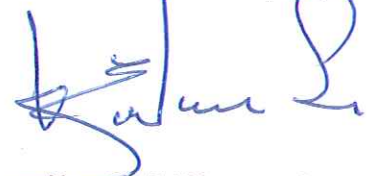
Warren Construction
2600 Ocean Shore Blvd
Ormond Beach, FL 32176
Phone 386-566-1557

February 21st 2017

To whom it may concern,

Please be advised that the owner Paul Knudsen of 1408 Moravia Ave. Holly Hill, FL 32117 is applying for a lot line set back variance of the South property line. The reason for this request is to allow for the existing carport to be replaced with an enclosed secure one car garage with lockable doors. The removal of the carport and addition of a garage will add security to the home owner along with improving the aesthetics of the property. The owner is an ANA Certified Numismatist operating the rare coin shop located at 1808 Ridgewood Ave., Holly Hill, FL 32117. Providing security for the safe transport of merchandise to and from coin shows is a major concern. Secure parking inside a locked garage would provide essential security. The garage addition is a part of the renovation of the entire structure and will update the property built in 1955. The existing flat roof will be re-constructed as a 5/12 pitch roof that extends over the proposed garage addition. The roof lines now become symmetrical improving the curb appeal of the property. The owner is proposing to update the roof, electrical service, plumbing, HVAC, windows, doors, landscaping, and exterior stucco. There is a proposed front porch in addition with columns included. The existing lot size of 50 feet wide is no longer acceptable by the planning and zoning department of the city of Holly Hill. The current 60 foot wide lot regulations would be ample for a one car garage. Please take this information into consideration in reviewing this application.

Thank you,



Kevyn E Warren Sr



CITY OF HOLLY HILL

PRE- APPLICATION MEETING FORM

You must set up a pre-application meeting **before** submitting your application. Please (386) 248-9424 or fax this completed form to (386) 248-9498 or email tharowski@hollyhillfl.org Tom Harowski, City Planner.

The following background information is required to schedule a pre-application meeting. Staff will use this to research the project site in preparation for the meeting. Although this is the minimal amount of background material required, more information is welcome. Please reference the list of Recommended Pre-Application Materials. Please attach additional sheets or plans as needed.

APPLICANT

OWNER

Name: PAUL KNUDSON
 Address: 1408 MORAVIA
 City/State/Zip: HOLLY HILL
 Phone: 405-2224 Fax: _____
 E-Mail Address: suncoincfl.rr.com
 Contact Person: _____

Name: SAME
 Address: _____
 City/State/Zip: _____
 Phone: _____ Fax: _____
 E-Mail Address: _____
 Contact Person: _____

My application will be: (Please check the type of request)

___ A Rezoning from _____ to _____.

___ A Special Exception/Conditional Use for a _____.

☒ A Variance to allow construction in side yard.

___ A Minor/Major Amendment to _____.

PROJECT INFORMATION

Tax parcel number(s): 4243-05-00-0023
 Address of parcel: 1408 Moravia Ave, Holly H. Ill Fl
 Size of parcel: 50' width x 182' depth Existing zoning: _____
 Future Land Use: residential
 Existing Use of Property: residential

You are recommended to submit the following with this form:

- ☐ A signed and sealed survey of the property (should be no more than 2 years old)
- ☐ Legal description of the subject property, if not on the survey
- ☐ A site plan to scale (for Special Exceptions & Variances)
- ☐ Written description of the request

Violation(s): _____
 TRS Meeting Date: _____
 EMD Required: YES NO
 N/C Lot Letter Required: _____
 Unrecorded Subdivision: _____
 Other: _____

STAFF USE ONLY

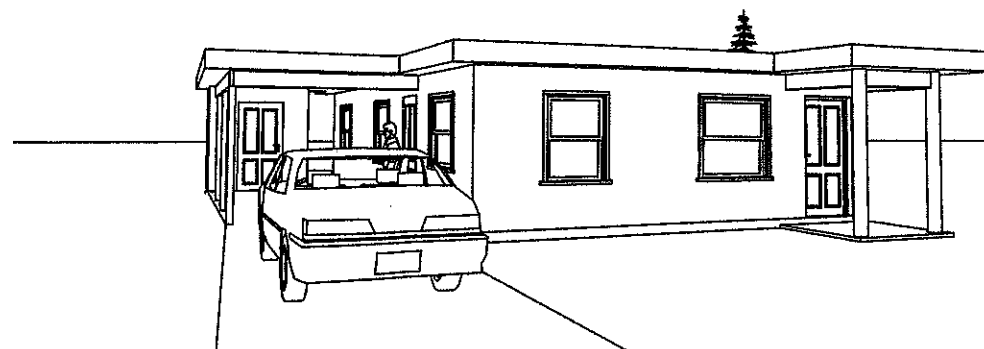
Planner's Comments/Notes: BOPA April 3rd City Commission 85
Feb 24th cut-off date.
Fee \$250

☐ Notifications Discussed

Date Submitted: 2-1-17 Taken By: J. Harowski Time: 3:00 a.m./p.m.

