



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • AUGUST 5, 2019

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

Mike Myer gave the invocation.

3. PLEDGE OF ALLEGIANCE

Robin Hanger led us in the Pledge of Allegiance.

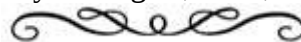
4. BOPA MINUTES APPROVAL

1. Minutes of June 3, 2019 BOPA Meeting

(Requested by Brian Walker, City Planner)

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

Enacted and approved this 5th day of August, 2019, in Holly Hill



5. AGENDA ITEM(S)

1. An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property at 1541 and 1567 North Nova Road as More Specifically Described in Attachment (A) from B-2 (Planned Shopping Center District) to B-5 (General Commercial District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, City Planner)

Brian Walker, City Planner, summarized his staff report, stating that the applicant is requesting a rezone at the property location of 1541 N Nova Road, aka Winn Dixie Shopping Center from B-2 (Planned Shopping Center) to B-5 (General Commercial) in order to utilize the property in accordance with the B-5 permitted and special exception uses. The site is currently a large built out shopping center containing a grocery store and a variety of other retail businesses. A rezoning from B-2 to B-5 will also allow the applicant to apply for special exception uses not available in the B-2 zoning district. The requested B-5 (General Commercial) zoning classification is intended to provide areas with local retail stores and services primarily for the use of residents of the community and which are less intensive than those uses permit in the light industrial districts. The B-5 zoning classification is a compatible transition from the B-2 zoning classification; both zoning categories are permitted under the Commercial future land use designation. The subject site is located within an established commercial corridor and the requested rezone will allow uses that are compatible with the trend of development along Nova Road and the area in general. The proposed B-5 zoning district is consistent with the future land use map designation of general commercial and staff finds that requested zoning classification to be consistent with the Comprehensive Plan.

Staff recommends the City Commission adopt the ordinance enacting a rezone from B-2 (Planned Shopping Center) to B-5 (General Commercial).

Arthur Byrnes stated that he did have some concerns regarding the residences that are directly to the east side or the rear of the shopping center and why is the City willing to change their zoning. He was informed that there is a 100 ft buffer between the building and the residences and also this is the only property in our City limits that has a B-2 zoning classification and the B-5 will allow for more uses that would be compatible within the shopping center.

Sam Jaffe, representing the property management company for this shopping center, stepped to the podium stating that Hertz Rent a Car is looking to move into this shopping center and upon doing research he was informed that the B-2 zoning district did not allow that use. Whereas, the B-5 does allow it as a Special Exception use that would have to be approved by the City Commission.

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



2. An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations by Amending Chapter 14 (Buildings and Building Regulations) Creating Sections 14-3 and 14-4, to Add Regulations for Storm Protection and Damaged Structures, Amending Section 14-231, Adopting the International Property Maintenance

Code; Providing for Severability; Providing for Codification; and Providing for an Effective Date.

(Requested by Brian Walker, City Planner)

Brian Walker, City Planner summarized his staff report by stating that staff is asking to amend Chapter 14 of our Land Development Regulations by creating section 14-3 and 14-4, to add regulations for storm protection and damaged structures, amending section 14-231, adopting the International Property Maintenance Code. He continued stating that the City has been taking consistent steps to prevent economic deterioration and eliminate blight. The purpose of the proposed ordinance is to continue those efforts. While it may be necessary to temporality protect a structure from the elements by using material such as plywood, there should be a time limitation for the structure to remain in a "boarded up" condition. What starts out as a temporary means to protect the structure does not become a permanent or prolonged condition which then starts to have a negative impact on the City. The proposed ordinance also adopts the most current edition of the International Property Maintenance Code (IPMC) along with all future amendments and updated. The IPMC is a model code that regulates the minimum maintenance requirements for existing buildings. It is intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety. While the city has already adopted an edition of the code, the edition adopted is from 2012.

The members discussed the issue of the after math of a major storm and if our citizens will have enough time to make all repairs needed. They were informed that it will be a case by case basis. The City will make adjustments to accommodate each situation.

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



3. An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations by Amending Chapter 110 (Signs) Section 110-11 (A), Off-Premises Outdoor Advertising Signs; Providing for Severability; Providing for Codification; and Providing for an Effective Date.

