



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • FEBRUARY 9, 2016

City Commission Chamber

Work Session

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John F. Capers	District 3 - Commissioner	Present	
Elizabeth Albert	District 4 - Commissioner	Present	
John Penny	Mayor	Present	

II. RIVIERA ESTATES

1. -DOC-2016-6

Riviera Estates: Discussion of the Riviera Estates Unrecorded Subdivision and a Development Proposal for Lots Within the Unrecorded Subdivision Submitted by Mr. Bass on Behalf of BBCOX LLC.

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

Commissioner Albert stated she wanted everyone to know, for the purpose of this workshop, she has been in contact with Verlindia Doss who is the Executive Director of the Ethics Commission and because Commissioner Albert could potentially have a personal impact on her property values resulting from any decision that the Commission may make, she will not be voting. Ms. Doss stated that Commissioner Albert is able to participate in the discussion.

Mr. Harowski discussed his presentation for Riviera Estates and discussed the PowerPoint presentation he had prepared for the workshop. The following was discussed during Mr. Harowski's presentation: Riviera Estates unrecorded plat layout, statutory disclaimer was included in the presentation, aerial view of the property, parcels that are developed in Riviera Estates - 24 developed, 20 undeveloped, discussed annexation and development history, aerial view of public services include existing water and sewer network, water is only on Timber Trail, sewer on Timber Trail and Chippeway Avenue, no stormwater management plan, land use is low density residential, zoning is R-4a zero lot line, single-family residential, deed restricted to single-family homes only, the City's development requirements were discussed which include a final plat subdivision plat requires roads, lots and utilities, private streets may be approved for developments that remain under single ownership and meet City design standards - Riviera Estates fails all of these tests as far as the City's code is concerned, there is a method for the Commission

to consider street shall be public unless private streets are permitted in accordance with the section in the code or as may be otherwise approved by the City Commission upon recommendation of the City Planner, City Engineer and City Attorney.

Discussion amongst the Mayor, Commissioners, City Attorney Simpson and staff regarding Home Owners Association (HOA), unrecorded plat, deeds release.

Mr. Harowski continued his PowerPoint presentation. The City received a proposal from David M. Bass, Managing Member BBCOX, LLC. The proposal is as follows: combine lots 25, 26, 27 into one building lot (Chippeway Lane), combine lots 30, 31, 32 into one building lot (Chippeway Lane), provide an easement for existing sewer line (Chippeway Lane), sell lots 13 and 18 as market transaction and provide access easement on lot 13 (Timber Trail), if the Commission is considering to accepting the proposal...sewer service is available, water service must be extended from Timber Trail, electric service is reportedly available, stormwater retention provided on lot, road extension proposed lime rock and dirt based, the road extension proposal does not meet City construction standards. Considerations and decision points for the Commission: Allow development with roads below City standards? Allow development with "long utility services"? Fire protection limitations beyond 200 feet. Cost to extend water and sewer mains verse lot value. Mr. Harowski discussed potential development sites with revised policy.

David M. Bass, Managing Member BBCOX, LLC, spoke and discussed his proposal as submitted to Mr. Harowski. He wants to fit in with what's already there as his proposal, put in two driveways in.

No questions of Mr. Bass from the Commissioners.

Mayor Penny opened public participation.

The following individuals spoke to the Mayor and City Commissioners: Gregory Pop, Attorney 1616 Concierge Blvd., Daytona Beach, present on behalf of the property owners of 1612 Timber Trail, Holly Hill, David, 103 Riviera Estates, Holly Hill, Shirley Myers, 2 Timber Trail, Holly Hill, Mary Lewis, 111 Riviera Estates, Holly Hill, Jim Vodnicker, 6 Timber Trail, Holly Hill, Tom Hilton, 21 Timber Trail, Holly Hill, Eric Myers, 2 Timber Trail, Holly Hill.

Mayor Penny closed public participation.

Mr. Forte asked the Mayor and Commissioners for guidance for staff to proceed. Mr. Forte stated the Commission was presented with one option which is to combine three lots into one on both sides of the sewer line and allowing him to run his own waterline and create a driveway from Timber Trail to the entrance of his lots. That would satisfy Mr. Bass's concern but still leaves the City with issues with these other lots and how people will have access to those. It doesn't cure the entire area problems. It only cures these six lots. The question is whether or not the Commission wants to reduce or relax the City's standards for the road requirements in order for the City to proceed with negotiating some type of a development with Mr. Bass.

Mayor Penny stated his opinion is no.