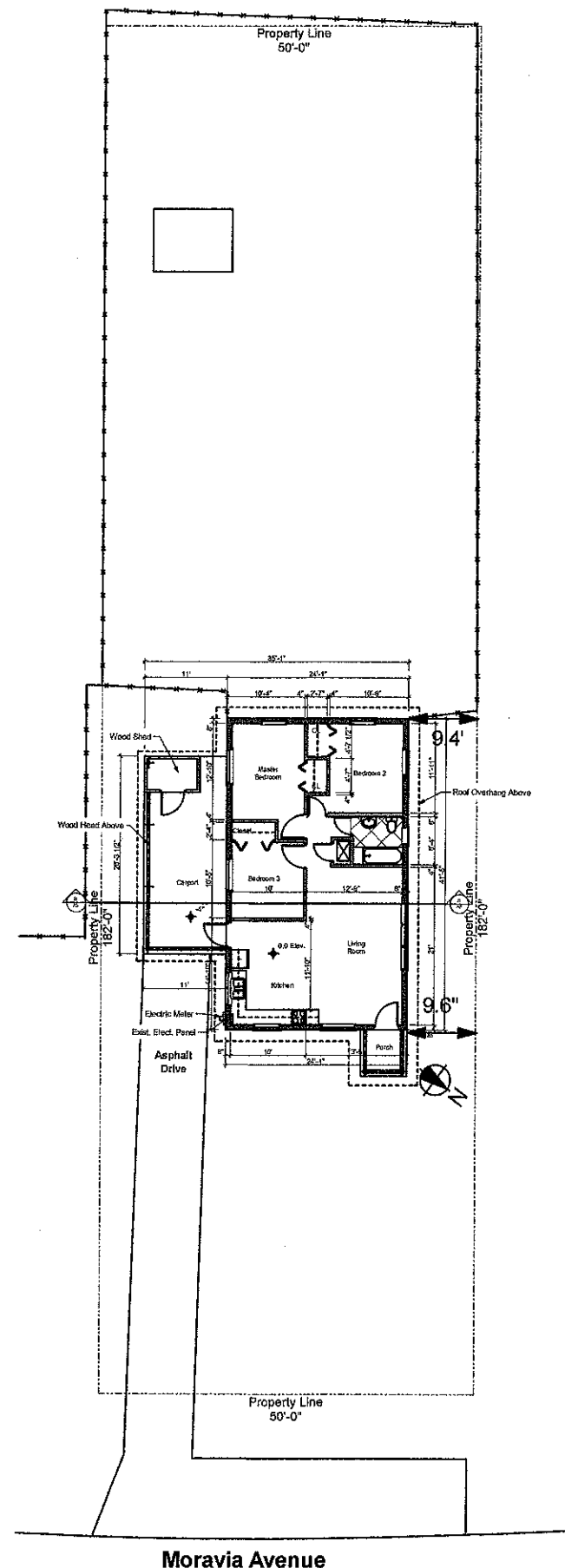
1408 Moravia Avenue
Holly Hill, Florida

FBC Existing Building Code
Scope Of Work: We are adding the existing carport and replacing it with an enclosed garage. We are adding 8'-0" of enclosed space on the west side of the home, enlarging the bedrooms and adding a bathroom. We are removing the existing front porch and replacing it with a larger front porch. Also the kitchen is being replaced with new cabinets, appliances and fixtures. The HVAC system is also being replaced in its entirety. Plans Conform to the requirements of the 5th. Edition Florida Building Code with adopted supplements.
Wind Speed 140
Enclosed Building Type
Risk Category 2
Exposure Category C
Internal Pressure Coefficient = .18
Wind Importance Factor 1
Wind Pressures: +33.1 -43.1



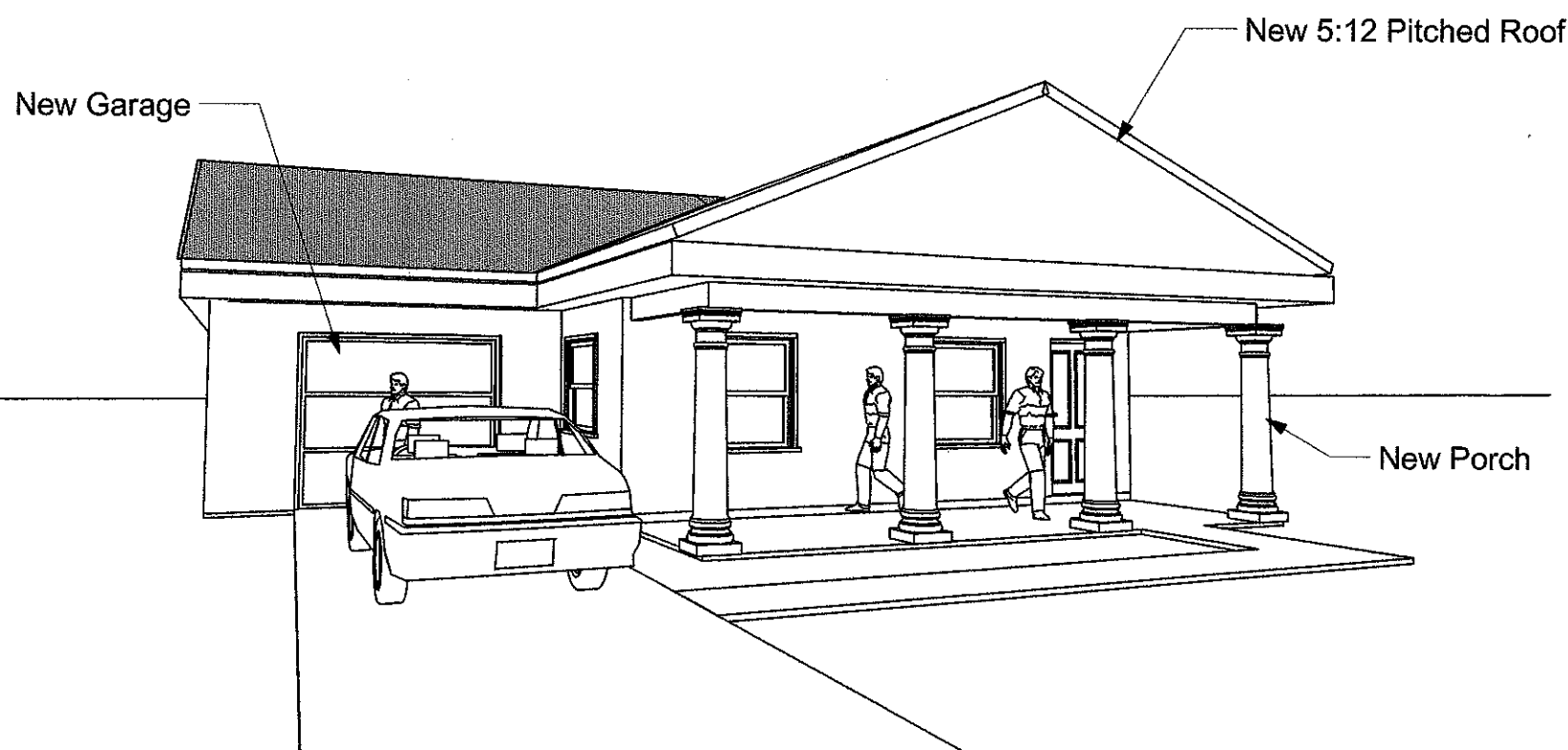
Existing Front Perspective

Table of Contents	
Sheet	Name
A-001	Title Sheet
A-002	Existing Floor Plan
A-003	Existing Elevations
A-004	Renovated Floor Plan
A-005	North Elevation
A-006	East Elevation
A-007	Blind Sections



Existing Site Plan

SCALE: 3/32" = 1'-0"



Renovated Front Perspective

Residential Renovation & Addition
1408 Moravia Avenue
Holly Hill, Florida

THIS DRAWING AND REPRODUCTIONS, THE PROPERTY OF ARCHITECT AND NOT BE REPRODUCED, PUBLISHED OR USED IN ANYWAY WITHOUT WRITTEN PERMISSION OF THE ARCHITECT.

DATE
Dec. 12, 2016

COMM. NO.

53153472

DRAWN BY

R.B.

