

CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

AGENDA • JUNE 5, 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 May 1, 2017 BOPA Minutes**

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

5. AGENDA ITEM**1. V-2017-05 536 Center Avenue A Request for a Variance from the Requirements of Section 114-745 Portable Storage Units to Allow Two Storage Units to Exceed the Maximum Allowable Time of 30 Days on Site and to Allow the Storage Units to Exceed the Maximum Size of 16 Feet by Eight Feet.**

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

6. OLD BUSINESS**1. 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)

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: June 5, 2017
FROM: Elizabeth Nelson
SUBJECT: Minutes of May 1, 2017 BOPA Minutes
NUMBER: (ID # 1665)
APPLICANT:
PLANNER:

DISCUSSION: Approve May 1, 2017 BOPA Minutes

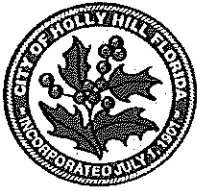
FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Approve May 1, 2017 BOPA Minutes

COMMISSION GOAL: N/A

MOTION: As determined by the BOPA

- May 1, 2017 Minutes (PDF)



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • 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

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	Excused	
Arthur W. Morris	Board Member	Absent	

2. INVOCATION

Invocation was given by Chairman Mike Myer.

3. PLEDGE OF ALLEGIANCE

Robin Hanger led in the Pledge of Allegiance.

4. MINUTES APPROVAL

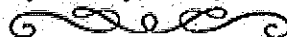
1.

Minutes of April 3, 2017 BOPA Minutes

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

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

Enacted and approved this 1st day of May, 2017, in Holly Hill



5. AGENDA ITEM

1.

Attachment: May 1, 2017 Minutes (1665 : Minutes of May 1, 2017 BOPA Meeting)

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)

Thomas Harowski, City Planner, summarized his staff report, stating that the variance request is for relief from the side yard setback of 7.5 feet to 5.2 feet for the construction of a one-car garage. The existing lot is 50 feet wide within a R-3 zoning district. The garage replacement would be part of a larger renovation that the homeowner has planned for this residence. Staff reviewed conditions for approval of the variance.

Applicant Paul Knudsen stepped to the podium to answer any questions the Board may have. There were no questions.

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

Enacted and approved this 1st day of May, 2017, in Holly Hill



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)

Due to the fact that the applicant did not notice surrounding proeptions owners, this item was tabled until the next scheduled meeting.

RESULT:	TABLED	Next: 6/5/2017 6:30 PM
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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.

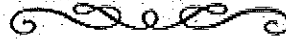
(Requested by Thomas Harowski, Board of Planning and Appeals)

Thomas Harowski, City Planner, stated that there is a conflict between Chapter 110 "Sign Regulations" of our Land Development Code and the Florida Building Code regarding the design, construction and location of permanent signs. Staff is requesting that the

BOPA and City Commission delete Subsection J of Chapter 110 so there is no confusion over the application of the building code to signs permits issued by the City.

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

Enacted and approved this 1st day of May, 2017, in Holly Hill



6. OLD BUSINESS

None

7. BOARD/STAFF COMMUNICATIONS

None

8. ADJOURNMENT

Adjourned at 7:02 PM



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: June 5, 2017
FROM: Thomas Harowski
SUBJECT: V-2017-05 536 Center Avenue A Request for a Variance from the Requirements of Section 114-745 Portable Storage Units to Allow Two Storage Units to Exceed the Maximum Allowable Time of 30 Days on Site and to Allow the Storage Units to Exceed the Maximum Size of 16 Feet by Eight Feet.
NUMBER: (ID # 1688)
APPLICANT: Richard Nation
PLANNER: Thomas Harowski

INTRODUCTION: The applicant has two large storage containers located on site at 536 Center Avenue and is asking for a variance to allow the container units to be on site beyond the 30 day limit allowed by Section 114-745 of the land development code. No expiration time period is proposed.

BACKGROUND: In 2011 the applicant sought the same variance to allow the placement of two storage units on residential property at 536 Center Avenue for a period longer than 30 days. At that time the Board of Planning and Appeals recommended the units be allowed to remain for up to one year. The City Commission granted a two year variance which expired in 2013. The City did not take any follow up code enforcement action and the units remain on site today. The City, through its code enforcement function, has directed the units be removed in compliance with the 2011 City Commission decision.

The storage units are in excess of 40 feet long and about nine feet high. Subsequent to the 2011 variance the applicant did construct a screening fence and landscaping to limit the view of the units from Center Avenue. The applicant has stated that the conditions which supported the variance in 2011 have not changed and he is applying for another variance to allow the storage units to remain on site beyond the 30 day period allowed for temporary storage units in an effort to address the outstanding code violation.