Commissioner Capers stated its a real mess the City has and its unfortunate.

Mr. Forte stated the City inherited it.

Commissioner Capers stated its unfortunate for those that have property there and for those that are undeveloped. There are roads that are not up to City standards, drainage, utility not up to standards. Fire protection...if the fire truck runs out of hose at 200 feet, the City will be liable for a house being burnt down or a loss of life?

Mr. Forte stated he doesn't think that's as much of an issue. He spoke to Chief Bland and theoretically if this were a subdivision, a cul de sac or some kind of turnaround point in here, but in the case of fire suppression, the engine would stay on Timber Trail run a 200 feet of four inch line out and put a gated valve on there and come off the gated valve. Its not an ideal scenario. Its doable but he couldn't say the City would deny it for that reason.

Commissioner Capers stated with the fire history...minutes, seconds make a huge difference.

Mr. Forte stated its not the best scenario.

Commissioner Capers stated trying to get things set up, trying to get another fire truck in, even police accessibility on these dirt roads during rain because the City doesn't have proper drainage. Mr. Bass talked about doing some drainage in the back of that particular property, to him, that's going to be a hazard for children. If Mr. Bass had all these little lots with little ponds in their back yards every where, a lot of this doesn't make sense. This is so substandard and so messed up, to continue to grant people to continue with this, to him, is just irresponsible. That's how he looks at this. Its a shame that people bought and couldn't build. He would have thought that Mr. Bass would have done his due-diligence and check out to see if the lot was buildable through the City before he purchased the property.

Mr. Forte stated it wasn't a straight forward title search type of acquisition.

Commissioner Capers stated he is just afraid if the Commission grants Mr. Bass permission then as the remaining lots go and continue to do it, the City will have a giant subdivision that is substandard in every means possible. To him, if they have some homes and they are all currently grouped up at one end, the City should start to begin to correct those and he is not sure how the City will do with the rest of those but maybe the rest are just not doable. That might just be the answer, he doesn't know. He would like to see the ones that are there brought up to standard. He tried to look at both sides of this. He tried to put himself in Mr. Bass's position but that is his take on this mess and he thinks if the City continues to go in the direction that it is now, its just going to get worse by all means. That's his opinion.

Commissioner Currie stated she feels the same as far as the City's standards; she does not want to continue and she hates to speak of the property so negative, so please forgive her

for that. She doesn't want to continue with this substandard happenings there and just allow it to continue. Especially, for the public safety aspect of it. If its doable but not really recommended, to her, that speaks volumes that that's a problem. She is sure that everybody there would like to know that their homes are protected no matter what and that the City is not just doing things to make them doable. That's not a good method or approach for the City to take. She knows that Commissions in the past have done a lot of strange and odd things but she thinks the City has a Commission now that tries to look at both sides of the coin. Commissioner Currie stated, "Mr. Bass, I apologize sir, but your recommendations just don't meet the City's standards and to me, that's not doable." Commissioner Currie stated, she feels the same Mr. Mayor.

Commissioner Byrnes stated he doesn't want to take this out of context but there is one part of this plan that he likes which is turning those three lots on each side in to two so there's not going to be six houses back there, there would just be two, more of an estate kind of housing rather than a development. The problem is without a standard city street and without all of the utilities, he can't say go. If the streets were proper and the utilities proper, the Commission or staff wouldn't be here because it would have been approved by staff already. As much as he likes that part of the plan, he can't accept the other part of the plan so his recommendation is no.

Commissioner Albert remained silent during this time.

Commissioner Capers stated he has one last question. What was the recommendation from the City's Planner?

Mayor Penny stated they wouldn't be here if Mr. Harowski approved it. If the City Planner had approved it, they wouldn't be here.

Mr. Forte stated the reason the Commission is here is because there are some scenarios in which the Commission can waive certain requirements. Mr. Forte stated what he is hearing is that the Commission doesn't want to waive those requirements. It was to provide information to the Commission to consider modifying, changing or waiving some of the requirements.

Mayor Penny stated his main concern was that the City is going to piecemeal it and they will take a bite away, and a bite away and like Commissioner Capers said, in ten years from now or twenty years from now, the City will have the whole neighborhood developed substandard.

RESULT:	PRESENTATION
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Enacted and approved this 9th day of February, 2016, in Holly Hill



III. ADJOURNMENT

The workshop adjourned at approximately 7:25 pm.


Valerie Manning, City Clerk CMC 2/9/2016


John Penny, Mayor 2/9/2016