SHEET TITLE

Title Sheet

SHEET

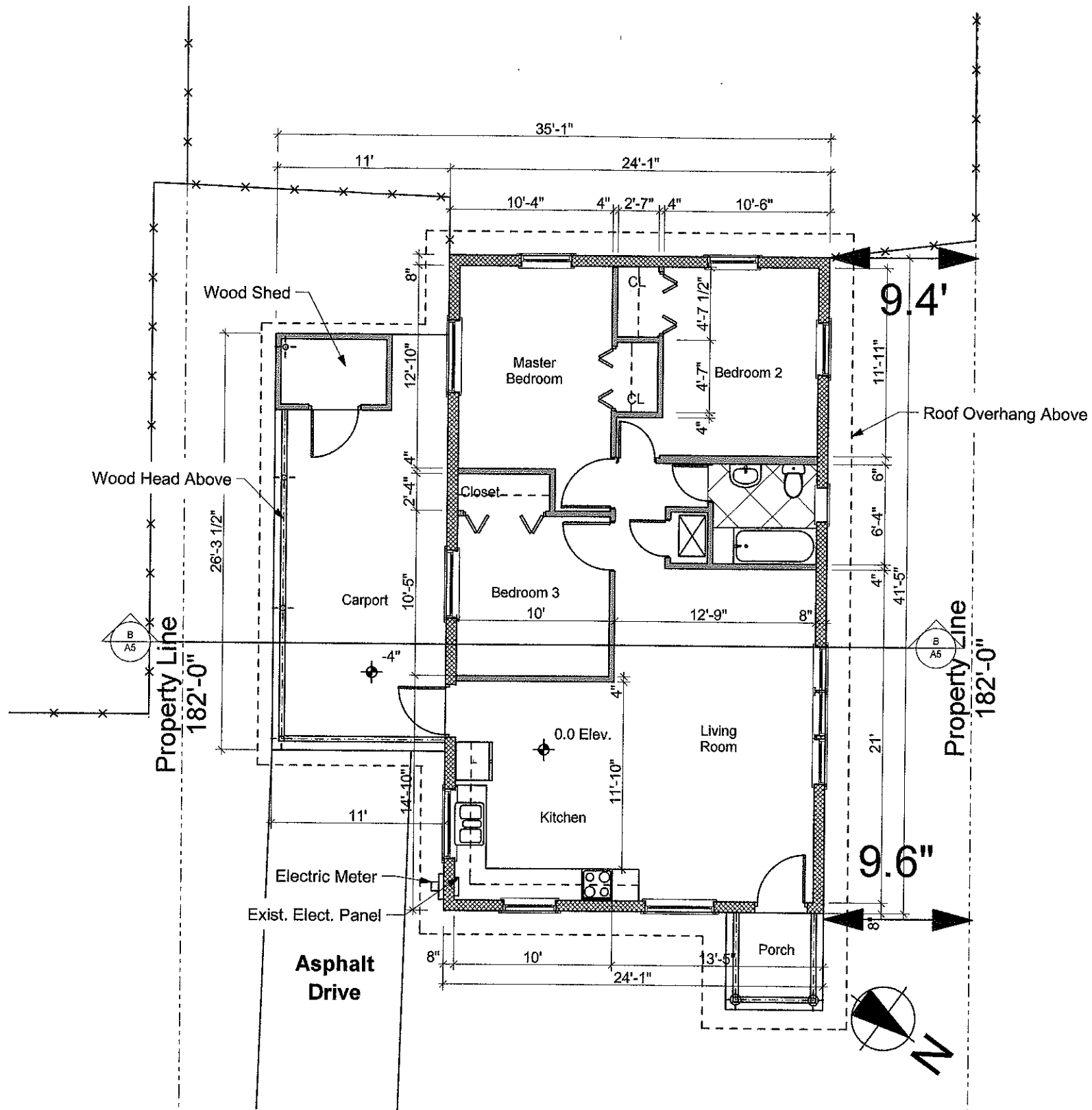
A-001

Packet Pg. 20

SHEET 1 OF 17

Attachment: V-2017-02 Construction Plans (1652 : V-2017-02 1408 Moravia Variance)

E:\Architects Plans 2016\1408 Moravia Warren Constr\1408 Moravia Res Reno Plan Book.40.pln



Existing Floor Plan

SCALE: 1/4" = 1'-0"

Enclosed Space = 998 sq. ft.
Front Porch = 38 sq. ft.
Carport = 289 sq. ft.

5.1.c

REVISIONS

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Richard Brookfield Architect, LLC
Fla. Reg. # AA26003248
brookfieldarchitect.com
P.O. Box 4195 Ormond Beach, FL USA 32175
DA: 1/20/17 024 0254

Residential Renovation & Addition
1408 Moravia Avenue
Holly Hill, Florida

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DATE
Dec. 12, 2016

COMM. NO.
53153472

DRAWN BY
R.B.

SHEET TITLE

Existing Floor Plan

SHEET

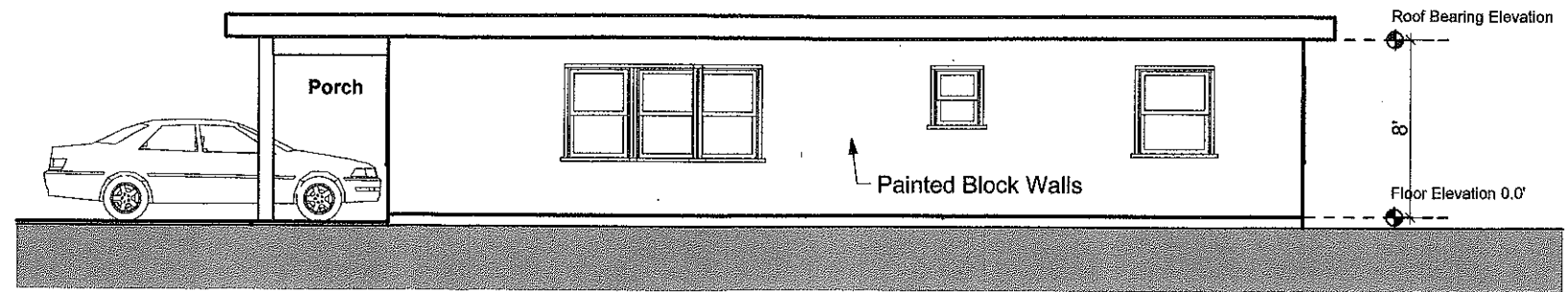
A-002

Packet Pg. 21

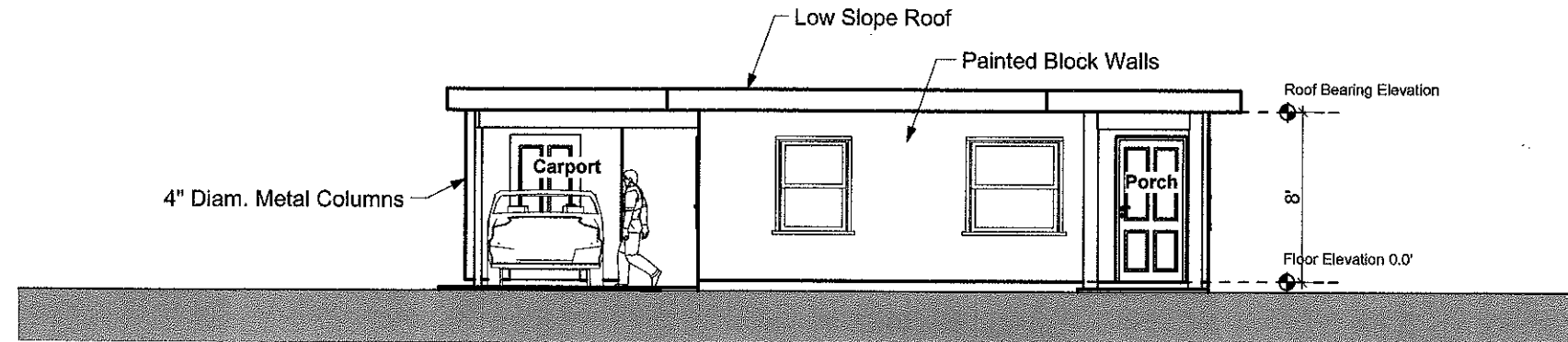
SHEET 2 OF 17

Attachment: V-2017-02 Construction Plans (1652 : V-2017-02 1408 Moravia Variance)

