



CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES • AUGUST 7, 2023

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**

2. **ROLL CALL**

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

3. **INVOCATION**

Mr. Myer led the invocation.

4. **PLEDGE OF ALLEGIANCE**

Mr. Hanger led Pledge of Allegiance.

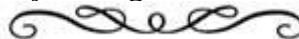
5. **MINUTES**

1. Minutes - June 5, 2023 BOPA Meeting

(Requested by Leslie Montgomery, Board of Planning and Appeals)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tony Cassata, Board Member
SECONDER:	Dennis Smith, Board Member
AYES:	Myer, Hanger, Smith, Cassata
EXCUSED:	Arthur

Enacted and approved this 7th day of August, 2023, in Holly Hill



6. **AGENDA ITEM(S)**

1. **VARIANCE** – 1438 Riverside Drive - Request a Variance from the Requirements of Sec. 114-765 – Schedule of Dimensional Requirements, Requiring that Principal Structures in

the R-1 (Single-Family) Zoning District be a Minimum of Ten-Feet (10') from the Side Property Line. Such Request is Made in Order to Build a New Home on a Lot that is Substandard with Regard to Width. the Applicant is Also Requesting a Height Variance from 30 Feet to 35 Feet. the Property is Located on the West Side of Riverside Drive Approximately 130 Feet South of 15Th Street and More Specifically Known as 1438 Riverside Drive.

(Requested by Brian Walker, Board of Planning and Appeals)

Brian Walker, City Planner, briefly went over the following staff report with the Board members. The applicant is requesting from the requirements of Sec. 114-765 - Schedule of dimensional requirements, requiring that principal structures in the R-1 (Single-Family) zoning district be a minimum of ten-feet (10') from the side property line. Such request is made in order to build a new home on a lot that is substandard with regard to width. The applicant is also requesting a height variance from 30 feet to 35 feet. The property is located on the west side of Riverside Drive approximately 130 feet south of 15th Street and more specifically known as 1438 Riverside Drive. The property under consideration is zoned R-1 which requires that the property be a minimum of 90 feet wide. However, the property is only 40 feet wide. Staff has researched the parcel, and spoken with the Property Appraiser's Office in an effort to find out why the property is so narrow and when it was created. A definite answer could not be obtained. However, it is thought that the parcel was broken off of the parcel it abuts to the south sometime in the mid-1960s, creating two non-conforming parcels. It is staff's opinion that the lot was created prior to the adoption of the City's Land Development Regulations. Additionally, between Walker Street and 15th Street, the west side of Riverside Drive contains 21 parcels. Only two of these meet the 90-foot minimum lot width requirement. The lots in this area of Riverside Drive, were platted at 100-foot-wide lots although very few are near that width today. The applicant would like to remove the old structure on the property, and build a new house. Given that the parcel is undersized with respect to width, they do not feel that the side yard setbacks can be reasonably met and have applied for a variance to allow 5-foot setbacks instead of the required 10 feet. To gain some additional space on the lot, they are also requesting an additional 5 feet in height. Should the variance be approved, the applicant will be permitted to build a 35-foot-high home with 5-foot side yard setbacks. In order to grant the variance request, the commission must find that the request meets the requirements of Sec. 82-317.

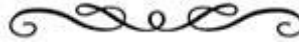
At this time the Board briefly discussed their concerns of the height of the house. Therefore, there was a split vote amongst the members resulting the variance request as submitted by staff to go to the City Commission.

Caralea Sanders, the property owner, came forward to speak to the Board about the variance request.

(This meeting in its entirety is available upon request to a CD in the Building and Zoning Department or you may listen to the meeting on the City's You-Tube channel.)

RESULT:	RECOMMEND APPROVAL TO CITY COMMISSION [2 TO 2]
MOVER:	Dennis Smith, Board Member
SECONDER:	Robin D. Hanger, Board Member
AYES:	Hanger, Smith
NAYS:	Myer, Cassata
EXCUSED:	Arthur

Enacted and approved this 7th day of August, 2023, in Holly Hill



7. ORDINANCES

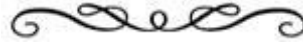
1. An Ordinance of the City of Holly Hill, Volusia County Florida, Annexing by Voluntary Petition Approximately .83 Acres Identified as Parcel Numbers 4242-31-01-0291 and 4242-31-01-0290 Contiguous to the City of Holly Hill; Redefining Boundaries of the City of Holly Hill to Include Said Property and the Adjacent Rights-Of-Way of N Nova Road and Old Kings Road; Directing the City Clerk to File the Ordinance with the Clerk of the Circuit Court, with the Chief Administrative Officer of Volusia County and with the Department of State; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)

Brian Walker, City Planner, briefly discussed the staff report pertaining to the following annexation. This request is to annex parcels totaling approximately .83 acres, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road. The parcels abut one another and the City of Holly Hill and are more specifically known as 1872 N Nova Road and 1888 N Nova Road. The parcel known as 1872 N Nova Road contains a building that is approximately 1,250 square feet in size and used an office. While 1888 N Nova Road is a vacant property. The applicant has submitted a petition for voluntary annexation into the City of Holly Hill. Florida Statutes Section 171.044 shows the requirements for voluntary annexation. The parcels are contiguous to the City limit and are under common ownership. The annexation will result in a City limit that is reasonably compact and does not create an enclave. Therefore, the request meets the statutory requirements. This request precedes a request for a comprehensive plan amendment and rezone. The proposed comprehensive plan map amendment requests General Commercial future land use, and the proposed rezone requests CC-1 (Corridor Commercial), which is consistent with the abutting properties in the City of Holly Hill. Staff recommends to the City Commission to annex parcels totaling approximately .83 acres, along with the adjacent rights of way, located approximately 275 feet south of Flomich Street between N Nova Road and Old Kings Road. The parcels abut one another and are more specifically known as 1872 N Nova Road and 1888 N Nova Road. No one from the audience came forward to speak regarding the annexation.

(This meeting in its entirety is available upon request on CD in the Building and Zoning Departments or you can listen to it on the City's You-Tube channel.)

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



8. OLD BUSINESS

None

9. BOARD / STAFF COMMUNICATIONS

Mr. Hanger announced that he will be resigning his place on the board effective immediately.

There was consensus from the Board to hold the next meeting on Tuesday, September 5, 2023.

10. ADJOURNMENT

The meeting adjourned at approximately 6:36 pm.

Leslie Montgomery

Leslie Montgomery

8/7/2023

Mike Myer

Mike Myer, Chairman

8/7/2023