The applicant has explained that the units hold personal belongings and work tools for a construction business that he can no longer afford to maintain off-site. The applicant has submitted a completed application for the variance and has indicated a willingness to provide screening by a fence and/or landscaping.

DISCUSSION: Section 114-745 of the land development code allows for the placement of temporary storage facilities at a residential property for a period not to exceed 30 days. The section reads as follows:

Sec. 114-745. Portable storage units.

- (a) *Definition:* A portable storage unit is any enclosed structure that does not require a building permit, is not required to be anchored according to the city's adopted building codes and is transported by truck or trailer for placement upon residential property for the purpose of short-term storage as defined herein
- (b) Vendors of portable storage units, to include lessors, are required to notify the city in writing, by letter, fax or e-mail, of the placement of a portable storage unit within the city limits. Such notice shall contain the residential address of the placement, the name of the occupant at such residential address and the anticipated duration of the placement.
- (c) *Time limitation:* A portable storage unit shall be permitted at one residential location for a period not to exceed 30 days in any six consecutive months. Code administrator can extend it for 30 days and anything beyond that has to come before the city commission to grant a 30-day extension upon proof of hardship.
- (d) *Size Limitation.* Any portable storage unit placed on residential property or land zoned for residential use shall not exceed 16 feet in length and eight feet in width.
- (e) *Placement:* Portable storage units may be placed in any driveway area, but must be a minimum of 20 feet from the edge of any roadway and five from any side lot line.

Subsequent to the variance issued in 2011, the City amended the code section to include paragraph (d) which set a maximum size on temporary storage units. Therefore any variance granted will need to provide relief from both the time length and size of the units. The units are located on the site so that they are more than 20 feet from the road and more than five feet from the side property line. The applicant has constructed screening for the units in the form of a fence and landscaping.

The applicant states that the lot is larger than typical lots in the area and therefore better able to accommodate the storage units. A copy of the variance application is attached for your review. The applicant has provided a survey which will be available for viewing at the meeting or prior to the meeting in the permitting office.

While the intention in 2011 was to allow a variance from the rules for a temporary condition, the temporary storage activity has essentially become a permanent use. The better course of action is to amend the City code if the City Commission wishes to allow these types of storage units in residential areas.

In order to recommend granting a variance, the Board must find that the request meets the following criteria.

Sec. 82-317. Criteria for authorization.

In authorizing any variance, the commission shall make the following written findings:

- (1) 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;
- (2) That the special conditions and circumstances do not result from the applicant's own actions;