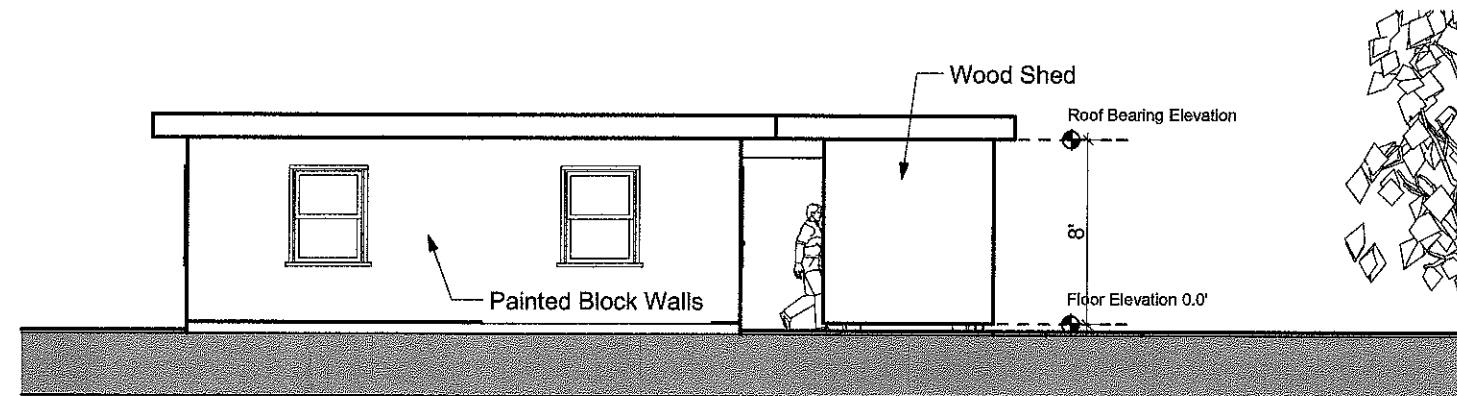
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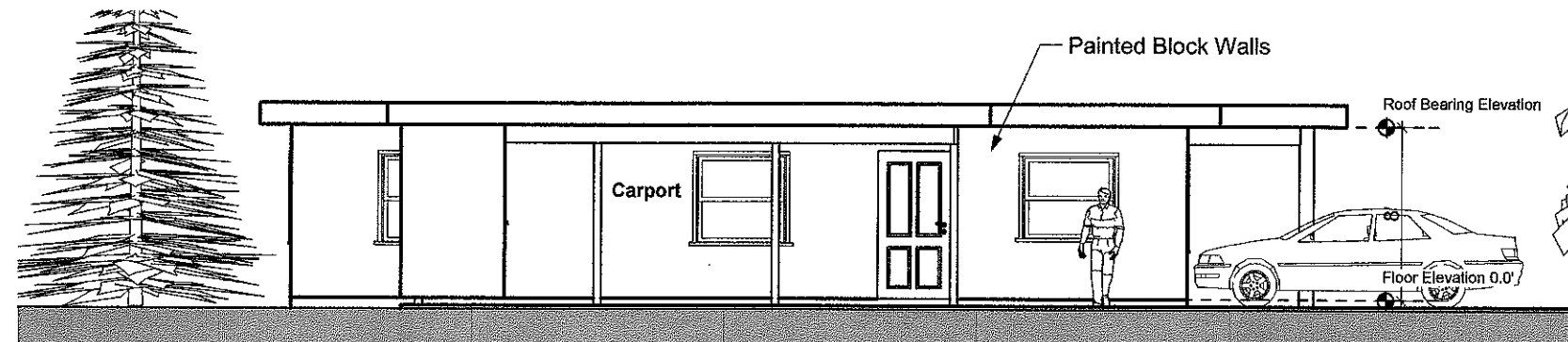
Existing North Elevation



Existing East Elevation



Existing West Elevation



Existing South Elevation

REV 5.1.c

REVISIONS

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DLA 1/20/21 224 252.4

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DATE
Dec. 12, 2016

COMM. NO.
53153472

DRAWN BY
R.B.

