



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • MAY 4, 2020

City Commission Chamber

BOPA Regular Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

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

2. INVOCATION

Invocation was given by Chairman Mike Myer.

3. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Robin Hanger.

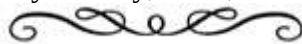
4. BOPA MINUTES APPROVAL

1. Minutes of January 6, 2020 Meeting

(Requested by Brian Walker, City Planner)

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

Enacted and approved this 4th day of May, 2020, in Holly Hill



5. AGENDA ITEM(S)

- 1730 Birmingham Avenue - Request for a Side Yard (North) Setback Variance from Eight (8) Feet to Zero (0) Feet, a Rear Yard Setback Variance from Twenty (20) Feet to Eight (8) Feet, and a Front Yard Setback Variance from Thirty (30) Feet to Twenty (20) Feet, in Order to Build a Two Car Garage, an Attached Carport Structure, and a Covered Porch.

(Requested by Brian Walker, City Planner)

Brian Walker, City Planner summarized his staff report by stating that this request is for three variances from the Land Development Regulations of Holly Hill, Sec 114-765, in order to build a two car garage, an attached carport structure, and a covered porch. The requested variances are as follows: (1) a side yard (north) setback variance from eight (8) feet to zero (0) feet, (2) a rear yard setback variance from twenty (20) feet to eight (8) feet, and (3) a front yard setback variance from thirty (30) feet to twenty (20) feet. The home was built on the property in 1980 and currently contains a 2,765 square foot house. The applicant purchased the home in 2017. The property abuts an 18 hole golf course known as the Riviera County Club. The home has no protective separation from the golf course, and because of its location relative to the golf course, the home and automobiles have been hit several times by golf balls. In order to rectify this situation, the applicant is proposing to build an attached carport on the north side of their home, and a two car garage and covered porch to the west, in back of the home, this is to give the property owners some protection from the golf balls.

Staff finds that the applicant has met all of the criteria for a variance to be granted and recommends approval of the three (3) variance requests.

The City received a letter from Shirley B Bartley, 1719 Montgomery Avenue, Holly Hill, property owner abutting the west side of the applicants, stating that she was not in favor of the variance requests. She spoke with Mr. Walker by phone and did not mention that she had any concerns with the variance requests and felt there was enough vegetation between the two properties and that he is very surprised by the contents of her letter.

Burl Rodgers, 1730 Birmingham Avenue, stepped to the podium stating that the only issue his neighbor (Ms. Bartley) had when he spoke with her was about one of the trees in the yard.

Mike Wise, Wise Custom Builders, stepped to the podium to answer any questions and summarize what is being constructed. The carport would be on the north side property line and the garage would be a few feet in from the property line.

Brian Walker, read Ms. Shirley B Bartley's, 1719 Montgomery Avenue, letter in to the record.

Mike Myer questioned if this was 2 front yards or a corner lot and the setback would be different than what is being presented. Mr. Walker informed the Board that the road was never platted and therefore not considered a road.

Arthur Brynes questioned giving the applicant a variance for a front yard setback for a carport to extend beyond the front of the residence.

The applicant, Burl Rodgers stated that reasoning for the extension of the carport into the front yard setback is for protection from golf balls coming from above and horizontally, it gives the residents some covered and side protection going into the house.

Dennis Smith asked why not build a 6' fence along the north property line for protection. Mr. Rodgers stating that the plans for the carport also include a 36" solid bottom plate and above that a mesh wall.

After several minutes of discussion the Board concluded that the front yard setback variance request should not be included with the request.

Arthur Byrnes moved, seconded by Tony Cassata to approve the side and rear setback requests, but NOT the front setback request.

RESULT:	RECOMMEND APPROVAL TO CITY COMMISSION [4 TO 1]
MOVER:	Arthur J. Byrnes, Board Member
SECONDER:	Tony Cassata, Board Member
AYES:	Byrnes, Myer, Hanger, Cassata
NAYS:	Smith

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2. 1541 Garden Avenue - an Ordinance of the City of Holly Hill, Florida Amending, the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit a from R-3 (Medium Density Single Family Residential) to Cc-1 (Commercial Corridor District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, City Planner)

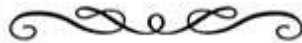
Brian Walker, Planning Director summarized his staff report stating the applicant is requesting a rezone from R-3 (Medium Density Single-Family Residential) to CC-1 (Commercial Corridor District) for the property located on the southeast corner of Garden Avenue and Eleanor Street. The CC-1 zoning district is a commercial district allowing a wide variety of commercial, retail and light industrial uses. The applicant is requesting the rezoning in order to utilize the subject property for light industrial activities related to an existing sign manufacture operation that abuts the property. The future land use designation of the land is Wholesale Commercial and Industrial and the requested zoning district is compatible with the existing future land use. He further summarized that the rezoning request is consistent with both the Land Development Code and the Comprehensive Plan. Staff recommends that the City Commission adopt the Ordinance enacting a Rezone from R-3 (Medium Density Single-Family Residential) to CC-1 (Commercial Corridor District).