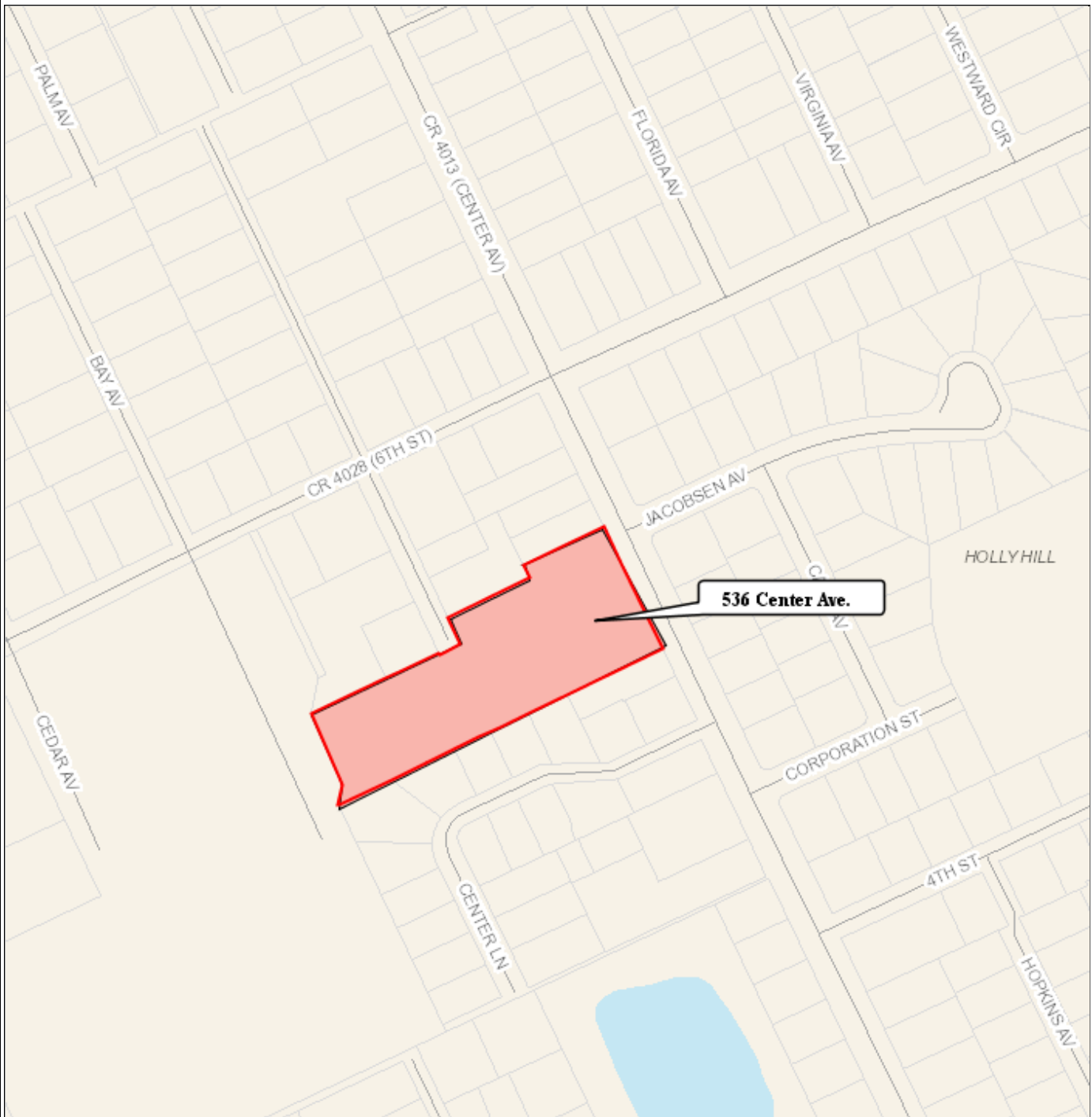
- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this subpart to other lands, buildings or structures in the same zoning district;
 - (4) That a literal interpretation of the provisions of this subpart would deprive the applicant of rights 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;
 - (5) That the variance granted is the minimum variance necessary to make possible the reasonable use of the land, building or structure; and
 - (6) 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.
- (Ord. No. 2352, § 2(11.2.6), 7-13-93)

FISCAL ANALYSIS: The request has no fiscal impact.

RECOMMENDATION: The granting of a variance to extend the time for placement of storage units and to allow larger storage units than permitted will grant to this property owner a privilege that is not generally available to other properties in the same zoning district. The code as interpreted will not deprive the applicant of rights commonly enjoyed by other properties in the district. While the circumstances that have led to the placement of the storage units on site are largely driven by economic circumstances, the hardship is self imposed. The staff does not believe the circumstances meet the test for a variance and therefore cannot recommend approval.

- V-2017-05 Location Map (PDF)
- V-2017-05 Aerial Photo (PDF)
- V-2017-05 Application (PDF)

V-2017-05 LOCATION MAP



Scale 1:3,000 - 1 in = 250 ft
 Date Created:
 10-May-17 11:34 AM

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-2017-05 Location Map (1688 : V-2017-05 536 Center Avenue)

V-2017-05 AERIAL PHOTO



Scale 1:3,000 - 1 in = 250 ft
 Date Created:
 10-May-17 11:37 AM

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-2017-05 Aerial Photo (1688 : V-2017-05 536 Center Avenue)



GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117

Phone: (386) 248-9424

Fax: (386) 248-9498

Date Received: 6/5/17

Application ID: 2017-05

Received By: [Signature]

REQUESTED ACTION

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

Describe Request: RENEW - REISSUE VARIANCE FOR (2) STORAGE
CONTAINER(S).

APPLICANT INFORMATION:

Name: RICHARD L. NATION

E-Mail: dantonafla@gmail.com

Address: 536 CENTER AVE

Phone: 386.334.5072

HOLLY HILL FL 32117

Fax: _____

☒ Owner

☐ Agent for Owner

☐ Attorney for Owner

OWNER INFORMATION:

Name: RICHARD L. NATION

E-Mail: dantonafla@gmail.com

Address: 536 CENTER AVE

Phone: 386.334.5072

HOLLY HILL FL 32117

Fax: _____

PROPERTY INFORMATION:

Address: 536 CENTER AVE - HOLLY HILL

General Location: _____

Current Zoning: _____ Current Land Use: _____

Parcel Size: 41-228 X 600 Tax Parcel #: _____

Legal Description Attached ☐ Yes ☐ No

Survey Attached ☐ Yes ☐ No

Recpt # 17.10.12

Attachment: V-2017-05 Application (1688 : V-2017-05 536 Center Avenue)

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

Application Fee: \$ _____

Applicant's Signature: _____

Richard C. Nation
 (Signature)

05.02.2017
 (Date)

RICHARD C. NATION
 (Print)

Owner's Signature: _____

*(Provide letter of
 Authorization)*

 (Signature)

 (Date)

 (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



Fee \$ 350

5.1.c

CITY OF HOLLY HILL SPECIAL EXCEPTION CHECKLIST AND REQUIREMENTS

SPECIAL EXCEPTION CHECKLIST

- ☐ Pre-Application Meeting Form completed and meeting held prior to completion of application
- ☐ Application Fee and Estimated Deposit
- ☐ Completed Special Exception Application
- ☐ One signed and sealed survey 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).
- ☐ List of property owners within 300 feet
- ☐ A Description of the Special Exception and how it complies with the Special Exception Criteria of Chapter 114, Article III, Division 2.

PUBLIC NOTIFICATION (Sec. 82-347)

- a) The applicant shall provide written notice to property owners regarding his intention to seek a special exception and shall pay all costs of providing such notice as follows:
 - 1) An applicant seeking a special exception 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 the special exception request.
 - 2) In addition to written notice provided in accordance with this section, city staff shall also post a notice on the subject property ten days prior to the board of planning and appeals meeting.
- 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.

ADMINISTRATIVE REVIEW (Section 82-343)

- 1. All requests for special exceptions shall be reviewed administratively by the development code administrator in conjunction with pertinent city staff. The development code administrator shall make a written determination that the request be approved, approved with conditions, or denied based upon the conditions described in section 82-346.
- 2. A determination by the development code administrator to deny a request for special exception shall become final unless the applicant appeals the determination to the city commission within 30 days of the date of such determination.
- 3. When the development code administrator determines that a special exception should be approved or approved with conditions, he shall schedule the matter for review and final determination by the city commission.

CITY COMMISSION PUBLIC HEARING

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

Attachment: V-2017-05 Application (1688 : V-2017-05 536 Center Avenue)

WRITTEN PETITION FOR A SPECIAL EXCEPTION

The following items must be completed in sufficient detail to allow the City to determine if the application complies with the City Code Chapter 114 and Section 82-346.

1. Is it inconsistent with the purpose or intent of this subpart? ☐ YES ☒ NO Explain.

UTILITY STORAGE ALLOWED

2. Is it inconsistent with any element of the comprehensive plan? ☐ YES ☒ NO Explain.

3. Will it adversely affect the public interest? ☐ YES ☒ NO Explain.

4'-90' FROM PROPT. LINE CENTER AVE
WOOD FENCE & LANDSCAPE SHELTERS
MEETS MINIMUM SET BACKS

4. Does it meet the expressed requirements of the applicable special exception? ☒ YES ☐ NO Explain.

5. Is the applicant able to meet all requirements imposed by federal, state or local governments, or by the city commission? ☒ YES ☐ NO Explain.

6. Will it generate undue traffic congestion? ☐ YES ☒ NO Explain.

4'-90' LF FROM CENTER AVE
MEETS MINIMUM SET BACKS

Attachment: V-2017-05 Application (1688 : V-2017-05 536 Center Avenue)

7. Will it create a hazard or a public nuisance, or be dangerous to individuals or to the public? ☐ YES ☒ NO Explain.

UTILITY STORAGE ONLY
MEETS MINIMUM SET BACKS

8. Will it materially alter the character of surrounding neighborhoods, or adversely affect the value of surrounding land, structures or buildings? ☐ YES ☒ NO Explain.

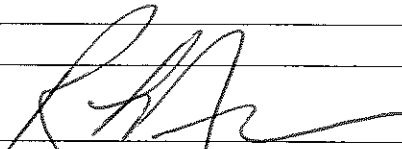
NO FENCE & SHURB SCREEN

9. Will it adversely affect the natural environment, natural resources or scenic beauty, or cause excessive pollution? ☐ YES ☒ NO Explain.