SHEET TITLE

Existing Elevations

SHEET

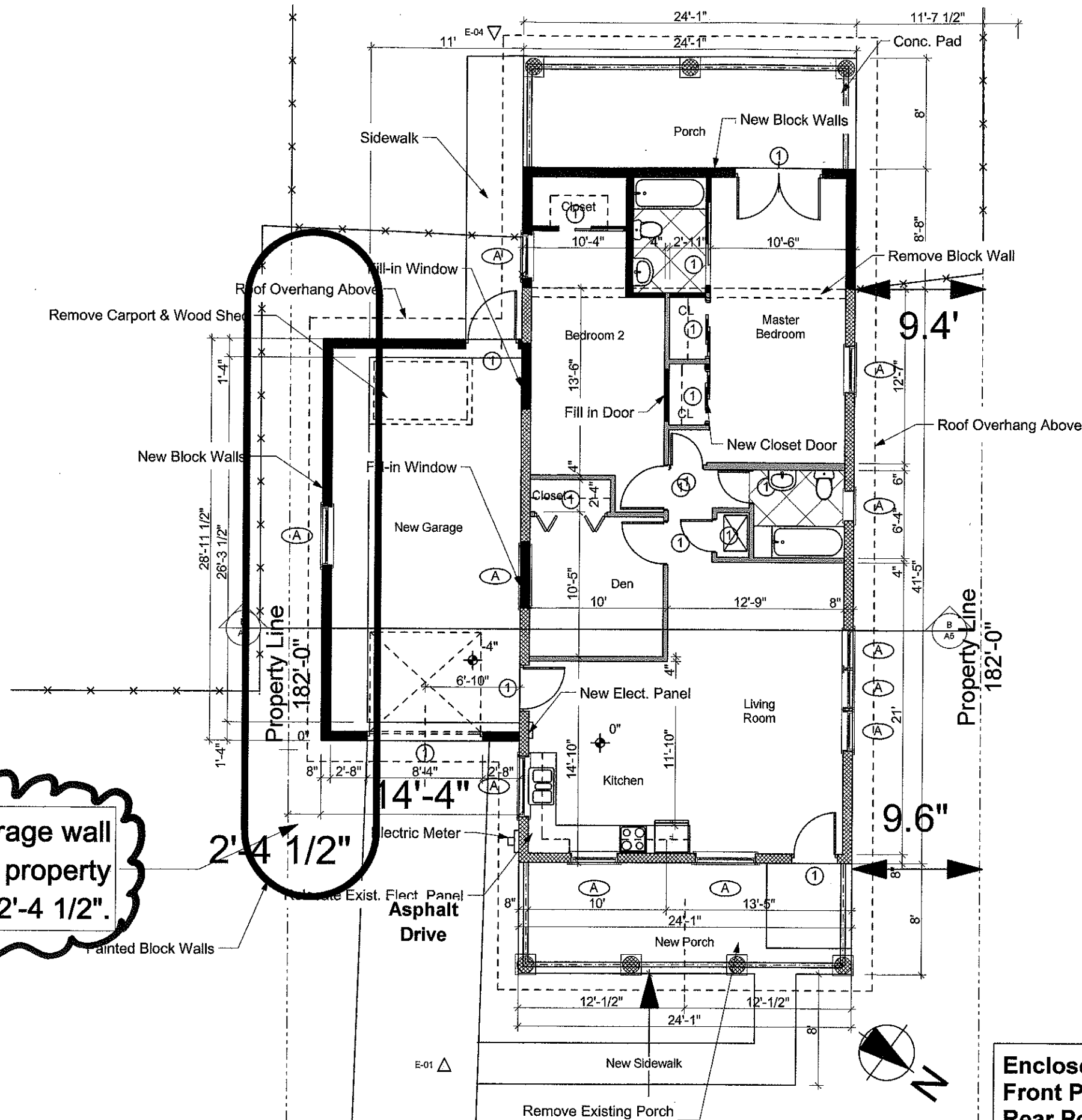
A-003

Packet Pg. 22

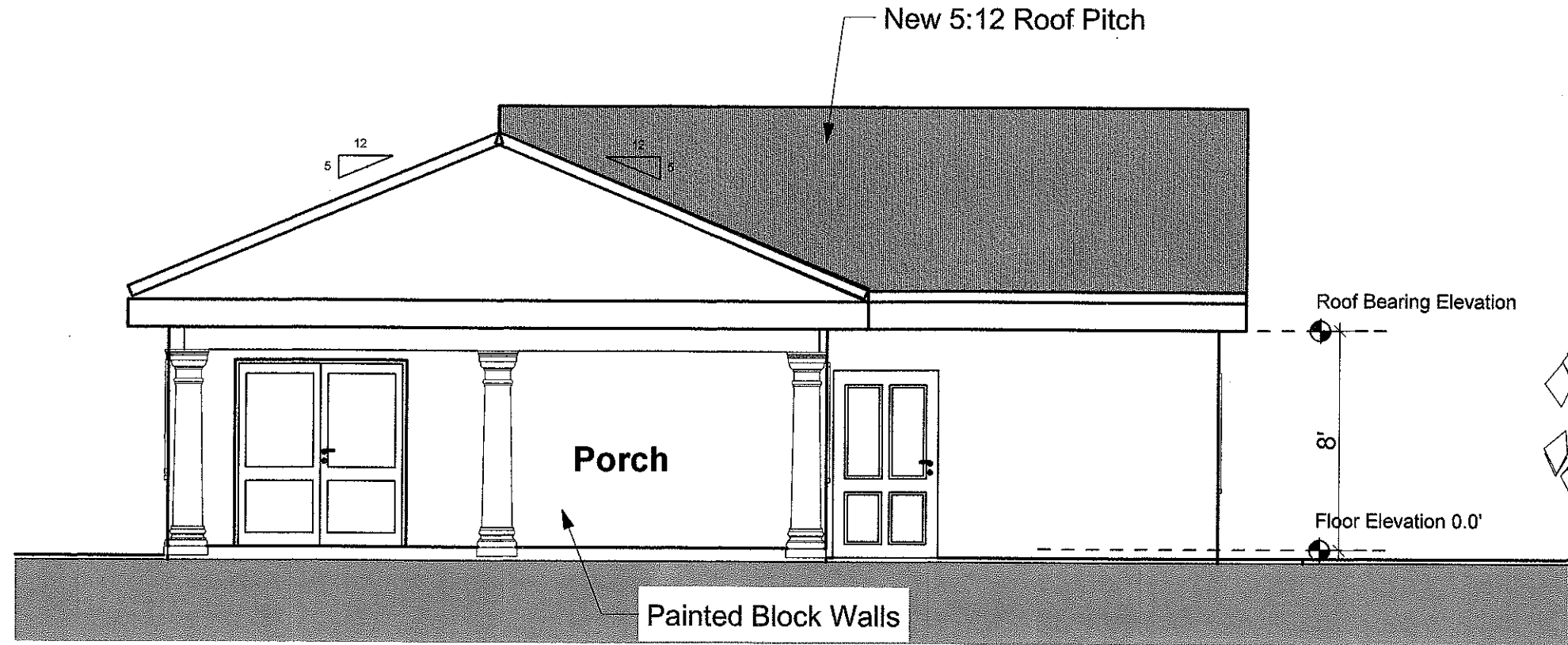
SHEET 3 OF 17

Attachment: V-2017-02 Construction Plans (1652 : V-2017-02 1408 Moravia Variance)

Variance Request: New Garage wall within close proximity of the property line - @ 2'-4 1/2".

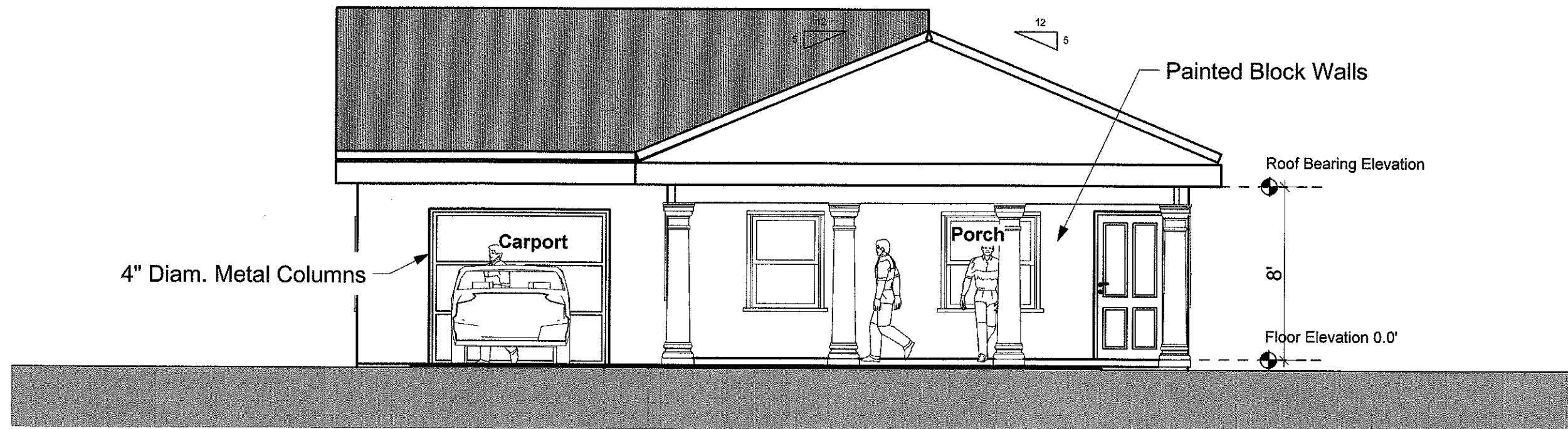


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Renovated West Elevation

SCALE: 3/8" = 1'-0"



Renovated East Elevation

SCALE: 3/8" = 1'-0"

REV: 5.1.c

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1408 Moravia Avenue
Holly Hill, Florida

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DATE
Dec. 12, 2016

COMM. NO.
53153472

DRAWN BY
R.B.