Arthur Brynes asked why not rezone to I-1 or I-2. Mr. Walker explained that there are fifteen (15) properties within this area that are already zoned CC-1. None of the properties within this area have a I-1 or I-2 zoning designation and he does not think that would be in the best interest of the City.

Robin Hanger wanted to know what could be done within the area to diminish the blighted look. He was informed that Code Enforcement action is the only way at this time.

Scott Simpson, City Attorney reminded the Board that this is a request for a rezone and has nothing to do with the conditions of the properties. That would be a Code Enforcement issue.

RESULT:	RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Arthur J. Byrnes, Board Member
AYES:	Byrnes, Myer, Hanger, Smith, Cassata



3. Waiver Request - Requesting a Waiver of the Landscaping Requirements Stated in Section 98-33, the Visual Screening Requirement and a Reduction to Ten (10) Feet in the Setback Requirement, Stated in Sections 98-67 and 98-68 of the Land Development Regulations

(Requested by Brian Walker, City Planner)

Brian Walker, City Planner, summarized the staff report stating the applicant is requesting a waiver of the landscaping requirements stated in Section 98-33, the visual screening requirement and a reduction to ten (10) feet in the setback requirements, stated in Sections 98-67 and 98-68 of the Land Development regulations, for property and areas located at 560 Flomich Street. The applicant is expanding upon an existing church and school. Light commercial neighborhood uses have occurred on the site since at least the 1970's. Because the light commercial use pre-dated the Land Development regulations, the site does not meet current landscaping, screening or setback regulations. However, since the applicant is proposing significant new construction (a new gymnasium) on the site, they are required to bring the entire site into conformity with current regulations. This requires that the site meet current landscaping, screening and setback requirements. He exhibited a slide that shows the site of landscaping that they want waived. Mr. Walker summarized the different types of required landscaping, screening and setback requirements for the property. Staff recommends approval with the conditions and provisions as stated within Mr. Walker's staff report in the meeting packet.

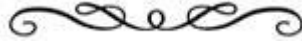
A small discussion ensued regarding special exception and waivers. Mr. Walker stated that if the Special Exception is denied, the waiver would be moot.

John Zemball, PE with Zahn Engineering, Inc., stepped to the podium to state that this request serves as a recommendation that would accompany the Special Exception for this project. As far as the concern for the three (3) homes adjacent to the church, those homes are owned by the Church and houses people that work for the Church. The existing buffer along the northwest property boundary includes a 6-foot wooden privacy fence and the applicant is proposing to retain and maintain the 6 foot wooden fence.

Robin Hanger moved, seconded by Dennis Smith to recommend approval to the City Commission with the staff recommended conditions and provisions at stated in the staff report.

RESULT:	RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Dennis Smith, Board Member
AYES:	Byrnes, Myer, Hanger, Smith, Cassata

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6. OLD BUSINESS

None

7. BOARD/STAFF COMMUNICATIONS

1. Discuss Zoning - 224 Riverside Drive

(Requested by Brian Walker, City Planner)

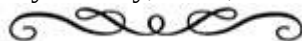
Brian Walker, City Planner, stated that the property at 224 Riverside Drive is owned by the City and is for sale at this time. The zoning on the property is CC-1 (Commercial Corridor). The CC-1 zoning district is very broad and allows a wide variety of uses that range from low intensity uses such as a coffee shop to more intense uses such as light industrial. Given the property's location on Riverside Drive, staff has been instructed to bring the current uses before the BOPA to consider whether a change in zoning might be appropriate. The question tonight to the Board is.....should the City leave the current zoning in place; or consider rezoning the property to a less broad zoning district such as to one of the B zoning districts; or rezone to a BPUD (Business Planned Unit Development) where specific allowed uses can be listed?

Mr Walker proceeded to list the different B zoning districts in our City and what is allowed in each of those districts.

After a brief discussion, the Board reached a consensus that the BPUD would be most beneficial for the City.

RESULT:	RECOMMENDATION [UNANIMOUS]
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Tony Cassata, Board Member
AYES:	Byrnes, Myer, Hanger, Smith, Cassata

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8. ADJOURNMENT

This meeting adjourned at 7:35 PM