UTILITY STORAGE ONLY

RICHARD L. NATION

Print Applicant Name



Applicant Signature

Print Applicant Name

Applicant Signature

05.02.2017

Date

Date

Attachment: V-2017-05 Application (1688 : V-2017-05 536 Center Avenue)



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

**Board of Planning and Appeals
Agenda Item**

MEETING DATE: June 5, 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)

HISTORY:

05/01/17

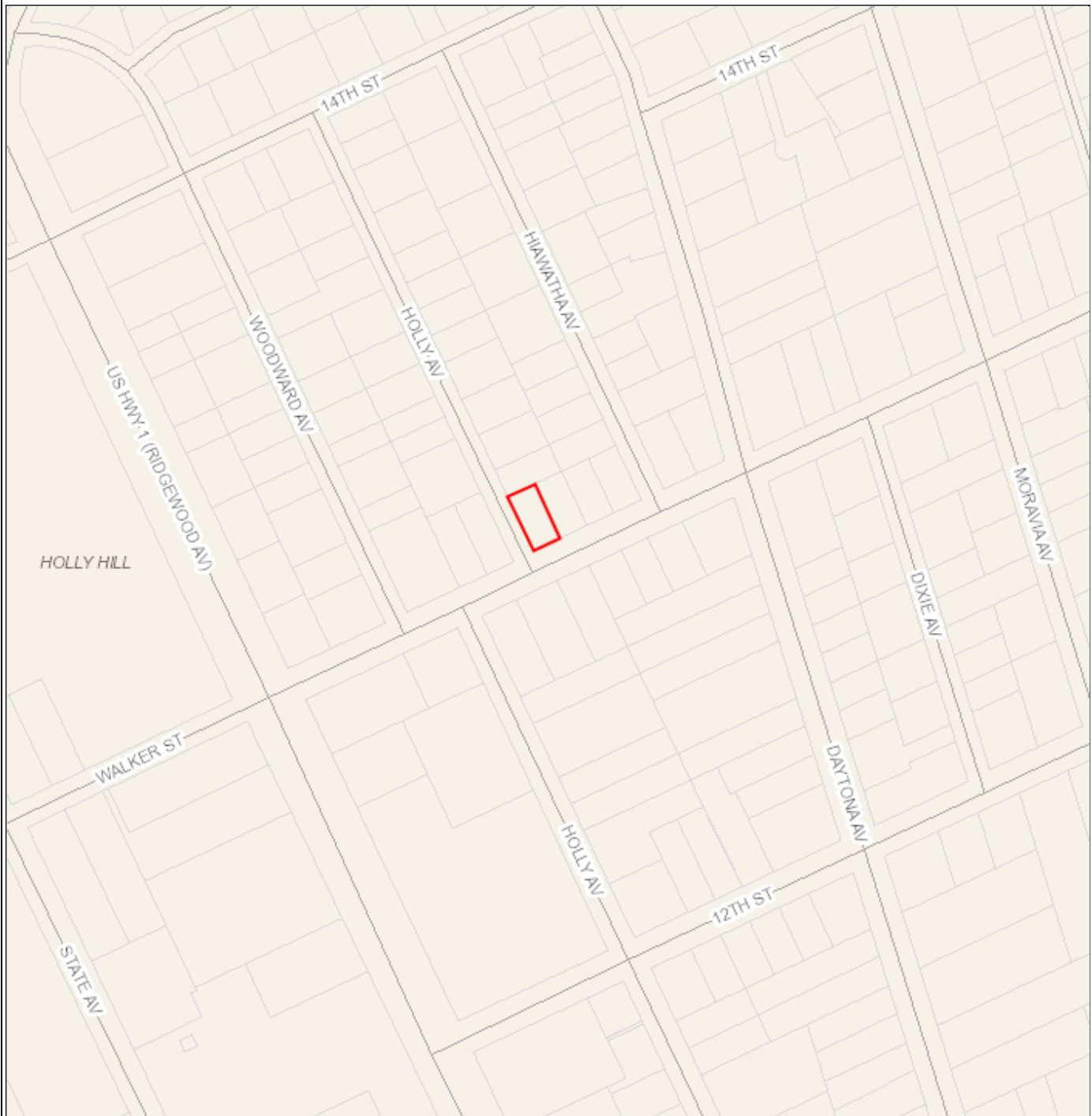
Board of Planning and Appeals

TABLED

Next: 06/05/17

Due to the fact that the applicant did not notice surrounding propeities owners, this item was tabled until the next scheduled meeting.

V-2017-04 LOCATION MAP



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



R. B. Zane

GENERAL LAND DEVELOPMENT APPLICATION

1065 Ridgewood Avenue, Holly Hill, Florida 32117

Phone: (386) 248-9424

Fax: (386) 248-9498

Date Received: 3-20-107Application 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.E-Mail: stephanierossPhone: 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

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



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.

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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.