SHEET TITLE

North Elevation

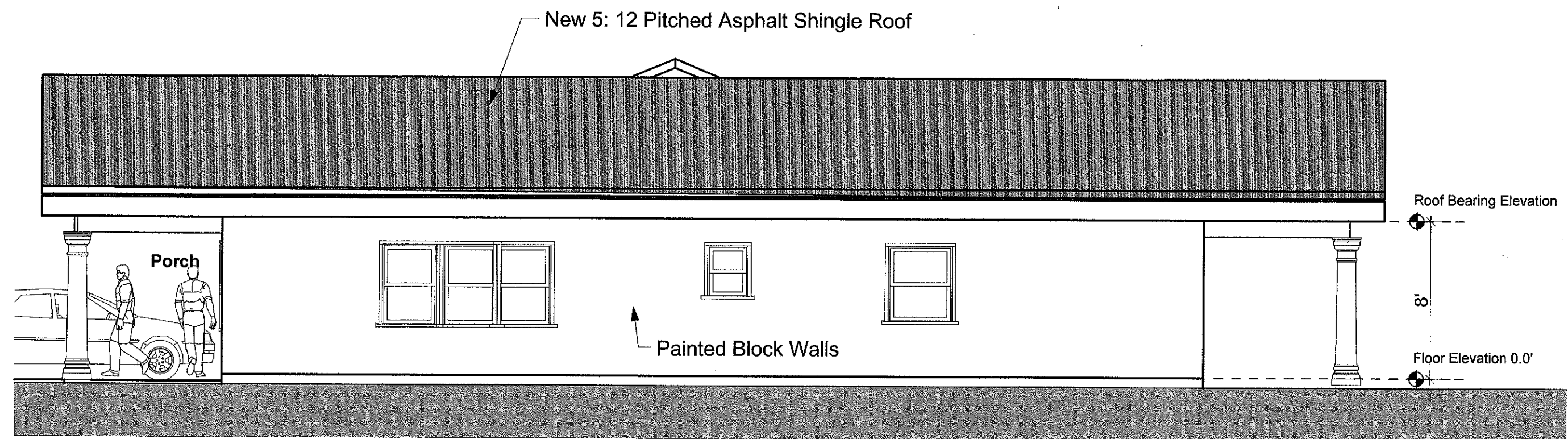
SHEET

A-005

Packet Pg. 24

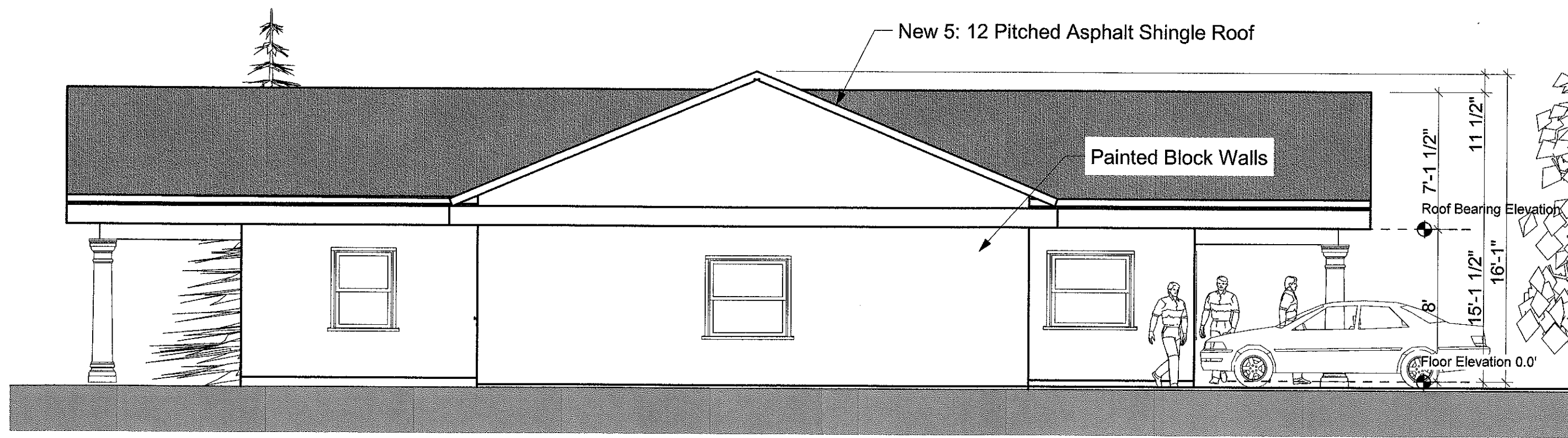
SHEET 5 OF 17

Attachment: V-2017-02 Construction Plans (1652 : V-2017-02 1408 Moravia Variance)



Renovated North Elevation

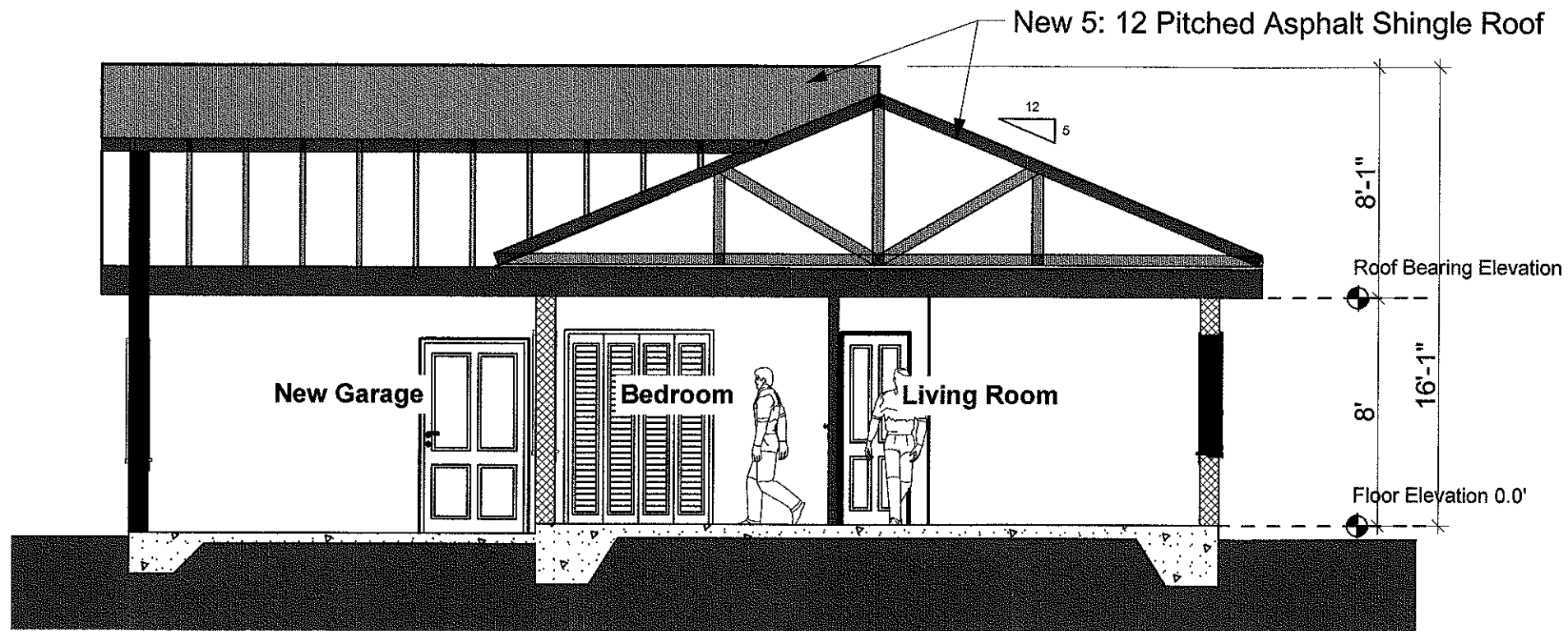
SCALE: 3/8" = 1'-0"



Renovated South Elevation

SCALE: 3/8" = 1'-0"

E:\Architects\Plans 2016\1408 Moravia Warren Const\1408 Moravia Res Reno Plan Book-4D.pln



A Section A NS Axis
SCALE: 3/8" = 1'-0"

REVISION
5.1.c
DRAWING NOT VALID UNLESS SIGNED
SEAL AND CURED BY A LICENSED PROFESSIONAL

Richard Brookfield Architect, LLC
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[Signature]
01/24/17

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Holly Hill, Florida

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DATE
Dec. 12, 2016

COMM. NO.
53153472

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R.B.