(Requested by Brian Walker, City Planner)

Brian Walker, City Planner, summarized his staff report by stating that this is an ordinance amending Chapter 110-11(a) of our land development regulations, off-premises outdoor advertising signs (aka billboards). Under the current regulations, billboards on properties not fronting on Mason Avenue are considered legal nonconforming if their existence predated the ordinance enacting the restriction on their location. As such, these legal nonconforming billboards cannot be moved or taken down and rebuilt. However, these restrictions can cause a hardship on vacant properties which have a legal nonconforming billboard on them located in an area that prevents reasonable development of the property. An example was shown of a property on N Nova Road to

demonstrate how a billboard can interfere with the development of a property. In some cases the property owner has a lease agreement with the billboard owner and cannot simply order the removal of the billboard. This ordinance will allow properties with legal nonconforming billboards that significantly hinder development, and that meet specific criteria, to move the billboard or rebuild it in another location on the same property. The determination as to whether or not a billboard significantly hinders the development of a vacant property will be at the sole discretion of the city. A billboard will be considered a significant hindrance if it would not allow the property to be developed or if it would interfere with items such as drainage or stormwater systems, access or traffic circulation.

Staff recommends approval of this ordinance to the City Commission.

Mike Myer informed the Board that Heidi Heller came to his office to discuss something with him, but it had nothing to do with this item.

Heidi Heller, 460 Ridgewood Avenue stepped to the podium to state that she is against this ordinance and billboards. Also stating that she did not understand why on this particular parcel, it was not brought up at the BOPA's last meeting, which discussed this property.

Scott Simpson, City Attorney stated that this parcel is just being used as an example and that the amendment to Chapter 110-11(a) is a city wide change.

A discussion ensued as to the size's and minimum ground clearance for a billboard that is being rebuilt. If the billboard is removed and rebuilt, it has to meet today's standards and setbacks, the minimum ground clearance is 20 feet.

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



4. Request for a Front Yard (East) Setback Variance from Twenty-Five Feet (25) Feet to Ten (10) Feet to Construct an Open Porch Seating Area for an Existing Restaurant in the CC-1 (Commercial Corridor) Zoning District, for Property Located at the Southeast Corner of 9Th Street and Ridgewood Avenue and More Specifically Known as 841 Ridgewood Avenue.

(Requested by Brian Walker, City Planner)

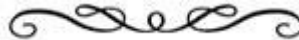
At this time member Robin Hanger stated that his trust (Land Trust Agreement 739521) is the applicant, He will be abstaining from this item and has filed a Voting Conflict Form 8B (see attached). He removed himself from the dais.

Brian Walker, City Planner, stated that this is a request for a front yard setback variance from twenty-five (25') feet to ten (10') feet to construct an open porch seating area for an

existing restaurant in the CC-1 (Commercial Corridor) zoning district, located at 841 Ridgewood Avenue. He gave some background information about the property, stating that a structure was built on the property in 1978 and that a Special Exception for a restaurant was granted on November 14, 2017. The applicant purchased the property in 2019 and proposes to continue to use the building as a restaurant. A roof extension canopy approximately 96 feet long is proposed along the front of the building on Ridgewood Avenue in order to provide cover for a proposed seating area. The existing roof overhang of the building encroaches six (6') feet into the required twenty-five (25') feet front setback. However, the building was built in 1978, which predates the Land Development Regulations. The applicant is requesting to extend the existing roof an additional 8.5 feet into the front setback and construct a seating area. Staff finds that the applicant has met all the criteria of Section 82-317 for granting a variance.

Heidi Heller, 460 Ridgewood Avenue, Holly Hill stepped to the podium to express concerns that the survey in the applicants packet mentioned sheet 1 of 2, she wanted to know where is sheet 2 of the boundary survey was. She was informed that the survey in the packet is being used as an exhibit.

RESULT:	APPROVED [4 TO 0]	Next: 8/13/2019 7:00 PM
MOVER:	Arthur J. Byrnes, Board Member	
SECONDER:	Tony Cassata, Board Member	
AYES:	Byrnes, Myer, Smith, Cassata	
ABSTAIN:	Hanger	



6. OLD BUSINESS

None

7. BOARD/STAFF COMMUNICATIONS

None

8. ADJOURNMENT

Meeting adjourned at 6:55 PM