SHEET TITLE

Bldg Section

SHEET

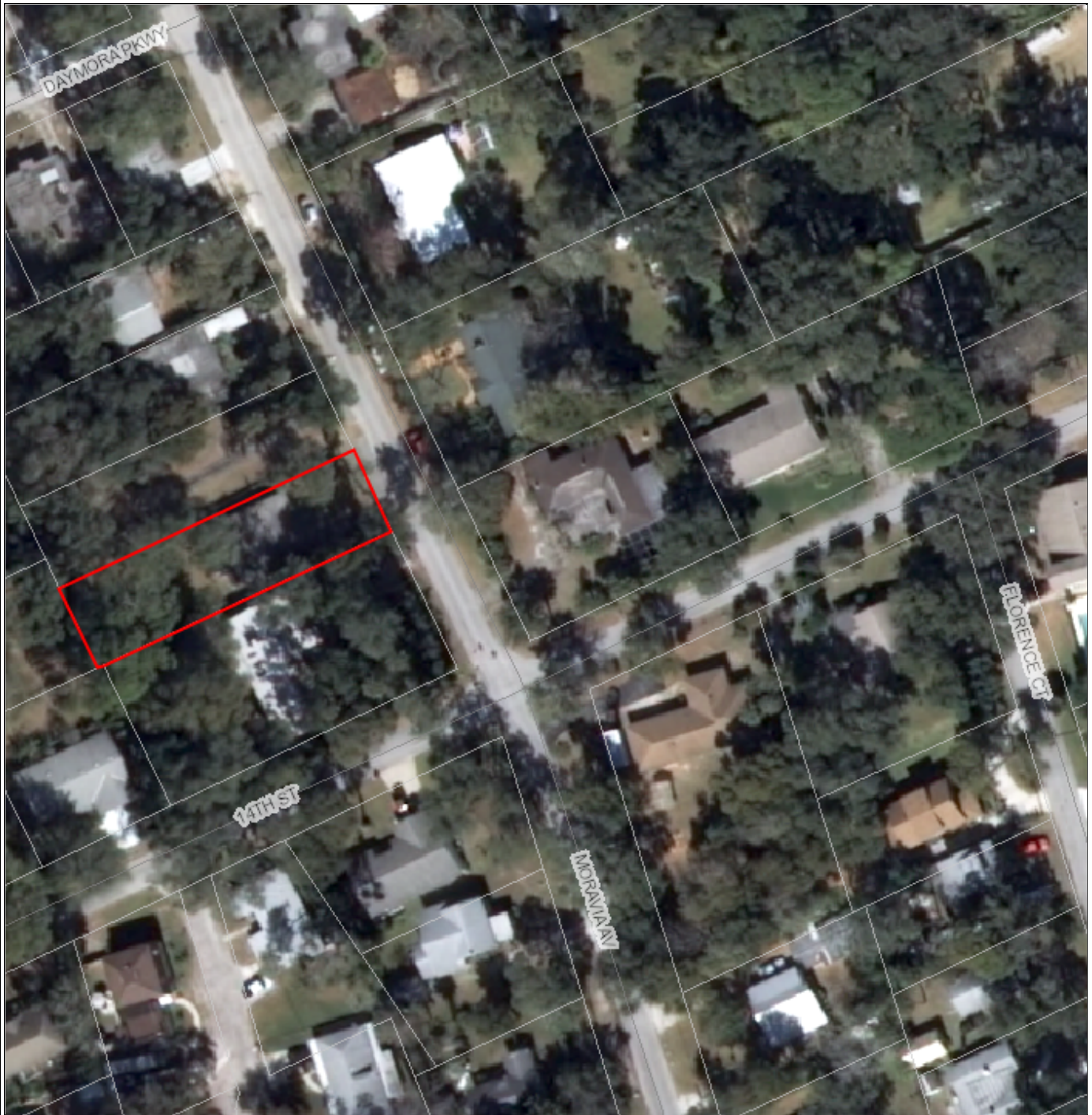
A-007

Packet Pg. 26

SHEET 7 OF 17

Attachment: V-2017-02 Construction Plans (1652 : V-2017-02 1408 Moravia Variance)

V-2017-02 AERIAL PHOTO



Scale 1:1,000 - 1 in = 83 ft
 Date Created:
 02-Mar-17 02:12 PM

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 SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER

Attachment: V-2017-02 Aerial Photo (1652 : V-2017-02 1408 Moravia Variance)



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: May 1, 2017
FROM: Thomas Harowski
SUBJECT: V-2017-04 226 Walker Street Variance Request A Request for a
Variance to Allow a Deck and Steps Constructed in the
Required Front Yard to Remain.
NUMBER: (ID # 1653)
APPLICANT: Stephanie Ross
PLANNER: Thomas Harowski

INTRODUCTION: The applicant is requesting a variance of ____ feet from the required front yard setback of 25 feet to allow the existing deck and stairs to remain.

BACKGROUND: The subject property is located at 226 Walker Street which is located at the northeast corner of the intersection of Walker Street and Holly Avenue. The property is zoned R-3 Single Family Residential which requires a 25-foot front yard setback, a 20-foot rear yard setback and 7.5 feet side yard setback. As a corner property, the subject property has two front yards and two side yards. The required setback from the Holly Avenue right-of-way is 25 feet.

The existing house was built in 1956 before the current land development regulations were adopted. Based on a 1989 survey, the house is located 19.6 feet from the Holly Avenue right-of-way so the existing house is non-conforming. A review of the property, both visually and from the Property Appraiser's records indicates the structure is likely non-conforming with regard to the east setback as well. In its current configuration, the house includes a substantial addition to the north that appears to have been constructed in 2003 based on the Property Appraiser's records. The Property Appraiser records also indicate a wood deck exists along the east side of the house. Based on photographic evidence, the house includes a covered entrance on the west side with a stairway access.

In 2016, the property owner constructed a wood deck and projecting stairway along the east side of the house extending the accessway noted above. This construction was done without a permit, and is an expansion of the structure within the required yard area. Code Enforcement cited the property owner, and the applicant is seeking a variance from the front yard setback to allow the structure to remain.

DISCUSSION: The applicant has submitted an application and responded to the questions supporting the variance. A copy of the application is attached for review. The

applicant has addressed the criteria required for the granting of a variance, and the comments are summarized below with additional comments from staff.

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

The applicant notes that the house was built prior to the adoption of the current land development regulations, and that the required setbacks use essentially all of the remaining yard area. No additional structures can be built.

This is essentially correct. The original house and the addition cover almost all of the buildable area on the lot. The lot is 50 x 100 and is smaller than the minimum required lot size of 60 x 100 for R-3 zoned parcels.

That the special conditions and circumstances do not result from the applicant's own actions;

The applicant notes again that the house pre-dates the zoning code and the only area remaining for building is to the west of the structure.

Again this is essentially correct, but the addition constructed in 2003 (?) used most of the remaining buildable area. The improvements in question were constructed without a permit. Had the applicant applied for a permit as required, this issue could have been addressed prior to the work being done.

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

The applicant notes that other homes in the community have porches and decks and that it is common for homes to include these items. The property as currently configured does not allow for a deck/porch area on the west side of the home.

While it is common for homes to include decks and porches, not all home do. According to the Property Appraisers records the current unit does include an exterior deck on the east side of the house. Staff could not confirm this by visual inspection or from the survey submitted with the application.

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

The applicant notes that the lot will still have a substantial setback from the property line to the deck.

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

The applicant notes that deck is the minimum size to allow a usable exterior deck.

The requested variance is the minimum required to allow the deck to remain as constructed.

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

The applicant notes that the remaining setback is reasonable and the presence of the deck will allow for expanded relationships with neighbors and for observation of neighborhood activity.

The requested variance is an after the fact request generated by code enforcement action. The property does have a deck available on the east side of the house. Had the applicant sought a permit for the construction, the issue would have been addressed prior to any construction occurring.

FISCAL ANALYSIS: The request has no fiscal impact.

RECOMMENDATION: Staff recommends the Board of Planning and Appeals recommend the City Commission not grant the requested variance.

- V-2017-04 Location Map (PDF)
- V-2017-04 Application (PDF)
- V-2017-04 Site Photos (DOCX)
- V-2017-04 Site Photos 2 (DOCX)

V-2017-04 LOCATION MAP



Scale 1:3,000 - 1 in = 250 ft
 Date Created:
 18-Apr-17 02:14 PM

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 SOURCE: PARCEL DATA, VOLUSIA COUNTY PROPERTY APPRAISER



R. B. Zane

GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117

Phone: (386) 248-9424

Fax: (386) 248-9498

Date Received: 3-20-17Application ID: V-2017-04Received By: [Signature]

REQUESTED ACTION

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

Describe Request: _____

✓ APPLICANT INFORMATION:

Name: Stephanie RossE-Mail: stephanieross226@aol.comAddress: 226 Walker St.Phone: 386-212-6954Holly Hill, FL 32117

Fax: _____

☒ Owner☐ Agent for Owner☐ Attorney for Owner

✓ OWNER INFORMATION:

Name: Ronald & Stephanie RossE-Mail: stephanieross226@aol.comAddress: 226 Walker St.Phone: 386 212 6954Holly Hill, FL 32117

Fax: _____

✓ PROPERTY INFORMATION:

Address: 226 Walker St. Holly Hill, FL 32117General Location: Corner lot Walker & Holly ave

Current Zoning: _____ Current Land Use: _____

Parcel Size: 50 X 100Tax Parcel #: 42143245030010Legal Description Attached ☒ Yes ☐ NoSurvey Attached ☒ Yes ☐ No

Attachment: V-2017-04 Application (1653 : V-2017-04 226 Walker Street Variance Request)

Pre-Application Meeting Date: 1-17-17
(Attach Pre-Application Form)

Application Fee: \$ 350

✓ Applicant's Signature: _____
(Signature) (Date)

(Print)

Owner's Signature: _____
(Provide letter of (Signature) (Date)
Authorization)

(Print)

Applications must be complete to initiate the preview process.

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

Attachment: V-2017-04 Application (1653 : V-2017-04 226 Walker Street Variance Request)



CITY OF HOLLY HILL VARIANCE CHECKLIST AND REQUIREMENTS

VARIANCE APPLICATION CHECKLIST

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

PUBLIC NOTIFICATION (Sec. 82-314)

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

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

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

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

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

Attachment: V-2017-04 Application (1653 : V-2017-04 226 Walker Street Variance Request)

VARIANCE REQUIREMENTS

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

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

Our home was built in 1956 long before the codes were written. Our home is on a corner and most of our yard is to the west side. The setback does not allow us any room to enjoy our yard.

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

The home was built in 1956 there is zero space to our east and 4 feet to the north of our home. The West side is the only space we have to enjoy our yard & back.

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

There are many homes on Holly Ave that have porches, as well as surrounding homes that have decks.

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

Our setback is still well off the side walk and interferes with no one. Other properties surrounding mine have the privilege of decks and porches.

Attachment: V-2017-04 Application (1653 : V-2017-04 226 Walker Street Variance Request)

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

The variance will allow us to make reasonable use of our yard. It has allowed us to meet with our neighbors, provide somewhat of a neighbor hood watch and enjoy our seasons. The deck definitely provided a spot for us to watch & notify police of the drugs and prostitutes happening at the house behind ours.

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

The variance we are requesting still has a reasonable set back for safety

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

I strongly believe it adds to public safety along neighbors to meet, communicate. It provides a safe place for my family to relax. A corner lot can be dangerous, cars do not always slow down to make the corner on the deck behind the fence we are safer.

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

We have for the last 25 years continued to improve our property. The variance we are requesting adds value and beauty to our home. Improvements to our home translate into improvements to our neighborhood.

Stephanie S. Ross

Print Applicant Name

SSR

Applicant Signature

Print Applicant Name

Applicant Signature

3/20/17

Date

3/20/17

Date

V-2017-04

226 WALKER STREET



PHOTO ILLUSTRATES THE DECK CONSTRUCTED WITHOUT PERMIT. THE ORIGINAL PORCH ENDED AT THE BLACK POST AND STEPS WERE AGAINST THE HOUSE.



PHOTO SHOWS PROJECTION OF DECK AND STEPS INTO REQUIRED YARD. FENCE IS APPROXIMATE PROPERTY LINE

V-2017-04

226 WALKER STREET



ORIGINAL ENTRY DID NOT EXTEND TO LEFT OF BLACK POLE EXCEPT FOR STEPS NOR DID IT EXTEND FORWARD OF THE ROOF OVERHANG.



STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

Board of Planning and Appeals
Agenda Item

MEETING DATE: May 1, 2017
FROM: Thomas Harowski
SUBJECT: Sign Permitting Regulations A Proposed Revision to the Land Development Code to Eliminate a Conflict Between the City's Development Regulations and the Florida Building Code.
NUMBER: (ID # 1655)
APPLICANT: City of Holly Hill
PLANNER: Thomas Harowski

INTRODUCTION: This application is being submitted by the City to amend Section 110-10 of the land development regulations regarding the design, construction and location of permanent signs to eliminate a conflict between the City's sign regulations and the Florida Building Code.

BACKGROUND: The City's land development regulations include Chapter 110 regulating signs. Section 110-10 includes regulations on the design, construction and location of permanent signs. One of these projections, Sub-paragraph J Certification of Design conflicts with the Florida Building Code regarding permitting and review of plans. The current City code reads:

(J) Certification of design. The following signs shall be designed and certified by a state-registered engineer or a state-certified sign contractor:

- (1) Building signs that project perpendicularly from the surface to which the sign is attached and that are more than 24 square feet in area.
- (2) Ground signs of more than ten feet in height and 64 square feet in area.

The Building Code section assumes control over the review of construction plans regardless of the size or height of the sign. The specific language is as follows:

Appendix H

H105.2 Permits Drawings and Specifications. Where a permit is required, as provided in Chapter 1, construction documents shall be required. These documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors.

DISCUSSION: The staff is requesting the BOPA and City Commission delete Subsection J from the code so there is no confusion over the application of the building code to sign permits issued by the City.

FISCAL ANALYSIS: There is no fiscal impact from this item.

RECOMMENDATION: Recommend the City Commission approve the deletion of Section 110-10(J) from the City's sign regulations.